

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 18 July 2022	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Schools Inclusion Charter	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

## **FOREWORD - COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

I am delighted to bring the School Inclusion Charter to this July 2022 Cabinet.

In 2017-18, Members were rightly concerned about a steep increase in permanent school exclusions. There were 49 pupils excluded from school in 2018, but in 2019, this was reduced to 36 and by 2020, the number was 10.

This reduction of permanent exclusions reflects excellent partnership working between the council, schools and families. We want all of our children in education, and that is what the attached Charter is all about.

The Charter spells out the collective aspiration of the council, local schools and all of the partners in the safeguarding board for 100 percent inclusion of children in education that keeps them safe and enables them to flourish.

This approach was launched at the 2020 *Keeping Children in Education* conference where the council, schools and other partner agencies – plus a young person with personal experience of exclusion – came together to prioritise education inclusion.

We are proud to have 95 percent good and outstanding schools, helping our children and young people to attain as at the same level as their counterparts in well-heeled boroughs.

Nevertheless we are not talking about a simple rosy picture here. We see poverty, we see inequality, we see gangs and violence and we have seen children excluded from education.

So in this Charter we are addressing challenges as well as celebrating success, making pledges for a future of continuous improvement.

I want to thank my colleagues: Councillor Babudu for his inspiring exclusions scrutiny, and Councillor Akoto for raising the curtain on the link between youth violence, off-rolling and exclusion.

I would also like to thank everyone involved in the task and finish group that I chaired on school inclusion that have worked hard to reduce exclusions and produce the charter: Cassie Buchanan; Declan Jones; Eleanor Prestage; Fiona Corcoran; Helen Ingham; John Taylor; Marcus Huntley; Mark Hillman; Michael Baxter; Peter Groves; Serge Cefai, Sister. Anne Marie Niblock; Yomi Adewoye; Saskia Agyemang; Jenny Brennan; David Bromfield; Glenn Garcia; Laverne Noel; Yvonne Ely; Ian Morris; Clara Fiti; Scott Compton; Kevin Morris; Peter Gray; Mark Vickers and Adam Tedesco

We find it deeply disturbing that children who are looked after, living in poverty, have special education needs or from certain Black Asian Minority Ethnic backgrounds are disproportionately excluded from school. We examined all of these factors and looked closely at alternative provision in Southwark.

Our approach on inclusion is less about ‘disruptive’ and ‘excluded’ ‘youths’ and more about how we can help *vulnerable children*.

The Charter was drawn up by everyone involved in the task and finish group and reflects the good work that already goes on between the council and schools. It builds on our commitment to support 100 percent of children and young people with a mental health need, the subsequent outreach support that goes into schools from our mental health hub the Nest, and our £2m investment into mental health prevention in schools.

Southwark is not just a partner: it is a parent and the responsible authority. Our duty is to protect our children. So we have to work hard to prevent them being excluded. We want our to stay in school, so they get the best education and a fair start in life, so they have less chance of mental health issues, less chance of ending up on drugs, in gangs or in prison, and so they are safer.

And so today, in this Charter, we are asking all of our partners in Southwark schools, on the council and in the safeguarding board to sign up to a new commitment, to work together for 100 percent inclusion of Southwark children in education

## **RECOMMENDATION**

1. That the Southwark Inclusion Charter as set out in Appendix 1 be agreed by the Cabinet and signed by the Deputy Leader and Cabinet Member for Children, Young People and Education.

## **BACKGROUND INFORMATION**

2. A *Keeping Children in Education* Conference was held on 16 January 2020. Colleagues from schools, the council and partner agencies were in attendance with the collaborative aim:

*“To recognise and value the work done by Southwark Schools to keep children in education, share what works, identify what gets in*

*the way and agree the next steps to improve a whole system approach to ensure all children in Southwark receive the education they need.”*

3. The context for the conference was concern over the increase in permanent exclusions and data showing a disproportionate impact on Black children. The partnership engagement recognised the need for this to be addressed through a whole system strengths based approach.
4. The conference was supported by Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education, who also reported to the council's Education and Business Scrutiny Commission on Exclusions and Alternative Provision held in 2020.
5. A follow up session with nominated head teachers reviewed the outcomes of the conference and agreed to establish a Task & Finish group chaired by Councillor Ali to address 3 key areas:
  - I. What should Southwark Alternative Provision (AP) look like going forward?
  - II. How do we reduce exclusions and inequalities in access and achievement in education?
  - III. How can schools and council officers be supported to employ best practice in promoting 100% inclusion?
6. With the impact of COVID-19, particularly on schools, it was agreed to pause these next steps and the Task & Finish Group was subsequently re-launched in April 2021 when Councillor Ali continued in her role as chair.
7. The first meeting was held on 26 April 2021 and attended by 12 school leaders, council representatives and a young adult with lived experience of the local education system. The group proposed an Inclusion Charter to be drafted alongside further sessions focusing on SEND, this was held on 12 May 2021, and the review of our Pupil Referral Unit (SILS) was held on 23 September 2021.
8. The draft Inclusion Charter was considered and updated following a workshop session with 11 school representatives and the young persons' representative alongside council staff. The updated version was subsequently circulated to Southwark Association of Secondary Heads (SASH) for additional comments which were provided by individual schools and further iterations followed their meeting on 18 March 2022.
9. The final meeting of the Task & Finish Group was an opportunity to review the additional resources working in school to promote inclusion including:
  - Social Workers in Schools

- Mental Health Support Teams in Schools
  - The AP Taskforce; and
  - How the newly proposed SAFE Taskforce would support the inclusion agenda.
10. At their meeting on 13 May 2022 SASH members agreed to circulate the final version to their members and they would individually confirm their commitment and signature. All schools in Southwark will be asked to commit and sign the Inclusion Charter in June 2022.
  11. Recognising the crucial role of multi-agency partners in promoting and supporting schools in responding to inclusion needs, the members of the Safeguarding Children’s Partnership were also asked on 11 May 2022 to commit to the Inclusion Charter, and they did.

## **KEY ISSUES FOR CONSIDERATION**

12. An ambition for 100% Inclusion in education recognises that whilst the vast majority of our children are engaged with their schooling there are 2%, equating to approximately 1000 children who are suspended temporarily each school year and 0.02% who are permanently excluded.
13. In order to monitor the impact of multi-agency commitment to the Inclusion Charter a monitoring group of key agency leads will be established to agree key performance indicators and a cross system review will be undertaken in 2023.
14. In August 2020, our senior leadership and cabinet members signed off our council pledges and commitment to tackle racism and inequality in the borough of Southwark. The Inclusion Charter directly addresses and supports the Education workstream<sup>1</sup> recommendation to “aspire to end all school exclusions”.

## **Policy framework implications**

15. The Inclusion Charter supports the Borough Plan to provide children with a Great Start in Life and objective to ‘*work towards 100% inclusion of pupils in Southwark Schools*’.
16. In October 2020 Cabinet agreed to the recommendations of the July 2020 Education and Business Scrutiny Commission. The first of these recommendations was that:

*“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.”*

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<sup>1</sup> [Appendix 1 Workstream recommendations.pdf \(southwark.gov.uk\)](https://www.southwark.gov.uk/Appendix%201%20Workstream%20recommendations.pdf)

## **Community, equalities (including socio-economic) and health impacts**

### **Community impact statement**

17. Exclusion from school is widely recognised as having an adverse impact on children. There is considerable evidence of a negative impact on social mobility, economic outcomes, health and wellbeing<sup>2</sup>. The Timpson review (2019<sup>3</sup>) highlighted “longstanding trends that show exclusion rates vary between pupils with different characteristics...Children with some types of SEN, boys, those who have been supported by social care or are disadvantaged are all consistently more likely to be excluded from school than those without these characteristics” and “Exclusion rates also vary by ethnicity”.
18. Southwark exclusion rate (0.02) shows a positive reduction and we are now below Inner London (0.04) and National (0.06) rates. However, data still indicates a disproportionate rate of exclusion for children on Free School Meals (2.5 times higher) and SEN support (2.2 times higher). There has been an increase in the number of girls receiving a permanent exclusion and there is now a similar rate for both genders. Ethnicity data shows a disproportionate rate of permanent exclusion for Black Caribbean children which is almost six times higher than the rate for White British children (0.51 compared to 0.09).
19. The Inclusion Charter has been ‘driven by a shared recognition that permanent exclusion from education can have a significant negative impact on the wellbeing of children and their future. We are further motivated by our desire to confront and tackle inequalities exposed by the disproportionate exclusion of children with particular characteristics’
20. The equality and health analysis demonstrates that the Inclusion Charter aims to address the existing discrimination and offers all appropriate opportunities to advance equality of opportunity for children with different protected characteristics.

### **Equalities (including socio-economic) impact statement**

21. Please see paragraphs 17 – 20 of the report.

### **Health impact statement**

22. Please see paragraphs 17 – 20 of the report.

### **Climate change implications**

23. Inclusion of children in their existing educational establishment will ensure optimisation of current facilities thereby eliminating unnecessary waste

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<sup>2</sup> [Our Problem: school exclusion — The Difference \(the-difference.com\)](https://www.the-difference.com/our-problem-school-exclusion)

<sup>3</sup> [Timpson Review of School Exclusion \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

and pollution. A modest reduction in travel is achieved by children attending local schools rather than alternative provision further from home.

### **Resource implications**

24. There are no specific additional council resource implications to the provision within Family Early Help and the Education Inclusion Team staffing; alongside the work with Education colleagues and support for SILS and Alternative Provision.
25. In their commitment to the Inclusion Charter partners will be recognising the importance of multi-agency working to address children's needs and the effectiveness of early intervention.

### **Legal implications**

26. The local authority has statutory obligations to support school attendance under Section 444(1) 444(1A) and 444(ZA) of The Education Act 1996.
27. Guidance is also issued by the DfE on the local authority's role in promoting attendance<sup>4</sup>.

### **Financial implications**

28. There are no specific additional council financial implications to the provision but council staff will work with others (e.g. the SAFE Taskforce and AP Taskforce) to ensure any additional funding to support children at risk of exclusion or excluded from school are maximized.

### **Consultation**

29. Initial consultation with parents and children for the Keeping Children in Education Conference was undertaken in 2019/20. A young person with lived experience was part of the Task and Finish Group who developed the Inclusion Charter.
30. Additional engagement with parents will be undertaken during 2022.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Head of Procurement**

31. Not applicable.

### **Director of Law and Governance**

32. The report refers to the DFE guidance on the support the council should

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<sup>4</sup> [Improving school attendance: support for schools and local authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/improving-school-attendance-support-for-schools-and-local-authorities)

provide for enabling the attendance of children at school. In addition the council has a statutory duty to arrange suitable full-time education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such provision. This is in accordance with section 19 Education Act 1996. Statutory guidance regarding exclusions and alternative provision has been issued by the DFE.

33. Under section 149 of the Equality Act 2010, in making this decision, the Cabinet must comply with its public equality duty which requires it to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
34. The community impact statement refers to some of the negative impacts on those with protected characteristics arising from school exclusions and reference is also made to a equalities impact assessment that will be included. These are all relevant matters that the Cabinet should give due regard to, in considering this report.
35. The establishment of this policy is an executive function which can be determined by the Cabinet in accordance with the Local Government Act 2000 and Part 3B of the council's Constitution.
36. The report makes reference to consultation that has already been carried out and is intended to be undertaken in 2022. Whilst there is no statutory requirement for consultation in establishing this policy, the Cabinet should take the results of the consultation into account in finalising this policy.

**Strategic Director of Finance and Governance (REF:08DK2022-23)**

37. The Strategic Director of Finance and Governance notes the contents of this report, and in particular the comments contained within the Financial Implications section. It is not anticipated that the Inclusion Charter will lead to additional costs to the Council

## BACKGROUND DOCUMENTS

Background documents	Held At	Contact
20 October 2020 Cabinet report – Item 20: Report from the Education and Business Scrutiny Commission: Exclusions and Alternative Provision	Children’s and Adults’ Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link (please copy and paste into browser):</b> <a href="https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=6663&amp;Ver=4">https://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=6663&amp;Ver=4</a>		
Southwark’s Borough Plan	Children’s and Adults’ Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link (please copy and paste into browser):</b> <a href="https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan">https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan</a>		
Education Act 1996	Children’s and Adults’ Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link:</b> <a href="https://www.legislation.gov.uk/ukpga/1996/56/contents">https://www.legislation.gov.uk/ukpga/1996/56/contents</a>		
Social Value Act 2012	Children’s and Adults’ Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link (please copy and paste into browser):</b> <a href="https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources">https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources</a>		



Background documents	Held At	Contact
Equalities Act 2010	Children's and Adults' Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link:</b> <a href="https://www.legislation.gov.uk/ukpga/2010/15/contents">https://www.legislation.gov.uk/ukpga/2010/15/contents</a>		
Southwark Council's Climate Change Strategy	Children's and Adults' Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link:</b> <a href="https://www.southwark.gov.uk/environment/climate-emergency?chapter=2">https://www.southwark.gov.uk/environment/climate-emergency?chapter=2</a>		
Southwark Stands Together	Children's and Adults' Services Children and Families Directorate 160 Tooley Street, London, SE1 2QH	Jenny Brennan 020 7525 7886
<b>Link (please copy and paste into browser):</b> <a href="https://www.southwark.gov.uk/engagement-and-consultations/southwark-stands-together">https://www.southwark.gov.uk/engagement-and-consultations/southwark-stands-together</a>		

## APPENDICES

No.	Title
Appendix 1	Southwark Inclusion Charter 2021

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader, Children Young People, and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children's and Adults' Services	
<b>Report Author</b>	Jenny Brennan, Assistant Director of Family Early Help & Youth Justice	
<b>Version</b>	Final	
<b>Dated</b>	7 July 2022	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	7 July 2022	