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Rt Hon Ruth Kelly MP

Chief Education Officers
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Improving Behaviour in Schools

In my speech to secondary head teachers today, I emphasise the importance of improving behaviour in school and make clear my priority as Secretary of State to support all school leaders to tackle any level of bad behaviour in their school.

In the speech, I pay tribute to the excellent work most schools and Local Authorities are already doing in this area. Behaviour in most schools is good for most of the time. I also make it clear that this is not a challenge just for individual schools. Schools need the support of other schools in their area, and of their Local Authority, together with access to appropriate resources, if they are to manage pupil behaviour effectively and consistently. Parents also have an important role to play, working closely with schools to support their children.

Parental responsibility

I expect all Local Authorities to ensure they have, in their 'behaviour toolkit', the whole range of measures available to them to reinforce parental responsibility for their children's behaviour. This includes parenting contracts and parenting orders for cases of exclusion, among measures introduced in the Anti-Social Behaviour Act 2003. Ivan Lewis wrote to you on 25 February 2004 enclosing guidance on when and how these powers can be used.

To be able to use these measures, Local Authorities need to have agreed local arrangements in place. I have asked officials to keep me in touch with individual progress towards the implementation of these important measures. I have appointed advisers to help with implementation. They will be pleased to assist your authority with any practical advice or support that may be necessary. In addition, a series of guidance workshops for Local Education Authority staff is underway and will continue over the spring and summer terms.

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Secondary schools where behaviour is unsatisfactory

OFSTED inspectors judge behaviour to be unsatisfactory at just under 10% of secondary schools. I expect Local Authorities to give priority to helping these schools. In particular, Local Authorities should give immediate priority to such schools in deploying their Key Stage 3 Strategy Behaviour and Attendance Consultants and other specialist staff and helping the school develop and implement an action plan to improve standards of behaviour. Where the school is placed in special measures or classified as having serious weaknesses, the Local Authority should ensure that this is an integrated part of the wider recovery plan. Where a school is in special measures or has serious weaknesses re-inspection is automatic. But I am also asking OFSTED to re-visit any school with unsatisfactory behaviour outside these categories within a year to ensure that improvement is under way.

Admissions protocols

You will remember that Ministers wrote to you on 18 November to ask you to set in hand work with your Admission Forum towards a protocol on admission of hard to place pupils and to encourage groups of schools to take collective responsibility for managing support and provision for difficult pupils. Since then, officials have run a number of workshops for admissions officers and it is very encouraging that so many admissions forums are now making progress in this direction, so that protocols will be in place in September 2005.

I have, however, been considering the feedback I have received that some schools are reluctant to agree to protocols covering admission of previously excluded pupils, unless their behaviour has been improved and the schools have support in place. I believe it is important that, before any school is asked to take in previously excluded pupils, the school has arrangements in place to enable it to deal effectively with such pupils, should they become disruptive again.

I therefore announced today that admissions protocols for hard to place pupils need not apply to previously excluded pupils if the schools in the area do not consider themselves ready to take them. This should allow agreement quickly on finding places for looked after children and other hard to place pupils covered by the protocols, *which should still be agreed and put into practice in September.* Once schools have agreed between themselves and with their Local Authority arrangements for strengthening support available to them to deal with disruptive pupils, which should be completed by September 2007 at the latest, the protocol should be extended to include previously excluded pupils. Where groups of schools consider that they are already in a position, by September this year, to take previously excluded pupils, as part of an agreed protocol, then the arrangement can be put in place on that basis.

School collaboration on – and devolved funding for – behaviour management and alternative provision

Around a third of Local Education Authorities have already expressed an interest in exploring further with the Department how schools can work together, and use funding devolved from the LEA, to manage pupil behaviour and alternative provision.

My officials are running workshops for head teachers and officers from these LEAs in February and March. We expect that there will be a number of such groups up and running from this September. **I announced today that I expect that all secondary schools will be part of a group working together to manage pupil behaviour by September 2007.**

To support this approach, **I am writing now to ask that each Local Authority should hold early discussions with its school funding forum about the adequacy of local out-of-class and out-of-school provision for persistently disruptive pupils.** It is critical to get the funding balance right between Local Authorities and schools, to ensure that there is sufficient support for those pupils who most need it. The discussions need therefore to address the issue of how much of the funds available should be set aside to meet the collective needs of all schools in the area for this kind of support and, within this total, how much should be retained by the Local Authority and how much should be devolved to schools. I do recognise that it may only be possible to implement significant changes to the balance of funding from 2006/07.

I expect increased devolution of funds for behaviour support in school and alternative provision out of school to groups of secondary schools to be an important part of the local plans for strengthening alternative provision. Schools should be able to use their new purchasing power as a lever to help improve the quality of the provision they buy, whether this is from the Local Authority's Pupil Referral Unit or from the other providers or from a wider range of providers. This should also help to ensure that schools, collectively, take continuing responsibility for the well-being of their pupils, even after they have been excluded from one school in the group.

Discussions at local level about how to strengthen the range and quality of alternative provision will need to be informed by the guidance on best practice in alternative provision which the Department has developed – *Guidance for LEAs on Commissioning Alternative Provision* – and which was issued on 27 January. This emphasises the importance of assessing pupils' needs to determine the right placement for them and of developing an individual learning plan; and the need for PRUs and other kinds of alternative provision to provide an appropriate curriculum for each pupil and for individual pupil monitoring.

I am asking my officials to follow up with each Authority where these discussions get to and what process and timetable has been put in place for strengthening local alternative provision.



RUTH KELLY