Written Response to the Children and Young People’s Committee Report: Inquiry into Attendance and Behaviour, August 2013 by Huw Lewis, the Minister for Education and Skills

September 2013

Recommendation 1
Further to the revised Behaving and Attending Action Plan 2011, the Committee recommends that the Welsh Government develops an overarching national attendance and behaviour strategy which takes forward existing good practice and against which progress is regularly monitored.

Response: Reject.

The Welsh Government, through the revised Behaving and Attending Action Plan 2011 provides schools and local authorities with a clear strategic steer on attendance and behaviour. The priorities set out in the plan aim to improve many aspects relating to teaching, accountability and collaboration. As part of the Plan we have seen attendance data included in School Banding; the publication of the All Wales Attendance Toolkit for the Education Welfare Service and the introduction of robust data analysis through the development of the Attendance Analysis Framework. It is clear our strategies are working as these actions, combined with a hands-on, direct approach by Welsh Government officials, have resulted in continued improvements in attendance rates across Wales.

We have stopped short of issuing one policy document which every school could or should adopt as we believe this can absolve schools from thinking through what is most suitable for their school and has the potential to lead to a lack of ownership of approaches.

Financial Implication: No Additional financial implication.
Recommendation 2
The Committee recommends that an increased emphasis be placed on
evidence-based behaviour management training within initial teacher
training. Evidence-based pupil behaviour management modules should
also form a core element of continuous professional development. The
Committee recommends that the Welsh Government works with key
stakeholders (including regional consortia) to undertake an audit of
need within the existing teaching workforce and to develop action plans
to deal with any skills gaps.

Response: Accept. (Already being addressed in ITT)

The Welsh Government's current statutory Qualified Teacher Status (QTS)
Standards contain specific requirements regarding behaviour management.
These standards must be met by all newly qualified teachers and include:

- Knowing a range of strategies for promoting good behaviour;
techniques for behaviour management; establishing a
purposeful learning environment and setting high expectations;
establishing a clear framework for classroom discipline, as well
as promoting self control and independence.

Initial Teacher Training (ITT) providers have flexibility in designing their
courses and content, but they must ensure students have the opportunities to
acquire these necessary skills in order to meet the standards.

Training for differentiation, social inclusion and behaviour varies in line with
the challenges that trainees face in classrooms. They are supported by both
school based mentors and ITT mentors to tackle the challenges that they face
day to day where pupils have more complex problems.

Our approach to date has been to discuss course content and where available
provide additional advice and guidance materials for professionals to use with
their ITT student cohorts. We will continue to support providers in this way
and alert ITT centres to best practice resources being prepared as part of the
Masters Programme, as part of our Behaviour Management Strategy and
disseminated through the Learning Wales site as they become available.

We will continue to develop a range of resources that support practitioners
with their professional development. This includes the development of
learning resource packs which provide practitioners with Master Level
Resources and a range of high quality resources on the Learning Wales
website. It is intended that practitioners use these resources to support their
professional development. This includes the development of a Behaviour
Management Learning Resource Pack (which is currently in progress) and a
specific area on Learning Wales with resources focussed on behaviour
management.
In addition, the Masters in Educational Practice (MEP) for NQTs includes a behaviour management module which, for those teachers who choose to undertake the MEP, provides an excellent introduction to behaviour management approaches, research and evidence.

For those NQTs who do not choose to undertake the MEP, schools and LAs are encouraged to ensure that the NQTs focus on behaviour management during their statutory induction period.

Financial Implication: No additional financial implication.

**Recommendation 3**
The Committee recommends that all governors should be provided with training on effective approaches to improve pupil attendance and address problem behaviour. They should also be trained on their roles in this regard and how to understand and utilise school level data to challenge and support their schools to achieve improvement.

**Response: Accept**

The Welsh Government acknowledges the important role that school governors play in raising standards of education in Wales and recognises that they require the necessary skills to carry out their roles effectively.

With this in mind, we have made training mandatory for governors and Chairs of governors in areas which we believe will have the most impact. Regulations will come into force in September 2013 when most new governors are elected. Mandatory training will include:

- **Induction** - to help governors to better understand the parameters of their role;
- **Utilising school data to raise standards** - so governors and chairs understand how attendance and exclusions data can inform good or poor practice
- **Effective challenge to raise school performance** - Training for chairs of on working with head teachers and providing effective challenge; and
- Training for clerks specific to their role.

We have commissioned the All Wales Centre for Governor Training and Research to develop the training programmes, based on the mandatory content for local authorities to deliver.

In considering any future changes needed to strengthen the role of school governors the Welsh Government will be informed by the recommendations of the Task and Finish Group set up to review the roles and responsibilities in relation to school governance.
Financial Implication: There should be no additional financial implications attached to this recommendation. Local authorities are responsible for providing training to school governors to enable them to effectively discharge their functions. With regard to the mandatory training for chairs and governors the Welsh Government has commissioned the development and production of the training programmes, which have been provided to local authorities free of charge.

Recommendation 4
The Committee recommends that regional consortia should have a more clearly defined role in respect of improving pupil attendance and behaviour. The Welsh Government should further explore the benefits of this approach with specific reference to the other recommendations in this report.

Response: Accept.

The consultation on the Robert Hill review, which closed on the 13 September, included proposals to clarify the remit of regional consortia and to clarify their and local authorities’ accountability for achieving school improvement outcomes. Whilst attendance did not form part of the original remit of the consortia we believe each consortium can play an important role in raising attendance rates. To this end we have provided grant funding on a consortium basis to secure improvements in school attendance.

The funding has been made available between 2012-14 to assist each consortium to develop and embed effective practices which can secure sustainable, long-term improvements in school attendance and behaviour. This includes the training/mentoring of Education Welfare Service and school improvement staff in the effective analysis of attendance and exclusion data (through the use of the Attendance Analysis Framework and core data packs) so that issues on attendance and behaviour are identified early, and effective interventions put in place.

Financial Implication:

The Welsh Government has provided a total of £800k to consortia to secure improvements in school attendance; £200,000 in 2012-13 and £600,000 in 2013-14.

Currently local authorities contribute to their regional consortium to deliver school improvement services on a shared, formula basis. DfES officials are undertaking work to scope the operating costs required to underpin direct funding to deliver shared school improvement services.
Recommendation 5
The Committee recommends that the Welsh Government should work with the necessary partners to explore the feasibility of placing the responsibility for the strategic development, oversight of delivery and funding for education welfare and behaviour support services at a regional level.

Response: Accept.

The Welsh Government provided grant funding in 2012 and 2013 to consortia to bring about improvements in attendance. As part of the conditions of the grant each consortium has had to provide clear targets and objectives which included working with local authorities and schools, governing bodies and the Education Welfare Service within their consortium to identify and expand collaborative approaches and interventions that promote positive attendance at all levels.

Financial Implications: No additional financial implication above those already identified.

Recommendation 6
The Welsh Government should ensure that schools, local authorities and regional consortia place an emphasis on early intervention with individual children and families.

Response: Accept.

The Welsh Government recognises that early intervention plays an important role in establishing good attendance habits from an early age as well as identifying behaviour issues before they become entrenched and more difficult to deal with. The robust use of data is vital if attendance and behaviour issues are to be identified early and resources used effectively. This is why we developed the Attendance Analysis Framework. The Framework supports local authorities by setting out a standardised and robust approach to attendance and behaviour data analysis.

On a national level on 17 July 2013 the Minister for Education and Skills, the Minister for Communities and Tackling Poverty and the Deputy Minister for Tackling Poverty launched Building a Brighter Future: Early Years and Childcare Plan. The Plan sets out the direction of travel for the next 10 years with actions and timescales for delivery. It brings coherence across different policies and programmes impacting on and influencing the early years. As well as covering children’s health and well-being key themes in the plan include; supporting families and parents; high-quality early education and childcare; effective primary education; and raising standards.
In addition to this, the Welsh Government has placed an emphasis on early intervention with individual children and families through a range of programmes and initiatives, these include Flying Start, Families First and Integrated Family Support Services (IFSS).

Links are in place at policy and programme level to ensure the successful delivery of these services. The Programme for Government clearly sets out how these programmes will work together to improve outcomes for children, young people and families in Wales. In developing their Families First strategic plans, local authorities were specifically asked to consider how Families First linked with the Flying Start programme and how the infrastructure of both programmes can be used to support families in local areas.

Local authorities are working to align Families First to a range of other services and initiatives including universal, targeted and community provision and are actively looking for opportunities to work more closely with Flying Start and Communities First, to provide more effective and joined up service planning and commissioning.

Improvements to regional consortia’s categorisation of schools and pupil tracking at both primary and secondary level, together with an expansion of the number of school to school networks and PLCs can also create a positive impact on early intervention approaches.

**Financial Implication:**

The consortia coordinated and produced the plans to utilise the Welsh Government School Effectiveness Grant which amounts to £28.8m in 2013-14 and requires local authorities to provide match funding of £8.6m. The Pupil Deprivation Grant (amounting to £36.8m in 2013-14) provided targeted funding to reduce the impact of poverty on educational attainment.

The Welsh Government already makes a significant investment in the early years. During 2012/13 we invested more that £150 million in early education and childcare. In addition we provided over £2.6 million to our healthy schools and pre-schools programmes and by 2015 we will have invested an additional £55 million in revenue and £19 million in capital funding as part of our Flying Start Programme. £135 million will also be made available to family support projects through Families First.

Indicative additional funding of £900,000 over the financial years 2013-14 to 2015-16 has been earmarked by Department for Education and Skills to extend the support currently provided via the Family Learning Programmes grant, to cover Early Years provision.
Recommendation 7

The Welsh Government should ensure that evidenced-based approaches to improving attendance and addressing problem behaviour are in place and implemented in all Welsh schools. The potential for a strengthened role for regional consortia in respect of mainstreaming good practice should be explored.

Response: Accept.

Evidence based approaches form part of the All Wales Attendance Toolkit and the Learning Wales online resource.

In 2011 the Welsh Government launched the All Wales Attendance Toolkit which is a practical resource tool for use by the Education Welfare Service. It provides standards and guidance for practitioners to ensure greater consistency of practice throughout Wales. As well as containing a good practice guide for schools with strategies and case studies to help improve attendance and manage lateness, the toolkit also includes best practice exemplar materials collected from local authorities across Wales and the UK.

Learning Wales is a web-based resource, designed to meet the needs of educators and practitioners and improve standards in schools across Wales. With a clear improvement focus, each page has a range of tailored support and advice, centralizing the information available and simplifying your search for the most recent information. The site is also complimented by the ‘Hwb’ learning platform, which hosts a national collection of digital resources, user-generated content and collaborative areas.

In addition, ESTYN is currently undertaking a thematic survey looking at strategies and actions being taken by both local authorities and secondary schools to improve attendance. The final thematic survey report will be delivered in spring 2014.

Between 2010 and 2012 as an interim measure prior to the introduction of the Masters Programme for Newly Qualified Teachers, £530,000 in funding was made available to local authorities for use in training in well evaluated behaviour management techniques (for example PATHS, KIVA, SEAL). As a result of the funding 3,600 teachers, support staff and LA behaviour support officers received training across the 22 local authorities.

The consortia’s role in this area is already strong. Consortia System Leaders analyse the range of data available from schools, local authorities, Welsh Government and Estyn to provide whole school intervention and support, and curriculum and pedagogic intervention and support. Each consortium has also sought to improve the use of pupil level tracking systems which will enable pupil attendance to be more clearly monitored and addressed.
The Robert Hill review of the future delivery of education services in Wales proposes that assessment of school performance and progress should include rates of attendance. The consultation includes proposals to clarify the remit of regional consortia and to fund them directly on the basis of consortia delivering an agreed, standard set of core functions. These proposals would strengthen the role of the consortia and their and the local authorities’ accountability for achieving school improvement outcomes.

Financial Implication:

The Welsh Government has provided £800k to consortia to secure improvements in school attendance. The funding has been made available over two years with £200,000 divided between the four consortia in 2012-13 and £600,000 in 2013-14.

Recommendation 8
The Committee recommends that the Welsh Government explores how to utilise any correlation between rates of bullying and non-attendance in schools

Response: Accept in principle.

We will consider how work can be taken forward to explore with schools and local authorities if there is a correlation between rates of bullying and rates of absenteeism.

Financial Implication: No additional financial implication at this time.

Recommendation 9
The Welsh Government should ensure that there is a clear focus on maintaining and improving attendance rates during the transition between primary and secondary school. The potential for a strengthened role for regional consortia should be explored in this respect

Response: Accept.

The Education Act 2002 introduced a Wales only provision to require the governing bodies of maintained secondary schools and their feeder primary schools, jointly, to draw up transition plans, recognising that the transition from primary to secondary school can lead to loss of progression in learning and to pupil disengagement. Secondary and primary schools are required to work together to develop transition plans for pupils transferring from September 2008 onwards. Areas to be addressed as part of the plan should include information about pupils’ achievements and attainment, attendance and behaviour.
In this context the inclusion of additional education services are being considered by each consortium as part of the next phase of their development to provide shared school improvement services. Including the use of pupil level tracking systems which will enable pupil attendance to be more clearly monitored as each consortium continues to develop in response to feedback from the consortia stock takes undertaken over the last two years by DfES School Standards and Workforce Group.

**Financial Implication: No additional financial implication.**

**Recommendation 10**
The Welsh Government should review the evidence of how effective the use of ‘first day responses’ to pupil absences are with a view to issuing strengthened guidance in this regard.

**Response: Accept in principle.**

The Welsh Government agrees to review the evidence of the effectiveness of the use of ‘first day responses’ as part of the planned review of the ‘Inclusion and Pupil Support’ 2006 guidance.

‘Inclusion and pupil support’ current recommendations on ‘first day responses’ include:

- where possible and practicable schools should use electronic packages to record attendance enabling more effective and efficient monitoring of attendance on a daily basis as well as allowing the identification of longer-term trends in absence which can inform school policy and practice;
- home-school-agreements;
- reminders to parents of school procedures for notifying absence;
- scheduled and unscheduled attendance checks; and
- assigning responsibility for attendance to a senior member of staff.

**Financial Implication: No additional financial implication.**
Recommendation 11
Based on the evidence we received, the Committee strongly recommends that the Minister evaluates alternative, more positive strategies to fixed penalty notes before introducing regulations and makes publically available the evidence base for the implementation of fixed penalty notices, should that decision be taken forward.

Response: Reject.

On 2 July 2013 Assembly Members debated and voted in favour (by 29 votes to 25) of the Anti-Social Behaviour Act 2003 (amendment to the Education Act 1996) (Wales) Order 2013, which allowed for the introduction of fixed penalty notices.

Prior to the vote in July this year the Welsh Government consulted on proposals to introduce fixed penalty notices for regular non-attendance at school between 30 November 2012 and 22 February 2013. The twelve week consultation provided an opportunity for stakeholders to comment on and inform further policy development of the proposals to implement penalty notices. A total of 53 responses were received. The summary of responses is available at:

http://wales.gov.uk/consultations/education/nonattendancepenalty/?lang=en

The Welsh Government recognises that improving school attendance requires a range of approaches, and is providing £800,000 in grant funding to help regional education consortia drive up levels of school attendance. Penalty notices should be viewed as an additional option to the intervention measures that are available to schools and local authorities.

Local authorities already have powers to prosecute parents if their child fails to attend school regularly. This can result in a fine of up to £2,500 or imprisonment up to a maximum of 3 months, or both. Penalty notices have the potential to reduce the need for prosecution cases as they provide another option that can be utilised before such procedures are initiated.

The most recent comprehensive study into the effectiveness of penalty notices for regular non-attendance at school was commissioned in 2010 by the then Department for Children, Schools and Families in England. The study found that penalty notices were an effective approach to dealing with punctuality issues and for cases where there were no complex issues or underlying reasons for poor attendance.

Local authorities will be expected to consider each case individually before issuing a fine. The regulations require local authorities to keep records of penalty notices, and to provide the Welsh Ministers’ (if requested) with information on penalty notices, which will enable monitoring of how they are used.
Financial Implication:

There will be a transitional cost for each local authority for developing a local area code of conduct and consulting with/informing families. The estimated one-off cost for each local authority is £6000. It is expected that this cost would be offset by savings from the reduction in the number of prosecutions.

A local authority can retain revenue from the penalty notice scheme to cover the costs of issuing or enforcing notices, or the cost of prosecuting recipients who do not pay. The surplus, if any, must be surrendered to the Welsh Consolidated Fund.

There will be a cost to individual families served with a penalty notice. The cost will be £60 if paid within a 28 day period, rising to £120 if paid between 28 and 42 days.

Recommendation 12
The Committee recommends that the Welsh Government should work with regional consortia and other key stakeholders to explore the feasibility and benefits of developing and commissioning Educated Otherwise than at School (EOTAS) provision on a regional basis and potentially on an all Wales basis.

Response: Accept in principle.

This recommendation will be considered in conjunction with the recommendations in the Edinburgh University research into education provision for children and young people educated outside the school setting.

The responses to the consultation on the options in the Hill review will be considered by the Minister at the end of the consultation period (13 September 2013). The consultation included proposals to clarify the remit of regional consortia and to fund them directly on the basis of consortia covering a standard set of core functions. The proposals are intended to establish the accountability of consortia and local authorities for achieving school improvement outcomes and to strengthen their role.

Financial Implication:

Currently local authorities contribute to their regional consortium on a shared basis. DfES officials will undertake further scoping work in conjunction with consortia and local authorities in order to establish the operating costs required to underpin direct funding to deliver core, shared school improvement services.