



PERSONAL & CONFIDENTIAL

**Children, Young People
and Education
Invicta House
Maidstone
Kent ME14 1XQ**

Date: 25th September 2023

Dear Headteacher

I hope you had a good summer break, and the new academic year has started well for you and your school.

I wanted to update on the 'working together to improve school attendance' guidance that I am sure you are all familiar with as published in May 2022. In late June 2023, the Department for Education wrote to all local authorities highlighting that although the guidance remains a top priority for the Secretary of State, it will remain non-statutory from September 2023 due to the pressures on the Parliamentary timetable. It is expected that local authorities and schools will continue with their implementation as the guidance may become statutory at short notice.

The implementation of the guidance across the county to date has been very successful, and I would like to thank you all for the part you and your colleagues have played so far. Encouragingly, there are some green shoots emerging when comparing Autumn and Spring attendance data between academic years 2021/22 and 2022/23 in Kent schools. For instance, in 2022/23, persistent absence has decreased in both primary and secondary school settings and attendance rates have increased in primary schools. I hope we will continue to see an improvement in all indicators as the guidance becomes fully implemented across all settings.

I also wanted to update you on suspensions and permanent exclusions across the county as they continue to increase both locally and nationally due to the many challenges in the education environment and within society. While I fully appreciate that permanent exclusion remains the domain of the Headteacher and understand that all schools will see permanent exclusion as a last resort, I am keen that we find solutions together to reduce permanent exclusions and enhance and increase inclusion.

In an attempt to reduce permanent exclusions, we want to maximise the frameworks and support already in place through PIAS (PRUs, Inclusion & Attendance Service) and In Year Fair Access committees. While I fully accept that the purpose of the Fair Access Protocol and the legal requirement within the School Admissions Code is to ensure that unplaced and vulnerable children are allocated a school place as quickly as possible, the membership of the In Year Fair Access committees constitutes the appropriate local decision makers. Whilst we do not want to re-constitute the existing In Year Fair Access meeting, this could be an opportunity outside of this meeting for the same membership to discuss any permanent exclusion prior to it actually taking place, I know this has been successful in many local areas to date.

As you may be aware, all local authorities have a legal duty to provide full-time and suitable alternative education for pupils who have been permanently excluded from school. In Kent, all non-selective secondary schools receive funding from the High Needs Block for Alternative Provision as a pre-payment for delivering inclusion results that are highlighted in 'Funding for Alternative Education Provision Governing Body Grant Agreement'. Depending on previous decisions by local Headteachers, this funding will either be fully devolved to non-selective secondary schools within a district, e.g., Ashford, so no physical PRU, or partly delegated directly to PRUs and partly devolved to non-selective secondary schools within the local area e.g., Thanet, where a physical PRU exists.

In previous years, the terms and conditions of the grant funding agreement seem to have been inconsistently applied and in particular the 'funding following the child' should a pupil be permanently excluded. Over this academic year, the Council will be undertaking a review of the terms and conditions of the grant funding agreement and intends to issue a refreshed agreement for the 2024-25 academic year. As a consequence of this, the latest version of the grant funding agreement will be rolled over for this academic year for a last time and will be consistently and fairly applied to support vulnerable pupils, which I am sure you will all be supportive of.

With regards to the funding for pupils that have been previously permanently excluded and did not follow them to their new setting, it would be unfair for the 'funding following the child' to come from a pupil's new school were that pupil to be permanently excluded again. Therefore, to ensure the new school is not financially disadvantaged, should a situation arise where a pupil that has been permanently excluded in Terms 5 or 6 of the 2022-23 academic year is then permanently excluded this academic year, decisions on the funding will need to be made on an individual case basis.

These decisions will be made by local leaders, including KCC officers determined by local arrangements as to the source of the funding once the pupil has been placed at a new provision by the local In Year Fair Access committee. Ultimately, if a decision cannot be reached then the funding could come from the following years district funding but paid in advance by the local authority to the new provision.

Additionally, to identify and be able to share good practice and allow the local authority to report on the spending of the grant, I would be grateful that schools who receive the grant complete an audit using the MS TEAMS form <https://forms.office.com/e/fj6K6xVJzX> by **13th October 2023**.

I wish you well for the new academic year.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Simon Smith', with a horizontal line underneath.

Simon Smith
Head of PIAS (PRUs, Inclusion and Attendance Service)