

**MINUTES OF A MEETING OF THE LEARNING AND SKILLS SCRUTINY  
COMMITTEE HELD AT COUNCIL CHAMBER, COUNTY HALL - COUNTY HALL ON  
MONDAY, 7 OCTOBER 2019**

**PRESENT**

County Councillor P Roberts (Chairman)

County Councillors B Davies, D R Jones, K Laurie-Parry, L Roberts, R G Thomas,  
Mrs A Davies, Mrs S. Davies, Mrs M Evitts, G Robson, A W Davies and P Davies

In attendance:

County Councillor P Davies (Portfolio Holder for Education)

L Lovell (Interim Head of Education), E Towns (Senior Challenge Advisor), I  
Bhatti (Senior Manager, Additional Learning Needs and Inclusion) and E  
Patterson (Scrutiny Officer).

The Chair welcomed the new Portfolio Holder who had taken over the role since  
24<sup>th</sup> September 2019.

<b>1.</b>	<b>APOLOGIES</b>
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Apologies for absence were received from County Councillor Roderick.

<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>
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No declarations of interest were received.

<b>3.</b>	<b>DECLARATIONS OF PARTY WHIP</b>
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No declarations of Party Whips were received.

<b>4.</b>	<b>MINUTES</b>
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The Chair was authorised to sign the minutes of the meetings held on the 7<sup>th</sup> July  
2019 and the 19<sup>th</sup> July 2019.

<b>5.</b>	<b>SCHOOL STANDARDS REPORT 2019</b>
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The Senior Challenge Advisor presented the briefing on Provisional Learner  
Outcomes.

There have been changes in the performance measures for schools which are  
being used in Wales. For the second year there is no comparative data available  
across Wales for the Foundation Phase (FP), Key Stage 2 (KS2) and Key Stage  
3 (KS3). At Key Stage 4 (KS4) the measure is changing away from Level 2  
Inclusive (5 GCSEs including maths and English or Welsh) to the Capped 9  
scores.

Welsh Government have written out to all schools and local authorities explaining the intention of the changes which is to move emphasis away from a few narrow indicators to a wider range of indicators that capture the progress of all learners and the ambition for the new curriculum. In the interim subtle changes are being made year on year (for example the inclusion of English literature in the Capped 9 score). Welsh Government are clear that the focus should be on the progress of individual learners at each stage of their education.

The local authority is changing the way that data is collected and expect schools to engage with these changes.

Estyn in their recent inspection noted *‘Overall, many pupils in Powys schools make sound progress. However, in many secondary schools, pupils do not sustain the good progress they achieve in early years settings and primary schools.’* This was based on 2017/18 data as the information for 2018/19 was not available at the time of inspection.

The Senior Challenge Advisor confirmed the following definitions:

Many = 70 – 90%

Most = 90 – 97%

Nearly all = 97-100%

### Foundation Phase

This section reports on the progress of pupils from their baseline of when they entered school (for this cohort into a nursery class within the school). Pleasing progress has been made for most pupils with particular progress noted for Language, Literacy and Communication (Welsh) up from 37.1% achieving their expected outcome on entry to school (Outcome 2), to 87% achieving their expected outcome in Year 2 (Outcome 5). However, this cohort would include a number of children for whom Welsh is not their first language and these years are an opportunity for these pupils to make rapid progress.

The Portfolio Holder welcomed this progress but drew to the attention of scrutiny the need to follow the progress of pupils as they move up through the school system.

The Senior Challenge Advisor noted that there has been a small decrease in the FP indicator which is because the Outcomes were amended by Welsh Government in 2018, increasing the expectations of pupils at all outcomes.

There has been a decrease in the total numbers on roll of 94 pupils from 1,355 in 2017/18 to 1,261 in 2018/19 but a larger proportional drop in the numbers being assessed through the medium of Welsh (a decrease of 50 pupils from 299 in 2017/18 to 249 in 2018/19). The smaller cohort of pupils studying through the medium of Welsh means that the performance of each child has a larger impact on the overall figures.

*The Estyn report states that ‘the proportion of pupils receiving their education through the medium of Welsh has stagnated over recent years’. The figures quoted within the report (a reduction from 299 to 249 pupils or 1/6<sup>th</sup>) shows that the cohort of Welsh medium learners are not stagnating but actively declining.*

The Portfolio Holder acknowledged the position and advised that there was a desperate need to examine and adopt a Welsh in Education Strategic Plan.

*The figures presented are raw data. How can it be shown that the cohort have reached the expected level, exceeded it or fallen short of it?*

The Senior Challenge Advisor confirmed it was hoped that this would be available for the final report in the New Year by way of including the value added data.

The Senior Challenge Advisor drew attention to the inclusion of the % of pupils with SEN in Year 2 noting that only those pupils with learning needs were included, not those pupils with medical needs.

**Recommendation – that a breakdown of data to include outcomes for the following cohorts of pupils:**

- **SEN**
- **More Able and Talented**
- **Male/Female**
- **Small and Large Schools**

The Senior Challenge Advisor confirmed that this information would be included once the verified data was available and this would include other appropriate cohorts.

*What 'targeted support from Foundation Phase Practitioners' was provided?*

The Senior Challenge Advisor noted that targeted support had been provided for those schools which were identified in the Autumn Term Core Visits as needing it.

*There is a lack of detail in the next steps identified in the report.*

This detail will be included in the Post Inspection Action Plan which will be brought to scrutiny in October.

## Key Stage 2

The Senior Challenge Advisor noted that performance at KS2 was broadly in line with the outcomes that this cohort had achieved when they finished their Foundation Phase. There had been a small decline in their English and Maths performance.

The number of SEN pupils was corrected from that recorded in the report to 21.8% which is still a high number of pupils with SEN.

*The decline in performance is disappointing for this cohort.*

The Senior Challenge Advisor noted that 89% of pupils achieved the expected levels with over 20% of this cohort identified as having SEN. Those pupils with SEN would be receiving support to help them fulfil their potential.

*There has been an increase in the number of pupils with SEN in 2019 from the FP (17.6%) to KS2 (21.8%). Is this because they are different cohorts or is there change over time with pupils joining and leaving the SEN register?*

**Recommended that information be provided of the changes over time of the SEN population year by year.**

The Senior Challenge Advisor noted that there had been an increase in the number of pupils assessed through the medium of Welsh at the end of KS2 of 21 pupils.

Key Stage 3

The Senior Challenge Advisor noted that there had been strong progress for all pupils (apart from a small decrease in Maths and Welsh) which is a concern as these pupils are able to achieve in English and Science. The Schools Service are asking schools why a decline in performance in Maths and Welsh is taking place.

The Interim Head of Schools advised that Estyn were clear that progress was good at primary schools but pupils did not sustain the good progress they achieved in early years settings and primary schools.

**Recommended that the attainment of pupils at KS3 be compared between those who attended a small or large primary school.**

*Members noted that the progress of this cohort between KS2 and KS3 had declined by 1.3pp overall but this included improved attainment in English and Science but a worsening position in Maths and Welsh.*

The number of pupils in this cohort assessed through the medium of Welsh has declined by 80 between 2015/16 and 2018/19.

*Is the performance of pupils who change from Welsh Medium to English medium affected by their inability to continue in their original language of learning?*

**Recommended that this is considered when the verified data report is received.**

*Members and Parent Governors are all aware from Governor meetings how cohorts vary from year to year. A particular standard may reflect what would be expected from a cohort, or excellent achievement of a lower ability cohort or poor achievement of a higher ability cohort. How are a cohort assessed to ascertain what they should achieve?*

The Interim Head of Schools explained that for each year the Challenge Advisor will look at data to an individual pupil level taking into account the baseline from when they came into school, taking into account other data including national test data and Fischer Family Trust Scores (which use prior attainment and deprivation data). From this the strength of the cohort can be ascertained. Qualitative data is also considered so that targets for that cohort can be set. For example, if there are 4 pupils in a cohort and one has SEN the target would be 75%.

**Recommended that the verified data includes the % weight/pupil for each cohort.**

Key Stage 4

The Senior Challenge Advisor noted that the Capped 9 score had increased from 364 to 370 however, this was not comparing like with like as the subjects included in this score included English Literature, Welsh Literacy and Numeracy for the first time this year. The provisional increase is lower in Powys than it is across ERW.

*This is the first time that ERW have been referenced. Is it possible to use comparative information from ERW in the verified report?*

The Interim Head of Education advised Welsh Government are not providing aggregated data for comparison as part of their move to encourage improvement of all pupils. Welsh Government are encouraging the evaluation of performance of individual schools rather than generating aggregated data at local authority level.

The Senior Challenge Advisor noted there had been a decline in the performance of pupils achieving 5 A\*-A grades at GCSE. This equates to approximately 3 pupils which is neither acceptable to the schools service or Estyn. The actual figures for those pupils achieving higher level scores in KS2 and KS3 for this cohort were not included in the paper. However, in 2017 between 39% and 77% of KS2 pupils achieved Outcome 6+, in 2017 between 64% and 71% KS3 pupils achieved Levels 6 and above but in 2019 only 18.4% of pupils are achieving 5 A\*-A grades. The change to Capped 9 score may improve this position as there will be a focus on all pupils achieving their potential rather than a focus on C/D pupils achieving a C grade.

*Do Challenge Advisors track the progress of individual pupils?*

The change in emphasis for assessing the progress of individual pupils means the focus has changed to encourage all students to reach their potential. An A grade pupil achieving an A\* and an E grade pupil achieving a D will all help improve a schools Capped 9 score. The Challenge Advisor will be having different conversations with Head Teachers, Deputy Heads and Middle Leaders to help all members of staff undertake their role.

*Is pupil progress reported termly to parents?*

Schools are required to report to parents three times a year but it is up to schools how this is done.

**Recommended that the communication arrangements for pupils progress at each secondary school be included in the verified standards report.**

*Does the schools service have sufficient Challenge Advisor capacity to undertake the challenge required across the secondary sector?*

The Senior Challenge Advisor reported the local authority has 5 Challenge Advisors covering the primary sector and 1.5 Challenge Advisors covering the secondary sector.

The Interim Head of Schools quoted the Estyn report which noted that areas of the authority's work such as 'those relating to school organisation, financial management, school governance... affect school leadership, staffing structure, curriculum planning and staff morale, which in turn limit the impact of challenge advisers and other school improvement staff'.

It was acknowledged the problem was less to do with quality and more to do with capacity as their time was being used to support issues other than school improvement.

*With limited challenge adviser capacity together with limited staff to support transformation and finance what is the priority?*

The Interim Head of Schools noted the clear mandate from Estyn:

- Standards including for the more able
- Additional Learning Needs
- Leadership in the local authority and self evaluation
- Transformation
- Finance and deficit budgets

The Post Inspection Action Plan will detail how these will be addressed and these areas are considered to have equal weight.

*These areas have already been identified by this committee as problem areas. The capacity issue remains. Did the last round of cuts which focussed on the schools service in order to save the delegated budget cut too deeply is an issue which can be considered when the PIAP is brought to scrutiny.*

### Key Stage 5

The Senior Challenge Advisor noted at this level all Wales data was available and showed that Powys results are below all Wales levels at each stage (A-A\*, A\*-C and A\*-E).

*Why is A level performance in Powys lower than performance across Wales?*

This may be due to a number of factors including a lower number of pupils continuing their Post-16 education in Powys which has impacted on the number of subjects that can be offered. What is not known is whether those pupils that remain in Powys to study at Post-16 are doing as expected or better/worse than expected.

*Does the local authority know why the pupils are not staying on? A learner survey was undertaken which was acknowledged to be of limited value. Might the different expectations on students at college and school (with college students not expected to remain on campus when they do not have lectures) be one of the factors influencing student decisions?*

These factors may influence decisions but it will be important to ascertain the value added data for those pupils who do undertake Post 16 study in Powys.

*Why is the third next step is described as to 'promote post-16 education through rebranding as Powys Pathways' when the offer has not changed?*

This is the start of a process aimed to increase the curriculum offer with the aim to retain more able pupils.

*Will this make much difference?*

The service are confident that it can and whilst it will not bring all the pupils back it demonstrates a clear intention to compete with what is offered over the border which has not been the case previously..

*How many pupils have signed up to e-learning this year?*

The figures for this year can be provided. Last year 7 pupils sat AS levels taught by Tute-teach of which 1 has continued to A level.

From this year each High School offers one subject taught by E-ysgol which is available in all other schools across Powys. It will be necessary to evaluate it before Christmas however, it is known that schools which already had the technology in place by 1<sup>st</sup> September 2019 were more successful at introducing e-learning.

**Recommended that a briefing be provided on the offer and uptake of e-learning to be shared with Members on the Member briefing day.**

*It is not possible to compete with the offer available in Shrewsbury and Hereford and the offer here should be something that is not available across the border which can be provided through bilingual provision.*

Cllr B Davies left the meeting

### Exclusions

The Senior Manager ALN and Inclusion noted that the Estyn report considered exclusions at secondary schools were too high when compared with other local authorities although the inspection had considered the figures from 2017/18 which were 10 and this had reduced to 5 in 2018/19 although the service still consider this to be too high.

Each of the permanent exclusions related to one-off incidences which the schools could not predict.

In 2018/19 there were 434 fixed term exclusions of 5 days or less (down from 460 in 2017/18 but up from 290 in 2016/17) which related to 273 pupils meaning some pupils were excluded more than once. It will be necessary to ascertain what additional or different support needs to be in place to reduce the incidence of fixed term exclusions.

*Are pupils being moved to a different school to avoid a pupil being recorded as having had a permanent exclusion?*

This is avoided as a permanent exclusion would result in the provision of support from other agencies that a student may need. Managed moves may have been used a few years ago to avoid permanent exclusions but this is no longer done.

*Are pupils who have had a fixed term exclusion subject to a managed move to avoid a permanent exclusion?*

This should not be happening. If problems are escalating additional support needs to be provided.

**Recommended that records are checked to ascertain if any managed moves have taken place after a pupil has been subject to a fixed terms exclusion, and if so how many incidences of this have occurred.**

*With regard to the 29 fixed term exclusions reported how many pupils does this relate to and what is the length of time for which they are excluded.*

**This information will be provided in the verified report.**

*Where do those pupils who have been permanent excluded go?*

These pupils would move to other schools or the PRU.

*If a pupil is excluded for more than 5 days who decides on the length of exclusion?*

The Welsh Government have guidance on exclusions including the length of exclusions. A pupil may not be excluded for more than 15 days/term (45 days/year) which do not have to be consecutive.

Examples of the length of exclusions include those for assault or violence which range from 0.5 days to 23 days with an average of 2.5 days, and for bullying which range from 0.5 days to 5 days with an average of 1.6 days.

The Head teacher decides on exclusions and may choose to contact the local authority for advice and guidance. Head teacher generally inform the local authority if there has been an investigation.

**Recommended that scrutiny be provided with the minimum/maximum figures for each category of exclusion.**

*Is the department reactive if Head teachers do not always contact the service regarding exclusions?*

It is the responsibility of Head teachers to decide on exclusions and the local authority cannot influence their decision.

*How is consistency in decision making across Powys ensured?*

Head teachers are required to follow Welsh Government guidance on this matter although there is scope for variation within this and it is the responsibility of the Head teacher to implement this.

The Senior Manager ALN and Inclusion noted that there was no comparative data available from Welsh Government on exclusions. It is intended to put in place an ability to intervene earlier to prevent issues escalating.

*Is there a progression from short term fixed term exclusions to longer term or a permanent exclusion? Are pupils that were excluded in previous years continuing to be excluded as they move up through the school?*

This information could be ascertained by looking at those pupils subject to multiple exclusions.

**Recommended that the incidence of repeat exclusions within year and as pupils move up school be included in the verified data report.**

*How closely does the Schools Service work with the Children's Services Team?*

The Schools Service works with Children's Services in respect of child protection and if a pupil was at risk of exclusion a Pupil Inclusion Panel would be convened and this would include asking Children's Services if they were involved with the pupil. Youth Engagement are also involved as they can help identify a pathway for pupils.

*Should Children's Services be involved at an earlier stage than when a pupil is at risk of exclusion?*

Schools do have a series of interventions available such as the KiVa anti-bullying programme to support a pupil who returns to school or the restorative justice programme. A fixed term exclusions in itself is not what a pupil learns from.

The Interim Head of Schools noted that all schools have anti-bullying policies but Estyn were concerned that the local authority did not record incidences of bullying. This will be included in the PIAP.

*Estyn note that fixed term exclusions are too high but 34% are down to assault. Are schools taking appropriate steps to tackle poor behaviour?*

The Senior Manager ALN and Inclusion advised that this needed to be looked at case by case but it was also necessary to see if a pattern was developing where it would be necessary to provide extra support to a school.

*There have been over 160 fixed term exclusions for violence against a learner or member of staff with the attacker now back in the school. What support is provided to the victims of assault, are staff taking sick leave, are assaulted pupils missing school?*

The Senior Manager ALN and Inclusion advised this is the responsibility of the headteacher and it is hoped the headteacher would support the victim.

The Interim Head of Schools confirmed that if a member of staff or pupil had been assaulted the Head teacher is required to inform the local authority that a violent incident has taken place which is logged and reported to the Senior Leadership Team. There is an onus on the Head teacher to report this and where a pattern is identified then a visit would be made.

*Can assurance be provided that incidences are tracked to ascertain if the same perpetrators are identified, in particular for incidences of assault, then action is taken?*

The Interim Head of Schools confirmed that all exclusions are reported and there is an additional layer in respect of assault in that these are specifically reported to Senior Leadership Team.

*Are staff and pupils subject to assault entitled to counselling?*

This would be the responsibility of the individual school. There is no county wide protocol.

*How many incidences resulting in exclusions were reported to the police?*

**This information can be provided with the verified results.**

*Have any incidences that have resulted in fixed term exclusions for the perpetrator resulted in a victim moving school or becoming Home School Educated?*

**This information can be provided with the verified results.**

*When a pupil is excluded how is this reported in school attendance figures?*

It is recorded as an absence.

*The Estyn report notes that the LIST team is valued. How many pupils are supported by this team?*

Changes are being made to the support provided whereby the work previously undertaken by the LIST team will, from January 2020 be undertaken from the PRU.

**A report on the PRU is requested to a future meeting.**

Attendance

The attendance data is unverified and the data will be cleansed before it is reported with the verified results.

Provisional data shows primary attendance at 94.2% a fall from 94.6% in 2018 when Powys had the second highest attendance rates. Despite this there are a significant number of schools in the lower two quartiles of attendance compared to schools of a similar background.

*Is this due to the number of small schools in Powys? Is it a statistical problem rather than attendance problem?*

It is not necessarily those schools that are smallest that have the poorest attendance however, in small schools where each pupil has a larger effect on attendance figures then poor attendance by a small number of pupils can change the quartile the school is in.

At Secondary school there is provisional reduction from 2018 (94.5%) to 94% in 2019.

*It is disappointing that this data remains provisional when it is effectively 'finished' in July 2019. Scrutiny request that improvements are made in production of verified data for attendance in the future.*

*There is a high percentage of secondary schools in the lowest quartile for attendance. Are there any themes behind this?*

The breakdown shows illness at 3.6% and term time holidays at 1.2%. The change in law regarding term time holidays has had a major impact.

*Are so many secondary schools in the lowest quartile because Powys is a rural county where pupils from the farming community do not attend school at certain times during the agricultural year, for example shearing?*

A yearly pattern is not apparent.

*One of the attendance support developments is for a Challenge Advisor to accompany the Education Welfare Officer (EWO) on Autumn Core Visits for all quartile four secondary schools. Do the Challenge Advisors have capacity for this?*

It is intended that the EWO will be in school for part of the day that the Challenge Advisor is already there to make the best use of time.

The Interim Head of Schools advised there was a capacity issue for Challenge Advisors exacerbated by her interim appointment. However, arrangements had been made to increase capacity for more school to school work. Six Head teachers from 'green' categorised schools have been appointed to carry out a number of core visits at primary school level. There is a need to look at capacity of challenge advisors in the secondary sector. Assurance was given that it is the intention that going forward challenge advisors will be able to focus on learning and standards and the other issues raised by Estyn are for other colleagues and business partners to address.

The Vice-Chair presented a summary of the last ERW Scrutiny Chairs session. She confirmed that Neath Port Talbot were continuing to work with ERW through their notice to withdraw period and had not made a final decision on their future participation.

The Interim Head of Schools noted that whilst ERW had gone through a challenging period the authority had continued to work well with ERW.

<b>7.</b>	<b>CHAIR'S BRIEFING</b>
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The Chair advised that he had intended to meet with the Senior Manager ALN and Inclusion to discuss the ALN Transformation work programme but that this had been postponed.

<b>8.</b>	<b>WORK PROGRAMME</b>
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The work programme as outlined in the agenda was noted.

**County Councillor P Roberts (Chairman)**