

An analysis of local authority Referral Panels and/or practices for learners accessing EOTAS provision

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This document is also available in Welsh.

Views expressed in this report are those of the researchers and respondents and not necessarily those of the Welsh Government.

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SUMMARY

Key points:

- There are some similarities between practices in local authorities (LAs) across Wales in managing EOTAS panels, but in general each LAs approach is unique and reflects the professional experiences and knowledge of those leading the EOTAS decision making.
- Over half of authorities do not regularly invite 'outside agencies', such as social services, youth offending or national health services (NHS) professionals to attend referral panels, even though they report that many of the pupils referred for EOTAS provision are linked to these agencies.
- Welsh LAs use one of two types of EOTAS referral practice. One is more suited to the organisation (LA) at the expense of learners' outcomes, while the other is more beneficial for the learner and less suited to the organisation's requirements
- Multi-agency discussions and decision making in the panel meetings are important as they provide a more strategic view of the issues facing schools, other agencies and communities within an authority and leads to better decisions being made.
- While there are variations in referral panel practices across Wales and at times within LAs, these variations are not driven by financial constraints but by the experiences and knowledge of the lead professionals in charge of EOTAS decision-making processes.
- Terms of reference for those attending EOTAS referral panels would be welcomed by the LAs.

HAVE THINGS REALLY CHANGED?

In the early nineties, at the same time as the introduction of the national curriculum and league tables, there was a huge increase in the number of students who were excluded from mainstream schools.

In England alone those numbers rose each year from 3,000 in 1990 up to 11,000 in 1994, with an estimated 12,000 during the 1995-1996 school year. This raised concerns that many young people were not being offered effective education and not being offered the same opportunities as their peers in mainstream schools.

'Off-site units' were traditionally used to support students who were permanently excluded from mainstream schools and for those students who were long term non-attenders. In the 1970s these 'off-site units' grew in great numbers. 'Off-site units' were used as a tool by some LEAs to manage educational provision for students 'with difficulties' outside of mainstream schools. This practice continued up until the early 1990s. However, these units were unregulated.

Between 1990 and 1992 HMI carried out a review of pupils' behaviour in schools. As part of the review Inspectors visited primary schools, secondary schools and 'off-site units' in over 10 LEAs. Each of the units had a different structure of provision. Some units catered only to Key Stage 4 (KS4), while others catered to students from all key stages. The majority of the 'off-site units' were for pupils who were difficult or disruptive in the mainstream schools.

The findings from the Review 'pulled no punches', stating that in most units, pupils did not work well or reach good standards of achievement. The quality of work in most of the units "lacked clear purpose and challenge; intellectual stimulus was weak and the work was well below pupils' age and ability" (OfSTED 1993 p. 5).¹ In almost 50% of the units, major deficiencies were found in standards of work. These deficiencies were

¹ OfSTED (1993). *Education for Disaffected Pupils*. London: HMSO.

reported to be the result of a lack of planning, unclear objectives, and work poorly matched to the ability of the students attending the units.

The Review made clear that 'units' needed to develop in terms of curricular plans, develop better teaching methods and strategies and raise teacher expectations of student achievement. Finally, the Review suggested that staff and students in these units '**occupied an ambiguous legal twilight zone**' (OfSTED 1993): students were poorly served educationally and teaching staff were isolated, all of which affected the development and quality of educational achievement.

This Review heavily influenced The Education Act 1993 which placed a duty on LEAs to make educational provision for children and young people who were, for whatever reason, out of school. As a result, a new type of provision was developed and became known as Pupil Referral Units (PRUs). The PRUs became one way in which LEAs fulfilled their responsibility to this group of students.

At the time, no review of provision in Wales was being carried out. However, a review of educational provision in Wales did take place during 1994-95 (OHMCI 1996).² The report made no reference to PRUs in Wales or any 'off-site provision'. When reporting on 'behaviour, discipline and attendance' the report stated:

"...in some classes, the progress of all pupils is hindered by the low-level but persistent and irritating disruption caused by a small minority" (OHMCI 1996: 23)

In 1997, a White Paper, *A Voice for Wales*³, was published outlining the UK Government's proposals for a referendum on Welsh devolution. Following the referendum, the UK Parliament passed the Government of Wales Act 1998.

² OHMCI (Wales) (1996). Review of Educational Provision in Wales 1994-95. London: HMSO

³ A Voice for Wales: The Government's proposals for a Welsh Assembly Cm 3718 (London: The Stationery Office, 1997)

Estyn replaced Ofsted as the education and training inspectorate for Wales. Their role is to provide independent inspection and advice services on the quality and standards in education and training provided in Wales.

Under Section 104 of the Government of Wales Act,⁴ Estyn is independent from, and funded by the Welsh Assembly Government. During 1998 and 1999, the UK Parliament devolved certain powers and responsibilities to Wales, which included education and training in Wales.

⁴ <http://www.legislation.gov.uk/ukpga/1998/>

1.0. BACKGROUND / OVERVIEW

The Welsh Government is committed to meeting the educational needs of all children in Wales in order that they achieve their potential. Education otherwise than at school (EOTAS) provisions play a crucial role in educating vulnerable learners and can be provided through different options including, but not limited to, pupil referral units (PRUS), further education institutions and home tuition or work-based education.

In response to the concerns regarding EOTAS services raised in reports by Estyn, the Children's Commissioner for Wales and the University of Edinburgh, the Welsh Government established an EOTAS Task and Finish group, chaired by the former Estyn Chief Inspector Ann Keane. The EOTAS Task and Finish Group considered recommendations from the reports and developed practical solutions for their implementation.

One area identified by the EOTAS Task and Finish Group as requiring analysis was the practices or mechanisms employed by local authorities when referring a learner to an EOTAS setting.

In February 2017, the Welsh Government commissioned Siarad Da Community Interest Company to undertake a review of local authority referral panels and/or practices for learners accessing EOTAS provision across Wales. Analysis of the outcomes of the review were used to identify practical solutions to help address any concerns identified during the analysis.

2.0. CURRENT LEGISLATION

Section 19 of the Education Act 1996 places a duty on local authorities to make arrangements for the provision of suitable EOTAS provision for learners no longer able to attend school for any reason, including (but not limited to) illness and expulsion.

The Education Act 2002⁵ (as amended by the Learning and Skills (Wales) Measure 2009)⁶ provides governing bodies with the power to commission external educational services. This legislation underpins the 14-19 Learning Pathway.

⁵ <http://www.legislation.gov.uk/ukpga/2002/32>

⁶ www.legislation.gov.uk/mwa/2009/1/section/35

3.0. METHODOLOGY

This section outlines the methods used to collect data that enabled Siarad Da to carry out an analysis of local authority pupil registration practices for learners accessing PRU and EOTAS provision.

The aim of this project was to produce a report which reflected on the views and perceptions of key stakeholders, and provided an analysis of existing EOTAS referral practices implemented by local authorities.

This report also highlights the advantages and disadvantages of existing practices and offers practical solutions for use in a national strategy. These practical solutions will focus on positive outcomes for the learner and so promote a more cohesive approach to local authorities' support of learners receiving EOTAS.

Due to the specific participant, and logistical constraints inherent in the parameters of this study, the size and scope of analysis must be taken into consideration when reviewing and analysing the data. Too small a sample may prevent the findings from being extrapolated, whereas too large a sample may amplify the detection of differences, emphasising statistical differences that are not clinically relevant.

We therefore aimed for an approach that rendered the research as efficient as possible: Data generated are reliable; resource investment is as limited as possible, while conforming to ethical principles.

While larger studies produce more narrow confidence intervals (i.e., more precise results), smaller studies such as ours can be conducted within a shorter timeframe. With fewer subjects the researchers can more easily canvas and engage and spend more time with individual participants.

The main problem with small studies is the interpretation of results. Small studies can produce false-positive results, or can over-estimate the magnitude of an association. This is therefore important to keep in mind when reviewing the

findings. As a result of this, it is important to clarify that any findings may require a larger confirmatory study before reactionary actions are taken.

Possible methodological limitations that we have kept in mind during our research include:

- Sample size (Note that sample size is less relevant in qualitative research)
- Lack of available and/or reliable data
- Lack of prior research studies on the topic
- Measures used to collect the data
- Self-reported data (Taking into particular account selective memory and telescoping).

There are three primary disadvantages often associated with small sample sizes, all of which we have overcome to varying degrees. They are:

Disadvantage 1: Variability

- Variability is determined by the standard deviation of the population; the standard deviation of a sample is how far the true results of the survey are from the results of the sample collected.

In this regard, the current findings stand to be both useful and accurate as all Welsh Local Authorities participated and had input in our research.

Disadvantage 2: Coverage Bias

- A small sample size also affects the reliability of a survey's results because it leads to a higher variability, which may lead to bias; the most common case of bias is a result of non-response. Non-response occurs when some subjects do not have the opportunity to participate in the survey.

Once again, despite the relatively small sample size of our research, we nonetheless achieved 100% of our goal participant number, therefore effectively nullifying any issues concerning coverage bias.

Disadvantage 3: Voluntary Response Bias

- In survey sampling, voluntary response bias occurs when sample members are self-selected volunteers, as in voluntary samples.

Although our subjects were voluntary, our research has avoided any concerns over voluntary response bias by including responses and input from all involved relevant participants.

Evidence was collected in four phases:

Data collection consisted of four phases. The purpose of using the different phases was to gather a wide and diverse response to questions asked in a variety of ways. Much of our questioning may have seemed repetitive, but to ensure that we could double-check the consistency of individual responses, questions were reworded in the different phases.

Phase One: Siarad Da contacted each of the 22 LAs and requested copies of policies or procedures available to mainstream schools to help guide the referral process – either electronic or hard copies. Responses varied as did the quality of material provided:

- Every LA responded to requests for information,
- some LAs were cautious about sharing information,
- over 60% (13) of the LAs were unable to provide electronic or hard copies of information guiding referral practices for schools and other agencies working with pupils referred to an EOTAS panel.

Phase Two: Semi-structured face-to-face and telephone interviews with key stakeholders were carried out. These included: LA EOTAS and PRU leads, PRU

staff, commissioned EOTAS providers, mainstream schools, special schools and staff responsible for Management Information Systems (MIS).

Topics discussed in these semi-structured interviews shaped the next phase of data collection. They also influenced themes at workshops and structure of this report.

Phase Three: Questionnaires (Appendix I) were sent via email, to lead professionals in each of the 22 LAs. The response rate was poor; 27 questionnaires were sent to 22 LAs, but only 12 questionnaires from 10 LAs were returned. Those that were returned generally provided valuable data.

Phase Four: Two workshops were organised: one in Cardiff and one in Llandudno. The workshop in Llandudno was cancelled due to travel arrangements. Those registered to attend the Llandudno workshop (9) were offered the information that was to have been presented.

In the Cardiff workshop, feedback was presented and discussion of the findings provided additional data which is incorporated into this final report.

Table 1: Research Participants

Participants contributing to the research <i>(LAs who contributed – 22)</i>	
LA Officers	38
PRU / EOTAS staff	8
Mainstream School staff	3
Special School staff	2
Training providers	3
Total	54

Qualitative data, from face to face and telephone interviews, was analysed by summarising key themes after each interview and on receipt of each returned questionnaire.

During the initial face-to-face interviews participants preferred not to be digitally-recorded; a decision was then made by the research team that further face-to-face and telephone interviews would not be digitally recorded. Extensive notes were taken instead. This was done to reassure participants that their contributions would be confidential.

Ethics:

Our approach was geographically and linguistically balanced, with all four consortium regions covered. We spoke to professionals working in rural, urban, heavily populated and less populated areas.

LAs were contacted via email or telephone call, and the aim of the research was clarified to them. Everyone interviewed gave informed consent to be interviewed. Some professionals however, were concerned about being identified in the report, it was therefore agreed that all feedback would be anonymous.

4.0 CONSULTATION RESPONSES

4.1 ARE THERE STANDARD REFERRAL PRACTICES FOR EOTAS PROVISION ACROSS WALES?

Most LAs (20) reported that they attempted to use a standardised referral process⁷, albeit they varied between LAs and within Consortia regions. Respondents reported that they wanted a common process at all levels, and that some were making attempts to put one in place but that this was a slow process.

In three LAs responses to this question differed between the professionals interviewed. For example, one PRU lead described difficulties often experienced in requesting schools to only refer through the formal system, whereas another LA officer, from the same LA, was confident that all referrers adhered to strict referral practices.

Rationalisation for not using a standardised referral system fell into three categories:

- a restructure or review of systems
- historical approach
- definition of EOTAS

A restructure or review of systems

45% of LAs reported that they didn't currently have a standard system because they were in the process of a restructure or reviewing processes and procedures.

Historical approach

35% reported that the system they were currently using is what has been in place for some time, '*...it's how we have always done it this way...*'.

Definition of EOTAS

⁷ **NOTE:** Standardised referral process: common practice, including a common referral form and step by step instructions and guidance, that was followed consistently by every referrer for every referred pupil.

20% of the LAs cited the 'definition of EOTAS' as the main hurdle to implementing a standardised referral process in the LA.

However, these figures do not represent the bigger picture in terms of concerns or confusion around the definition of EOTAS. Professionals from 18 of the 22 LAs raised questions, during face to face interviews or as feedback comments in questionnaires, around the definition of EOTAS.

LA professionals felt that the current EOTAS definition was open to subjective interpretation making it difficult for LA lead professionals to combine practices and achieve a common practice.

'...we've completed a lot of work with local providers, we have service level agreements with them, we use them for PRU or EOTAS kids but schools are also using them for some of their less academic student at KS4...so are they EOTAS kids, who has responsibility for them when they are placed in the same provision because they are being educated off-site and not by school staff...?' (LA Lead)

'...we are seeing a blur between learning pathways pupils from mainstreams schools and EOTAS pupils...they follow the same programme, get the same qualifications and experiences but come under different headings...' (Training Provider)

'...I thought PRUs and EOTAS were different things, students either go to one or the other...' (EOTAS/PRU staff)

'...is all education that is not in school EOTAS...?' (EOTAS/PRU staff)

Current referral panel practices across Wales are diverse. For example, one LA led with one referral panel for all EOTAS referrals while another LA managed multiple panels for different EOTAS provision with separate panels for:

- EOTAS provision other than PRU provision
- PRU placements
- Home tuition (mainly medical needs)

Diversity between LAs was further complicated by the different roles of panels. In a significant number of LAs (13) more than one panel could discuss the same pupils, with each panel making decisions about different aspects of the pupil's education provision or needs. These decisions were not always routinely fed into other decision-making panels in a structured or timely way often leading to confusion.

The regularity of panel meetings discussing referrals for EOTAS provision also varied. Some LAs hold weekly panels, while others meet fortnightly or monthly. In one LA it was reported that they processed EOTAS referrals by having an LA officer (EOTAS Lead) visiting mainstream schools each half term to discuss any pupils the schools were struggling to manage.

There were some similarities between practices regarding how panels were managed, but in general each LAs approach was unique to the professional experiences and knowledge of those leading the EOTAS decision making.

In 17 of the LA's EOTAS referral panels comprised exclusively of education professionals. No other sector (e.g. social services, health, police) is represented. Some LA Officers reported there was an 'open invitation' but could not confirm if other sectors were aware of the 'open invitation'.

Over half of authorities did not regularly invite 'outside agencies', such as social services, youth offending or NHS professionals to attend referral panel, even though they reported that many of the pupils referred for EOTAS provision were linked to these agencies.

Referrals panels for dedicated provision (i.e. individual panels for PRU or tuition provision), generally had a smaller and less diverse panel membership. For example, two LA education officers were panel members.

In a few LAs (3) membership was diverse. For example, membership included regular panel membership of:

- Lead LA education officers
- Secondary and primary staff
- Education Welfare Officers
- Youth Offending Services professionals
- Safeguarding professionals
- Open invites to NHS and social services professionals

Some respondents (11) described how they worked to be inclusive in their approach to managing referrals. We work hard to maintain mainstream school involvement and ownership of pupils. For example:

- Panels being chaired by mainstream school headteachers,
- Different panel members taking the lead on presenting individual referrals to the panel.

'...I've seen a real change having headteachers chairing meetings...they are seeing the bigger picture which means decision making is more considered...it has also had an impact on the quality of referral information coming to panel...'
(PRU Lead)

Less than 10% (2) of LAs had written 'terms of reference' for professionals attending panels, while others were in the process of developing 'terms of reference'. A small number (3) of LAs reported that they '*...must have them somewhere...*'; but that professionals involved in the EOTAS referral panel knew the process.

Respondents agreed that having a ‘terms of reference’ template for those attending a panel would raise the professionalism and importance of EOTAS referring panels.

Box 1: EOTAS Referral Panel Terms of Reference (Appendix I)

Explanation: *Terms of Reference (ToR) are a kind of ‘memo of understanding’ that can be used to guide the work of an EOTAS Panel. ToR should be accessible to all partners prior to panels and should be considered a “living document” – one that you can revisit and update as expectations and responsibilities change.*

In summary, there were two clear systems currently used across Wales. However, establishing an exact figure of which ‘system’ is used in each authority was difficult. Data collected from questionnaires completed by a professional in a LA often differed from data collected during face to face interviews with another professional from the same LA. This was due to increased opportunities to ask extended questions and that questionnaires may have been completed by professionals who were not later interviewed.

Professionals from every LA contributed to identifying the advantages and disadvantages of each of the two systems currently practiced across Wales. Most contributors to this review are professionals within the EOTAS community, which of course results in the advantages and disadvantages of either system being overwhelmingly influenced by this group. Mainstream school and MIS respondents generally echoed those views of professionals working in the EOTAS but also contributed views from their unique perspective. These are identified as additional comments.

The two systems currently used across Wales are:

System One – *multiple panels addressing different aspects of EOTAS provision with limited membership*

Box 2: Advantages and disadvantages of System One

ADVANTAGES	DISADVANTAGES
<ul style="list-style-type: none"> • shorter meetings • smaller panels, you can better negotiate • responsive – if the right people are at the table at the right panel 	<ul style="list-style-type: none"> • pupil can ‘slip through the net’, getting lost between panels • information being lost between panels • referral data more likely to be different in each panel • provision being requested may not be appropriate, resulting in having to refer to a different panel
	<p>Additional Comments</p> <ul style="list-style-type: none"> • can limit partnership working (mainstream school)

System Two – Regular single multi-agency and multi-decision-making panels addressing all EOTAS referrals

Box 3: Advantages and disadvantages of System Two

ADVANTAGES	DISADVANTAGES
<ul style="list-style-type: none"> • holistic view of pupil • transparency of decision making • high-level panel creates higher level of importance and urgency to attend • the panel can review more strategically, i.e. exclusions etc. • more agencies involved allows for improved information sharing • better trail of involvement and actions • less likely to lose pupils, better opportunities for safeguarding • quicker decision making • information in one place enabling identification of positive and negative themes in whole geography of the LA 	<ul style="list-style-type: none"> • schools may perceive responses to be too slow • can be time consuming if not chaired with experience • too many different voices • amount of data can be overwhelming
<p>Additional Comments</p> <ul style="list-style-type: none"> • panel dates agreed annually • better use of professionals’ time • agencies learn from each other – help develop better partnership work 	

NOTE: Neither of these systems were linked to one demographic type or EOTAS population

Those professionals working with System One generally talked about their awareness of the need to review practice. Most put forward mitigating

circumstances for the current use of this approach, but recognised that it suited the needs of the professionals rather than the needs of the pupils. For example:

- *‘...sometimes the informal meetings can get more done...’*
- *‘...we’ve got different people managing different bits of EOTAS so it’s easier for us to do it this way...’*
- *‘...we’ve always done it this way...I’ve tried to change it but it’s historical...’*

It was clear however that the majority of respondents recognised the need for change.

- *‘...if what you are doing can help us get those above us to listen and change the system it would be extremely helpful...’*
- *‘...it would be better for the students if everything that was EOTAS was on the same panel...combining resources and knowledge has got to be best for the pupils...’*

One respondent, currently using System One, believed this approach best suited the time constraints on his professional role and would be happy to continue with this system. This was not the response from other respondents currently working with this system.

When reflecting on these two systems it is important to consider who these different systems best enable. After raising this question with respondents ‘the systems’ were quickly renamed:

- System One – meeting needs of the ‘adult’ (local authorities and mainstream schools): helps diary planning, more opportunities for ‘deals’
- System Two – meeting the needs of the pupil: more holistic view, more diverse knowledge and expertise, better decision making

System Two is an approach that is more likely to meet the needs of the pupil.

This ‘one-stop’ approach provides a clearer view of the educational and

emotional needs of those pupils requiring additional support to manage their education.

Multi-agency discussions and decision making can also provide a more strategic view of issues facing schools, other agencies and communities within an authority.⁸

Respondents stated:

- *'...a multi-agency panel looking at all EOTAS referrals has got to be best for the kids...'*
- *'...bringing all EOTAS panels or referral meetings means we all know what is happening...you're less likely to lose pupils...'*
- *'...the lives of some of these pupils are complex, it can be dangerous placing kids in provision without all the facts...in the past we've had to deal with some serious conflict between pupils because we didn't know the full history...schools don't have all the information available to them...'*
- *'...asking for EOTAS provision can be a significant event in a pupil's education and family life, open discussion between professionals is the only way we can make proper decisions...'*

The model (System Two) that provides regular, single, multi-agency and multi-decision-making panels that address all EOTAS referrals, was the preferred model with over 90% of LAs.

Over 80% of respondents recognised that reducing the number of panels could be complicated in the first instance. Most commented that those using 'historical' systems may struggle with change without a clear direction from the Welsh Government.

4.2 WHAT INFORMATION IS CURRENTLY REQUESTED FOR EOTAS REFERRALS?

⁸ <https://www.gov.uk/government/speeches/social-care-monthly-commentary-march-2017>
<http://www.snapcymru.org/wp-content/uploads/2015/10/15-025.pdf>
www.childreninwales.org.uk/.../Tackling-Child-Poverty-in-Wales-Revised-Version-M

Every responding LA (22) reported collecting 'general pupil information; e.g.:

- name
- DOB
- gender
- address
- FSM
- attendance
- reasons for referral

Most requested:

- desired outcomes
- some attainment data
- agencies involved

A few requested additional information:

- medical information – including CAMHS
- safeguarding concerns
- risk assessments
- CJS involvement
- interventions already implemented and outcomes
- family issues that may impact on engagement

Every LA reported experiencing difficulties with schools not providing requested information. Most LAs said they 'bounced' referral forms back to schools when referral forms were not completed properly, which delays the process. Those panels that were chaired or attended by mainstream school head teachers reported fewer difficulties with schools not fully completing referral forms.

'...I think this is because when heads are part of the panel they see how a referral can be held up when the form is not completed correctly...'

The design and presentation of referral forms varied greatly between LAs and at times within LAs. For example, different EOTAS provision had different referral forms and at times different types of data were requested.

A further variation is in how LAs requested referral data be presented: either electronically or by hard copy. However, electronic information was preferred by over 95% of professionals.

- *'...information is less likely to get lost...'*
- *'...using an electronic form helps stop schools from just ticking boxes to 'cut corners' in the referral system...'*

Less than 5% (2) of respondents commented on difficulties attached to completing electronic referral forms:

- *'...I understand the flexibility of electronic systems but I prefer hard copies in front of me and find that easier to work from...'*

Comments included concerns about costs of producing new systems for referrals. However, when reflecting on electronic systems currently used and available across Wales, e.g. SIMS (a system that could be better utilised) all respondents agreed that an electronic referral system would be more effective in terms of time and finance and lead to a more consistent approach.

4.3. WHAT PUPIL OUTCOMES ARE SCHOOLS AND LAS REQUESTING?

Over 95% of PRU and EOTAS respondents said that the desired outcomes of the school were linked to changing behaviour.

- *'...behaviour, behaviour, behaviour...'*
- *'...we have never been referred a child for academic reasons...'*
- *'...even if there is a medical referral for anxiety or school phobic, the desired outcomes are still generally requesting that we change their behaviour so that they can access education better...'*
- *'...usually to improve their behaviour so they can be less disruptive in schools...'*
- *'...even when children are referred because they are non-attenders or phobic, they still ask us to change their behaviour, so that they can access education better...but for these kids it's a medication condition they have...we are supposed to provide education...'*
- *'...this is usually linked to a child's behaviour...'*

Respondents raised concerns about desired outcomes for pupils not being linked to success indicators being measured by the Welsh Government. The general feedback when asked about referrers' desired outcomes was that there was no link between what PRUs and EOTAS providers are being asked to do and what PRUs and EOTAS provision are being judged on.

There was a common belief that there were behaviour expectations from the referrers but expectations of academic achievement from those judging them. This is seen to be a mismatch that needs to be addressed.

However, one PRU head teacher described how the new Estyn Inspection framework had enabled her team to demonstrate the 'distance travelled' by pupils in the PRU during a recent inspection. This did raise the question about differences between what Estyn value as good practice and what the Welsh Government recognise as national indicators of success, i.e. academic achievement. Estyn, under the new Inspection Framework valued the 'distance travelled' by a pupil; but if that pupil did not achieve L2 threshold or L2+ threshold his placement at the PRU would not be celebrated at national level as a success.

4.4. HOW DOES THE INFORMATION FROM REFERRERS PROVIDE OPPORTUNITIES FOR IDENTIFYING STUDENT SUCCESS IN ATTENDANCE, BEHAVIOUR AND ATTAINMENT?

When initially asking this question, the general response from LA Officers and PRU/EOTAS staff was that current information provided by referrers did not give opportunities to demonstrate student progress at a national level, but could at a local level.

- *'...it can from a PRU provision perspective or even at LA level because we can create a baseline for us to measure where the pupil was and where the pupil is, but that means little at national level...'*
- *'...the changes in Estyn framework enables us to demonstrate progress but the WG are looking at different information, so no...'*

- *'...maybe at a local level if the schools provide it all but not national...'*
- *No, EOTAS provision is expected to deliver an academic curriculum, and we know this because only the academic curriculum is measured, L2+...they have to remember that these kids are with us and we are behaviour specialists not subject specialists...'*

We asked a further question to help the respondents to consider wider responses. ***Who decides what information is provided for the referral process?*** It was after asking this question that most respondents recognised that panels could take a lead role in changing the quality of information and data provided at the referral point. This led to respondents reflecting on the value of data collected at the point of referral to EOTAS panels.

- *'...if we all collected the same sort of data we would have something to compare ourselves with...'*
- *'...we could use the information to create a baseline for the pupils
'...gathering a wider set of indicators would help create a wider baseline of information...'*
- *'...if we all asked core questions on referral it could provide the Welsh Government with the ability to target issues in different areas of Wales...it would help better target central funding...'*
- *'...better input will provide better output...'*
- *'...common referral information could make more meaningful comparisons...'*
- *'...we know that bench marking in some form is coming...this is a starting point for that but with us helping guide it...'*
- *'...it would give ESTYN access to useful comparative information...'*

Respondents (50) overwhelmingly recognised the value of developing a template for a 'common EOTAS referral form'. Only one of the respondents challenged the value of changing their current practices. However, after further discussion around developing ways of demonstrating diversity, of education and social

needs and behaviour, in the EOTAS pupil population this respondent also agreed that the current process needed to be developed and evolved.

4.5. WHAT ADVANTAGES OR DISADVANTAGES ARE THERE FOR DEVELOPING A COMMON EOTAS REFERRAL FORM?

Advantages - responses included:

- *A stepping-stone toward developing a benchmarking system;*
- *Common information will help identify nation-wide strengths and weaknesses;*
- *Help create an even playing field;*
- *Easier to identify good practice and share it Wales wide;*
- *Nationally comparable;*
- *A national referral process would help provide evidence of a pupil's 'journey'. They don't always start at the same place;*
- *Common data would help demonstrate the complex and diverse needs of pupils and the demands placed on services;*
- *It could help to identify gaps in provision.*

Disadvantages - responses included:

- *'...Without some flexibility in what data is collected we could become one state, we could lose our identity as authorities...'*
- *'...It could become a way of bench marking...' (PRU staff: concerned their current provision could be criticised)*
- *'...it is no good if the system stays the same and only measures academic outcomes, as they do against mainstream schools. These students are not in mainstream schools for a reason, so why not measure a reason...'*
- *'...if data collected did not match what is being measured...'*

Respondents were keen to move the idea of developing a Common EOTAS Referral Form forward, with conditions that enabled information to be presented

in what respondents described as a level playing field. Respondents were concerned that data, or national indicators did not remain one dimensional.

Across Wales, feedback indicates that some LAs are already attempting to demonstrate the complexities and diversity of needs and experiences that impact on a pupil's ability to academically achieve the national standards they are currently measured against. For example:

- Swansea Pupil Vulnerability Assessment Profile⁹, used in a small number of LAs in South Wales
- TRAC 11-24¹⁰, a project supporting young people aged 11-24 disengaging with education and at risk of becoming NEET (not in Education, Employment or Training), used across North Wales LA

However, 39 of the respondents were clear that because of the lack of 'a common approach' across Wales, these tools, as useful as they may be, are only useful at a local level and it is important to achieve an all Wales approach, with room for some local variation.

Behaviour and vulnerability profile software tools can make a valuable contribution to understanding pupil progress and the barriers to it. Respondents raised concerns about the perceived under achievement of pupils receiving EOTAS provision. Frustrations were clear from comments made by respondents when discussing national indicators of pupil achievement, the lack of a level playing field and the complex needs of pupils being referred to EOTAS Panels.

Profiling tools can be developed to 'score' or give a 'weighting' against pupils on several indicators. These weightings can provide a more holistic view of a pupil's needs, their barriers and their strengths.

⁹ <https://www.cardiffpartnership.co.uk/.../item-2-swanea-Pupil-Vulnerability-Assessme...>

¹⁰ <https://www.denbighshire.gov.uk/en/your-council/strategies-plans-and-policies/education-and-schools/trac-11-24-project.aspx>

50 respondents agreed that collecting core data as part of a common EOTAS referral form would allow the development of a weighted system to demonstrate pupil achievement; leading to the most vulnerable pupils having their progress and achievement recognised and valued, which currently respondents said did not happen because of the academic bias.

- *'...This may seem like a difficult thing to do but it's what we are saying we want...we want a level playing field, we want pupils progress to be valued, we want to make sure that benchmarking is developed with us involved...strengthening our baseline data through common practices a common weighting system for all pupils, not just EOTAS pupils will give us what we say we need...'*
- *'...most of the tools we need to do this are already there, we just need to use them more effectively...'*

However, feedback from mainstream schools felt this would be additional work for them as the professionals providing referral information.

5.0. FINAL REFLECTIONS

There are variations in referral panel practices across Wales and at times within local authorities. Findings suggest that those variations are not driven by financial constraints but by the experiences and knowledge of the lead professionals in charge of EOTAS decision making processes.

In some LAs, there has been little or no change in the EOTAS referral practices for many years. In other LAs there is clear evidence of work being done to review and improve practices. Some of these LAs have practices that would benefit others if shared, whereas professionals in other LAs are struggling to engage key stakeholders to agree to make changes that would improve practices.

We expected to find some differences, for example differences resulting from unique geographical issues and the demands of differing population sizes.

However, we were pleasantly surprised that the different challenges and practices were not linked to either population or geography but by the perspectives, knowledge and background expertise of those individuals feeding into the report.

The findings identified similar themes, across Wales, such as similarities in the challenges facing those leading EOTAS panels, but these had no clear link to geography or population. Similarities included:

- Panels struggling with schools not completing referral forms,
- Lack of funding,
- Too much demand on provision,
- Concerns over national indicators not structured to help demonstrate good work or pupil progress,
- Concerns about pupils getting lost in the system

More importantly a common theme we found in 21 LAs was the willingness to develop better continuity across Wales and improve EOTAS referral practices.

Feedback from all key stakeholders, who have contributed to this report, raised the usual dilemma for the researchers; ‘can processes and practices be improved, at local and national level, without a heavy financial burden being placed on LAs?’

Developing solutions was the first step; researching the costs attached to each of these solutions was then considered. What was clear is that the infrastructure for the practical solutions presented can be implemented within existing referral practices across Wales. irrespective of which system is used.

We close this section with a written response from one questionnaire which amply demonstrates the concerns and frustrations regularly expressed by respondents during this analysis:

- *'...the national picture of EOTAS is a mess...the vague and ambiguous nature of EOTAS is confusing and leads to inconsistency across Wales... Some Local Authorities across Wales are masking figures of vulnerable children by removing them from mainstream school roll and PRU role in Year 11. These children are placed on EOTAS registers i.e. removed from roll of any school or PRU and do not count in Local Authority or school results. These Local Authorities statistically perform higher in league tables of Level 1, Level 2 and Level 2+ partly due to this practice...Estyn and Welsh Government must act urgently to address these issues...'* (PRU Head Teacher)

6.0 PRACTICAL SOLUTIONS

6.1. Option One: Continue with current practices with additional materials and make these research findings available to LAs as a resource they can decide to use to help inform decision making to review or not review local systems and practices.

Advantages to selecting this solution would be limited to current practices already in place and generally understood by those leading EOTAS referral panels; there would be no personnel or financial costs in addressing changes.

Disadvantages would include:

- lack of continuity in practices across Wales
- continued concerns about pupils 'slipping through the net'
- limited partnership working
- EOTAS pupil data overlapping in different data systems
- lack of common core data to help identify issues at a strategic level
- lack of equality in decision making with continued informal agreements

6.2. Option Two: Introduction of one system where each LA offers a regularly planned all-encompassing, multi-agency and multi-decision making panel addressing all EOTAS referrals:

Advantages include:

- holistic view of pupil
- more strategic review of local issues linked to EOTAS referrals
- transparency of decision making
- increased multi-agency involvement improving information sharing and partnership working
- panel dates agreed annually
- less likely to lose pupils, better opportunities for safeguarding
- quicker decision making

Disadvantages include:

- time consuming for professionals working in geographically larger counties
- increased travel costs

- increase likelihood of poor attendance because of time constraints
- The disadvantages linked to the second solution are associated with time and travel constraints for geographically larger counties. However, disadvantages could be overcome with the increased use of readily available new communication technology such as Skype meetings and telephone conferences.

6.3 Option Three: LAs use a multi-panel or single-panel system to meet geographical and personnel issues unique to each LA, with the introduction of an LA single EOTAS data base that holds data from every referral panel that discusses EOTAS provision and EOTAS pupils. In addition to the single EOTAS database, introduce an all Wales Common EOTAS Referral form that all panels use. The common referral form would collect core data, LAs can request additional data specific to their communities which is fed into the one EOTAS database, but the core data would be common to all LAs.

The EOTAS database would be managed by MIS personnel with agreed 'information input' points for identified personnel outside the MIS team. To strengthen this approach every EOTAS panel should have agreed Terms of Reference with clear indicators to encourage more diverse involvement in EOTAS panels. For example, mainstream school head teachers chairing panels and regular panel membership of professionals outside of education.

Advantages include:

- All Wales approach developing a 'fairer playing field' reporting system
- strategic view, at local and national level, of the issues linked to EOTAS referrals
- strategic view, at local and national level, to identify good practice and areas of development and support
- transparency of decision making
- increased multi-agency involvement improving information sharing and partnership working
- reduced risk of pupils becoming lost in the system, better opportunities for safeguarding

- data sharing made easier if pupils move into different authorities
- common data will increase opportunities to demonstrate pupil progress at local level and national level
- develop opportunities for EOTAS benchmarking

One of the important advantages of this solution is that 21 of LAs agreed that collecting core data as part of the EOTAS referral process would greatly improve practices across Wales. The infrastructure for collecting core data is already in place in each LA, (generally by accessing SIMS data) and the task of completing a common EOTAS referral form can be completed by administration staff who regularly input data into SIMS.

Disadvantages would generally be limited to professionals having to change behaviours that are historically embedded in their current practices. However, this may be made easier with tools that will help guide changes in practices.

7.0. PRACTICAL TOOLS

This section presents tools that can offer practical solutions to improving EOTAS referral processes across Wales. They are:

Terms of Reference Template (*Appendix I*)

A clear advantage of providing Terms of Reference, or a working guide, on EOTAS referral panels is improved time management and a wider membership. Establishing an understanding of the purpose of the Panel, prior to membership, can help improve practice as well as improve accountability and expectations. Terms of Reference are critical for establishing working arrangements They are also beneficial for in-house arrangements to clarify scope, responsibilities, schedules, and budgets.

Common EOTAS Referral Form (Appendix II)

Using a common referral form will provide advantages at local and national level. At local level, it will help establish boundaries and expectations for those referring a pupil to EOTAS provision, as well as establishing common practice that may help raise awareness of specific issues impacting on schools and communities within the authority.

At national level, a common referral form will help establish an All Wales approach that will allow better monitoring of LA practices and can help identify data that is currently underutilised as indicators to demonstrate pupil progress.

EOTAS Data Base

One LA has already developed a data base that holds data on all EOTAS pupils. The data base, otherwise known as STRIVE (System for Tracking and Reporting Identified Vulnerability in Education) was developed to improve practices in the LA which mirror findings from this research. For example, pupil data is held on different electronic drives or in spreadsheets in different formats within different sections of the education department.

Having a single data base allows officers to view data on pupils in one central report to make informed decisions on how to educate and support pupils. The data base can 'drill down' into a profile to gain an in-depth analysis of a pupil and focus on specific areas. As a tool, it gives a visual representation to officers, highlighting those pupils who are most vulnerable, enabling early identification of issues. Examples of data stored in STRIVE include attendance, exclusions, attainment, interventions, other agencies, scanned reports and much more.

The local authority that developed STRIVE has strengthened its use by including every pupil in the LA as well as data from other agencies working with individual pupils. At the core of the system sits a vulnerability assessment where profiles are

weighted on education and social factors such as attendance, entitlement to free school meals, additional learning needs and more.

It is the view of this research team that the introduction of a single database that includes the additional aspects of STRIVE such as weighting against pupils to identify those that are most vulnerable is an important step forward. This would be in line with The Cabinet Secretary for Communities and Children, Carl Sargeant, announcing in January 2017 that the Welsh Government is funding £400,000 in 2017-18 to help Cymru Well Wales to set up a hub to tackle the negative impact of Adverse Childhood Experiences (ACEs).

Education Secretary Kirsty Williams added at the time of the announcement that children and young people with higher levels of well-being are on average more likely to have higher levels of academic achievement.

Developing a database that includes a weighting that represents significant events in a pupil's life that impact on levels of emotional, behavioural, social and school wellbeing, and therefore levels of academic achievement, is a forward step in creating a more 'level playing field' at local and national level, when identifying any pupil progress and a fairer system of benchmarking.

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EOTAS REFERRAL PROCESS (2nd phase)

Is there a standard referral process for EOTAS provision used in the LA?		
Advantages of your current systems / processes	Disadvantages of your current systems / processes	
List the most common 'desired outcomes' identified by referring agencies.	<i>Please list as many as you can.</i>	
Are 'desired outcomes' measurable against local and national standards?	<i>Please expand on your response.</i>	
What information should be gathered, during the referral process, that may help demonstrate pupil progress?	<i>Please include as many indicators as you think necessary.</i>	
Possible <u>advantages</u> for national 'core data' collection at point of referral?	Possible <u>disadvantages</u> for national 'core data' collection at point of referral?	
What types of EOTAS provision are offered in the LA?		
Additional comments: <i>please make comments and suggestions that you feel may help develop the EOTAS referral process?</i>		

EOTAS Referral Panel Terms of Reference (Example)

The Purpose and role of the EOTAS Panel

- *This is a decision-making Panel. The role of this EOTAS panel is to consider all evidence presented by schools when requesting EOTAS provision for individual pupils.*
- *The aim of the panel is to meet the duty placed on local authorities in Section 19 of the Education Act 1996 to make arrangements for the provision of suitable EOTAS provision for learners no longer able to attend school for any reason, including (but not limited to) illness and expulsion*

Membership of the Panel

- *Membership of the Panel is not restricted. Membership is made up of education officers, with responsibility for PRU and EOTAS provision in addition to lead professionals who have knowledge of or have a management role of pupils with complex needs. Member can include:*
 - *mainstream school head teachers*
 - *social workers*
 - *NHS professionals (e.g. CAMHS, school nurse)*
 - *youth offending professionals*
 - *police*

Accountability

- *On receipt of formal Panel decisions members of the Panel are responsible for reporting back to their organisation. Feedback should be provided electronically evidencing clear chains of communication and responsibility.*

Working Methods

- *Annual 'rota' for those chairing and attending monthly EOTAS Panels is available on..... EOTAS Panels are chaired by EOTAS lead education officers and mainstream head teachers.*
- *Planning and secretariat for the Panel will be provided by the local authority. Decisions will not be shared until decisions have been formally agreed, this can occur during the Panel or within 72 hours after conclusion of the Panel meeting.*

- *Panel members can access electronic referral packs one week prior to EOTAS Panel date. Members should make notes made up of questions and reflections on each referral in preparation for Panel meetings.*
- *Recommendations on frequency of Panel meetings*
- *Sharing of Information and Resources*
- *Referral data will only be shared via the secured web space is accessible only to EOTAS Panel members and secretariat for the Panel. The web space is password protected and facilitated by*
- *Formal Panel minutes will be published on the secure web space within 72 hours of the Panel meeting conclusion.*

Definition of Terms

EOTAS – Education Other Than At School

ALN – Additional Learning Needs

COMMON EOTAS REFERRAL FORM - EXAMPLE

Referral Trigger: Short-term medical / long-term medical / aggression-violence / other			
REFERRING SCHOOL		COMPLETED BY	
		Name:	Date:
		Email:	
HEAD TEACHER		Signed:	Date:
		Email:	
PUPIL DATA			
<i>UPN</i>		<i>Pupil Name</i>	
<i>School Year</i>		<i>D.O. B</i>	
<i>Pupil Address</i>		<i>Gender</i>	
<i>Parents / Carers</i>		<i>Ethnicity</i>	
<i>Parental Responsibility with</i>		<i>Religion</i>	
<i>Current Child Protection Issues</i>		<i>Previous Child Protection issues</i>	
<i>Additional Information / e.g. siblings EOTAS evidence attached</i>			
<i>Family Consent Have carers been informed of referral?</i>	No / Yes (if no please explain why, if yes do they support the referral? Date of consent)		

NOTE: This section provides basic pupil information and a wider view of family structure.

ATTAINMENT LEVELS			
ENGLISH <i>Current Level – (provide supporting evidence of level and dates)</i>	SCIENCE <i>Current Level – (provide supporting evidence of level and dates)</i>	MATHS <i>Current Level – (provide supporting evidence of level and dates)</i>	Reading & Comprehension age <i>(provide test details and dates)</i>
			Reading Comp
<i>Additional Information / e.g. curriculum pupil strengths and gaps, afterschool activities, clubs. Date of assessment essential – informal curriculum evidence attached</i>			

NOTE: This section provides new provision with introductory baseline information. **Dates of assessment essential** to provide a true picture of pupil achievement and predictable student outcomes.

SIGNIFICANT EVENTS

Significant Events / e.g. death of parent or sibling, parent or sibling in prison, parent or sibling long term illness, young carer etc.

NOTE: This section provides information that helps wider understanding of students' life experiences that may have impacted on their learning.

SEN / ALN Y / N

SA	SA+	Statement	SENCO - Contacts
Provision:	Provision:	Provision:	
Review Date:	Review Date:	Review Date:	
PSP	IEP/IBP	Health & Safety Issues	Safeguarding Concerns
<i>Additional Information / assessments in progress, underlining observations of patterns of behaviours - evidence attached</i>			

NOTE: This section provides information that will help referral panel decision making in allocating appropriate resources to support learning needs.

ATTENDANCE (% 3 previous terms)

Term 1 -	Actual	Auth Abs	Unauth Abs
Term 2 -	Act	Auth Abs	Unauth Abs
Term 3 -	Act	Auth Abs	Unauth Abs
Education Welfare Officer	Name	Email	
<i>Additional Information / e.g. attendance issues, interventions used evidence attached</i>			

NOTE: This section provides information that will help referral panel decision making in allocating appropriate resources

MULTI – AGENCY WORKING AND SUPPORTING DOCUMENTS				
Agency / Service	Link Professional	Contact details	Documents/Reports	Attached
				Y / N
				Y / N
				Y / N
				Y / N
				Y / N
<i>Additional Information / e.g. clubs, organisations evidence attached</i>				

NOTE: This section provides information that will help co-ordinate multi-agency working and reporting as well as provide information about 'in-formal learning' which can help identify student strengths outside the classroom

REFERRAL INFORMATION

Why are you referring this pupil to EOTAS?		
Desired outcomes of EOTAS intervention.		
EXCLUSIONS <i>Please provide reports for each exclusion</i>	<i>Length</i>	<u>Because:</u>
	<i>Length</i>	<u>Because:</u>
	<i>Length</i>	<u>Because:</u>

NOTE: This section provides information that will highlight and help establish clear links between reasons for referral, desired outcomes and national success indicators.

PUPILS WITH AGGRESSIVE / VIOLENT BEHAVIOUR

Additional information that will support pupils needs. Please provide examples to support your responses

<i>Triggers to challenging behaviour.</i>	
<i>Successful behaviour management strategies.</i>	
<i>Relationships with peers.</i>	
<i>Can remain calm when in stressful situations.</i>	
<i>Partnership work between school and parents/carers.</i>	
<i>Relationships with adults, in and outside of education.</i>	
<i>Continues to try even when struggling...</i>	
<i>Level of awareness of their behaviour or attitude difficulties.</i>	
<i>Willingness to work with professionals and agencies to makes changes.</i>	

NOTE: This section provides information that will help develop a wider understanding of a student's behaviour which will enable better referral panel decision making around safeguarding and risk assessments. Information will also help reduce duplication of interventions saving both time and money.