

Cabinet

Tuesday 20 October 2020

4.00 pm

Online. This meeting will be livestreamed on Southwark Council's YouTube channel here: <https://www.youtube.com/user/southwarkcouncil>

Appendices

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Date: 12 October 2020

Summary of the 16 Recommendations – Appendix 1

The following recommendations will be implemented in the short term from September to March 2021.

Transition Recommendations:

Recommendation 1 – A Managed Transition: That all partners put in place a managed transition for people supported by the Covid-19 Community Hub, stepping down support where it is no longer needed and ensuring people who need ongoing assistance are matched with the appropriate support.

Recommendation 2 – The Emergency Operating Model: The council and partners should agree a Covid-19 community support plan that sets out the emergency operating model in the event of a further spike in Covid-19 or a further lockdown.

Recommendation 4 - Embedding services in neighbourhoods: Partners should embed access to existing service provision within neighbourhoods. This should include testing new ways of providing housing, employment, skills, money, social care and immigration support in local communities – including testing how support from established public & VCS providers can be made accessible in partnership with local community ‘anchor’ organisations rooted in each part of the borough.

Recommendation 5 – Making the Most of Social Prescribing: Health partners should explore how social prescribing can become a central element of the community support alliance.

Recommendation 6 – Building effective referral systems: The council, VCS and health partners should develop and embed a social support referral system– building on the success of the work Community Southwark have been leading using the Airtable platform.

Recommendation 8 – Aligning plans for emergency food provision:

Partners should work with the Southwark Food Action Alliance to develop a stronger common approach to emergency food provision, including establishing aligned criteria/thresholds, ways of avoiding duplication of service to individual people and shared relationships with food suppliers.

Recommendation 15 – Principles for working together:

The partnership

Should adopt the following principles in working together:

- Mutuality and reciprocity – people and organisations contributing what they can as well as receiving support when they need it.
- Co-design – all partners and residents working together to design the alliance and share approaches and tools.
- Clarity of purpose - working to a clear common purpose.
- Collective resources – working to make the best uses of the resources we have in Southwark across the system and across all partners.
- Operations not just strategy – getting on with practical work together across the system.
- Relationships and communication - a partnership of equals across sectors.
- Data and technology - Effective use of data and intelligence to achieve more.
- Both this and recommendation 16 are key enablers to the longer-term approach.

Recommendation 16 – Principles for providing support: The partnership should adopt the following principles for providing support moving forward:

- Mutuality and reciprocity – people and communities contributing what they can as well as receiving support when they need it, and being valued for what they contribute.
- People are fully involved in identifying their needs and planning the support they receive.
- People have the opportunity to build on their strengths – planning of support helps individuals to identify their strengths at a personal and community level.
- People have access to the information, advice and guidance they need to meet their needs.
- People feel that they have access to services and less formal groups that improve their lives and wellbeing.

The following recommendations will be implemented in the Long term from March 2021 to March 2022

43. Legacy Recommendations:

(i) Governing Recommendation: Building a Borough where everyone can contribute

Recommendation 3 – A new alliance: The council, VCS and health partners should work together to strengthen and further develop a Southwark community support alliance. This should be focused on providing social support that delivers long-term reductions in inequality, combining resources, building on the successes of the Community Hub, and founded on the vision, outcomes, principles and framework set out below.

(ii) Recommendations on related work

The issues raised at the review group have been wide-ranging and has touched on a range of issues that relate to work taken forward by other groups and initiatives. Here we set out a range of recommendations that would bring these workstreams into line with the framework and vision of our governing recommendation.

Recommendation 7 – Encouraging and Supporting Volunteering: The review recognised the significant role that volunteers have played in supporting vulnerable people in the borough. The review group recommends that Community Southwark should work with partners to find ways to celebrate and support volunteering.

Recommendation 9 - Developing a common long-term approach to tackling food insecurity: Partners should scale up community run low cost food projects - working through the Southwark Food Action Alliance to develop options for affordable food provision that support people's dignity and independence (including community supermarkets, pantries etc.), linked to the review of the food security plan.

Recommendation 10 – Understanding Southwark's hidden populations: Research should be undertaken to better understand Southwark's population who do not have full recourse to public funds – to identify the scale of the population and the issues they face. Working with the VCS groups that are currently supporting large number of people in this situation to undertake the research.

Recommendation 11 – Tackling Digital Exclusion: There is an urgent need to prioritise connecting digitally excluded people, including identifying how access to devices and data can be improved for people who cannot currently afford them and strengthening digital skills.

Recommendation 12 – Supporting grassroots organisations: Community Southwark should review how capacity building support in the borough can best support the development of Southwark social/ community support alliance together with development/implementation of a formal partnership model of delivery with Voluntary and Community Sector organisations.

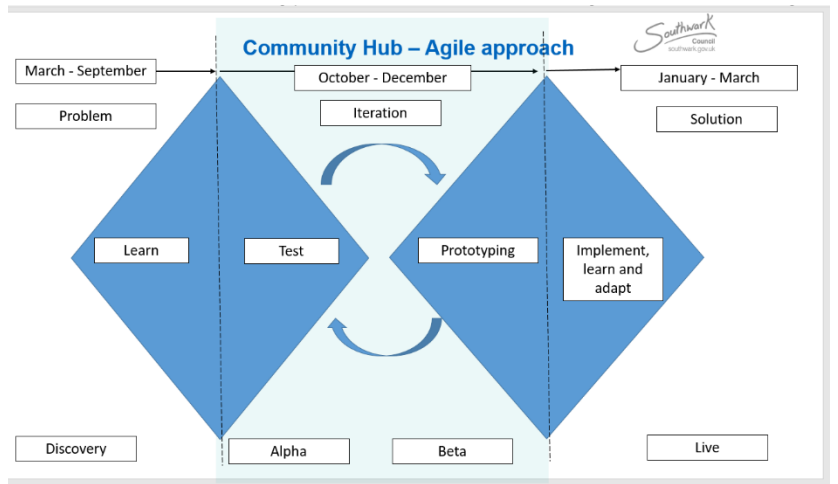
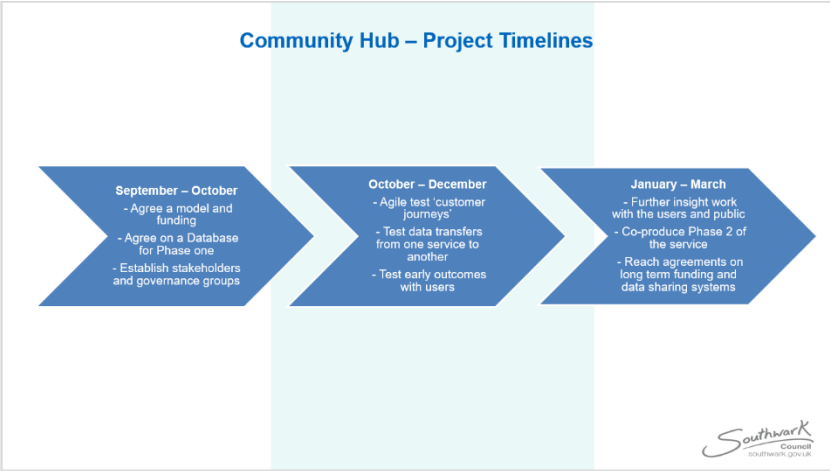
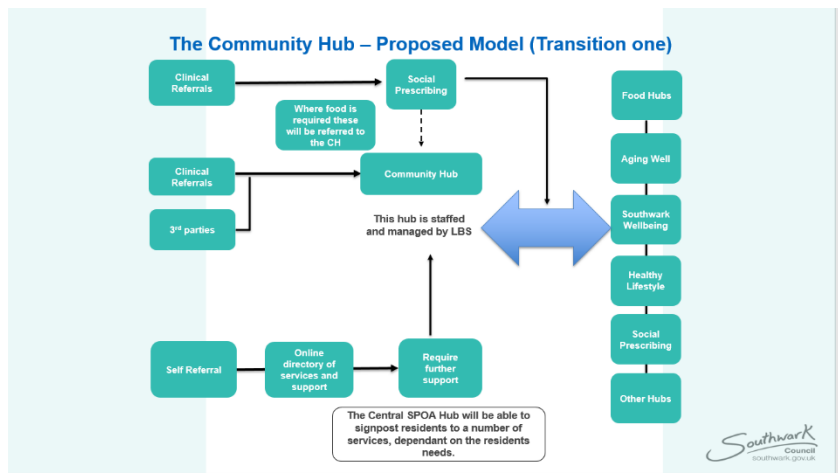
Recommendation 13 – Leveraging existing funds: Funders in Southwark and beyond should consider how they can best use their existing resources to support the delivery of these recommendations.

Recommendation 14 – Tackling inequalities: The review group heard evidence on the significant disproportionate impact on some communities. The review therefore recommends that all partners should:

- Undertake joint work to understand those who were and remain worst affected by Covid-19, for example BAME groups.
- Improve the way they collect, use and act on data moving forward, covering all equalities groups.



Proposed Model for the Southwark Community Support Alliance – Appendix 2



Two year Action Plan

APPENDIX 3

Delivery and implementation plan of the Southwark Community Support Alliance:

To be	Activity	Lead partner(s)
Delivered: Year one October 2020 – March 2021 <i>Initial version</i> <i>complete, to be</i> <i>updated when</i> <i>necessary.</i>	Recommendation 1 – A Managed Transition: That all partners put in place a managed transition for people supported by the Covid-19 Community Hub, stepping down support where it is no longer needed and ensuring people who need ongoing assistance are matched with the appropriate support.	Southwark Council VCS Partners
	Recommendation 2 – The Emergency Operating Model: The council and partners should agree a Covid-19 community support plan that sets out the emergency operating model in the event of a further spike in Covid-19 or a further lockdown.	Southwark Council VCS Partners
	Recommendation 4 - Embedding services in neighbourhoods: Partners should embed access to existing service provision within neighbourhoods. This should include testing new ways of providing housing, employment, skills, money, social care and immigration support in local communities – including testing how support from established public & VCS providers can be made accessible in partnership with local community ‘anchor’ organisations rooted in each part of the borough.	Southwark Council VCS Partners Health Partners
	Recommendation 5 – Making the Most of Social Prescribing: Health partners should explore how social prescribing can become a central element of the community support alliance.	Southwark Council VCS Partners Health Partners
	Recommendation 6 – Building effective referral systems: The council, VCS and health partners should develop and embed a social support referral system– building on the success of the work Community Southwark have been leading using the Airtable platform.	Southwark Council VCS Partners Health Partners
	Recommendation 8 – Aligning plans for emergency food provision: Partners should work with the Southwark Food Action Alliance to develop a stronger common approach to emergency food provision, including establishing aligned criteria/thresholds, ways of avoiding duplication of service to individual people and shared relationships with food suppliers.	Southwark Council (SFAA) VCS Partners
	Recommendation 15 – Principles for working together: The partnership should adopt the following principles in working together: <ul style="list-style-type: none"> ○ Mutuality and reciprocity – people and organisations contributing what they can as well as receiving support when they need it. 	All

- Co-design – all partners and residents working together to design the alliance and share approaches and tools.
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Both this and recommendation 16 are key enablers to the longer-term approach

Recommendation 16 – Principles for providing support: The partnership should adopt the following principles for providing support moving forward:

All

- Mutuality and reciprocity – people and communities contributing what they can as well as receiving support when they need it, and being valued for what they contribute.
- People are fully involved in identifying their needs and planning the support they receive.
- People have the opportunity to build on their strengths – planning of support helps individuals to identify their strengths at a personal and community level.
- People have access to the information, advice and guidance they need to meet their needs.
- People feel that they have access to services and less formal groups that improve their lives and wellbeing.

**To be Delivered:
Year Two April
2021 – March
2022**

Activity	Lead partner(s)
<p>(i) Governing Recommendation: Building a Borough where everyone can contribute</p> <p>Recommendation 3 – A new alliance: The council, VCS and health partners should work together to strengthen and further develop a Southwark community support alliance. This should be focused on providing social support that delivers long-term reductions in inequality, combining resources, building on the successes of the Community Hub, and founded on the vision, outcomes, principles and framework set out below.</p>	<p>Southwark Council VCS Partners Health Partners</p>
<p>Recommendation 7 – Encouraging and Supporting Volunteering: The review recognised the significant role that volunteers have played in supporting vulnerable people in the borough. The review group recommends that Community Southwark should work with partners to find</p>	<p>Southwark Council VCS Partners</p>

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Southwark Council
(SFAA)
VCS Partners

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Southwark Council
VCS Partners

Recommendation 11 – Tackling Digital Exclusion: There is an urgent need to prioritise connecting digitally excluded people, including identifying how access to devices and data can be improved for people who cannot currently afford them and strengthening digital skills.

Southwark Council
VCS Partners

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Southwark Council
Community
Southwark
Other VCS Partners

Recommendation 13 – Leveraging existing funds: Funders in Southwark and beyond should consider how they can best use their existing resources to support the delivery of these recommendations.

Southwark Council
Local Funders (United
St Saviours)

Recommendation 14 – Tackling inequalities: The review group heard evidence on the significant disproportionate impact on some communities. The review therefore recommends that all partners should:

Southwark Council
VCS Partners

- Undertake joint work to understand those who were and remain worst affected by Covid-19, for example BAME groups.
- Improve the way they collect, use and act on data moving forward, covering all equalities groups.

Appendix 4 – Proposed Governance Structure

DRAFT Terms of Reference:

Aim

The key purpose of these meetings is to ensure that the Community hub is supported and delivers on the short term objectives as set out in the Implementation of the Southwark Community Support Alliance cabinet paper.

Objectives

- Agrees on the vision, aim and objectives of the Community Hub (what does success look like)
- Provides direction and advice on what the holistic service should be, that is able to support residents in addressing wider needs
- Develops and improves the existing links and partnerships with VCS and other existing hubs and ensures that the Community hub is integrated across Southwark services
- Instructs officers to test new ways of providing food, housing, employment, skills, money, social care and immigration support in local communities

The purpose of the Implementation Group and working Group(s) is to:

1. Oversee the developments and communications given to vulnerable residents across the Hub and wider partnership to provide a consistent and joined up support service.
2. Ensures that the Southwark Community support alliance are focused on providing social support that delivers long-term reductions in health inequalities and builds on the successes of the Community Hub.
3. The Southwark Community Support Alliance delivers against the proposed framework and outcomes.
4. Agrees to all proposed developments and testing using an agile project approach

Term

The Implementation Group will be informed by the current Food hubs working group. The Implementation group may decide to create further working groups to help inform decision making project developments. These groups will be effective from October 2020 and until 31 March 2021. Where a full review will be conducted to check on progress and developments of the implementation plan.

Membership (Please refer to appendices 1 and 2 of this report for structure)

Membership of the Implementation Group will include representatives of key partners from the voluntary and community sector, health and council and will meet once a month. The group will be chaired by the Cabinet Member for Social Support and Homelessness who will agree the membership.

The Southwark Council Project Team will be made up of the following members and will meet once a week:

- LBS, Director of Communities
- LBS, Community Hub Project Managers x2 (co-chair)
- LBS, Community Hub officers x2

The Food hubs working group will be made up of the following members and will meet once a week

- Community Southwark
- Albrighton Community Fridge
- Central Southwark Community Hub

- Lewington Centre
- Pembroke House
- Pecan
- Paxton Green Time Bank
- St George the Martyrs
- Time and Talents
- LBS, Operations Team Manager – Community Hub
- LBS, Healthy Food and Business Officer (Representing community kitchens)
- LBS, Community Hub Project Manager (Co-Chair)
- LBS, Policy Officer (Obesity, Physical Activity & Behaviour Change) (Co- Chair)
- SFAA, Coordinator (Co-Chair)

The IT data and CRM systems working group and Health and VCS working group need to be developed and membership agreed and will meet twice a month.

Meetings

In the event that members are unable to attend, it is requested that a suitable and fully briefed deputy to be arranged.

- It is proposed that only actions are recorded and shared
- Agenda items will be shared a day before any meeting, where anyone within the membership can contribute to the Agenda.
- Meeting papers and actions, will be shared via email – to all attendees and those within the membership whether they have attended the meeting or not
- The format of the meetings will consist of discussions and presentations in different methods.
- Non-members may well be invited to group meetings, but must be agreed 2 days before the meeting date by Chairs of those meetings.

Sharing of information and resources (including confidential materials)

- All information shared, within the group must be allowed to be shared within the public domain. Unless the member has exclusively expressed that the information is to be kept within the group only.
- Any confidential forms and papers shared, at the meeting must be watermarked with confidential on them.

Accountability

- All groups will contribute to proposals and discussions on the Community Hub, including any developments.
- To develop, promote and scrutinise plans, projects and services that would benefit the residents of Southwark.
- The Implementation Group approves all recommendations and proposals that are presented by the project team and working groups.
-

Risk management

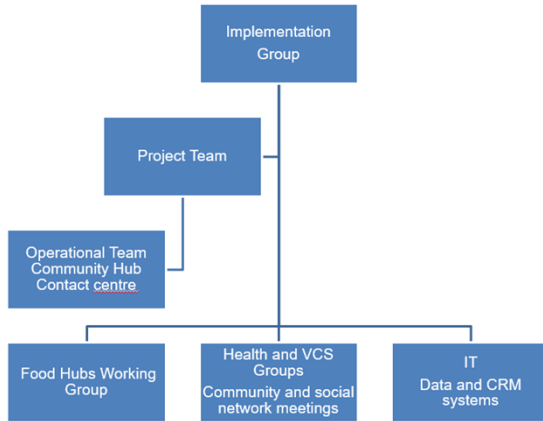
- Maintain and monitor risk register, and issues log and escalate as appropriate, for example if another lockdown occurs due to COVID-19.

Other duties

- The Implementation Group will review its terms of reference, membership, relevance and effectiveness on a quarterly basis.

Appendix 1 – Governance and working group structure

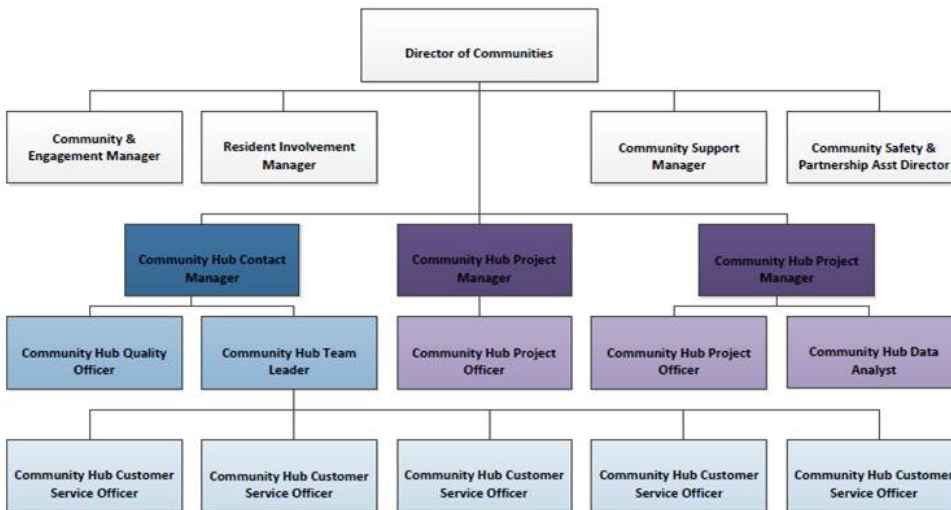
Community Hub
Implementation Network Groups and Project Team
Revised Informed meetings



Slide 4



Appendix 2 – Current Community Hub staff structure



END

APPENDIX 1 - Southwark Council's vision for our Planning System

Our vision for our Planning System is for Delivery, Digital and Diversity

September 29 2020

www.southwark.gov.uk

Foreword – Cllr Johnson Situ – Cabinet Member for Climate Emergency, Planning and Transport

Southwark is committed to improving the lives of our communities through providing genuinely affordable homes, green accessible spaces; affordable works space and reducing health and income inequalities. Our planning policies is also at the heart of our approach to ensure the benefits of growth in the borough benefit all. Consequently, we are incredibly proud that in recent years we have seen major increases in the number of social and genuinely affordable housing approved, with the last financial year seeing Southwark top the list of London boroughs with social housing starts on site. We have also placed our response to the Climate Emergency at the heart of our vision for the borough, which we have already started introducing into planning policy.

However, all of our gains are now under threat with the current Government consultation on the planning white paper, which has been criticised by planning experts, community groups and politicians across the political spectrum. This Government will have the public believe that these proposals will enable more homes to be built, that another reform of the planning system will unlock the a wave construction, we disagree and we point to a study by the LGA that found only half of homes consented in recent years have actually been built. We are clear, these proposals are flawed and will not provide the conditions in which we can improve the wellbeing of our residents. Our concerns are that these proposals present are a threat to local democracy, a threat to delivery of genuinely affordable homes and barely mentions the biggest threat to our way of live in the coming decades, the Climate Emergency. These proposed reforms to the planning system are not based on evidence.

In short, this council will not stand by as this Government introduces planning policies, which will risk the gains we have achieved in recent years. We acknowledge the planning system is not perfect and we will support changes that are considered, seek to retain the voice of local democracy and enable local authorities to continue to deliver for our residents. We will join our community groups, local authorities across the country and planning experts in continuing to campaign against these regressive proposals.

Pillar One Questions

1. What three words do you associate most with the planning system in England?

A: At it's best we have identified four words and would like these to be Delivery, Diversity, Digital, and Democracy

To deliver a plan-led Planning service that sets out simply where and how the borough is going to develop and how we will decide whether developments have made an appropriate contribution. This should improve places and deliver jobs, homes, schools, healthy activities, shops and accessibility to benefit our communities. The plan and development must be accessible to all of our communities so that they can understand, engage, inform and influence this ambition for sustainable development.

We are redesigning our Planning Service to achieve our Delivery, Digital, Diversity and Democracy vision.

2. Do you get involved with planning decisions in your local area?

A: Yes we make the Planning Decisions and write plans that determine them, collect CIL and negotiate Section 106. We also carry out Enforcement, Transport Planning and monitor the success of the development plan and planning applications service.

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

A: We fundamentally disagree, the suggestions by this consultation that communications can be automated would remove the opportunity for the community to have their say on planning applications that impact on their communities and places. We are concerned that such a move would dilute the role of democracy in the planning process, thus making planning process less accountable to communities.

The plans and applications need to have clear, accessible content. There needs to be more emphasis on less information, photographs, illustrations and summaries of information that is needed to make decisions and provide guidance.

The most effective ways for Councils to share the clear, accessible content of Local Plans and planning applications are Social media, online news / Newspapers and the Council website which includes Southwark maps. We also have set up mailing lists online for those who are interested in different areas of planning and planning applications within different areas. Certain application types are best advertised by letter to neighbours as there is no other way to ensure that those residents have received a notification. We have a spatial map-based system which includes planning policy areas and constraints. In this way property owners are able to find out which policies apply to their property and find out how they can meet or exceed these policies. However this needs to be closely defined to those where there is an impact.

There are also many of our residents who do not have access to broadband that cannot download these documents or who find it difficult to access information on the internet. There needs to be significant support to enable access for everyone to these issues. Furthermore there needs to be local, well considered consultation on every planning application that may require resources to ensure that local people and others where the scheme has an impact are consulted and can have their say.

Consultation on Major and Strategic applications will have a significant impact on local communities. We have led the way in challenging applicants on how they engage how our communities and set out how additional consultation should be carried out in our Development Consultation Charter which is part of our Statement of Community

Involvement. This puts existing communities at the heart of the consultation process. It asks questions about the current use of the site and the surroundings by those communities and requires the developers to listen to local communities and respond to their comments.

4. What are your top three priorities for planning in your local area?

A: Southwark's strength is its diverse set of communities and urban centres which are linked together and therefore it is not possible to compartmentalise local planning into three priorities. The purpose of planning is to ensure that all of the complex and challenging issues and relationships are considered to deliver the most meaningful developments within existing communities that welcome those who will be using them. We have set out three priorities but they are inter-related and cover a wide range of issues that should not be compartmentalised.

- Building homes for all of our local residents particularly social rented and intermediate homes. The housing needs is so significant in Southwark that we can not provide for the affordable housing need even if we built all of our housing target as affordable homes. These proposals will reduce the provision of affordable homes by 37% or 3050 units over the next decade which would be an absolute disaster for providing places where people can afford to live.
- Building workspace to enable our local businesses to be able to operate in Southwark - particularly affordable business space.
- Ensuring growth and change benefits the quality of places particularly healthy activities, schools, supporting the high streets, local economy and our town centres.

5. Do you agree that Local Plans should be simplified in line with our proposals?

A: No

The purpose of Local Plans is to supplement National and London policy with the issues that are necessary for consideration locally. The issues that Councils in England need to consider are very different depending on the local communities and places. Where local issues are the same as National and London policy they should not be repeated in Local Plans and Councils use the National and London policy. Where they are different Councils prepare Local Plans. This means that there is no duplication. In some instances the policies might be similar however the local circumstances lead to different justifications and applications. Therefore a simple system of policies will not take into account local circumstances and would lead to significant harm to local places. We therefore oppose this proposal as it has the potential to create conflicting frameworks, which in turn could cause major disruption to our planning approach.

Our Local Plans are simple, visual and short. We integrate design guidance with land uses in all of our Area Action Plans so that they work together to set out guidance for development proposals. The plans are simple and succinct. The plans set out the strategy with detailed site allocations and area designations that are very prescriptive about the types of development that can take place. There is detailed design guidance which enables clarity of approach whilst leaving the opportunity for world leaders in architecture to ensure that each scheme responds to the local environment and contributes positively to local places.

Growth, Renewal and Protection

The definition of the zones is unclear as this has not been set out clearly in the consultation.

Does the Growth Zone apply to Southwark or is this for greenfield sites? Is the Renewal Zone for the Growth Areas that we have already identified in our New Southwark Plan or is this now a new zone that we need to adapt to? The zone for Protection sets out an expectation that this area is the only area to be protected and suggests that there is an additional level of care that is not to be applied to the rest of our borough.

The three zones in any form can not be applied in London. This is because the complex nature of cities where conservation and growth takes place side by side needs more sophisticated assessments. The proposals for growth, renewal and conservation work well in areas where there are specific uses that can be zoned. Zoning is too blunt a tool for complex urban areas with a fine grained mix of uses, scales and character areas. In a central London borough such as Southwark most of the development takes place in or around conservation areas. The urban grain is too fine to distinguish between uses as a mix of vibrant activity alongside employment, industry and homes contribute to the different communities that have developed in and around town centres. We are concerned that adopting this simplified approach would not facilitate effective planning decisions, but rather would create an unworkable framework for our borough.

The borough's main growth areas are already defined as AAP's which in most cases are also London Plan Opportunity Areas. Nonetheless in a city like London it is difficult to define exactly where particular characters start and end. The mix of central, urban and suburban isn't always neat and ordered. Past attempts to split the borough into central, urban and suburban by the GLA were hugely contentious with local communities. This is a risk that could be repeated, slowing plan making before it has started. One way to deal with this would be to allow for greater flexibility in setting these zones, and not requiring the entire area to be defined as one or the other.

This can not be implemented without a detailed area character assessment and historic area assessment of the entire borough. At the moment, we have area character assessments for our Opportunity and Action Areas as well as our adopted conservation areas. In addition a large proportion of the borough is also identified as an Archaeology Priority Area. Undesignated heritage assets like archaeology are specifically not mentioned in the White Paper. For this to be implemented in the spirit of the White Paper, the proposed simplification of the categories of development areas will need extensive and detailed analysis of the entire borough and its historic development including undesignated heritage assets like archaeology. Local Authorities would need to be resourced to carry out this process.

If growth areas are considered to be greenfield sites then there will not be any in Southwark. If they are considered to be areas where there is growth as in the current system the relationships between the buildings and of the buildings to each other are too complex for simple zoning. The current system of Opportunity and Action Areas with cores enables clear policy for areas with complex characteristics. These would be the renewal areas. The remainder of the borough is a conservation area. This issue is that the proposed protection areas if this includes conservation areas are part of our growth and

renewal areas and would hinder development or make unnecessary zones in areas where there is already considerable development.

The UK is in the midst of a housing crisis, which is being felt most acutely in London and in borough like Southwark. With over 13,700 households on waiting lists for social housing and with demand for affordable homes still rising, our priority is the delivery of high quality homes for all of our local resident's particularly social rented and intermediate sectors. The housing need is so significant in Southwark that we can not provide for the affordable housing need even if we built all of our housing target as affordable homes. These proposals will reduce the provision of affordable homes by 37% or 3050 units over the next decade which would be an absolute disaster for providing places where people can afford to live. Proceeding with these proposals in their current form will be disastrous for the delivery of Southwark's housing targets.

Timescale and consultation

Plans could not be prepared within 30 months for boroughs such as Southwark. The complexity and volume of issues and the considerable consultation that is required is far too great to be shortened so considerably. Plans should be continuously reviewed and updated rather than an entire refresh every 30 months. This would assist with resources and it would enable more effective preparation of policy as focus could be on less issues at one time. All plans should be subject to a review every 30 months so that the strategy, each policy and allocation can be reviewed to ensure it is up to date.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

A: No

A suite of off the peg policies would not take into account particular circumstances that would justify having a local approach. The borough would generally adopt the core policies, and if not would set out why they felt a different approach was justified in their area.

Examples of local policies which can not be standardised that require local consideration, strategy, monitoring and implementation to meet local and very varied needs are set out below. The standardisation and nationalisation of these policies would cause considerable concerns as they would have significant impacts on the equalities target groups and all of our communities in Southwark.

These are:

- 1) Affordable housing, new family homes, private rented homes and student homes where local circumstances of need and the cost of housing vary considerably and therefore local authorities need to justify different approaches. - Building homes for all of our local residents particularly social rented and intermediate homes. The housing needs is so significant in Southwark that we can not provide for the affordable housing need even if we built all of our housing target as affordable homes. These proposals will reduce the provision of affordable homes by 37% or 3050 units over the next decade which would be an absolute disaster for providing places where people can afford to live.

- 2) Regeneration that works for all is a policy which addresses the local impacts of change and regeneration and sets out the local issues that need to be taken into account.
- 3) Design frameworks and local design policies which set out the strategy and framework for local areas to ensure that there is context and clarity and detailed consideration of local issues.
- 4) Local landmarks such as the River Thames require local policy to ensure that the strategy and policy is considered at the local level for successful implementation.
- 5) Tall buildings policy is very different depending on the context and many local residents regard their input as very important to the process of preparing this policy and the consideration of location, impact and functionality along with the ground floor strategy is a very local issue.
- 6) The strong local economy considers the impacts of the local economy and how the different pressures for resources and space should be balanced based on the local area. The local centres and high street underpin local communities, local journeys, sustainability, accessibility and healthy streets.
- 7) Access to employment and training varies depending on the location and should be a local policy to meet the local need. Employment and skills are key strategic priorities for Southwark and we support various frontline programmes to help residents into work, support local businesses and promote a strong local economy. Section 106 employment and skills obligations ensure that new developments bring sustained jobs to the borough and create apprenticeships, as well as funding bespoke training opportunities which can be targeted towards key local employment sectors and the filling of localised skills gaps. Since 2015 Southwark's section 106 policy has led directly to the creation of over 500 additional jobs per annum for local residents, either through direct employment on development sites or through employment and skills programmes funded by financial offsets paid by developers under section 106 agreements.
- 8) Strategic protected industrial land is a policy set at the London level. This needs to be an area policy to consider the strategy for development and how it can be most effectively progressed to ensure provision for London.
- 9) Office and business development varies considerably within Southwark and requires local consideration to ensure the most appropriate balance and mix in a strategy.
- 10) Affordable workspace varies considerably between different areas, the need and type of space along with the developer's ability to pay a contribution are a local issue.
- 11) Business relocation is a key part of Southwark's strategy to manage change in a positive way for local businesses. The requirements are specific to Central London and local places within Southwark and are required at a local level to ensure that businesses do not lose the opportunity to operate in the borough.
- 12) Pubs, betting shops, pay day loan shops and takeaways all have very different requirements based on local circumstances. They all require local consideration and policy as small changes in their provision can have significant negative impacts on local communities.
- 13) Transport infrastructure requires local expertise and strategy as part of a London approach to movement. This policy needs London policy in addition to local policy to ensure that there is adequate consideration of all of the issues and impacts. To ensure a development is sustainable this test should include transport impacts by avoiding the building from increasing motor vehicle use and by increasing walking, cycling, public transport and zero emission deliveries.

- 14) Car parking and cycle parking are very different in central London to in the rest of England. These issues need careful local consideration.
- 15) Climate Change is a significant local issue where planning is playing a central role. Southwark has a target of being a carbon neutral borough by 2030. In order to achieve this local policies which consider the issues and put in place policies to address them are essential.
- 16) Local policies are required to ensure that development encourages healthy eating choices by limiting the convenience of unhealthy food and increasing the convenience of healthy food. We need to use planning tools to encourage healthy food environments, tackle food deserts and increase food security in the borough. Additional to hot food takeaway restrictions a healthy food environment supports proximity to affordable shops and markets and easy walking/cycling routes providing connectivity to affordable shopping areas, access to community kitchens, water fountains, community growing spaces. Boroughs should be able to map food deserts and map provision of food security assets by area. Can that evidence be used to encourage developments that responds to gaps/needs for particular areas of need
- 17) We would consider it important to retain the ability to include local environmental policy in the local plan.
- 18) We can appreciate the benefits of automatic screening of environmental assessments as a tool to aid our review however we would consider it crucial that most environmental issues continue to also be reviewed by qualified professionals. Many environmental issues can be site-specific or include significant elements of subjectivity which require human consideration. There is also significant scope for manipulation of outcomes that would not easily be picked up by an automatic computer system. It is likely to be extremely difficult to fully capture the complexity of environmental assessments in an automatic review of compliance against a fixed policy outcome.

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

A: No

The replacement of the legal and policy tests with a simplified process for assessing the environmental impact of plans would not continue to satisfy the requirements of UK and international law and treaties. The consolidated test of sustainable development which would consider environmental impact would be water down the assessments and would lead to issues being ignored and not considered effectively. Furthermore the democratic role of the Council to ensure that we gain the views of our communities would be eroded on these essential issues, we would particularly concerned about the impact on the Climate Emergency, Air Quality, Health and Movement.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

A: In London there are many groups that address cross boundary issues and London issues. These groups consider strategic issues for London and area issues. This pan-London focus is particularly important for housing, transport and employment. It is useful to retain a London strategic consideration for these issues particularly with regards to movement, meeting the needs for housing and job creation. Boroughs have local clusters and talk to each other and work together regularly. The GLA and the Mayor also have a role along with TfL to lead on housing and transport issues for London.

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

A: No

We are opposed to this proposal on grounds that it does not provide an effective framework for addressing housing need and the local context of London. We consider the London scale to be the most appropriate for the housing requirements and housing targets. Whilst the methodology always sets a challenging target and requires London boroughs to work together to meet the housing need. It would be helpful if the London Plan was more spatial and the process of producing it more cooperative. It could provide clarity and a degree of leadership/arbitration about cross borough issues. As boroughs we could also reflect each others plans and if they have more graphic representation it should be easier to see where the gaps are.

Standard methodology

A standard method would enable consistency in the consideration of housing requirements. There is such a difference between London and the rest of the country that it is difficult to compare.

The methodology needs to take into account the ability of the market to deliver and not the size of existing urban settlements and the affordability of places. Urban settlement size is not an appropriate measure as there is no assessment of the land that has already been developed and the capacity for development. Affordability of places is not a useful measure as this does not have any impact on delivery of development.

The new target for Southwark would be 3547 rather than 2736 which is the current target and 2146 which is the current delivery. Southwark currently builds around half of the number of permissions. The targets method needs to assess why the developments have not been delivered as part of the assessment.

Affordable Housing Threshold

Changing the threshold for affordable housing is extremely damaging. In the past five years, schemes of 11 to 49 units have delivered 759 affordable homes. Furthermore 501 affordable homes could have been potentially delivered from the minor developments (i.e. 1 to 9 unit schemes), which could lead to over 1,200 affordable homes provided from those schemes under 50 units.

Affordable home contribution from schemes under the new proposed threshold

Year/ Scheme size	10 - 49 unit schemes	1 - 9 unit schemes (indicative)
2014 – 2015	114	110

2015 – 2016	120	148
2016 – 2017	181	81
2017 – 2018	26	95
2018 – 2019	60	81
Total	501	515

In the past five years, schemes providing between 11 and 50 units accounted for an average of 37% of the total net homes delivered in Southwark. Based on the historical record, there will likely be 8,716 units coming forward from those schemes over the coming ten years under the housing target of at least 2,355 homes per year for Southwark. Were the threshold to be in place, there would be a potential loss of at least 3,050 affordable homes (in line with our 35% Affordable Housing policy requirement)? Pursuing with this Government proposals would cripple our ability as borough to deliver the affordable and intermediate housing our local communities desperately need.

This would also inflate the land value for homes of under 50 units which would mean that either less land would come forward or the land would provide less CIL.

Extension of Permission in Principle would be extremely damaging. The level of information and consideration needed to establish a permission in principle would not be provide the information that was needed to secure planning permission, and the extent to which the public could interact and understand the information would be challenging.

Barriers to delivery

We have gathered evidence from a wide range of sources and views from colleagues and key stakeholders involved in the planning and housing delivery process in order to understand the potential influencing factors and obstacles to housing delivery. This information has been considered alongside direct knowledge of local sites, land and development capacity through working with developers and the GLA. The identified key issues and barriers are set out below:

1. Site specific

- **Brownfield sites in high value areas**, such as inner London are almost never unoccupied but, on the contrary, are occupied by people who have leases that often have several years to run. So the typical major/strategic application is made by the prospective developer some years before the expiry of these leases to safeguard their ability to get vacant possession in due course.
- **Buying and selling land**: undeveloped sites being in private ownership as an investment can lead to a delay in delivery as owners wait for the value to increase or obtain planning permission to develop the land and then sell it at a profit. This can delay and prevent housing delivery.
- **Reliance on a number large strategic sites and growth areas** that take a long time to be developed.
- **Competition for land** results in high land prices.

2. Planning process and planning obligations

- **Community engagement and consultation** helps generate interest and input to planning decisions, but can also raise inappropriate expectations amongst consultees which can cause delays for both developers and consultees.

- **Agreeing developer contributions** to affordable housing and infrastructure can delay delivery.
- **Strong local opposition** and a default position to object can cause delays for housing delivery.
- **Better quality applications**, detailed pre-application advice, consultation responses on time and more resources are needed to assess planning applications.
- **Compulsory Purchase Order and Judicial Review** procedures are lengthy processes, preventing developments to come forward in an efficient and timely manner.

3. Finance and infrastructure

- **Larger sites are often built out much more slowly**, as they are often reliant on new services and infrastructure before the new development.
- **Lack of funding** to deliver infrastructure.
- **Awaiting wider infrastructure delivery.**

4. Resources

- **Funding cuts** from central government lead to pressures in how LPAs provide services.
- **Housing delivery is dependant on the supply of materials** and skilled professionals of which there is a shortage.
- **Better collaboration and coordination** is needed between LPAs, Housing Associations, developers and the GLA.
- **Inefficient back office and data management system** delays processing and determining applications.

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

A: We are unsure what this question means?

Existing urban areas such as Southwark do deliver the highest numbers of housing and affordable housing. This is significantly more difficult as we have a dense borough with no greenfield sites and many of the sites already have buildings on them and need to be development to a higher density.

Affordability of housing is one of the most important indicators measuring the success of planning. However this is not linked to the quantity of development in Southwark. This is a very significant issue. If the argument is that by changing the developments that have to provide affordable housing from 10 to 50 that housebuilding would increase and that more housing and affordable housing would be provided then this is not the case. The higher numbers of housing would not be affordable housing for Southwark residents who predominantly earn less than 25k(social rented) and 40k (London Living rent) and 60k (Intermediate rent) per year. This would lead to less housing available to meet local need compounding the current issues. In order to tackle the housing crisis, the planning system needs to enable authorities to secure the best deal for their communities, the most obvious example being the yield of affordable housing and social rent homes.

9(a). Do you agree that there should be automatic outline permission for areas for substantial development (areas) with faster routes for detailed consent?

A: No

This is too crude a measure for dense urban areas with complex networks of uses.

The development plan should provide an outline consent for development as site allocations in growth areas if it's doing its job properly. It should establish broad scale, location and use, but allow for some flexibility to be negotiated into the detail. That should help limit land value speculation. Outline permission for areas for substantial development does work with faster routes for detailed consent where the planning application proposes a development as set out in the development plan. The reason why planning applications take so long is because planning applications are larger, have more impact or would like to provide less benefit than is set out in the development plan. Furthermore there is no consideration of developments that are automatically approved and it later transpires that they have not met certain criteria. Will they automatically be demolished or charged?

This is moving towards a policy of automatic outline permission for areas of substantial development would further threaten and reduce the role that communities and stakeholders play in the local planning system. Accountability is a cornerstone of local government, that requires transparent and open opportunities for community engagement and consultation on planning proposals.

Detailed consent must include proper consideration of all relevant environmental issues. Changes to Permitted Development in recent years have had the effect of completely excluding consideration of a range of environmental issues in certain circumstances. This risks creating poor amenity and low quality development.

9(b). Do you agree with our proposals above for the consent arrangements for Growth and Renewal areas?

A:No

Local issues need to be considered as part of planning applications and local democracy needs to take place to consider the views of our local communities. The consent arrangements would not work if these local issues as set out in question 6 had national policies as there would not be the opportunity to ensure that local need and local issues are addressed. Consultation and involvement of local communities would not be able to take place which is required for engagement because this is such a high level process. These issues need to be considered by a panel of officers or if there are objections by Planning Committee to ensure that local democracy can take place.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

A: No

This is not a planning process that can be trialled on large infrastructure projects such as Thames Tideway and HS2 and the superimposed for large strategic projects in boroughs. This is because the issues are very local for large strategic developments despite the size of the schemes. Southwark has recently delivered strategic applications with new and expanded Major town centres at Canada Water, Elephant and Castle and Old Kent Road. There are also the Strategic Housing Areas such as in Walworth, Elmington and significant sites in Bankside, the Borough and London Bridge through significant consultation and work with local communities. Removing this local element would have

significant equalities impacts reducing the ability of local residents and businesses to be fully involved with significant proposals in their local area.

10. Do you agree with our proposals to make decision-making faster and more certain?

A: No

We are producing shorter more focused plans in areas where there is growth that provide clarity and speed up the process whilst encouraging community engagement. This is a Plan led system.

Decisions about smaller developments can be streamlined and the timescales shortened through digitisation. This work is already taking place and does not require a change to the planning system. We are introducing new digital systems to speed up the provision of planning information and the determination of planning applications online and digitisation of the entire Planning Service. Digital templates, standardisation and a streamlined approach for developers, residents and everyone who wants to find out about a planning application would be welcomed. This requires continuation of the funding and support that the MHCLG are providing and we will continue to work on these projects to lead the way in making our services accessible and available to all of our different communities.

However we know that the Major and Strategic applications development proposals very rarely comply with all planning policies and Councillors and Planning Officers need to balance these issues and make a judgement about their acceptability. Decisions about larger developments are usually slow because developers would like to challenge the system or would like to bring forward innovative design which were not included in the development plan. The unique skills and expertise that planners bring to the process are essential to ensure that communities are heard and that there is value from developments for local communities and enhancement of places.

11. Do you agree with our proposals for accessible, web-based Local Plans?

A. Yes

Southwark is at the forefront of developing accessible, digital, web based plans and development management processes. The vision is for a planning service that is accessible online by all of our different customers. Our goals are to provide a Digital Service to provide an excellent user experience and meets all user needs, user journeys on website, tablet and smartphone (with a responsive design). This must enable customers to find out about all aspects of the planning service online and enable customers to apply for planning permission online and to follow each step of the application process. It is essential that we enable all consultation to be online and the results to be provided online.

Digital technology is very important for more successful high streets with adaptive strategies for high streets and town centres. Monitoring traffic and footfall could help people avoid busy times, while air-quality data would help those with vulnerable immune systems. Wifi accessibility could help remote or nomadic workers stay connected outside of an office environment, and better-managed transport such as increased capacity at times of high demand or data showing riders the least-congested times of day would allow for more effective social distancing. It can also have the benefits of local policy delivery

set out in section 6 which include reducing food waste, monitoring noise pollution, and enabling a local circular economy.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

A: No

Shorter timescales to prepare plans are important to make sure that the planning policy is informed by recent strategy and evidence. However entire plans rarely need updating and therefore regular amendments should be encouraged rather than reviews of entire plans so that Plans can be kept up to date more easily.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

A: Yes

They can provide a useful method for local communities to set out their issues. They need to be part of the same process as the Local Plans.

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

A: In the same way as Local Plans. They all need to be the same systems. We use a 3 D model system and this is part of validation for major and strategic applications. This assists with monitoring development and with making developments more accessible to all of the communities within Southwark.

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

A: Yes

There could be amendments to the requirements for implementing a permission so that a meaningful start is made. The definition of implementation has arisen through case law not statute and a clearer, more onerous definition in the Act would avoid permissions being saved in perpetuity which encourages speculative land trading and land banking. Permissions should be rescinded after 3 years if work ceases.

Pillar Two Questions

15. What do you think about the design of new development that has happened recently in your area?

A: The increasing use of PD rights has resulted in poor development that is ugly, provides poor quality homes and fails to contribute to affordable housing and business space. Where we use our design expertise to influence and improve the design of development, the results are good.

We have a Head of Design who works in Planning, Housing and across the Council coordinating advice on design. We have a team in Southwark Council that ensures that all of the proposals for development are well designed. We have a pre-application service where designs are considered and changes take place. We also have a new Development Consultation Charter where developers need to demonstrate how they have taken into account feedback from all of our communities about their proposal and the changes that have been made to meet people's concerns or take good ideas on board.

This level of resources is required to provide support and assistance to the Council's own team to ensure that our development is of the highest quality. Support is required from national policy to set out a framework for design quality, local distinctiveness, urban greening and public realm. This national policy needs to be ensuring a consideration of balance rather than a broad brush set of guides that do not take into account local context and innovation. Local Planning Authorities are best placed to set out local design requirements and frameworks as they understand local context and listen to local communities to find appropriate design solutions that can deliver the land uses, movement and other requirements for each development that puts local communities at the heart of development.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

A: Development that contributes to Places with the highest quality of design

Accessible development which is active by design to improve healthy movement to the development and within places. It must be carbon neutral development and a more urgent response to climate emergency across the broadest range including individual travel minimisation and building efficiency. Development should be useable across a person's lifespan, and provide a mixed, balanced community in terms of age and resources to ensure people's physical and mental wellbeing. Furthermore there needs to be more stringent building regulations for carbon load and more focus on how the Climate Emergency targets are going to be met nationally.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

A: No

The definition of a National Code appears to be an attempt to reduce design to a tick-box exercise, a pre-ordained urban pattern, an agreed palette of materials and a pre-defined lifestyle that the government hopes to impose on communities. When applied at the scale that the government is anticipating this could lead to a discord from the tailored trajectory of development which is embedded into our own design policies.

The purpose of a National Code would be to describe what 'growth', 'renewal' and 'conservation' would look like in every situation and applied to each type of development –

not just housing. Given the unique characteristics of every place, its geography, topography and historic environment, it is hard to imagine the one rule that could apply to all. In our view design is defined by its context and cannot be constrained by one overriding rule or code. In addition, if applied consistently by every developer, a single code could result in a mono-culture of development rather than the rich urban tapestry that we see in our cities and suburbs today.

Production of design codes can be useful in areas where there are large developments with housing or another single use or developments of new, large areas around some active uses.

Design codes are less useful in Central London as areas such as Southwark have established, mixed and complex areas of historic buildings often on a historic, narrow street pattern which are being improved by world class developments to provide particular uses and build distinctive places. These areas benefit from design requirements for smaller areas and sites which are more complex and detailed than codes for wider areas. In the same way, defining beauty is not appropriate for an inner city borough like Southwark which includes enormous steel and glass towers, large inner-city estates, and characterful village-like suburbs, each with their unique urban form, materials and features. By defining 'beauty' rigidly, any legislation runs the risk of stifling innovation, which every designer and developer hope to bring to their project. In Southwark we think there are rules of good urban and architectural design but these are rooted in the character of the place and in peer review. For a National Code to be effective, we believe it should embed the principles of area characterisation and peer review as a minimum. Together with a good set of design standards, this could be a better way forward for development in our established communities.

For more than a decade we have prepared area characterisation studies for all of our Area Action Plan and SPD areas. We have used our area characterisation studies to encourage suitable development, identifying opportunities, and develop management guidance and at the same time recognising those parts of the study area that our communities value, the social infrastructure and patterns of movement and use that define the place. This has led to significant densification in many parts of Southwark in many cases alongside sensitive historic districts resulting in social and economic benefits.

A National Design Code should encourage every local authority to prepare area characterisation studies for their areas and include management guidance for developers about the appropriate pattern of development, the social infrastructure that is necessary to accommodate the anticipated development, and the capacity for change in the area. Where the current plan making system lacks clarity in respect of site specific development, it is acknowledged that this can slow down process, as neither land owners, developers, local communities or local politicians are sure of what is required to go where. This can lead to antagonism and frustration for all involved, undermining trust. We already prepare detailed designed masterplans in our Local Plans and they set the design for new communities to deliver the land uses, movement and other planning requirements. World class architects and local architects then design the specific schemes to ensure that they contribute positively to the local areas that are being developed.

The plans for these areas and sites should provide clarity, whilst also striking the right balance between instruction and flexibility so that they can robustly manage change over the whole plan period. As such they shouldn't be absolutely prescriptive, but the key

principles that they describe will be expected to be delivered. These would include, height, land use, building typology, architectural design principles, servicing, and provision of public amenities such as park space, affordable housing and CIL requirements and consequent site capacity.

This would be a design framework, rather than a design code. The latter implies a rigidity that would be too brittle to survive contact with the real world and could stifle creativity limiting responsiveness to changes in the economy and society, such as COVID. The former would achieve the greater certainty that would be desirable for everyone involved and effected by development, without recreating the problems the White Paper is trying to resolve.

It makes it all the more important that the National Code specifically outlines the required links between the National Code and local area characterisation and management guidelines.

Even allowing for this a National Code will not quite cover all that we would wish to in design terms. There are borough wide themes such as tall buildings and our tall buildings policy, and our protected view policies. Another example is our Housing Standards SPD as a lot of which is dedicated to achieving decent living conditions within high density development (surely an integral part of any design that can be judged as good). A National Design Code would therefore have to allow for the development of borough wide design 'topic' policies/ codes/ SPD's as well as the 'place' policies/ management guidelines that will come via characterisation.

A good example of a framework approach Old Kent Road Area Action Plan as a suggested mechanism for operating a design framework. If you follow the principles of the framework, you get a permission in principle, subject to detailed design, highways, and sustainability sign off. The framework is consulted on and communities input into that process. So you front end initial consultation that way, through the plan process. That legitimises the permission in principle. You then need to take the details to a planning committee via an officer's report. The committee aren't therefore arguing about how high the building is or what it's used for as that is already established, they focus on the finer points of the quality of submission in terms of design, private/public amenity, play space provision, what's the CO2 savings. Neighbours can make representations as existing. Can be refused or approved, and would be subject to appeal. But you narrow down points of contention.

Taking building types and allowing development of existing buildings where conditions are satisfied and increasing densities while maintaining visual harmony based on settings would be problematic as most of Southwark is near or in a conservation area or flood risk zone. Furthermore we have found that applying a typology creates more sterile places that do not reflect the vision of local authorities or neighbourhood planning groups. These are best considered about specific proposals and specific sites at the time of plan preparation and then consideration of the proposal of this against an application. The proposal for design codes should be modified for Central London to consider the specific architecture and urban fabric so that they are for sites. Where they can be within zones these should be for sub areas, town centres, the Central Activities Zone or the different regeneration areas.

Whilst it is probably never going to be possible or desirable to determine development on every potential site, given that that would dissipate resources and focus, it should be possible to do so on major development areas and sites.

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

A: We support the principle of improving design on new buildings but would like to see the detail of the new body being proposed.

Support is always welcome as long as this is supplementing local resources and not trying to set policy at the national level where a local policy and approach is required.

Southwark already has a Chief Officer for design and place making and a resourced team working on these issues. The emphasis is on beautiful and distinctive places reflecting what is special about their local area and creating a high quality environment where local people are proud. We also have a design review panel of leading and local architects that provide comments on policy and applications and a community panel in the Old Kent Road that also provides comments on policy and applications.

A National Model Design Codes would not allow for local distinctiveness, historic character local amenity. The National Planning Policy Framework, if properly implemented, enables design innovation whilst protecting the amenity of residents and respecting the local distinctiveness.

Codes work well to ensure that minimum standards are adhered to but can only be implemented through the planning process. They are difficult to apply to permitted development, permissions in principle or outline permissions. Equally, a design principle that may be reasonable on a green field site, is difficult to implement in an inner city site e.g. sunlight/daylight.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

A: Yes

We agree with the Homes England objectives and would like to work with Homes England to ensure the right social and transport infrastructure is in place and use design and place-making as a way of unlocking public and private land. This will require design quality thresholds similar to our 'exemplary design' standards for all undeveloped or underdeveloped sites.

20. Do you agree with our proposals for implementing a fast-track for beauty?

A: No

There is no way to define beauty as it is in the eye of the beholder and it could easily become a way for developers to secure unsatisfactory or even damaging designs or to prevent progressive designs using new technologies and solutions.

This appears to be a top-down assessment of 'beauty' and an emphasis on appearance, not a reinforcement of local distinctiveness, history and place-making. 'Beauty' is subjective and nebulous and for many developers, will depend on what they can afford. It could also imply the loss of historic structures can be justified by beauty alone. NPPF Paragraph 127 says that there are very wide ranging requirements for good design which are much broader than the requirement for beauty which is a narrow definition. We would welcome the reinforcement of local character but this will require borough-wide assessment of character and a thorough knowledge of historic development (see previous responses). We would also encourage a wider definition of 'beauty' to include an emphasis on high quality urban design and architectural design (as set out in the Southwark Plan). Furthermore the consideration of design needs to consider usability not just an arbitrary judgement about what something looks like. This could also stifle innovation as many major house builders already have pattern books.

Pillar Three Questions

21. When new development happens in your area, what is your priority for what comes with it?

A: There can not be one priority because Southwark is so diverse. This is the reason why there needs to be different priorities for different places. Affordable housing, social housing provision and affordable business space are a predominant priority. However, the infrastructure, design and movement, school places, health provision and other elements of communities are also essential to ensure that development is improving places for current and new local neighbourhoods. The Climate Emergency is also a priority and is currently addressed through financial obligations such as the Carbon Offset Fund, public realm and other payments such as tree planting and the development of existing and new green spaces (parks). Any proposals must take account of these set of priorities and crucially our ability to deliver on them in line with existing government policies and targets.

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

A: No

We are deeply concerned by the *possible* implications of this proposal. Specifically its impact on planning authorities' ability to deliver the best deal for local residents in areas including affordable housing provision and investment in local infrastructure.

A simple local CIL levy alongside a process for securing local environmental and movement improvements to developments would be the most effective process.

The purpose of CIL is to gain the funding required for infrastructure and other community benefits required to create and improve places. The method might be more complex however if it is simplified to be more transparent and responsive due to consistency without meeting the main aim then the purpose of CIL has not been met.

Charging at the final value of a development and the levy at the point of occupation are welcomed, as is the greater income from development. There should be locally set

infrastructure charges to replace CIL and S106. This would have a very significant impact on speeding up decision making. They would need to be set at the appropriate level to cover all the 'infrastructure' requirements flowing from a development. This should be broken into 2 parts, one, relating to site specific works (like pavements, crossovers etc.) which is one sum, plus a 'levy' based on floorspace.

The proposal is to including a value based minimum threshold below which the levy is not charged to prevent low viability development becoming unviable. This is to reflect average build costs per square meter, with a small fixed allowance. The proposal suggests that this would reduce risk for developers and reduce cash flow difficulties particularly for SME developers. This should not be taken forward. Affordable housing does not pay the levy and any development type/use class which is not viable does not pay the levy. Therefore this issue has been considered and certain types of development have been removed. The purpose of the levy is to ensure that the places where development is taking place have the necessary supporting infrastructure for the people who are going to live and work there. If the levy is not collected on all development there will not be enough funding for infrastructure, schools, health facilities, public spaces and other amenities which are essential for successful communities and to develop places. If there is just housing or employment without this supporting infrastructure this will not create successful places and will not deliver sustainable development.

The proposals would not provide greater certainty for communities and developers about contributions as the rate would not be known until occupation after the development is built. Under the current system the rate is known from the decision date.

Throughout the borough there can be fluctuations in land value that change over time. Therefore a differential set of zones are required to apply the appropriate charge. Therefore the consideration of site value would enable a more site specific consideration of value rather than zones. The Community Infrastructure Levy in Central London can not be standardised with the rest of England. The rates vary greatly within the borough and the levy has to be considered carefully to ensure that schemes are viable. This is a local issue where rates can be updated easily through the current process.

A large number of developments benefit from CIL relief such as affordable housing, Office (Zones 2 & 3), certain types of Student accommodation, town centre car parking, industrial and warehousing, public libraries, health and education. When these developments had a negative impact on adjoining developments and the surrounding area these impacts are mitigated through the introduction S106 obligations being financial and non-financial. CIL does not allow for this. Therefore there needs to be provision for negotiating and providing these necessary changes to planning applications in order to ensure local communities are improved and that new developments link in with their surroundings and places. Removal of this would provide a significant negative impact on local communities and would reduce the opportunities for local communities and their needs to be taken into consideration. It would also miss out on the opportunities to improve the development for the new people.

The white paper makes few references to employment, and section 106 targets and obligations for jobs and skills are not discussed so it is difficult to determine the potential impact of the proposals on local business, skills and jobs policy. However, it seems reasonable to infer that individual boroughs may not be able to negotiate individual jobs and skills targets with developers following the proposed changes. This would have a

significant negative impact on Southwark as since 2014 over 1600 jobs and over 400 apprenticeships have been created in the construction and end phases of developments in Southwark under employment obligations in section 106 agreements. Furthermore, in the same period, in excess of 2500 additional jobs have been created through employment programmes funded by s106 agreements where developers chose to pay a financial offset. There is continuing significant demand to build in our borough and if we are unable to separately negotiate section 106 targets for skills and jobs in the construction and end phases of developments, this will limit our ability to maximise employment and career opportunities for our residents.

As the UK plans its recovery from the coronavirus pandemic, tackling unemployment will be a top priority for both the Government and our borough. Any dilution of councils' ability to negotiate jobs, apprenticeships and skills policy within these planning stages would not only damage planning policy in general, it would hinder our economic recovery from the pandemic.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

A: No

The rates should be set locally as a charge.

22 (c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

A: Yes

The Infrastructure Levy should capture as much value as possible to support greater investment in infrastructure, affordable housing and local communities. Greater investment is required to deliver more sustainable communities.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

A: Yes

The opportunity to borrow would enable local authorities to provide additional infrastructure for local areas.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

A: Yes

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

A: Yes

The affordable housing should be at least the same as it is now. The threshold should be 0 as Southwark would lose a predicted 37% of affordable housing per year or 3050 units if there was a change to 50 units. This would have significant impacts on the provision of affordable housing to those who are most in need.

The affordable housing should be non negotiable secured by a legal agreement. This should set out the amount of affordable housing and if it is on or off-site. Any dilution of this approach would severely impact our ability to deliver on our affordable housing targets, in line with Government's commitment towards tackling the housing crisis.

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

A: No

Affordable housing should be separate to the Infrastructure Levy. Affordable housing needs to be provided at 35% or more. The method of provision could be in kind if there is on site development or the developer is building the affordable housing. The in kind provision would only be for the method of providing the affordable housing. The affordable housing would still need to meet all of the other policy requirements.

There could be a discount for council purchases as if this is significant we may be able to buy more affordable housing.

24(C). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

A: The Affordable Housing should be provided in line with the policy and agreement.

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

A: The in kind provision would only be for the method of providing the affordable housing. The affordable housing would still need to meet all of the other policy requirements.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

A: Yes

The approach of allowing local authorities to spend receipts on their policy priorities once core infrastructure obligations have been met is supported.

25(a). If yes, should an affordable housing 'ring-fence' be developed?

A: Yes

Affordable housing should be the priority.

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

A: The national, top down system will reduce the opportunity for people to access information at earlier stages of the planning process rather than when it is clearer about how the process impacts upon them. This top down approach will not be accessible to local communities where the local authorities are much more accessible and understand how each community can best access information and proposals for development.

If the new system reduces the amount of affordable housing and/or affordable business space that can be required then there will be significant negative impacts on people with protected characteristics. The raising of the affordable homes threshold would have a direct consequence of reducing the number of affordable homes built in Southwark significantly at a time where the need is rising sharply.

There would need to be a very detailed assessments Wheelchair units and disabled parking were protected as a non-financial obligation within S106 agreements, and this can only be protected within CIL through a legal agreement in order to protect those people with protected characteristics.

We will ensure that our engagement reflects the diversity of people who live and work in the borough as this is critical to understanding the needs and aspirations of everyone, deliver better services and places and will be one of the ways we are able to deliver a number of key council commitments such as regeneration for all, and placing people at the heart of our decision making. We will put people at the heart of engagement that is:

- Built on trust
- Inclusive
- Collaborative

We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change.

Education: Exclusions and alternative provision

Report of the Education and Business Scrutiny Commission – July 2020

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Executive summary

This report summarises the Commission’s investigation into the rising trend of exclusions in Southwark. Exclusions are a major concern as they lead to children missing out on many of the benefits of a good education, and are associated with a wide range of negative life outcomes for children. **The Commission also look at the educational attainment of children attending core alternative provision in Southwark,** which has historically been poor.

The Commission hopes this report will help to improve the outcomes for children living in Southwark, particularly vulnerable children who are at an increased risk of exclusion.

The majority of Commission’s work took place before the onset of the Covid-19 pandemic. The effects of the pandemic have led to a number of policy responses, including the widespread closure of schools, which stand to have a profound impact on vulnerable children. The pandemic makes it more important than ever that Southwark Council helps schools to find a way to reverse the rising tide of exclusions.

Background

There is a national exclusions crisis. Numbers of permanent exclusions have increased from 4,630 permanent exclusions in 2012/13 to 7,900 in 2017/18, an increase of nearly 71%. Fixed term exclusions have followed a similar trend, increasing from 267,520 in 2012/13 to 410,800 in 2017/18, a rise of nearly 54%. Approximately 80% of fixed term and permanent exclusions happen in secondary schools. **Southwark has largely followed the national trend of rising exclusions with rates of exclusion doubling since 2012/13.**

Outcomes for children who have been excluded are markedly worse than those for children who have not been excluded. **Excluded children are more likely to be involved in crime, to be exploited and to face long-term unemployment.** For example, 23% of all young offenders having been permanently excluded in spite of only 0.2% of children at school being permanently excluded in any given year. A third of children who complete their Key Stage 4 in alternative provision go on to become NEET (not in education, employment or training), which is itself associated with poorer career, income, physical health and mental health outcomes.

Department for Education research shows that black, Asian and minority ethnic (BAME) children, particularly black Caribbean, Gypsy, Roma and Traveller children, children with special education needs, children in need and those eligible for free school meals (FSM) are disproportionality excluded. For example, government statistics show that mixed race and black Caribbean children are three times more likely to be excluded than white British children.

There has also been increasing attention nationally to rates of off-rolling, the unlawful practice of removing learners from the school roll without formally excluding them, in the interests of the school rather than of the child. This trend has fed into rising rates of home educating throughout the country.

The BBC estimates that home educating has increased by 40% over the last three years. **Rates of home educating in Southwark have risen significantly in recent years as well, more than doubling since March 2017,** from 92 to 216 children of statutory school age (5-16).

Alternative provision is used when children are excluded (or sometimes at risk of being excluded) from mainstream school. In spite of its huge costs, outcomes for children in alternative provision are consistently poor. Results for children in alternative provision in Southwark broadly reflects the poor national trend. **In Southwark, in 2017/18, none of the children who completed alternative provision achieved a pass grade (between grade 9-4) in English or Maths.**

These trends have arisen in the context of increasing regulatory complexity, with responsibility for exclusions residing clearly with schools, and oversight of exclusions and off-rolling sitting between the Education and Skills Funding Agency, Ofsted and the Regional Schools Commissioner. Under the current regulatory setup, schools have an obligation to provide relevant data to local authorities, but **local authorities have limited, if any, formal powers to challenge exclusions directly**.

What we did

The Commission took a comprehensive approach to gathering evidence for our report. **We interviewed various council officers, the Regional Schools Commissioner, surveyed local schools (including academy chains and Dioceses for faith schools), we heard from young people with direct experience of exclusions and we surveyed children, parents and carers across Southwark to try and understand why exclusions are rising.** The Commission also interviewed one of Ofsted's Inspectors and took contributions from a national charity providing alternative provision in Southwark (Chance UK). Members of the Commission visited Southwark's Pupil Referral Unit (PRU) and we heard from alternative provision providers in other local authorities as well.

What we found

The Commission's findings fell into seven areas:

Exclusions

There is a worrying trend in recent years of rising rates of exclusions in Southwark, which is disproportionately impacting BAME children, those with SEN and schools with high levels of FSM eligibility. The Commission had to probe Council figures to arrive at this conclusion. Recent figures suggest that 82% of excluded children are BAME although only c.40% of under 20s in Southwark are BAME, double the proportionate share. Children with some form of special educational need have made up 39-45% of exclusions and 98% of Southwark's Pupil Referral Unit attendance, although nationally less than 15% of children have any type of SEN, roughly triple the proportionate rate. Finally, available data shows a clear correlation between schools with higher rates of exclusions and roll deletions, and their proportion of FSM-eligible children.

Our findings show that two academy chains are responsible for the majority of exclusions in Southwark and are excluding at a rate markedly higher than other schools in Southwark.

The data shows us that two academy chains, Ark and Harris, appear to be excluding children at well above the average rate for Southwark. **Harris Academy Peckham's rate of exclusion are of particular concern**, as they were the highest in absolute numbers in 2016 and still increased by 150% in 2017/18. The Commission received positive engagement from Ark highlighting various areas of recent progress and explaining its figures in greater context. Concerningly, the Commission received no engagement from the Harris chain of schools.

Persistent disruptive behaviour and unspecified "other" reasons – which includes carrying an offensive weapon - appear to be the main reasons for children being excluded from Southwark's schools. **The Commission heard the personal stories of children who have been excluded in Southwark. Children's personal stories of exclusion painted a picture of exclusions – both fixed and permanent – being carried out in far too casual a manner**, and having profoundly damaging impacts on children who are often already vulnerable.

Combined with the picture provided by national and Council data, **there is a plausible case that a greater willingness to exclude in certain schools has been a key driver of increasing rates of exclusion.**

Off-rolling

The Council is still getting to grips with identifying and responding to suspected cases of off-rolling. Council data suggests that the schools with the highest levels of permanent exclusions are also the schools with the highest levels of deletions from the roll, but identifying whether individual deletions are improper is difficult.

Whilst the Commission is encouraged by recent progress the Council is making in detecting possible cases of off-rolling, **overall the Commission did not feel satisfied that the Council is at present identifying and challenging suspected instances of off-rolling robustly.**

Home education

Numbers of home educated children are rising rapidly, and it is often the children with greatest levels of need being home educated. Officers identified that a significant proportion of home educated children in Southwark have additional needs that are likely to pose challenges to families trying to provide a suitable home education.

Alternative provision

Southwark's main alternative provision is good, as reflected in its most recent Ofsted rating, but student outcomes have been worsening in recent years. The Commission visited Southwark's Inclusive Learning Service ("SILS") and saw first-hand much of the good work that it is doing with extremely vulnerable children who have struggled in mainstream education and for whom academic targets are not always appropriate. **Whilst the Commission acknowledges the difficult circumstances in which SILS does its best to deliver for children in Southwark, SILS results are of real concern to the Commission. The percentage receiving even 1 good (9-4) GCSE has been repeatedly falling, from 100% in 2014/15 to 28% in 2017/18.**

The Commission received evidence from SILS and beyond of the importance of intervening early, for example by sending children to SILs before they are permanently excluded to try and "turn around" their trajectory. Indeed, intervening at secondary school is for many children is problematically late. Intervention at primary school can be far more effective.

The Commission heard about the work of Victoria Drive, a primary school Pupil Referral Unit in Wandsworth, where children are dual rolled and provided with specialist support for their social, emotional and mental health needs. No children who have attended Victoria Drive in recent years have gone on to attend Wandsworth's secondary school PRU, a very encouraging statistic.

The Commission also reviewed evidence regarding nurture-based models, used wisely in Glasgow, which show real promise of lowering rates of exclusion.

The data landscape

Schools are legally required to provide local authorities with data relating to fixed term and permanent exclusions. **The Commission heard how the Council receives mixed quality data from schools, often late and with major errors** (e.g. significantly undercounting fixed-term exclusions), which hampers the Council's ability to identify underperforming schools or to identify broader exclusion trends.

The Commission has some concerns about how the Council is analysing data that it does receive. **Over the course of our investigations we identified issues with figures on the proportion of BAME children being excluded** as well as possible issues with how data on numbers of exclusions and managed moves is processed.

Regulatory responsibilities

The regulatory arrangements for managing exclusions and off-rolling is complex and intentionally designed to place decision-making at a school level rather than at a local authority level. This arrangement was very much reflected in the Commission’s conversations with the Regional Schools Commissioner, who set out the respective responsibilities of different regulatory bodies. Local authorities like Southwark Council are therefore left with a significant but non-formalised responsibility for liaising with the various different regulatory bodies to flag concerns, but little to no authority to investigate problems or enforce breaches.

School and Council partnership

In spite of the various issues identified by the Commission, **many schools are going to great lengths to be inclusive and working well with Southwark.** The Commission heard from schools that are using various measures to reduce and avoid exclusions, including:

- Using internal alternatives to fixed term exclusion.
- Proactively using alternative curricula and guided pathways to avoid pupils becoming disengaged.
- Regular contact with parents of students of concern and agreed plans of action.
- Wrap-around provision to provide more wholesome outlets for vulnerable children.

Whilst we recognise most schools will be taking some or all of these steps, a selection of schools have managed to combine these and other methods to reduce exclusions to zero or close to zero.

The Commission spoke to headteachers across Southwark in the course of its investigations. **Several headteachers raised concern that when they identified children at risk of exclusion due to behavioural issues or conduct disorders, it was often difficult to get support from the Council.** Heads also mentioned that the local authority previously had a dedicated “Inclusion Officer” that played a far more involved role in the early identification of children at risk of exclusion and would broker conversations between schools, help secure early support, and generally help schools to avoid excluding children.

Southwark schools, like the Council, want the best for our children. **The headteachers we have spoken to support a bold vision from the local authority to reduce the current exclusions trend, but they want to see this vision supported by clear commitments from the Council to do things differently and to work in close partnership.**

Summary of Recommendations

100% inclusion

1. **Southwark Council should champion a 100% inclusion commitment in conjunction with schools, embodied in a mutually agreed Charter and an annual inclusion report to track progress against its 100% inclusion target.**
2. **The Council should conduct an action-focused review into the disproportionate representation of BAME and SEN children in Southwark’s exclusion statistics.**

Off-rolling

3. **The Council needs clearer procedures in place for identifying off-rolling and be more ready to challenge bad practice by schools.**

Home education

4. **The Council should conduct a comprehensive review of children currently being home educated to identify possible cases of forced home schooling, and where this is identified, help parents/carers to reintegrate their children into mainstream education.**

Alternative provision

5. **The Council must rethink the delivery and aims for alternative provision, moving towards a nurturing model with continued registration of children at mainstream schools wherever possible.**

Data

6. **The Council must be clear on which schools are under or late-reporting mandatory data to the Council and escalate these concerns more quickly.**

Regulatory reporting

7. **Where school conduct or data concerns are identified, the Council needs to escalate these more quickly with the appropriate regulatory body.**

Schools

8. **Schools should be actively encouraged to work together to peer review exclusions performance.**

School-Council partnership

9. **To underpin a shared 100% inclusion vision, the Council should pursue a bold new partnership with schools, including greater information sharing from schools and resource allocation for “at risk” children as well. As part of this renewed partnership Southwark should create a fit-for-purpose equivalent of an Inclusion Officer.**

The Commission’s full recommendations are contained in Part 3 of this report, and a checklist to track acceptance of and performance against the Commission’s recommendations is contained in Appendix 1.

Part 1: Introduction and background

In this report the Commission investigates the rising trend of exclusions in Southwark. Exclusions are a major concern as they lead to children missing out on many of the benefits of an education, and are associated with a whole range of negative life outcomes for children, from involvement in crime, to an increased risk of exploitation and long-term unemployment. We are also concerned that children from certain backgrounds and with certain characteristics may be disproportionately excluded in Southwark, as is the case nationally.

We are also concerned about the educational attainment of children attending core alternative provision in Southwark, which has historically been poor in Southwark and throughout much of the country.

The Commission's aim is to help improve the life outcomes of children living in Southwark, particularly vulnerable children who are at an increased risk of exclusion. We do not set out to criticise individual schools and we very much recognise that exclusions are rising in the context of a decade of austerity and an often unhelpful regulatory environment that has been established by central government. No school wants to exclude children. But with the ongoing trend towards rising rates of school exclusions, it is incumbent on Southwark Council to rise to the challenge and use all of its leverage to make sure that no child is left behind.

The majority of the Commission's work took place before the onset of the Covid-19 pandemic. The effects of the pandemic have led to a number of policy responses, including the widespread closure of schools. Whilst many schools have remained open to vulnerable children, there are concerns that too few are attending, and that many at-risk children may not satisfy vulnerability requirements. Taken together with its broader socioeconomic effects, the pandemic stands to have a profound impact on vulnerable children, making it more important than ever that the Council helps schools to find a way to make schools fundamentally more inclusive, and to reverse the rising tide of rising exclusions.

The national picture

Levels of fixed term and permanent exclusions

There is a national exclusions crisis. Numbers of permanent exclusions have increased from 4,630 permanent exclusions in 2012/13 to 7,900 in 2017/18, an increase of nearly 71%. Fixed term exclusions have followed a similar trend, increasing from 267,520 in 2012/13 to 410,800 in 2017/18, a rise of nearly 54%.¹ The significant majority of exclusions happen in secondary schools (approximately 80% of fixed term exclusions and permanent exclusions).

The impact of exclusions

Outcomes for children who have been excluded are markedly worse than those for children who have not been excluded. Children who have been excluded are far more likely to be arrested or cautioned with 23% of all young offenders having been permanently excluded in spite of only 0.2% of children at school being permanently excluded in any given year.² A third of children who complete their Key Stage 4 in alternative provision go on to become NEET (not in education, employment or training). Children who are excluded are often already vulnerable, which amplifies the harm that can be caused by exclusions. Widespread concern about the human cost of rising

¹ See <https://www.gov.uk/government/collections/statistics-exclusions>

² See joint Department for Education and Ministry of Justice research report, *Understanding the educational background of young offenders: Amended summary*.
[reporthttps://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/814368/understanding-educational-background-young-offenders-amended-summary.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/814368/understanding-educational-background-young-offenders-amended-summary.pdf)

exclusions led to a review chaired by Edward Timpson, which produced a range of recommendations, many of which have not been implemented to date.³

Characteristics of excluded children

Nationally there is significant concern that certain groups are more likely to be excluded. The Timpson Review and related Department for Education research shows that black, Asian and minority ethnic (BAME) children, particularly black Caribbean, Gypsy, Roma and Traveller children, children with special education needs (SEN), Children in Need⁴ and those eligible for free school meals (FSM) are disproportionately excluded. For example, government statistics show that mixed race and black Caribbean children are three times more likely to be excluded than white British children.⁵

Off-rolling nationally

There has been increasing attention nationally to rates of off-rolling. Whilst off-rolling does not have a formal definition, Ofsted defines off-rolling in their current inspection framework as “the [unlawful] practice of removing a learner from the provider’s roll without a formal, permanent exclusion or by encouraging a parent to remove their child, when the removal is primarily in the interests of the provider rather than in the best interests of the learner.”⁶

Home educating nationally

Data on the number of children being home educated nationally suggests that there are 53,000-58,000 registered children being home educated in England alone, a figure which has increased in recent years and is very likely to be underreported because registration is voluntary.⁷ The BBC estimates that home educating has increased by 40% over the last three years.⁸ Home educating is very much a right of parents and carers and it is enshrined in the Education Act 1996 as such. However, concerns have been widely raised about the disproportionate numbers of children with SEN being home educated, as they are more likely to need expert support, and there is also a concern that some home educating is actually disguised off-rolling, where parents/carers have been advised to remove their child from school or face them being excluded.

Alternative provision nationally

Alternative provision is used when children are excluded (or sometimes at risk of being excluded) from mainstream school. There are a wide variety of types of alternative provision, which can include e.g. arts therapy schools or other specific pedagogical approaches.

³ Reported in the Timpson Review of School Exclusions.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807862/Timpson_review.pdf

⁴ Defined as children who have received support, help or protection from social care, including looked after children, as well as those who have left care through adoption, Special Guardianship or Child Arrangement Orders.

⁵ <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/pupil-exclusions/latest>

⁶ The education inspection framework (May 2019).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801429/Education_inspection_framework.pdf

⁷ Home Education in England, July 2019 House of Commons Briefing.

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKewjP7dq0ud3nAhWQVBUIHVBoBQgQFjAAegQIBRAB&url=http%3A%2F%2Fresearchbriefings.files.parliament.uk%2Fdocuments%2FSN05108%2FSN05108.pdf&usq=AOvVaw36CvKtk1hrLW6h4PY9PtjK>

⁸ <https://www.bbc.co.uk/news/uk-england-42624220>

Alternative provision tends to be expensive. On average, a full time place in alternative provision costs £18,000 per year according to DfE figures,⁹ and rises to £24,000 per year on average in London.¹⁰

In spite of these huge costs, outcomes for children in alternative provision are consistently poor. Department for Education figures show that in 2017/18 only 1.6% of children attending Pupil Referral Units (PRUs) achieved between GCSE grade 9-5 in both English and Maths.¹¹

The local picture

Southwark's overall performance

Southwark's schools are performing exceptionally well overall in a time of constrained budgets and high levels of vulnerability. 93% of Southwark's schools are rated good or outstanding, and 33% are outstanding, with the significant majority of Southwark's children achieving good levels of development in their early years right through to their GCSEs and beyond.¹²

Levels of exclusions in Southwark

However, Southwark has largely followed the national trend of rising exclusions. Rates of exclusion have doubled since 2012/13, and after dipping below London and national rates for two years, Southwark now excludes children from secondary schools at a rate above the London and national rate (see Chart 1, below). In 2012/13, 24 children were excluded from Southwark's schools, this had risen to 51 in 2017/18. Preliminary figures provided by officers suggest that there has been a decline in 2018/19, but the Department for Education is yet to release definitive figures for that year.¹³

⁹ Alternative Provision market analysis (October 2018).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752548/Alternative_Provision_Market_Analysis.pdf

¹⁰ According to a Freedom of Information response from the Department for Education. See:

<https://www.standard.co.uk/news/education/bring-the-excluded-in-from-the-cold-rise-in-school-exclusions-linked-to-rise-in-recruitment-by-a4327276.html>

¹¹ See alternative provision analysis tables 2017/18.

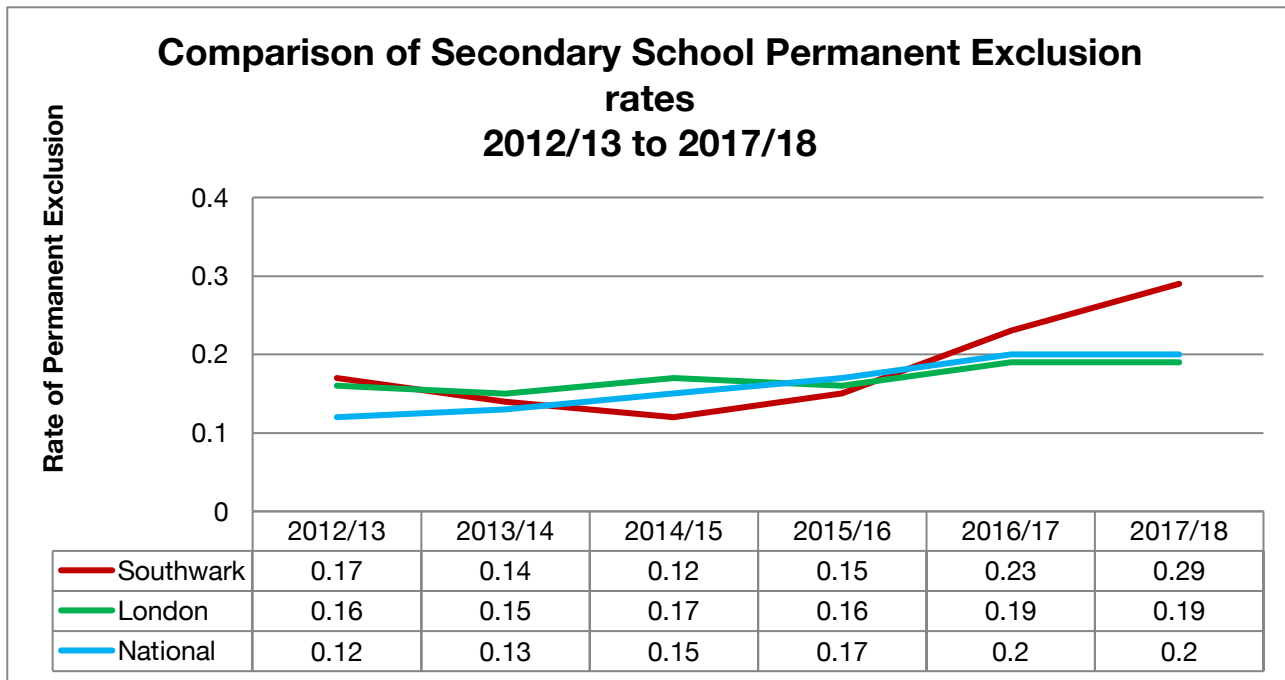
https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKewjQprqFs93nAhUoSxUIHVdABhkQFjAAegQIAxAB&url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F772848%2F2018_AP_tables.xlsx&usq=AOvVaw0GwNeBzhnf_MHAevcLopIV

¹² See Southwark's Standards Report 2018/19.

https://schools.southwark.gov.uk/assets/attach/5641/FOR_PUBLICATION_19.12.05-Final-School-Standards-report-18-19-Cabinet-Submission.pdf

¹³ Southwark's figures suggest there have been 51 exclusions across Southwark's secondary schools in 2018/19. National statistics state that there were 47 exclusions in 2017/18 (Southwark's figures suggest there were over 60 permanent exclusions in 2017/18). The discrepancy may be due to reporting of exclusions of Southwark children educated outside of Southwark, and non-Southwark children excluded from Southwark schools.

Chart 1



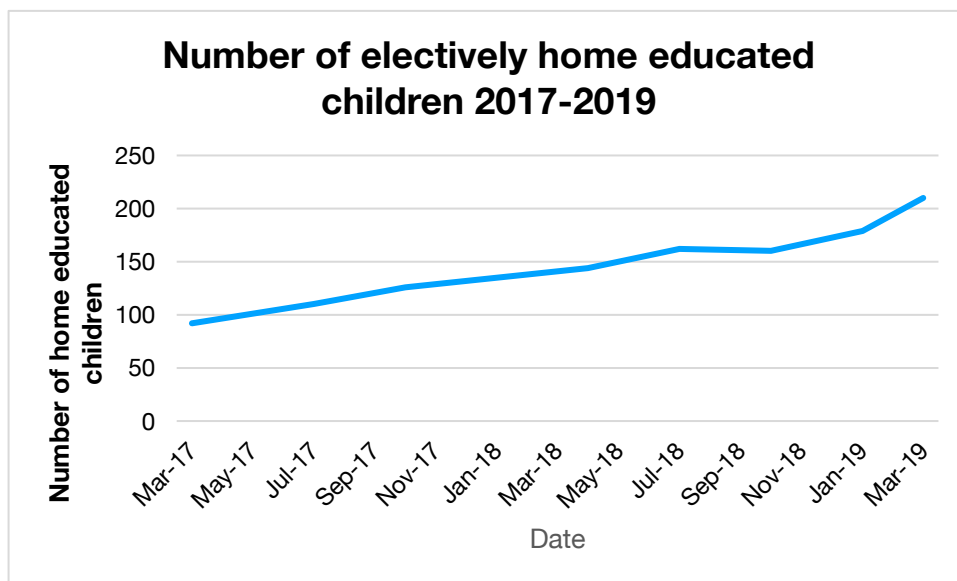
Southwark’s fixed term exclusions have also been increasing over the period. As of 2017/18, Southwark had a rate of 8.67%, above the London average of 7.63% but below the national average of 10.13%.

Permanent exclusions of primary school children in Southwark are rare. Southwark’s rate of primary school exclusion has matched London levels over the last two years (at 0.01%), but they remain significantly below the national average of 0.03%.

Home education in Southwark

Rates of home educating in Southwark have risen significantly in recent years. The number of home educated children in Southwark has more than doubled since March 2017, from 92 to 216 children of statutory school age (5-16) (see Chart 2, below).

Chart 2



Alternative provision in Southwark

Southwark commissions 100 places in an offsite Pupil Referral Unit (“PRU”) across two locations in Southwark for children that have been excluded (or are at risk of exclusion) from mainstream education, one for key stage 3 pupils (Davey St) and another for key stage 4 pupils (Porlock Hall).

Results for children in alternative provision in Southwark broadly reflects the poor national trend. In Southwark, in 2017/18, no children attending alternative provision achieved between grade 9-4 in English and Maths.¹⁴

Of the children attending Southwark’s PRU, 45.5% are eligible for Free School Meals, 7% have Education, Health and Care Plans (“EHCPs”) and 91% receive SEN support, reflecting these children’s high levels of vulnerability and need.¹⁵

The regulatory environment

The broader context for educational provision in England has changed considerably since 2010. Academisation has become the norm (of Southwark’s 18 secondary schools, 3 are community foundation or voluntary aided schools, 13 are academies and 2 are free schools). Southwark also has 7 special schools which serve children with particularly acute physical, educational or mental health needs which mean they are not well served by mainstream schools.¹⁶ Southwark Council no longer maintains secondary schools so its powers, influence and control over schools is fundamentally restricted. As part of this review, the Commission explored the new regulatory environment and the respective roles of the Council, individual schools, Ofsted, the Regional Schools Commissioner (“RSC”) and the Education and Skills Funding Agency (“ESFA”). In summary, in respect to exclusions:

- Education and Skills Funding Agency: The ESFA generally takes responsibility for financial management. Academies enter a Funding Agreement with the ESFA, which sets out how the academy should be run, so breaches (including off-rolling) can be reported to the ESFA.
- Ofsted: Off-rolling and gaming are assessed as part of Ofsted’s inspection framework and can lead to a school receiving an inadequate rating. Ofsted also monitors data to inform it of possible off-rolling.¹⁷
- Regional Schools Commissioner: The RSC can intervene in relevant schools that Ofsted has deemed inadequate and supporting those requiring improvement. The RSC has a remit covering 22 boroughs in South London and the south of England, and as such will typically engage at a trust level rather than with individual schools.¹⁸
- Schools: Whilst there is some variation between the type of school, schools are principally responsible for educating children, properly conducting exclusions and schools are required to abide by equalities requirements. Permanent exclusions may only be

¹⁴ See

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwjQprqFs93nAhUoSxUIHVdABhkQFjAAegQIAxAB&url=https%3A%2F%2Fassets.publishing.service.gov.uk%2Fgovernment%2Fuploads%2Fsystem%2Fuploads%2Fattachment_data%2Ffile%2F772848%2F2018_AP_tables.xlsx&usq=AOvVaw0GwNeBzhnf_MHAevcLopIV

¹⁵ An EHCP outlines any special educational needs a child has, and the provision a local authority must put in place to help them. Children receive an EHCP if they are found to qualify following a formal assessment.

¹⁶ In this report we do not look at the performance of special schools. The Commission notes that of Southwark’s 7 special schools, 5 are rated outstanding, and their overall performance is well above the national average and in line with the London average.

¹⁷ The education inspection framework (May 2019).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801429/Education_inspection_framework.pdf

¹⁸ A full list of Regional Schools Commissioner responsibilities is available here:

<https://www.gov.uk/government/organisations/regional-schools-commissioners/about#responsibilities>

conducted by a headteacher following a formal process and schools are required to give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion. Under current arrangements, schools ultimately have wide discretion, within specified rules, as to when they decided to exclude children.¹⁹

Part 2: What we did

Methods

School exclusion is a complex issue with many stakeholders. To ensure that the Commission truly grasped this complexity and understood how we can reverse the current exclusions trend, we took a comprehensive approach to gathering evidence for our report. We interviewed various council officers, surveyed local schools (including academy chains and Dioceses for faith schools), we heard from young people with direct experience of exclusions and we surveyed children, parents and carers across Southwark to try and understand why exclusions are rising. We also spoke with a range of government officials including the Regional Schools Commissioner and Ofsted. Members of the Commission visited Southwark's PRU and we heard from alternative provision providers in other local authorities, as well as a national charity delivering alternative provision in Southwark (Chance UK).

The Commission's work draws heavily on other research into exclusions. The Commission looked at previous reviews including the Timpson Review, and a range of other research looking at the current trends in exclusions, why they are happening, who exclusions are disproportionately happening to and the current state of alternative provision as well.

A list of interviewees and contributors is included in Appendix 2.

Part 3: What we found

Exclusions

There is a worrying trend in recent years of rising rates of exclusions in Southwark, which is disproportionately impacting BAME children, those with SEN and schools with high levels of FSM eligibility

The Commission is clear that there is a worrying trend of exclusions in Southwark. Exclusions have doubled since 2012/13 and this has an unacceptable human cost.

Commentary provided by officers suggested that Southwark's exclusions do not disproportionately affect BAME children, although they did raise concerns that children born with dual heritage may have been over-represented in the last 1-2 years. However, in Cllr Jasmine Ali's (the Cabinet Member for Children, Schools and Adult Care) presentation to the Commission she provided figures stating that 82% of excluded children are BAME, and these figures were later confirmed by officers. Given BAME people represent approximately 40% of the under 20 population these figures show that BAME children **are** significantly over represented. It is a concern that officers have not identified BAME children as a group experiencing a disproportionate amount of exclusions or developed a corresponding action plan.

Children with some form of SEN heavily figure in Southwark's exclusion statistics, representing 39-45% of children who are permanently excluded. Other data provided by officers suggests the

¹⁹ See *Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion* (September 2017). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

figure may be higher, as nearly 98% of children in Southwark's PRU have either SEN support or an Education, Health and Care Plan ("EHCP").²⁰ Government statistics for 2018 showed 14.6% of children have some type of SEN, with 11.7% receiving some SEN-related support and 2.9% with an EHCP.²¹

Over the last three years Southwark has had between 328 and 355 looked after children of school age. 51 (or 16%) of looked after children of school age received a fixed term exclusion in 2018/19, compared to 45 (13%) in 2016/17 and 63 (18%) in 2017/18, with 2 permanent exclusions (0.06%) in 2018/19 (from 4 (or 1.1%) in 2016/17 and 1 (0.3%) in 2018/19).

Available data shows a clear correlation between schools with higher rates of exclusions and roll deletions and their proportion of FSM-eligible children. Of Southwark's 18 schools, 5 of the 9 schools with the highest FSM eligibility have above average rates of permanent exclusion, whereas only 2 of the 9 schools with the lowest rates of FSM eligibility have above average rates of permanent exclusion.

Two academy chains are responsible for a majority of exclusions in Southwark

Officers provided information on exclusion numbers and rates by schools and the reasons given for exclusions. From this data we saw that:

- Two academy chains are responsible for the majority of exclusions in Southwark and are excluding at a rate higher than other schools in Southwark.
- Persistent disruptive behaviour and unspecified "other" reasons – which includes carrying an offensive weapon - appear to be the main reasons for children being excluded from Southwark's schools.

Data on the reasons for exclusion was provided up to 2017/18 but the last full term of data is for 2016/17. In 2016/17 and 2017/18 the two main reasons for exclusion were persistent disruptive behaviour or a catch-all "other" reason ("other" does include exclusions for carrying an offensive weapon). Persistent disruptive behaviour accounted for 28% of exclusions in 2016/17, and "other" accounted for 30% of exclusions in 2016/17. Physical assault against a pupil or adult accounts for 20-30% of exclusions for most recent years and does appear to be an important driver, but it regularly accounts for less exclusions than persistent disruptive behaviour.

These codes are broad enough to make it difficult for the Commission to say precisely what is driving exclusions. Whilst we recognise that many exclusions will have been conducted due to a concern for the welfare of other pupils, the coding used leaves very much open the possibility that an increase in "zero tolerance" approaches to discipline is helping to drive the increase in exclusions.

Data the Commission reviewed shows us the differing exclusion rates across Southwark's secondary schools (see Table 1 below). The data shows us that two academy chains, Ark and Harris, appear to be excluding children at well above the average rate for Southwark. Harris Academy Peckham's rate of exclusion are of particular concern, as they were the highest in absolute numbers in 2016 and still increased by 150% in 2017/18 (from 6 to 15 children). The figures do show that several secondary schools have either zero exclusions or extremely small numbers, including Bacons College, The Charter School, Kingsdale and a number of the Diocese (or "faith") schools.

²⁰ This difference could potentially be driven by excluded children being home educated, but it is unlikely to account for such a steep difference.

²¹ See Special Educational Needs: an analysis and summary of data sources. Available here: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/804374/Special_educational_needs_May_19.pdf

Table 1: Absolute Number of Permanent Exclusions from secondary schools

School	2014/15	2015/16	2016/17	2017/18	Average
Ark All Saints Academy	1	4	0	1	1.5
Ark Globe Academy	7	3	3	5	4.5
Ark Walworth Academy	3	2	3	6	3.5
Bacon's College	4	3	1	3	2.75
The Charter School	0	1	3	2	1.5
The Charter School East Dulwich	n/a	n/a	0	0	0
City of London Academy (Southwark)	0	1	3	3	1.75
Compass School Southwark	0	1	3	2	1.5
Harris Academy Bermondsey	0	1	5	2	2
Harris Academy Peckham	2	3	6	15	6.5
Harris Boys' Academy East Dulwich	0	1	4	4	2.25
Harris Girls' Academy East Dulwich	1	1	4	0	1.5
Kingsdale Foundation School	0	0	0	0	0
Notre Dame Roman Catholic Girls' School	0	1	0	0	0.25
Sacred Heart Catholic School	0	0	0	1	0.25
St Michael's Catholic College	0	0	1	0	0.25
St Saviour's and St Olave's Church of England School	0	0	0	0	0
The St Thomas the Apostle College	0	0	0	1	0.25
University Academy of Engineering South Bank	0	0	0	2	0.5
Totals	18	22	36	47	1.62

* Schools' annual rates that are highlighted red in the table above are well above the 4-year average rate of exclusions

This data suggests that Southwark's exclusions crisis is being driven by a minority of schools, but it also reflects that exclusions are becoming more widespread.

The Commission gratefully received a comprehensive response from Ark analysing the rates of exclusion across its schools. The Commission noted, some differences in the reported rates of exclusions, in particular, Council data indicates there were 5 permanent exclusions from Ark Globe in 2017/18, whereas figures provided by Ark Globe indicate there were 3 permanent exclusions.²² Ark's submission did indicate an encouraging downward trend across most Ark schools in permanent and fixed terms exclusions and student mobility (students deleted from the roll), with real successes in lowering rates of fixed term exclusions. However, the Commission does remain concerned that, whilst Ark schools perform only marginally worse than the national average in permanent exclusions across a number of schools, once controlling for the proportion of disadvantaged students,²³ taken together, this does leave Ark schools with higher rates of exclusion than most other schools in the borough, on average. The Commission very much welcome Ark's willingness to keep working on an inclusive approach and further improving their results.

Disappointingly, the Harris chain of schools did not engage with the Commission's investigation. Whilst we cannot identify what has driven the exceptionally high levels of exclusions in Harris Academy Peckham, we do hope that Harris schools will work closely with Southwark, and indeed

²² This may be due to different reporting practice for reporting exclusions of non-Southwark children in Southwark schools.

²³ Ark calculate this based on having a high proportion of student who attract pupil premium payments, which includes pupils in receipt of FSM and select other criteria.

with other schools, to bring down rates of exclusions across all of its schools that are under-performing, the Southwark average in this area (3 out of 4).²⁴

As we explore later in this report, there is clearly a range of good practice in Southwark, with many schools working very hard to avoid exclusions, and using permanent exclusion only after trying a wide range of alternatives. Available information does lead the Commission to conclude that several other schools, for whatever reason (whether resources, ethos, or strategy) are quicker to resort to exclusion.

From excluded children and their families, we hear the human cost of exclusions and the desperate need for change

The Commission heard from children who have been excluded in Southwark about their experiences. Their stories painted a picture of exclusions – fixed and permanent – being carried out in far too casual a manner, and often on grounds most would agree are unreasonable. The Commission were particularly struck by some of their stories:

- Chanay shared with the Commission how she had received a fixed-term exclusion for eating a biscuit in class, which she was eating because she had skipped lunch to catch up on work. She had also received a fixed-term exclusion for forgetting her PE kit at home.
- Olamide told the Commission how she had been fixed-term excluded for the behaviour of her friends even though she was not in the class at the time.
- Alex shared how he had received a 5-day fixed term exclusion for opening a door too hard.
- Alex also shared with the Commission that he had been permanently excluded on what he believes were ultimately attainment grounds, having missed an exam due to illness.

Online surveys were also devised to seek the views of young people and their families, who had experience of exclusion, either fixed or permanent, in the last four years. Unfortunately, the response rate was very low, with only three family members participating. All were dissatisfied or very dissatisfied with the support received from their child's school and the exclusions process. However, it is usual for survey respondents to be either very unhappy or very happy with a service, so this cannot of itself be interpreted as a representative view of families' experiences.

Of the survey responses received, one family member of a primary school age child who had received repeated fixed term exclusions did not think they were useful. She said she would have liked the spending allocated for her special needs child to be better allocated, and for the school to focus more on meeting her child's needs rather than what she perceived as holding unrealistic expectations and apportioning blame. Another family member of a secondary school age child considered their child was off-rolled at a crucial time during options at year 9; commenting that no other school was found or offered and her child ended up out of school. The third family respondent's child was moved to a PRU, which they did not think worked out well, but rather increased the risk of gang involvement. That family member pinpointed the need for more mental health provision and help resolving bullying to prevent their child's exclusion and other children.

These stories provide a compelling but anecdotal picture of practices taking place in schools. Combined with the picture provided by national and Council data, there is a plausible case that a greater willingness to exclude in certain schools has been a key driver of increasing rates of exclusion. The young people who spoke to our Commission made a compelling case for introducing a Charter which would set out an additional code of conduct for schools when considering exclusions, as well as a clear commitment to eliminating the need for exclusions over

²⁴ Only Harris Girls Academy East Dulwich is below the Southwark average, and even here there is a relatively high rates of permanent exclusions for a girls' school given girls were excluded at less than a third of the rate of boys nationally in 2017/18 according to national statistics

time and for the Council to produce an annual report on exclusions performance. Several of our findings point towards the need for an ambitious partnership between schools and the local authority, which such a Charter could be an important component of, if there is sufficient shared commitment between schools and the Council.

Off-rolling

The Council is still getting to grips with identifying and responding to suspected off-rolling

Off-rolling is an increasing concern in Southwark and officers are still getting to grips with how to respond to off-rolling. Schools must notify the local authority when a pupil's name is deleted from the roll, but there can be a range of reasons why this happens so it is difficult to identify instances of off-rolling. The Council has a process in place for tracking this, with the Pupil Tracking and Licensing Team, that sit in Education Access.

In 2018/19 there were approximately 558 deletions from school rolls in Southwark's secondary schools. Table 2 below sets out the reasons given for children leaving school rolls. Whilst we cannot directly reach any conclusions based on these figures, they do show a large volume of children being registered to other schools (56.3%) suggesting possible managed moves (which do not have to be reported to the local authority), and a significant proportion of children whose whereabouts are unknown (10.6%). Officers told the Commission that efforts are always made to locate these children and usually the reason is something such as a move to a different area.

Table 2: Reasons for children being deleted from school rolls

Reason	Number	Percentage
On register of another school (moved school and/or formerly dual registered)	314	56.3%
Moved out of area – no longer residing at reasonable distance from the school	80	14.3%
Permanently excluded (<i>NB: in some cases, permanent exclusions were subsequently changed to managed moves</i>)	37	6.6%
Withdrawn for elective home education	47	8.4%
Continuously absent for more than 20 days, whereabouts unknown (or 10 days after authorised leave)	59	10.6%
Pupil at school other than maintained school, an academy or CTC ceased to be pupil of school (<i>NB: code used in error – this applies to independent schools only, not state funded provision</i>)	11	2.0%
Pupil will cease to be of compulsory school age before school next meets	8	1.4%
Unlikely to be in fit state of health to attend before ceasing to be of compulsory school age.	2	0.4%
Total	558	100%

Local authority data suggests that the schools with the highest levels of permanent exclusions are also the schools with the highest levels of deletions from the roll. For example, Harris Academy Peckham had 74 deletions from the school register in 2018/19 and Ark Globe Academy had 68 deletions, representing a quarter of all deletions from the school roll. Whilst this does not of itself indicate bad practice, it does suggest a possible area for concern as it could be indicative of parents/carers being persuaded to home educate children.

The Commission does not feel satisfied that the Council is at present identifying and challenging suspected instances of off-rolling robustly. Whilst officers rightly wish to maintain amicable relationships with schools, given the significant independence Southwark's many academies have, the Commission did not receive evidence relating to the Council's past oversight of off-

rolling to reassure us that all suspected cases were being investigated and escalated as a matter of course.

Notwithstanding this, the Commission is encouraged by recent progress. Nina Dohel, the Council's Director of Education, spoke about additional steps the Council is taking to better identify and escalate suspected instances of off-rolling. She notified the Commission that recently the Council has been using a methodology piloted by Ofsted to identify schools that appear to be off-rolling. At present two Southwark schools have been flagged by Ofsted for further investigation.

Officers also provided data on the results of a recently conducted tracking exercise carried out by the Council using Ofsted's methodology to identify 'exceptional pupil movement'. This is defined as schools where more than 5 children and more than 5% of the roll leaving in a year. This exercise identified that between the Year 10 (2018) and Year 11 (2019) Spring census, 85 children left Southwark secondary schools – amounting to 3.3% of the 2,576 children on roll in Year 10. The % leaving per school ranged from 0.7% to 10.4%. Five out of 19 schools appeared to meet the criteria of more than 5 children and 5% of roll leaving, which is over a quarter of all secondary schools.

In terms of compliance with duty to inform LA of children being deleted from school registers, officers reported that forms had been submitted for only 74% of children leaving Southwark schools in this Year 10/11 cohort. One school had 11 missing forms.

Officers reported that they then followed this up with senior school's leaders. The Commission received assurances that managers and staff in Education and Family Early Help service are very aware of the risk of off-rolling and provide challenge to schools, including following up missing information and undertaking audits. As a result of this, and of Ofsted's increasing focus on this issue, they reported that school leaders appear to be becoming increasingly vigilant about ensuring that there are clear and valid reasons for children to be removed from school registers.

The Commission welcomes these recent developments, but maintains the view that if we are to eradicate the practice of off-rolling, there needs to be a consistent use of these more robust processes which have been put in place recently for identifying trends, identifying reporting gaps, and escalating suspected off-rolling cases. Officers need to go further to ensure schools comply with their duty to provide the Local Authority with up to date forms for all children leaving the school roll. Continued close work with Ofsted will also be vital to tackling exclusions as the formal power to tackle off-rolling resides with this body.

Home education

Numbers of home educated children are rising rapidly, and it is often the children with greatest levels of need being home educated

Numbers of children being home educated in Southwark has increased considerably in recent years, and children with high levels of need are disproportionately driving that trend.

Available data suggests that rates of home educating broadly reflect the ethnic composition of Southwark's under 20s. 53% of home educated children are boys, and whilst there is a big uptick on home educating in year 11 (roughly double the number of children in other years), there are similar numbers of children being home educated across all other year groups.

The profile of children being home educated is fundamentally concerning

Concerningly, in the officers' report to the Commission, they identified that:

“A significant proportion of home educating families in Southwark have or have had an additional needs or difficulties which might pose challenges to providing a suitable home education. 10% of home educated children are currently open to Children’s Social Care, Family Early Help, Child and Adolescent Mental Health Services or the Youth Offending Service while at least 33% of home educated children are recorded as having had contact with one of these services previously”

The Commission shares these concerns.

Alternative provision

Southwark’s main alternative provision is rated good, but student outcomes have been worsening in recent years

The Commission reviewed data on Southwark’s PRU, Southwark’s Inclusive Learning Service (SILS) and visited its two sites as well.²⁵

SILS has been rated by Ofsted as good in its most recent inspection.²⁶ All Commission members who visited SILS were struck by the dedication of the teachers and their clear commitment to the children in difficult circumstances. Many of the children in SILS were not well equipped to learn at their current level. Commission members were told about how many students reading age was half their actual age, and how unresolved behavioural issues made it hard for many children to manage an engaged full day of learning.

During the Commission’s two visit to SILS, we learned a lot about the issues that have brought children to SILS and how able they are to work with children as they would like:

- Children’s experience in mainstream: Many of the children attending SILS found the transition from primary to secondary school difficult, and trying to fit in often led to them showing off and behaving badly, a label that they then struggled to shake off.
- SILS resources: SILS argue that the needs of young people who are excluded are becoming more and more complex but their per place funding from the Council remains the same and originating schools often do not release all funding attached to a child when they transfer to SILs, although it should rightly follow the child. Ms. Yomi Adewoye, Headteacher of SILS, spoke about how, when SILS had additional funding for a two-year period it was able to pilot a nurture model of teaching, more akin to a primary school setup, which seemed to really work for their children.
- Broader outcomes for students: SILS suggests that children would benefit from more vocational courses, more opportunities for apprenticeships and on-the-job learning for under 16s, as well as more community and voluntary sector support around the children.

The Commission reviewed performance data for SILS. Whilst the Commission acknowledges the difficult circumstances in which SILS does its best to deliver for children in Southwark, SILS results are of real concern. In all measures, the academic performance of SILS students was lower in 2017/18 than 2016/17, and the three-year trend (from 2014/15 to 2017/18) is down in all achievement measures. No child achieved 5+ GCSEs grade 9-4 in 2017/18, and since 2014/15 there have only been two children who have achieved 5+ GCSEs grade 9-4. The percentage receiving even 1 good (9-4) GCSE has been repeatedly falling, from 100% in 2014 to 28% in 2017/18.

These results are simply not good enough for our children, regardless of whether or not they have been excluded. During our first Commission, where we spoke with Nina Dohel, and Jenny

²⁵ Whilst the Council generally refers to a single PRU, it is based across two sites in Southwark, one principally for KS3 (Davey St) and another for KS4 (Porlock Hall)

²⁶ See Ofsted’s report on SILS here: <https://reports.ofsted.gov.uk/provider/22/135260>

Brennan, Assistant Director, Family Early Help and Youth Justice, we collectively agreed that there needs to be a fundamental rethink of ambitions for alternative provision. Undoubtedly, this will have to recognise that academic achievement cannot be the only goal for children who have not been able to remain in mainstream schools, and the Commission welcomes any efforts to capture broader positive outcomes (such as the number of children reintegrated into mainstream schools, vocational and other qualifications obtained by children at SILS and more). But it also must identify ways and means to improve GCSE results given how strongly these are associated with a range of outcomes later in life.

Alternative provision needs the resources and commitment of schools to work better for Southwark's children

The Commission heard from Ms. Adewoye, during one of our visits to SILS that some schools, at their own cost, send children to SILS before they are permanently excluded as part of an effort to try and “turn around” their trajectory. Such approaches, maintaining children on dual role and leaving open the possibility of returning to their mainstream school, are to be applauded and encouraged. Excluding a child and sending them to SILS is a life-changing decision, which should demonstrably be a last resort.

The Commission also heard from the lead Cabinet Member for Children, Schools and Adult Care, Cllr Jasmine Ali. Cllr Ali shared the Commission's concerns regarding the rising rates of exclusions and the challenging results for children attending SILS. Cllr Ali provided a presentation setting out how future Council plans could involve a shift from off-site alternative provision towards on-site alternative provision in Southwark's mainstream schools, with direct support to high excluding schools as they transition towards this new world.

Other places beyond Southwark have great success in intervening early, reducing exclusions and keeping children out of secondary school PRUs

Other submissions to the Commission made it clear that, for many children, intervening at secondary school is problematically late, and early intervention at primary school can be a far more effective means of tackling exclusions. The Commission heard from Eileen Shannon, Head Teacher at Wandsworth's primary PRU, Victoria Drive, and Carol Self, Nurture Provision Lead from Wandsworth Council.

The Commission heard about the good work at Victoria Drive, their commitment to keeping students who attend dual rolled with their mainstream school, and their general intention to work with children for two terms with a major focus on social, emotional and mental health needs alongside working with parents and family, using a 'nurture model'. There is also a significant focus on writing, reading and maths. Victoria Drive has a Service Level Agreement with the NHS so that mental health needs can be supported on site. 3 CAMHS workers based in the school, funded by the NHS.

Of great interest to the Commission, Victoria Drive have conducted a tracking exercise of children attending Victoria Drive, which showed that no children that have attended Victoria Drive in recent years have resurfaced in Wandsworth's secondary PRU, Francis Barber. Ms. Shannon and Ms. Self put this down to a combination of the work done by Victoria Drive, and their success in getting EHCPs in place in the many cases where children remain vulnerable.

Summerhouse, Southwark's preventative provision for primary aged children at risk of exclusion, has a similar model, however there is less explicit use of the nurture model and although children usually return to the host school, dual working did not appear to be such a strong characteristic. The tracking showed that two children did later become excluded from secondary schools.

The Commission also heard from Chance UK, an early intervention organisation that provides mentoring and family support to 200 children in London (70 in Southwark) and their families/carers. Chance UK reflected that, whilst most exclusions happen at secondary, problems most often begin to show at primary school, and go unaddressed with children not receiving enough SEN, behavioural or mental health support. Chance UK suggest tackling problems early and working with families to understand the broader context of children's issues. These perspectives align strongly with the Commission's own findings.

From further afield, we know that nurture-based models show real promise at lowering rates of exclusions and may be an important part of refreshing Southwark's approach to alternative provision. In Glasgow, PRUs have been closed and replaced with nurture units which are onsite in mainstream schools.²⁷

Maureen McKenna, executive director of education at Glasgow City Council, advised London to adopt a "nurturing" approach to its children. She told Lib Peck, the head of City Hall's violence reduction unit: "You have got to get rid of your PRUs. It's like putting all the young offenders together. For gangs, they just wait outside the gate."

Education Scotland reports that Glasgow's exclusions have dropped by 80% since 2006/07.²⁸ Glasgow's approach shows real promise and is an important one for Southwark to learn from, notwithstanding the different regulatory contexts in England and Scotland. As previously mentioned, SILS had positive experiences of piloting nurture-based approaches, further confirming the relevance of lessons from Glasgow.

Even from the Commission's limited work, we are convinced that SILS and its staff can deliver more, and that the Council should work with them to improve outcomes for children who have been permanently excluded or are at risk of permanent exclusion. The Commission looks forward to seeing the further development of the Council's plans for alternative provision, and our findings on the work of PRUs elsewhere, and school's requests for additional support and new partnerships with the Council (see School and Council Partnership section, below), present a major first step and framework towards achieving these goals.

The Data Landscape

Southwark receives mixed quality data from schools, hampering its understanding of the issues

Schools are legally required to provide local authorities with certain data, for example regarding fixed term and permanent exclusions, and deletions from the roll. There is other data that can be provided on a voluntary basis but does not statutorily need to be provided, e.g. data on managed moves, where a child is moved from one school to another as an alternative to permanent exclusion.

The Commission is concerned about the timeliness and accuracy of data that certain schools provide to the Council. In our first meeting, officers reported that data received directly from schools showed that in 2017/18 there had been 241 fixed term exclusions in Southwark schools, but Department for Education data released shortly before the Commission's first meeting showed that there had been over 1,800 fixed term exclusions. Officers reflected that data on fixed term exclusions in particular is not adequate or consistent, with the Council only receiving

²⁷ See Glasgow Model, which was assessed during a Lewisham visit and investigation: <http://councilmeetings.lewisham.gov.uk/documents/s61053/Exclusions%20Appendix%20C%20evidence%20from%20Glasgow.pdf>

²⁸ See reporting on fall at <https://www.glasgowlive.co.uk/news/glasgow-news/glasgow-school-exclusion-figures-drop-16024952>

notification of a small fraction of incidences, even though they are required to report these to the Council.

The Commission has some concerns about how Southwark Council is analysing the data that it does receive

The Commission received an officer report stating that BAME children are not over-represented in Southwark's exclusion figures, but the Commission was later presented with figures stating that 82% of excluded children in 2017/18 were BAME (see Table 3 below).

Table 3: Proportion of BAME children in exclusions from Southwark schools

Proportion	2014/15	2015/16	2016/17	2017/18	2018/19
Total permanent exclusions	31	40	50	61	35
No. BAME exclusions	23	31	39	50	15
% BAME exclusions	74%	78%	78%	82%	70%
% BAME exclusions Southwark school, Southwark child	81%	72%	76%	78%	61%
% BAME exclusions Southwark school, non-Southwark child	100%	75%	83%	100%	100%
% BAME exclusions Non-Southwark school, Southwark child	62%	83%	80%	83%	82%

Further, the Commission were provided with data stating that in 2016/17 there were 36 exclusions, but also with data providing reasons for exclusion for 50 exclusions in 2016/17. Reviewing publicly available national statistics released by the Department for Education, they state that there have been 36 secondary school exclusions in Southwark in 2016.²⁹ The Commission notes that this disparity may be due to legitimate differences in reporting practices.³⁰

Our concerns regarding the quality of data the Council is getting and how well it is being analysed are also reflected in data available on managed moves. Whilst the Commission fully accepts that this data is voluntarily provided by schools, reports received by the Commission have pointed to markedly different success rates. In the Commission's first meeting, the Commission were told that 1/3 of managed moves were successful, but later reports to the Commission reported that 46% of managed moves were successful.

The Commission welcomes the commitment from officers to reminding schools of their responsibilities and adding administrative capacity to help them do this.

Overall, the mixed quality of data Southwark is receiving feeds into and is further hampered by difficulties in analysing and consistently recording data.

Regulatory responsibilities

The regulatory arrangements for managing exclusions and off-rolling is complex and makes council leadership difficult

The regulatory arrangements for managing exclusions and off-rolling is complex and intentionally designed to place decision-making with schools rather than at a local authority level.

²⁹ See permanent and fixed-period exclusions in England 2016-17.

<https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2016-to-2017>

³⁰ Possible reporting differences could include different reporting of Southwark children excluded from non-Southwark schools or non-Southwark children excluded from Southwark schools.

This arrangement was very much reflected in the Commission's conversations with the Regional Schools Commissioner for south London and south-east England, Claire Burton. Claire Burton kindly agreed to speak to the Commission very early into her role, and gave the Commission honest and open responses to our queries. The Commission raised cases of possible off-rolling, possible breaches of equalities requirements on schools and in all cases, in line with the regulatory environment. Ms. Burton rightly reflected that, whilst the RSC, ESFA and Ofsted have some relevant duties, they will not typically look at such individual cases. In fact, Ms. Burton reflected that she sees her role as engaging at a trust level, rather than an individual school level. Given the broad geographical coverage of RSCs (Ms. Burton covers 22 local authorities), this is unsurprising.

However, it does leave an open question which the Commission reflected on in the majority of its sessions. Whilst Ofsted investigates cases of off-rolling under its new inspection framework, it is clearly limited in the amount of proactive work it does beyond formal inspections. The ESFA is a national body and has limited capacity to pursue suspected funding agreement breaches by individual schools. So, this leaves a significant, but non-formalised responsibility to local authorities, who liaise with the RSC and inspectors from Ofsted in particular, as well as the ESFA, to share information to help identify and tackle underperformance. But of all these agencies, the local authority has limited powers – beyond a requirement that the local authority receives certain data – to investigate problems or enforce breaches.

Ms. Burton stated that in cases of local authority concerns, she would expect issues to be raised with her as the RSC and/or Ofsted and be addressed by them and/or the ESFA. The Commission was left unclear about the extent of issues that would need to arise for this escalation to work effectively. Similarly, the RSC said she would expect her team to get involved if local authorities are receiving mixed quality data, as appears to be the case in Southwark.

Martin Finch, one of Her Majesty's Inspectors for Ofsted, spoke to the Commission. He made clear that Ofsted was prepared to give schools an inadequate rating if they had concerns that off-rolling was occurring in a school. The Commission felt that there is sufficient leeway in Ofsted's stated approach and that these concerns would likely have to be repeated and persistent in order for action to be taken.

Taken together, local authorities are trying to drive up performance with limited tools to make it happen. All of the Commission's findings and recommendations need to be interpreted in this context.

School and Council partnership

The Commission recognised the importance of speaking to schools about their experience of exclusions, what they are doing to prevent them and why they feel they are happening. We heard from schools via responses to a request for information sent to all secondary schools in Southwark, and the Commission Chair also attended a Council-organised "Keeping Children in Education" Head Teachers' conference. Several key messages arose:

- Good practice: Many schools are going to great lengths to be inclusive and are working well with Southwark, but this practice does not seem to be shared well via existing channels.
- Local authority support: Many schools feel that the local authority could do more to provide support to young people who often have mental health issues but do not meet the threshold for CAMHS referrals.
- Bold vision: Schools recognise that they need to do more and appear open to a bold new arrangement to prevent exclusions.

Many schools are going to great lengths to be inclusive and working well with Southwark

The Commission received submissions from the Church of England Diocese and the Catholic Diocese, who oversee their respective faith schools in Southwark. As reflected in Table 1, many of Southwark's faith schools have dramatically lower rates of exclusion than other schools. Dr Rachel Norman, Secondary School Advisor, spoke on behalf of the Church of England Diocese. Dr Norman shared several specific strategies schools take to avoid exclusions, including:

- Using internal alternatives to fixed term exclusion, such as cooling off areas and therapeutic bases, where specialist practitioners can work through issues with students.
- Pro-actively using alternative curricula and guided pathways to prevent students from becoming disengaged and disaffected, as this can be where more serious problems occur.
- Having regular contact with the parents/carers of students that schools are concerned about, so that even if a fixed term exclusion occurs, it is not a shock to the family and does not lead to a deterioration in relations and there can be a united front where parents/carers support the action.
- Wrap-around provision, including pre and post-school activities, holiday clubs and more to provide wholesome outlets for children.

Dr Simon Hughes represented the Catholic Diocese. He affirmed that schools under his supervision used many of the same approaches, and had a broad emphasis on restorative practices as well.

Taken together, the Commission strongly felt that useful lessons could be learned from schools that have achieved low levels of exclusion despite having similar demographic and educational profile mixes as the worst performing schools. Were such learning peer-based, and more in depth than occurs under current arrangements, it could play an important role in propagating good practice. This very idea was discussed at the Head Teachers' conference and appeared to be supported by several heads across Southwark.

Schools believe that the local authority could do more pre-emptive work to avoid exclusions

At the Head Teachers' conference, several Heads raised a concern that when they identified children at risk of exclusion due to behavioural issues or conduct disorders, it was often difficult to get support from the Council. Heads strongly suggested that some way of ensuring children who were likely to become at risk of exclusion received appropriate mental health or specialist support would be broadly welcomed.

Heads also mentioned that the local authority previously had a dedicated "Inclusion Officer" that played a far more involved role in the early identification of children at risk of exclusion and would broker conversations between schools, help secure early support, and generally help schools to avoid excluding children. Heads felt that the local authority had markedly stepped away from this role in recent years. One head mentioned that she felt, whilst there was still a relevant "lead" who now sat in Early Help, they no longer had the contact time or close relations with schools to effectively play the broker. The Commission cannot say for certain whether any staffing reconfiguration has impacted the Council's ability to support schools in avoiding exclusions, but it is important that we recognise schools' concerns in this area and that the Council looks into the issue.

100% inclusion is possible, but it requires radical ambition from Southwark, and schools

More generally, schools that have provided responses to the Commission and heads that have spoken with Commission members have been clear that they support a bold vision from the local authority to reduce the current exclusions trend, but they want to see this vision supported by clear commitments to do things differently and to work in close partnership. Whether in looking at

improving CAMHS access for children at risk of exclusion, improving coordination support from the Council, or challenging schools to share data more readily and to commit to taking more steps to avoid exclusion, there is a clear recognition that schools and the local authority need to have frank and open conversations about what must be done to ensure that no child is left behind and to better support every child to fulfil their potential.

The Commission heard from Mr. Matt Jones, Chair of the Southwark Association of Secondary Heads (“SASH”) and Executive Principal of Ark Schools. Mr. Jones reaffirmed that radical solutions are needed to tackle exclusions. He put forward that schools are broadly committed to accepting ambitious targets to eradicate exclusions in all but the most exceptional of circumstances, if the Council would bring a genuine openness to taking radical approaches (as an example, pursuing school-led alternative provision across the borough) and working in even deeper partnership with schools than they do at present.

Part 4: Recommendations

Inclusion recommendations

Recommendation 1: Southwark Council should champion a 100% inclusion commitment in conjunction with schools, embodied in a mutually agreed Charter and an annual inclusion report to track progress against its 100% inclusion target.

Councils need to pursue a radical new settlement with schools to end the trend of rising exclusions.

As a first step, create a Charter for inclusion in conjunction with schools. Whilst the content of any Charter will be for the Council and schools to agree, any Charter should:

- Set out a clear values statement with a commitment to achieving 100% inclusion.
- Include a time-bound commitment (the Commission suggest 2022) to achieving zero permanent exclusions.
- Agree best practice for conducting exclusions in the interim with schools, including having a clear escalation process that tries steps, including dual rolling children in PRU before pursuing permanent exclusion.

The Council should produce an annual inclusion performance report that reports on progress towards the 100% inclusion target and all related activities to deliver it.

Such a report needs to go into more detail on progress than the annual schools report. The report would include an activities update for the Council and schools, and progress against every Charter commitment.

Recommendation 2: The Council should conduct an action-focused review into the disproportionate representation of BAME and SEN children in Southwark’s exclusion statistics.

The Commission identified errors in Council data which under-reported the number of exclusions for specific groups of BAME children. Going forward this data must be monitored more closely, and the Council should develop an action plan outlining clear steps to understand why certain BAME children are over-represented in exclusions and to work with schools to address the issue. Based on the data the Commission reviewed, a similar exercise is needed for SEN children as well.

Off-rolling recommendation

Recommendation 3: The Council needs clearer procedures in place for identifying off-rolling and be more ready to challenge bad practice by schools.

The Commission welcomes current efforts to draw on Ofsted's methodology to conduct analysis in this area. The Commission recommends that the Council more broadly creates a clear process for identifying, challenging and escalating suspected cases of off-rolling. These improved procedures must also be used to determine whether any groups are being disproportionately affected by off-rolling as well.

Home education recommendation

Recommendation 4: The Council should conduct a comprehensive review of children currently being home educated to identify possible cases of forced home schooling, and where this is identified, help parents/carers to reintegrate their children into mainstream education.

The Council must respect parents and carers right to home educate their children. But the Commission has identified serious concerns regarding the suitability of home education in many cases and the rate of increase of home schooling strongly suggests that parents/carers are being encouraged to off-roll their children. This must be investigated.

Alternative provision recommendation

Recommendation 5: The Council must rethink the delivery and aims for alternative provision, moving towards a nurturing model with continued registration of children at mainstream schools wherever possible.

The Commission is broadly supportive of working proposals for rethinking alternative provision which will be further progressed in conjunction with schools.

As an interim measure, the Commission requests a clear action plan for ensuring better outcomes for children currently attending SILS. Our findings suggest that this needs to be a combination of changing the current model for SILS and better resourcing the wealth of good activity already taking place, to better support nurture-based approaches, and more vocational options for students.

Based on the Commission's findings, the Commission recommends that plans for improving alternative provision performance begin at the primary school stage, include families, and that the Council draws on identified models for providing dedicated CAMHS support to children attending Summerhouse, to further aid early identification and treatment of mental health needs, as well as ensuring that all of those children who need EHCPs secure them. Dedicated funding to support this could be sought from the NHS (as in Wandsworth) and/or could be a core part of the Council's dedicated additional mental health core spending for schools which has been committed to as part of the Council's pledge that 100% of children with a diagnosed mental health condition will have access to the mental health services they need.

Data recommendation

Recommendation 6: The Council must be clear on which schools are under or late-reporting mandatory data to the Council and escalate these concerns more quickly.

Schools have a clear obligation to provide the Council with timely exclusions data. Whilst the Council, quite rightly, seeks to maintain amicable relationships with all schools, this should not come at the expense of receiving timely data. Where data is late or there are concerns that data is

incomplete, officers should keep comprehensive records of which schools are late providing data or schools that have provided incorrect data with no reasonable explanation for why this has happened.

Regulatory reporting recommendation

Recommendation 7: Where school conduct or data concerns are identified, the Council needs to escalate these more quickly with the appropriate regulatory body.

As confirmed by the Commission, off-rolling concerns should be raised with Ofsted and data reporting failures by schools should be raised with the Regional Schools Commissioner who will follow up together with the ESFA if necessary. Whilst the Commission does support strong partnership working with schools, the Council must do all it can to eradicate off-rolling and ensuring it has a proper picture of exclusions taking place. The Council should track how many such escalations are happening, whether they are informal or formal escalations.

School and Council partnership recommendations

Recommendation 8: Schools should be actively encouraged to work together to peer review exclusions performance.

There are vast differences in how many children are excluded by different schools. The Commission strongly recommends that schools are encouraged to work together to conduct detailed peer reviews of each other's conduct. The Council could help facilitate this by, for example, identifying 5 schools with the highest 5 rates of exclusion for 2018/19 and 5 schools with the lowest rates of exclusion, and they should do a detailed exercise of comparing exclusion practices, identifying problematic practices and developing clear plans for reducing exclusions. This recommendation will need to be driven by schools, but should be facilitated by the Council as far as possible.

Recommendation 9: To underpin a shared 100% inclusion vision, the Council should pursue a bold new partnership with schools, including greater information sharing from schools and resource allocation for "at risk" children as well. As part of this renewed partnership Southwark should create a fit-for-purpose equivalent of an Inclusion Officer.

From the Commission's work, we know that schools want:

- A more comprehensive "at risk of exclusion" process that aids schools getting appropriate support around students, which could come from additional dedicated CAMHS support for children at risk of exclusion, for example.
- Improved early support from the Council via a dedicated "Inclusion officer" lead to further help prevent exclusions.

If Southwark is to become a 100% inclusion borough, the Council and schools must have open and frank exchanges about how both parties could help each other to achieve their shared vision.

The Council is clear that it needs better information from schools including voluntary information sharing. In particular, agreeing that schools will proactively share information on managed moves.

Councils and schools should also in this context consider whether any new Council-school forum is required to underpin Charter and partnership commitments, e.g. re-introducing school behaviour and attendance partnerships as utilised elsewhere.

Acknowledgments

The Chair would like to thank the Project Manager Julie Timbrell for providing invaluable support to the Commission in its investigations; all the officers, who provided a wealth of helpful information to the Commission; all of the people who spoke to the Commission including children who have experienced exclusions, the families of those excluded, officials and many more. The Chair would also like to thank Cllr Maggie Browning, who joined one of the Commission's visits to SILS and reviewed an early draft of this report, and Cllr Jasmine Ali for being very supportive of this Commission's comprehensive review of Southwark Council's performance and practices in this area. Finally, the Chair would also like to thank all of the Commission members for their commitment to challenging the growing exclusions culture in Southwark, along with its complex drivers.



Cllr Peter Babudu

Chair, Education and Business Commission

Appendix 1: Recommendations Progress Checklist

Recommendation	Accepted?	Target completion date
Recommendation 1: Inclusion – Commitment and target		
Create a charter for inclusion in conjunction with schools, setting out a clear vision statement, time-bound commitment and agreeing best practice for conducting any permanent exclusions in the interim		
Produce an annual inclusion performance report on progress towards the 100% inclusion target and related activities		
Recommendation 2: Inclusion – Disproportionate representation		
Begin tracking and monitoring data more closely on exclusions by key characteristic, particularly for BAME children		
Investigate reasons for over-representation of BAME and SEN children in exclusion figures		
Develop an action plan to reduce BAME and SEN exclusions		
Recommendation 3: Off-rolling		
Create a clear process for identifying, challenging and escalating suspected cases of off-rolling		
Investigate whether any groups are being disproportionately affected by off-rolling, as with exclusions		
Recommendation 4: Home education		
Conduct a review of children currently being home educated to identify possible cases of forced home schooling		
Recommendation 5: Alternative provision		
Develop action plan for rethinking alternative provision and ensuring better outcomes for children currently attending SILS		
Draw on identified models for providing dedicated CAMHS support to children attending Summerhouse funded via the NHS or the Council's dedicated additional mental health spending in schools		
Recommendation 6: Data		
Keep comprehensive records of which schools are providing late or incorrect data with no reasonable explanation		
Recommendation 7: Regulatory reporting		
Commit to consistently escalating school data or off-rolling concerns to appropriate regulatory bodies		
Track numbers of escalations/reports of data and off-rolling concerns to regulatory bodies, whether formal or informal		
Recommendation 8: School and Council partnership – peer review		
Facilitate peer reviews of exclusions performance by local schools		

<i>Recommendation 9: School and Council partnership – Terms, roles and forums</i>		
Incorporate School-Council partnership commitments into any Charter, including agreements on improved information sharing by schools and “at risk of exclusion” support for school children by the Council		
Create a role equivalent to an Inclusion Officer to help drive reductions in exclusions		
Determine whether any additional School-Council forum, e.g. a behaviour and attendance partnership, is required to underpin renewed School-Council partnership		

Appendix 2: List of interviewees and contributors

Commission members

Councillor Peter Babudu (Chair)
 Councillor William Hougbo (Vice-Chair)
 Councillor Karl Eastham
 Councillor Renata Hamvas
 Councillor Eleanor Kerlake
 Councillor Lorraine Lauder MBE
 Councillor Eliza Mann
 Lynette Murphy-O'Dwyer
 Martin Brecknell

Councillor Contributors

Councillor Jasmine Ali, Cabinet member for Children, Schools and Adult Care
 Councillor Maggie Browning

Scrutiny officers

Shelley Burke, former Head of Scrutiny
 Everton Roberts, Acting Head of Scrutiny
 Julie Timbrell, scrutiny Project Manager

Education officers

Nina Dohel, Education Director
 Alasdair Smith, Director Children's and Families
 Jenny Brennan, Assistant Director Family Early Help & Youth Justice.
 David Bromfield, Education Adviser
 Neil Gordon-Orr, Service Development Lead - Education Access

Academies, schools and teachers

Ark Academy
 Southwark Diocesan Board of Education, Rachael Norman, Secondary Schools Adviser
 Catholic Diocese, Dr Simon Hughes
 Yomi Adewoye, Headteacher SILS
 Eileen Shannon, Head Teacher, Victoria Drive PRU
 Carol Self, Nurture Provision lead, Wandsworth Council

Education leads

Claire Burton, Regional Schools Commissioner (RSC)
 Martin Finch, Senior HMI, Ofsted

Young people

Cristian Fernandez
 Chanay Golding
 Olamide Taiwo
 Alex MacArthur-James

Voluntary and Community Sector

Chance UK

APPENDIX A**District Heating and Heat Networks****Report from
Southwark Housing Scrutiny Commission****September 2020**

Members of the Housing Scrutiny Commission

Commission Member	Role
Councillor Gavin Edwards	Chair
Councillor Hamish McCallum	Vice-Chair
Councillor Jack Buck	Committee Member
Councillor Dora Dixon-Fyle MBE	Committee Member
Councillor Jon Hartley	Committee Member
Councillor Nick Johnson	Committee Member
Councillor Bill Williams	Committee Member
Cris Claridge	Co-Optee
Ina Negoita	Co-Optee

Introduction

Southwark Housing Scrutiny Commission (HSC) decided to investigate the council's approach to district heating systems for three primary reasons:

1. Because the council is already engaged in wide-ranging projects to upgrade existing systems and to expand district heating in the borough
2. Because the number and regularity of outages of existing district heating systems causes significant inconvenience and discomfort to residents, and so it is important to analyse how the council responds to these situations.
3. Southwark's will need to respond to changes in government regulations regarding individual metering and the regulation of heat networks.

Everyone agrees that district heating systems are very important to Southwark residents and to the council's longer-term strategy for investing in council housing. Southwark is a major heat network operator. We have 120 heating systems serving some 17,000 residents with heat, including nearly 3,000 served by heat from the waste incinerator at SELCHP. As the evidence presented in this report confirms, improving reliability remains an issue which needs to be urgently resolved.

So, there is a strong connection between point 1 and point 2 set out above. The unreliability of some existing heat networks is a direct consequence of aging infrastructure and a lack of strategic investment over many years. But changing this is a long-term project. In the meantime, we also need to ensure that the council can respond to outages in a way which gives maximum support to residents and ensures they are kept up to date.

This report is broadly structured to address these three separate but connected issues. We are seeking to address recommendations which help to guide the long-term investment programme *and* shape how the council supports residents experiencing outages.

This report will avoid simply repeating the copious amounts of information publicly available on Southwark's plans in regard to district heating. It is focussed on the additional evidence we have gathered as a commission.

For context, the following links may be useful in providing context for what follows.

[Heat Networks Cabinet Paper, July 2019](#)

[Summary of ESCO Structures](#)

[Roadmap for developing heat networks strategy, July 2019](#)

The Housing Scrutiny Commission carried out the following actions to gather evidence:

1. Formal Interview with Cabinet Member
2. A formal Interview with officers leading on response to district heating failures
3. Two formal Interviews with officers leading on strategic investment and extension of SELCHP and wider heat network (July 2019 and October 2020)
4. Informal discussions with officers.
5. Case studies on the Aylesbury and Brandon Estates
6. Notes from Tenant engagement meetings (Carried out by officers, but shared with the commission)
7. Formal evidence submitted by Southwark Group of Tenants Organisations (October 2019)
8. "Keeping the pressure on" a further dossier from Southwark Group of Tenants Organisations updating their evidence following the Covid-19 lockdown (July 2020)

The evidence gathered is presented below followed by recommendations of the committee.

Formal Interview with Cabinet Member

On 8th July 2019, the Housing Scrutiny Commission formally interviewed Kieron Williams, the Cabinet Member for Housing Management and modernisation. Below are the key extracts from the interview.

On the longevity of district heating systems, the council's historic approach and why change is needed: ". . . most of our systems, it's fair to say were original systems installed when blocks were built. And, and what's happened over time is we've had a process of maintaining them with responsive repairs when they've gone wrong and increasingly, they're coming to the end of their lives. So we've got a lot of the big major systems that are getting to the end of their life cycles and beyond their life cycles actually. Some of them were put in to last for 20 years and are now 30 odd years old and we've them kept going until now. And why has that been the case? Well, we've never had enough money to do all the repairs that want to do and we've made priorities and that has worked up to now. But the truth is it is stopping working now and what we've seen at the moment is that the

availability rate of heating and hot water systems is now at 97%. Sounds good. But that means that three in every hundred days people not getting their heating or hot water.”

On carbon reduction: “. . . almost all of our district heating systems at the moment are gas powered with the exception of SELCHP and clearly we are committed to end carbon emissions we need to move away from those gas powered heating systems. So this cabinet paper also talks about some proposals to put in some heat pump renewable systems and look at the extension of SELCHP to cover more estates. And then the strategy work really is answering the question of where do we go beyond that, in terms of having sustainable heat sources beyond and into the future.

On heat market regulation: “. . . potentially a whole different level of regime coming down the line. So at the moment, if you provide electricity, you're regulated. If you provide heat you're not. It looks quite likely that the level of regulation will come in around heat provision that is equivalent to around electricity so the cabinet paper sets out all the things that we will have to understand as a council to do this.”

On the council response to outages: “. . . when we do have outages and we have had significant episodes, we have made sure that we stepped in, and particularly for those people who are vulnerable providing electric heaters provide people compensation for the electricity that they're using, instead of using the district heating they're provided at the moment, but what we really want people to have is reliable heating systems that are on all the time or almost all the time, and up to modern standards.”

On fuel poverty and individual metering: (In answer to a question from Cllr Bill Williams) “This is one of the challenges we face at the moment, the regulation that's come in suggests that all everyone should be individually metred but it hasn't been implemented yet. So there's regulation on the books that says everyone should have individual metering, but it hasn't been enforced yet. And if that was coming in place in the future, and there are lots of reasons why that would be sensible . . . We have to come up with a policy that balances those. But we will have to have a policy and in the end, my view is we probably will have to move to some kind of individual metering as it's likely to be the way the regulatory context works.”

On the capacity of SELCHP to deliver on council plans (In answer to a question from Cllr Nick Johnson) “SELCHP has a huge amount of capacity to put on thousands of more homes. That's definitely, definitely the case. And the question is how much more capacity - a lot more and potentially with some more works done at SELCHP. . . And so then, importantly, the next bit about this is that works are interrelated to each other. So there's a big cost of extending the network in any direction. But if that cost is shared across a large number of homes, it comes down to a much smaller cost per home. A very affordable and reasonable way to provide heat. But it means you can't just do one small estate here and connect it to SELCHP and one small estate there, the viability all has to be stacked up on the basis of saying there are enough, there's a swathe of the borough here that we can confidently connect. And that will work. And the two broad branches I mentioned in the papers are either and or moving towards Peckham and moving down towards Canada Water and around.

On private sector investment and involvement in delivering our heating strategy: “Tenants and residents in our homes will always hold the council to account for the heating they're receiving. And so, you know, that's our responsibility and we need to keep it. My personal preferred option would be able to find the investment to keep it all in house and develop our expertise and capacity to be the first choice of heat provider for the borough, whether that's our own stock, or other people's stock and whether that's commercial buildings as well. So the more we can explore those things, the better. That said, you know, there is a world of organisations with much more history of investing in these systems globally or in Europe than we have so we do have to think about what those providers may or may not bring and so the options for getting the district heating systems to where we need them to be .

On linking new private housing developments to heat networks: (In answer to a question from Cllr Hamish McCallum): “So the London plan and the Southwark plan are obviously used for large developments, if they can viably connect to an existing network, it should as their first option, and so that, for example, in Canada Water that's the discussion we're having at the moment about whether it's fully viable for them to connect to SELCHP. And that should be the first option that they consider.”

[Councillor McCallum went on to ask about making linking to networks a condition of planning and including it in the Southwark Plan. The cabinet member gave a commitment to look into this further]

On outages on the big estates, both planned and unplanned: “The Wyndham, Comber and Brandon system, one of the reasons that has had so many outages is the design of it has not been like a modern system. So it's one system, if the boilers go down. Originally, it had a couple of boilers and one of them broke so there's only one running, so other things going on. But if there is a leak is probably a better way - a leak anywhere in the system that stops the whole system. And there's no way of just saying, well, let's just shut off this bit over here. . . The good modern designed system has much more ability to deal with the fact that it's just this bit that's broken. You know, we know where the pipes are and they're more reliably built. Absolutely, if they're not maintained in 40 years time, we will be back in the same place. So having a proper maintenance regime really is important

On tenant and resident involvement (In answer to a question from Cllr Dora Dixon-File) “. . . we won't get any of this, right unless we're working with people living in these homes to make sure it's the right systems, in all aspects of that from the heat to the metering or whatever else it might be. . . obviously the proposal in here to set up a new borough wide group. We are already setting up groups in particular estates where there are works going on, and resident project groups in those estates so they can shape those projects in detail. In the format that I think most people here will be familiar with for major works and new homes schemes. There are some very practical things that were not going right in the past. So for instance, when some of our really dedicated TRA chairs, would ring up and say, the system on my estate is down, the call centre would say, well, you're just one person ringing

up. We should have got beyond that now in the call centre if you're a TRA rep and you're phoning up, they should just acknowledge, okay, you know, your estate is down.”

A formal Interview with officers leading on response to district heating outages

Also providing evidence on the 8th July 2019 were the Head of Engineering, and the Director of Asset Management. The Housing Scrutiny Commission is very grateful for their contributions and insight. Below are the key quotes from their contributions:

On the long-term reliability of district heating systems and the need for investment:

“So, analysing the data going back nearly 10 years We roughly provide between 96% and 99% availability. That's not where we want to be. We want to give people 100% availability throughout the year. The engineering team works remarkably hard when there are unplanned outages to get them fixed as quickly as possible. But sometimes we can't fix them as quickly as we'd like and two recent illustrations of that, where we had some catastrophic boiler failures on the Wyndham Estate a few months ago, and a major leak in Thurlow Street that affected almost half of the Aylesbury Estate. Those compounded the figures for last year if you like, so far for this year, we're at 99.3. But of course we still got the winter to come. Talking about the paper, the investment need. We took a paper to cabinet in January 2017 that estimated the investment need in the district heating stock at around £350 million. That's not money that we've got to hand. So we were tasked with going off and coming up with a strategy for investing in that stock and levering in the investment required into it. So we eventually got hold of a man who you really need to meet, Tom Vosper who's our strategic project manager, ideal for the piece of work in front of us, and the author of the report that you've got

On private sector involvement in ESCOs: “It shows you the different type of ESCOs that we will need to look at. They range from council owned if you like, through to private owned. So with the council owned there'd be quite a high investment needed. But similarly, I don't want to run away from the fact that if we went privately owned there'd be a level of investment needed, because a private investor would expect to make money, and it might be that you - these are all the things that Tom's got to look at. But these - they might want to change the rent structure so that they're actually paying for what they receive - residents. If you look at appendix one, there's a whole range of ESCOs and how they operate within that appendix.”

On individual metering and implementation of government policy: “So the regulations say that we should look at individual meters. But the government department has yet to come up with the viability tool that says you've now got to put them into existing district heating systems or homes served by existing district systems, as you can imagine, some flats are so old there's really actually not a lot of space to put a meter. So we're waiting for that viability tool. Anything that we build now does have to have heat meters. Any material alterations to blocks that we might be refurbishing, there's a set of rules that says whether you need to put individual. And of course we meet those rules going forward.”

On a resident's feedback group on District heating: "One of the recommendations is about setting up a residents' group. To look at two things exactly those is, what do we do during current outages? And how can we improve what we do? And how can we engage with residents in a strategy or strategies going forward? So I think that's really important, we recognise the need, that the residents are at the end of this stuff. And we need to take them with us and work with us with them is what we need to do .

On the reliability of SELCHP: "My experience with SELCHP so far is we get very little outage from SELCHP itself. Some of the outages that happened on the blocks or estates that were on it, were on the secondary pipework which might be ours. So that is a leak in our pipe work. And that takes out that estate or that block. Very rarely, in fact, I don't think I remember any time when SELCHP itself has failed to provide the hot water or the heat

On compensation for residents arising from outages: "Well as the compensation policy, which is actually part of our complaints policy and compensation part is actually being reviewed at the moment. But I haven't got an end date for that yet. But it's always been the case, certainly, as long as I've been engineering that whilst, it doesn't sound very fair, during periods of outages of more than 24 hours, me and my team actually rebate the rent element of the heat, and hot water every quarter for every outage over 24 hours. So if it's three days, they'll get three days back. But during exceptional outages, and we accepted that the outages on Wyndham, Brandon, Comber and what happened on the Aylesbury were exceptional, and we paid some compensation for that. And that's not unheard of - the amounts were unheard of, to be honest with you. Prior to that, they were they were smaller amounts. But that's not to say they haven't happened before. We are reviewing our compensation policy to make sure right now that it's where it needs to be.

At the March 2020 Housing Scrutiny Commission meeting, officers provided the following table demonstrating how the engineering team is prioritising the district heating major works programme, which addresses the known long term issues and the poorest performing systems.

System	% Availability	
D'Eynsford	93.0%	<p>We currently have issues with the main gas supply to this site. There are two 2930 Kw winter boilers and one 780 Kw summer boiler. Unfortunately because of the limited capacity mains gas supply, we are only able to run one winter boiler and the summer boiler together at the same time. We can hold service with this arrangement as there is enough output however it does mean that we have to cycle the duty of the two winter boilers manually. The solution to this problem would be to install a second gas stream on the supply side. This would have to be done by the National Grid via the supplier.</p> <p>Note that the summer boiler was replaced approx. 8 years ago, and a new burner and gas booster was fitted to boiler 2 (one of the winter boilers) in 2017. Partial re-tube works have also been done to both winter boilers in the last two years.</p>
Aylesbury	94.2%	Underground mains replaced 2014, Boilers/plant refurbished 2019. Currently considering options for future across life of estate
North Peckham/Gloucestergrove	94.5%	Underground mains replaced 2016/17, now planning to replace worst rising mains in 2020/21.
Wyndham	94.9%	Refurbished boilers 2019, phase 1 replacement of underground mains now and phase 2 in 2021/22.
Lettsom	95.8%	All three boilers have had major structural repair work in 2019 including new tubes and patch repairs to their respective furnace and shells. We have also fitted two of the three boilers with new burners (two new burners) and renewed all three gas boosters. A new pressurization unit was installed in 2018.
Acorn	96.1%	New energy centre installed 2018, underground mains replaced 2019/20.
Newington	96.2%	Planning to replace secondary mains 2021/22
Brimmington	96.2%	Underground mains replacement commenced
Setchell	97.1%	Planning to replace underground mains in 2021/22
Brandon 1	97.2%	All 9 plant rooms refurbished 2019/20, planning to replace rising mains at all towers in 2021/22

Formal Interviews with officers leading on strategic investment and extension of SELCHP and wider heat network (July 2019 and June 2020)

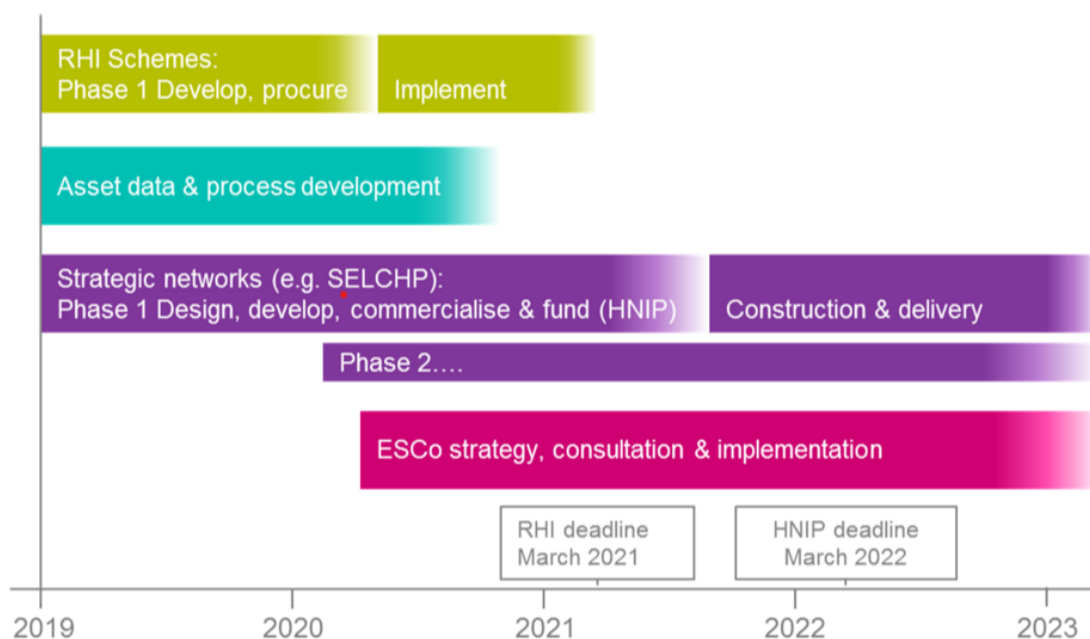
On 28th October, the Strategic Project Manager, district heating attended the Commission meeting and gave a wide ranging talk on the development of heat networks in the borough.

A link to the presentation the Strategic Project Manager gave is here:

<http://moderngov.southwark.gov.uk/documents/s85378/Heat%20Networks%20Update.pdf>

The key points from the presentation and questions to the officer are:

The officer explained that the council's primary objectives with the strategy were to improve the reliability of the system, ensure affordability and reduce carbon emissions. A general timeline for planned work is set out below.



Southwark hopes to access renewable heat incentive (RHI) grants to fund work on heat pump networks. The commission was told that the amount of carbon it takes to generate a unit of electricity has reduced significantly in the last ten years, but the gas carbon factor has stayed the same. The outcome is that electricity now uses much less carbon than gas. A heat pump takes heat from the local environment, and then uses electricity to concentrate it and make it useful. Essentially, the process uses electricity to drive heat into places it can be used. The gap between heat pumps and gas is now large, in terms of carbon efficiency.

To create a heat pump, we bore holes into an aquifer and take heat out. At the time of this evidence session, this approach was being considered in estates/locations, but it was already recognised that it would probably only be feasible in three of them (See update session below). It is expected that, over a twenty year period, a heat pump project should

cover its own costs. The project would not completely replace the gas boilers. The pumps would replace between $\frac{1}{2}$ and $\frac{3}{4}$ of current demand.

The officer then went on to explain our approach to expanding the South East London Combined Heat and Power (SELCHP), the waste incineration plant in South Bermondsey. It generates both heat and electricity. SELCHP has a carbon factor of 0.06, which is 3-4 times lower than gas and there is lots of capacity for extending SELCHP to other developments. Both extension projects (Canada Water and Peckham/Old Kent Road) are at feasibility stage. The officer explained that the council has more control over the Peckham/Old Kent Road extension, but he believes both extensions are viable.

Regarding the Renewable Heat Incentive (RHI) projects, the officer explained that a grant would pay for capital costs and installation. So there would be no cost to leaseholders and no section 20 notices would be required. It would also help to keep charges down for tenants.

Update session, 24th June 2020

On the 24th June 2020, the Housing Scrutiny Commission received an update on the investment programme for district heating from the Cabinet Member for Housing and the Strategic Project Manager for Heat Networks to ensure our considerations of these issues and recommendations were fully up to date. The updates received were as follows.

The Commission heard that the Cabinet had approved and created a Heat Networks Governance Board. The group discusses a range of issues including priority estates and problems, resident communication, carbon saving projects and future investment.

Officers stated that the Heat Networks Resident's Working Group has been established with resident representatives from across numerous estates and tenures. There are 15 people on the group. This group has met three times between October 2019 and February 2020, providing feedback on the Council's heating operations and future strategy. Key messages communicated by the group are the need to:

- Improve communications
- Increase digital integration
- Maintain affordability and consider investment impacts on leaseholders.

The chair of the commission has asked to see the notes from these meetings and these are considered later in this report.

Consultants Arup have (in June 2020) mostly completed the Heat Mapping and Master Planning work. An extension to the project was commissioned in which Arup's hydrogeology team drew together additional data.

There was also an update on the water source heat pump project. A feasibility study of eight sites had been carried in 2019 and pointed to a high technical and economic potential for five sites. A detailed feasibility study was commissioned and undertaken throughout the autumn 2019. This found three of the five sites to be both technically and economically

feasible – these are Consort, Newington and Wyndham. Between the three estates the project is expected to save almost 4,000 tonnes of CO₂ in the first year alone while also reducing local flue gas emissions. A detailed specification for the project has been written. Gateway 2 contract approval was received at the start of April 2020. The preferred contractor has not yet been appointed to begin work. Members of the commission were told further information on the contract award could not yet be given but would be available soon.

Regarding the SELCHP Heat Network extension, a feasibility study looking at the extension towards the Old Kent Road development area and Peckham was completed the end of 2019. The primary conclusion of this work was that extending the SELCHP network offered the best value approach to reducing carbon for Old Kent Road developments as well as the council's housing estates. To deliver on this it was found that varying the existing contract with Veolia, rather than undertaking an open tender was the best approach. On questioning, officers explained a wider procurement process would not have been worthwhile because the market would not have been able to deliver further options. The Council has since worked with Veolia to develop a collaboration agreement to define the steps, roles and responsibilities of the two parties in extending the network.

The Commission also heard that, in January 2020 the Council was successful in having five sites join a consultancy investigation led and funded by Department of Business Energy and Industrial Strategy to identify how different heat networks could have their performance levels improved.

Southwark's consultancy partner investigating the costs and benefits of various improvement measures that could be carried out at Brandon, Brimington, Newington, North Peckham and Sylvan Grove estates. Investment grade proposals should be ready by the end of 2020.

The report provided to the Commission also stated "Of private investment into Council heat networks to investigate ways in which the private sector could potentially play a role in investing into the Council's networks and providing operational and maintenance services over a long-term contract. This work is still in progress."

On this point, members of the commission did raise questions and concerns about the potential new maintenance contracts being put in place given the council's negative experience of private sector repairs contracts in other areas. Members also raised the point possibility of better integration of heating repairs with the council's own repairs service which has now been brought fully in-house.

Finally, there was also an update on the issue of government regulation, which the Commission had been forewarned about during the 2019 evidence sessions, and which was referenced in the July 2019 Cabinet paper. The commission was told that the government had recently consulted on two major areas affecting the Council's heat networks. Firstly, the proposed amendments to the Heat Networks (Metering and Billing)

Regulations 2014. The requirement to install heat meters in dwellings other than newly built properties has been on hold in recent years. According to the report provided stated:

“If this requirement returns in a significant way when the government’s response to the consultation is released and primary legislation comes forward it could have far reaching implications on the Council’s operations. The installation of dwelling heat meters and controls can be expensive, disruptive and change the way residents pay for heat, but overall could reduce energy consumption and carbon emissions.”

The other update in regard to regulation was the development of a regulatory framework for heat networks. Government has proposed to make heat networks a regulated market in the same way as gas and electricity markets. The proposed regulator would be Ofgem. Government aims to protect consumers, increase technical standards, increase investment and drive decarbonisation. The result of the Government’s response to the consultation could have significant impacts on the way the Council operates its heat networks.

Aylesbury Case Study

On 9th March 2020 a report was presented to Housing Scrutiny Commission giving an overview of district heating outages. Both residents and ward councillors representing the Aylesbury were present and contributed to the meeting. Councillor Jack Buck represents Faraday Ward where the Aylesbury Estate is situated and sits on the Housing Scrutiny Commission. The Housing Scrutiny Commission would like to thank them for providing evidence to us.

The Aylesbury estate district heating system is the councils biggest, originally serving 2400 dwellings when the estate was first built. The numbers served by the system are in gradual decline as the estate is undergoing phased decant and is being regenerated. The number of dwellings currently served is at circa 720.

As is well known, the regeneration programmes have not been delivered and the district heating system plant and above ground distribution pipework is still largely original, though most of the underground distribution pipework was replaced in 2014, and the boilers refurbished in 2019.

Despite this interim investment, the Commission heard evidence of a major outage that began on 16th January 2020 which caused serious discomfort and inconvenience to residents of the Aylesbury. Residents told us of their often harrowing experience of being left without heating and cold water for prolonged periods during cold weather. Members of the commission put on record their anger and, in the case of one member, his “shame” at what residents has been put through as a result of the council’s failure to put in place a reliable system for residents. The Cabinet member, who was also in attendance, repeated his apology to residents and gave a commitment to address these issues.

The Commission heard that 3 of 4 boilers failed with bulges or splits in boilers – mostly caused by fresh water entering the system which damaged the boilers. Two of the three (no’s 3 and 4) had recently been shut down following statutory insurance inspections, who

then insisted on inspection of boiler no. 1 on 18/1/20 when the bulges were found and boiler could not be reinstated.

The work to purchase, install, power and commission these temporary boilers and fuel storage was “largely completed” in 3 days from Friday 17th January to Sunday 19th January, but residents continued to experience significant periods without heating and hot water.

The Commission spoke with Councillor Paul Fleming (Faraday Ward) who gave a wider overview of the situation on the estate and how residents viewed the council’s actions on district heating. Councillor Fleming said that heating and hot water outages had been one of the biggest problems for residents for over 10 years. He pointed out that the council has spent over £10 million in seeking to address these issues but has apparently still failed to put in place a reliable system. In his own words “We’ve thrown money at the problem.”

He described how the council had installed the new boilers, then silt had come in from the old pipes and broken the new boilers. Both Councillor Fleming and several members of the Commission noted that such a use of resources without a positive outcome is incredible and should never be allowed to happen again.

Councillor Fleming spoke about the possibility of the council installing and providing electric showers for residents as one way of resolving problem. The council first said this was too expensive, then said it was not possible because of water pressure issues and is now saying it can’t be done because of issues with the electric load problems. The moving of the goalposts has led to even more cynicism among residents about the council’s commitment to dealing with the issue.

Councillor Fleming conceded that the wider issue is inherently linked to regeneration. He stated his view that decisions around rephrasing the regeneration are taking far too long.

In response to these points, the Cabinet member for Housing spoke of his frustration that the large amount of investment had still not dealt with these problems. He stated that some of these blocks would still be homes to people for a number of years. He went on to say that this is why the Cabinet will come forward with reliable plan, based on a new independent assessment, for those blocks which are going to be around for a while.

Councillor Lauder (Faraday Ward) also reflected the views of local residents and said that many felt let down. Work needed to be urgently done to win back their trust.

Officers did admit that despite temporary heating being put in place quickly, there has been some issues with the contractor, particularly in regard to engineers being taken off jobs too early. The Cabinet member accepted that the stop-start communications on showers shouldn’t have happened. Upgrading of electrics in the blocks would be looked at.

At the time of writing the outcome of an independent review of the outage is not yet known. The independent review is being carried out by the City of London Corporation.

Since March 2020 the council has conducted a concurrent review of the possible options to mitigate further outages and prepared a report with recommendations. Currently a number of temporary boilers are in operation across the estate to provide heating and hot water.

Residents of the estate reported to the commission that accessing compensation payments for discomfort, inconvenience and the additional electrical costs from having to use electric heaters were difficult to access. They told us the process was cumbersome and bureaucratic. Compensation payments are paid directly from the district heating budget. Officers reported that a revised compensation payment policy has been prepared and will shortly be presented to the strategic director of housing and modernisation.

Case study: Brandon Estate District Heating Outages

On 11th November 2019, residents from the Brandon Estate and their ward councillors attended the Overview and Scrutiny Committee meeting to discuss a variety of issues of concern on the estate including the delay in decision making around installing CCTV cameras, slowness of progress in establishing a young people's hub at the Jack Hobbs Club, and, with relevance to this scrutiny process, the heating outages on the estate and the system of compensation for outages.

At the meeting the Chair of the Housing Scrutiny Commission agreed to look into the district heating related issues at future meetings. It was specifically noted that this should include the question of how compensation for heating outages is paid – specifically whether it can be credited to bank accounts instead of rent/service charge accounts.

On 24th June, the Commission received a report from officers and held a discussion about issues experienced on the estate with ward councillors and the Cabinet Member for Housing. The commission heard that the Brandon district heating system serves approximately 580 properties and serves the Brandon 1 and 2 sections of the Brandon estate. Brandon 2 receives its heating and hot water via the Wyndham Boiler House. 4 boilers provide the service, 3 were replaced in 2014 and the remaining boiler dates back to circa 1980. The underground heating mains were replaced in 2011.

An extensive major works project to refurbish the 9 plant rooms has now been completed and in a defect liability period ending in February 2021. This project incurred a cost of approx. £900,000. Planned maintenance works within the boiler house are continuing over the summer period

In their report, officers conceded that residents received interruptions to service during the changeover to the plant rooms during the recent refurbishment. They explained that this was due to the system dynamics being changed to allow a reduction in pressure to properties to extend life of the heating system and allow local isolation of blocks. They stated that these issues were now resolved after Engineering Services and our term contractors worked together with BSW Ltd (the major works contractor).

Councillor James Caldwell told the Commission that there was a “feeling of resignation and despair” about the constant outages. He explained that the outages seemed to happen every winter and seemed to be getting worse. He noted that the most serious outage in recent years was that which started in November 2018 and lasted the entirety of the winter. For that outage the council issued blanket compensation to all residents of Brandon 2 and 3

(and Wyndham) of £253 each. Cllr Caldwell was asked about communications with residents during outages. He replied by saying:

“Yes this is a problem. In 2018, there was one meeting in particular where there was a lot of anger in the room and one of the things that residents noted was the lack of communication. It wasn’t that there was no communication from the council but it seemed that there was no consistency. Some people were getting notices and others weren’t. And for the most recent outage in May 2020, this was still a problem.”

In response to this, the Cabinet Member for Housing apologised for the prolonged problems being experienced by residents on the estate. He pointed that major investment was now taking place in order to remedy these issues, but the age of the system and the historic lack of investment meant that it was very difficult to deal with. He said he was confident that the right programme investment was now in place. He had asked officers to look at it again to make sure that everything which needed to be done was being done and nothing was being missed. The Cabinet Member also addressed the issue of communications during outages. He said that the call centre was more pro-active in calling other residents when there was a report of an outage and that residents who had registered their mobile number with the council should get a text message when an outage happens and updates on what is being done to fix the problem.

Prior to the Commission’s meeting on 24th June, one resident of the Brandon Estate wrote to us and said the following on the issue of communication:

“... for all residents, there is still often a lack of adequate warning of longer term outages, with many residents still receiving no prior notice. The level of compensation provided to all is woefully inadequate at times, like winter 2018, of long term outages of the heating system; or at all times when the hot water is off for days on end, given the high additional costs incurred especially by those with larger and / or young families.”

Co-Opted Commission Member Cris Claridge reported that a particular problem with noise from the heating system in Prescott House was causing significant problems for some residents, including one who was being forced to sleep in their car at night. Now that the heating system has been switched to summer mode the issue has been temporarily addressed, but this should be looked at again prior to winter mode being switched back on. Cris Claridge also reported the view of tenants that the levels of compensation issued were seen as “totally inadequate”.

Notes from Tenant engagement meetings

As noted above, during the period of this scrutiny process the council has established a District Heating Resident Involvement Working Group. The group includes a range of tenant representatives from across the borough and includes both tenant and leaseholders. Three meetings of the group have now taken place and the Housing Scrutiny Commission has reviewed the notes from these meetings. The meetings took place on 10th October and 16th December 2019, and 24th Feb 2020.

Members of the group have expressed a view that text messages and website should be used more often and more effectively in communicating with residents regarding district heating outages. Council officers have informed the group that first communication with residents is via text messages and website updates, but that letters are sent as well when outages go over 24 hours. These are often delivered by housing officers and vulnerable residents are prioritised for delivery.

The agenda for the group meetings has also included a discussion on the pros and cons of creating private sector heat partnerships (ESCO model). It was explained that it has been estimated the council would need to invest at least £350m to bring the condition of its heat networks up to a modern standard in the long term, and so the council is considering such partnerships in order.

Quotes from residents in response to this include the following:

“This sounds a bit like a PFI deal – there can be eye-watering legal and financial set-up costs to these deals.”

“Myatts Fields North in Lambeth is an ESCO and that has been disastrous”

“I’m open to this kind of arrangement as long as there is a good service. It might be necessary to make the level of investment that is required. What’s the alternative? One con though is that the service provider is an extra level removed from the residents.”

The 24th February meeting was largely taken up with discussions about the council’s response to government policy on individual metering. It was explained that new-build homes are already required to have heat meters by law and Southwark could be forced to retrofit heat meters into existing council properties.

This is subject to how the current Heat Metering and Billing Regulations are amended (currently being updated by central government). If heat meters were rolled out across all existing properties, it would need a massive programme of education to help people understand how they work and how any associated charging system would affect them. The group was asked about the possibility of YouTube videos being used and/or a standard handbook.

Regarding the type of tariff the council should apply if metering is introduced across the board, the table below was used to explain the various options which would be available.

Heating tariffs, like gas or electricity tariffs, normally comprise of two elements:

1. A **standing charge**, normally accounted for daily, just for being connected to the heating system. The price of the standing charge is normally calculated so that the network operator can recover their fixed costs.
2. A **variable charge**, normally accounted for per unit of heat consumed. The price of the variable charge is normally calculated so that the network operator can recover their variable costs.

There are certain advantages and disadvantages to constructing a heat tariff in this way.

	Fixed rate for heating	“Mobile phone contract” equivalent	Industry standard heat metering approach	No standing charge approach
Explanation	The current pool charge is like this	Paying a fixed monthly charge gives you a certain amount of heat to use. If you go above this level, you pay extra on a variable basis	Paying a daily standing charge plus p/kWh for any heat consumed	All payments are on an elevated p/kWh basis
Standing charge covers	100% fixed cost 100% variable	100% fixed 50% variable?	100% fixed cost 0% variable	0% fixed 0% variable
Variable charge covers	0% fixed 0% variable	0% fixed 50% variable?	0% fixed costs 100% variable	100% fixed cost 100% variable



Pros	Really simple People don't worry about heat consumption	Encourages people not to use too much heat. Encourages people to use at least some heat.	Encourages people not to use too much heat. Simple	Encourages people not to use too much heat. Benefits very low users / people who are sometimes away.
Cons	Does not encourage efficiency behaviour.	Might tempt people to turn off when they reach limit even if it's cold. Requires instant and reliable access to meter data. Market doesn't currently offer.	Can discourage heat use altogether in some cases to save money.	Could discourage heat use altogether in some cases. Some residents could end up subsidising the standing charge for others. Market doesn't currently offer.

It was explained to the group that pre-payment arrangements for heat meters with auto cut-off are not uncommon in the housing association sector (probably the standard approach). Some members of the group thought an auto cut-off approach would be very negative for some residents.

Southwark does not have discretionary aid programme for people who have medical conditions that require high level of washing and bathing. It is difficult to do this with communal heating systems.

Members of the group expressed that freedom of choice ought to be a clear principle in deciding on heating systems.

The group commented that the current compensation approach is too ad hoc. A case by case process of needing to “prove your extra electricity cost” doesn’t protect the most vulnerable residents. However, the group also wanted to avoid a “compensation culture” because it costs the Council money which could be better used improving problematic heating systems.

Formal evidence submitted by Southwark Group of Tenants Organisations

Southwark Group of Tenants organisations have been engaged in this Scrutiny process from the outset. Chair of the SGTO (Cris Claridge) sits on the Housing Scrutiny Commission as a co-opted member, and the Commission has also taken two sets of written evidence from SGTO in October 2019 and again in July 2020. The second submission included feedback arising from the experience of residents following the Covid-19 lock-down. Rhiannon Hughes, Campaigns and Research Officer for the SGTO, has been very helpful in providing evidence and the Commission would like to thank her for her engagement in the process.

SGTO provided evidence of the extent of disturbance and discomfort that outages inflicted on tenants. They noted that, during March 2018, the period when the so called ‘Beast from the East’ hit the UK, 16,104 council homes were affected by heating and hot water outages.

The October 2019 report from SGTO also highlights the huge impact that district heating outages can have on people’s lives, including increased debt because residents have to take alternative actions to heat their homes and water. The SGTO raised particular concerns about the position of elderly and vulnerable residents when there is an outage. They pointed out that this group is particularly vulnerable because their physical health is often not good and because they are on fixed incomes and can struggle when bills come in. One quote from a tenant included in the report is:

“You have pensioners who are sitting there in the cold, pensioners feel it more than others. Why should they have to pay more to have an electric heater on?”

SGTO highlighted the experience of some tenants when they are trying to access compensation which they say is a bureaucratic and cumbersome process.

SGTO recommended that the council do more work to make sure people know how to report outages. They also wanted reassurance that multiple job numbers were not being allocated for the same district heating repairs leading to a lack of accountability for when the job is really complete.

SGTO asked that vulnerable tenants/leaseholders receive more support from Southwark Council when there is outage in their property.

SGTO also said that there are discrepancies in who is offered gym/leisure Centre access for washing during period of outages on estates. If people are offered this, gym staff should be made aware this is happening. There should be a blanket approach when offering this.

They also said that any new compensation Policy “needs to be made much clearer, where to find it, how to claim it and what is needed to claim it.” And that “a blanket, measurable approach needs to be given with compensation and support during outages.”

The July 2020 report from SGTO also highlighted the issues mentioned earlier in this report in relation to noise created by district heating systems for people living in certain properties.

This report also gave more detail on what SGTO wanted to see from a revised compensation policy.

The report also states that “Payment should be in cash or to bank accounts, not via rent accounts. Many people are in arrears with rent (not least due to the fact that this is how Universal Credit pays it) so the money is swallowed up and does not help them heat their homes.”

And “Payment should be in advance (at least for planned outages) or immediate and guaranteed, to ensure no one goes cold.”

Recommendations

Strategic expansion of and investment in the heat network

1. **Encouraging use of SELCHP (A low carbon option) through the planning process:** HSC notes that there are both GLA level (London Plan) and Southwark level (New Southwark Plan) policies in support of new developments (both private and public) connecting to existing district heating systems. Clearly, encouraging more developments to join with what are low carbon heat networks is something the council should be encouraging. To strengthen this, HSC recommends that the Cabinet investigates possibility of creating a “Local Development Order” which would mean the default energy solution to be a SELCHP connection unless it is practically unfeasible.
2. **District Heating and investment partners:** HSC notes that the council’s current policy is to “. . . investigate ways in which the private sector could potentially play a role in investing into the Council’s networks and providing operational and maintenance services over a long-term contract. This work is still in progress.” In regard to this policy position, HSC makes the following recommendations:
 - a) Southwark has recently taken a much firmer hold of the housing repairs service (a service which does not generally cover district heating repairs), ending the

client model arrangements with SBS and making it a genuinely in-house service. This direct management control of the repairs service opens up significant opportunities for cost-saving, and efficiency. The Cabinet should investigate if this expanded in-house capacity might replace some of the contractual arrangements with the private sector for repairs to district heating.

- b) Southwark council has a long history of failed or inadequate strategic partnerships with the private sector. Housing repairs, the call-centre and IT are just a few examples, and there are many more. On each occasion, when the service is eventually brought back in-house, we have seen improvements in service quality and significant cost savings. HSC is concerned that the council does not repeat the mistakes of the past. The Cabinet member should ensure all other avenues for securing service delivery and investment are exhausted before proceeding with strategic partnerships with the private sector.

3. **Investigate a 'sinking fund':** Multiple contributions made in evidence for this scrutiny have raised the issue of large charges being made to leaseholders as a result of large scale investment into estate heating systems. HSC recognises that leaseholders must make a contribution to these costs as a matter of law. However, HSC notes that in other boroughs (such as Brent) a 'sinking fund' has been developed which involves the council collecting additional funds (as part of their heat meter tariff). Such a system may not be right for Southwark, but this model is worth looking at more closely because it is a way of smoothing contributions over time so that leaseholders don't receive very large one-off capital works bills. One potential pitfall of sinking funds which should be kept in mind is that there is a danger of the council receiving demands for interest or reimbursement from contributors. HSC would wish to see this risk mitigated. HSC recommends the Cabinet investigate the feasibility of developing a 'sinking fund' from tenants and leaseholders for maintenance and repair and replacement of heating systems.
4. **Spread best practice from DBEIS funded investigation:** HSC notes that Southwark was successful in having five sites join a consultancy investigation led and funded by Department of Business Energy and Industrial Strategy to identify how different heat networks could improve performance and efficiency. Southwark's consultancy partner is investigating the costs and benefits of various improvement measures that could be carried out at Brandon, Brimington, Newington, North Peckham and Sylvan Grove estates. HSC recommends that, should wider lessons from this, this best practice should be applied more widely in other areas of Southwark.

Repairs and response to outages

5. **Improving communications during outages:** It is clear that mobile text message updates for residents are by far the quickest and most effective means of communication when an outage occurs. However, many residents have not

registered their mobile number with the council or their details are not up to date. Consequently, some residents do not receive these updates and are unaware of what actions are being taken. HSC recommends the following related actions to cabinet:

- a) A concerted campaign on estates most affected by district heating outages to get residents to register/update their mobile phone numbers with the council. This could include a prize competition for those registering their details.
 - b) Include in the script for call centre operatives taking repair and other calls a request for a mobile number to be registered.
 - c) Information about residents to registering their mobile numbers should be shared with mutual-aid groups that have developed during the Covid-19 pandemic.
 - d) The council should investigate how social media tools might be put to good use during outages. Some platforms, such as Facebook, can facilitate messages being shown to people in specific locations and this might be put to good use during outages. Clearly the cost of this would also need to be looked at closely.
 - e) The Covid-19 pandemic means that the council now has much better information on which residents are vulnerable or sometimes need additional support. This information should be used in cases of significant district heating outages. The council should pro-actively contact vulnerable residents at the start of and during outages and offer support where appropriate.
 - f) **Risks to vulnerable residents from boiling and moving water:** The council should also consider the wider risks to vulnerable residents who, because of hot water outages, are being forced to boil water and then move this around their homes, and investigate what further support can be provided to ensure risks of accidents associated with this are minimised.
6. **Simplify compensation process:** HSC is aware that officers are already in the process of reviewing and changing the council's policy on compensation for residents as a result of additional costs arising from heating outages. We recommend that any new policy should simplify the compensation payment process, and remove the need to detailed and onerous record keeping by residents. The review should also consider if it may sometimes be appropriate to supply pre-paid electric meter cards to those residents who may struggle to pay additional electricity costs up front. Finally, the review should also consider the compensation taking into account the accumulated impact of repeated outages on the quality of life of residents.

7. **Prompt completion of compensation review:** HSC recommends that the review of the compensation process and associated changes are delivered promptly and without further delay.
8. **Ensure residents can use other local facilities during outages:** During outages leisure centre washing facilities are already made available to all residents. However, HSC has received evidence that some residents are being turned away because leisure centre staff are not aware of the policy. Procedures should be put in place to ensure that all customer facing leisure centre staff are made aware of this offer to residents so that they can use these facilities.
9. **Noise pollution from district heating systems:** HSC has heard evidence that some residents (notably on the Aylesbury and Brandon Estates) are suffering from sleep deprivation as a result of the loud noise coming from the district heating systems. These are serious issues which can have a detrimental impact of people's mental health. HSC asks that an investigation of noise levels on the Brandon estate is carried out, followed by appropriate action to resolve any issues with noise pollution.

Metering and heat market regulation

10. **Tariff for individual metering:** *If* individual metering is introduced across the board, the decision on the type of tariff system used in Southwark will have far reaching consequences. Cabinet should seek to strike a balance between simplicity, protecting the vulnerable and encouraging heat use efficiency. Consequently, HSC recommends that Cabinet favours a blended "Mobile phone contract" style tariff, mixing a fixed monthly charge for a standardised amount of heat use, and then further payment when additional heat is required. This also seems to be the favoured choice of residents attending feedback sessions.
11. **Discretionary scheme:** Any new tariff system should be introduced alongside a discretionary aid scheme (including bill reductions) for those with special requirements (such as those people who require additional washing and bathing).
12. **Heat metre education:** If heat meters are required to be rolled out across existing properties, HSC recommends an accompanying programme of education to help people understand how they work and how any associated charging system would affect them. This should include online resources and video tutorials to maximise accessibility.
13. **Returning these issues to Housing Scrutiny Commission:** HSC recommends that the cabinet member and officers brings back further proposals on metering and other changes relating to heat market regulation to HSC in the future.

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