

**REPORT TO:** Children, Young People and Families Policy and Performance Board

**DATE:** 10 September 2018

**REPORTING OFFICER:** Strategic Director, People

**PORTFOLIO:** Children, Young People and Families

**SUBJECT:** Exclusions

**WARDS:** Borough Wide

## **1.0 PURPOSE OF THE REPORT**

1.1 The report aims to set out the level of exclusions nationally as well as provide a summary of exclusions in Halton over the last four years. It summarises the House of Commons Education Committee report “Forgotten children: alternative provision and the scandal of over increasing exclusions” and sets out the approach in Halton to try and reduce exclusions and promote a more inclusive approach within the Borough.

## **2.0 RECOMMENDATION**

**Members of the Executive Board to:**

- i) consider and comment on the report;**
- ii) support the drive to reducing exclusions and promoting more inclusive practice.**

## **3.0 BACKGROUND**

3.1 On an annual basis the Department for Education provide National Statistics on permanent and fixed period exclusions in England. The most recent statistics for 2016/2017 were published on 19th July 2018 and updated on 6th August 2018. Table 1 below summarises the number and rate of exclusions nationally from 2014/2015 to 2016/2017 figures for 2017/2018 are not available nationally. The information shows the significant increase in both permanent and fixed term exclusions over the last three years from 2014/2015. This trend was confirmed in a recent press article which noted the national rise of pupils being excluded and sent to pupil referral units, and suggests that this is a result of the pressures placed on schools to show good results.

**Table 1**

<b>Exclusions</b>	<b>2014/2015</b>	<b>2016/2017</b>
Permanent Numbers	5795	7720
Rate*	0.7	0.10
Fixed Term Numbers	302,975	381,865
Rate*	3.88	4.76

*\*The rate refers to the number of permanent or fixed term exclusions as a percentage of the pupil numbers in January each year.*

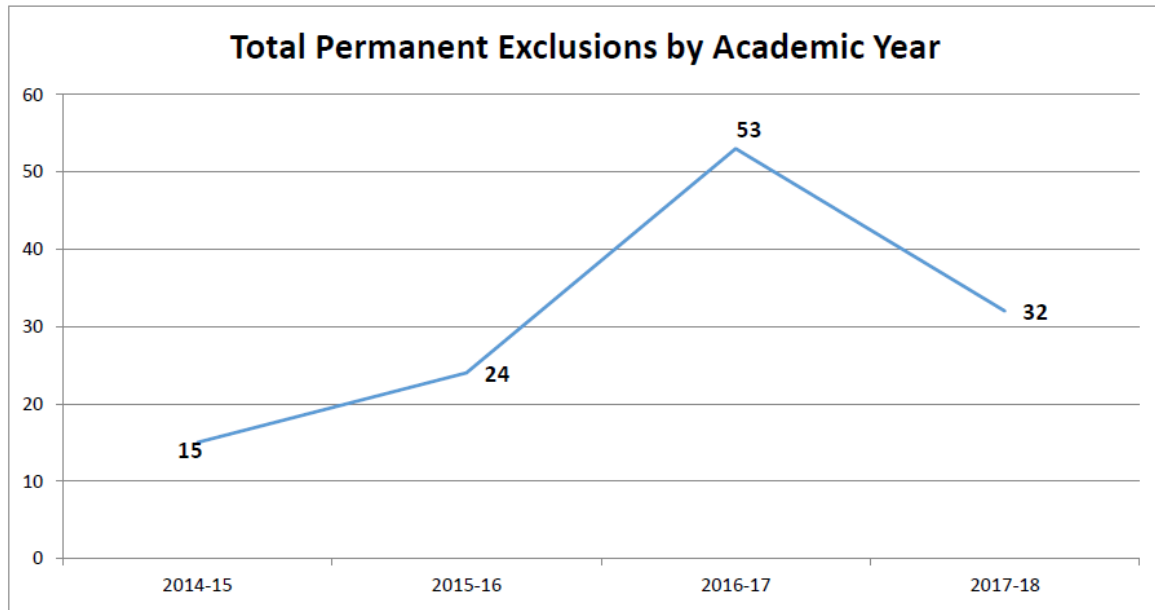
- 3.2 Table 2 provides the details of exclusions nationally split between the different sectors. This shows an increase in numbers and the rate of primary exclusions, a significant increase the number and rate of secondary exclusions and a reduction in the number and rate of both permanent and fixed term exclusions at special schools.

**Table 2**

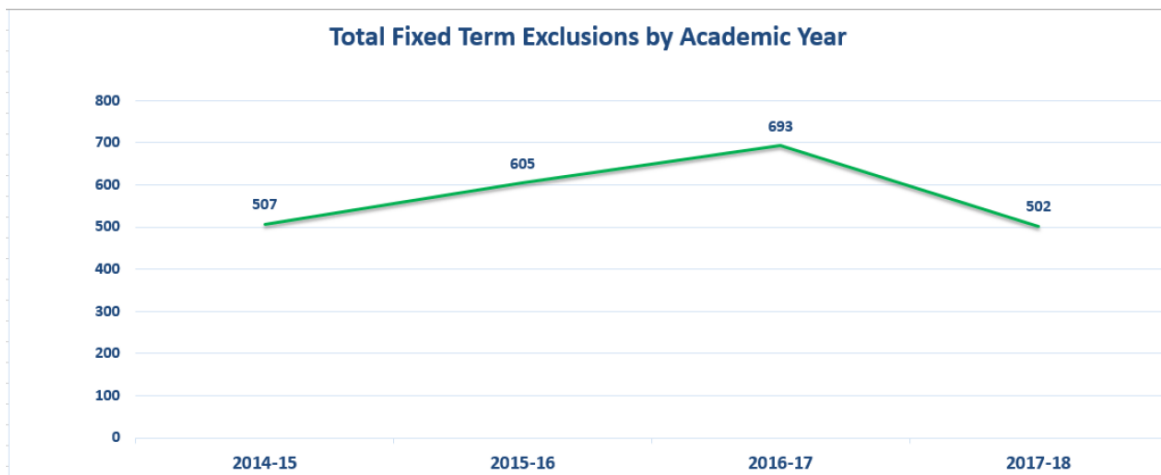
<b>Exclusions</b>	<b>2014/2015</b>	<b>2016/2017</b>
<b>Primary</b> Permanent Numbers	915	1255
Rate	0.02	0.03
<b>Primary</b> Fixed Term Numbers	49,655	64,340
Rate	1.10	1.37
<b>Secondary</b> Permanent Numbers	4,785	6,385
Rate	0.15	0.20
<b>Secondary</b> Fixed Term Numbers	239,240	302,890
Rate	7.51	9.40
<b>Special</b> Permanent Numbers	90	80
Rate	0.09	0.07
<b>Special</b> Fixed Term Numbers	14,080	14,635
Rate	13.54	13.03

- 3.3 In Halton we have information available up to the end of the academic year 2017/2018 and this shows that although permanent exclusions have increased from 15 to 32 (Chart 1), the total number of permanent exclusions reduced in 2017/2018. The second chart shows a similar trend in the case of fixed term exclusions.

**Chart 1**

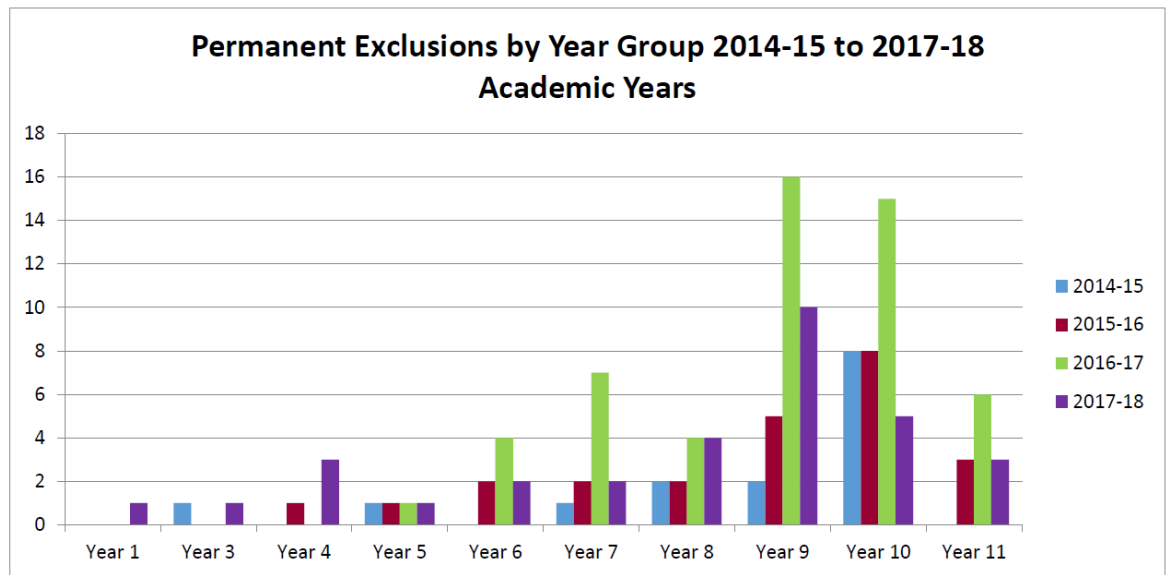


**Chart 2**

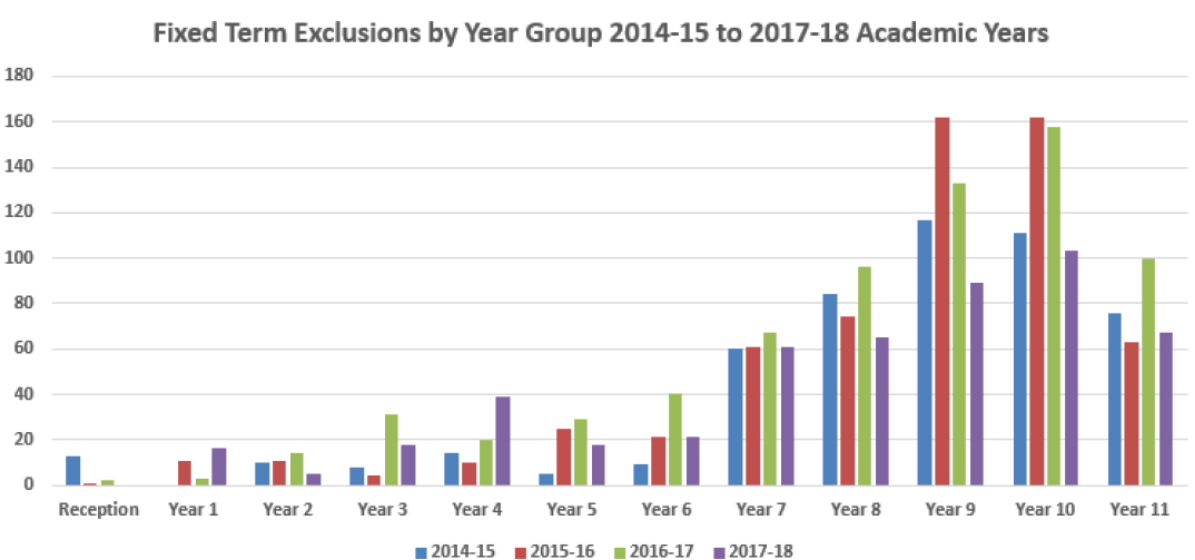


3.4 Although the total number of permanent exclusions reduced, when the reductions are considered per year group and sector the decrease is in the secondary sector in 2017/2018 with an increase in the primary sector. Chart 3 below shows the permanent exclusions per year group since 2014/2015. Chart 4 shows the fixed term exclusions per year group with an increase in Year 4 but decrease in other year groups.

**Chart 3**

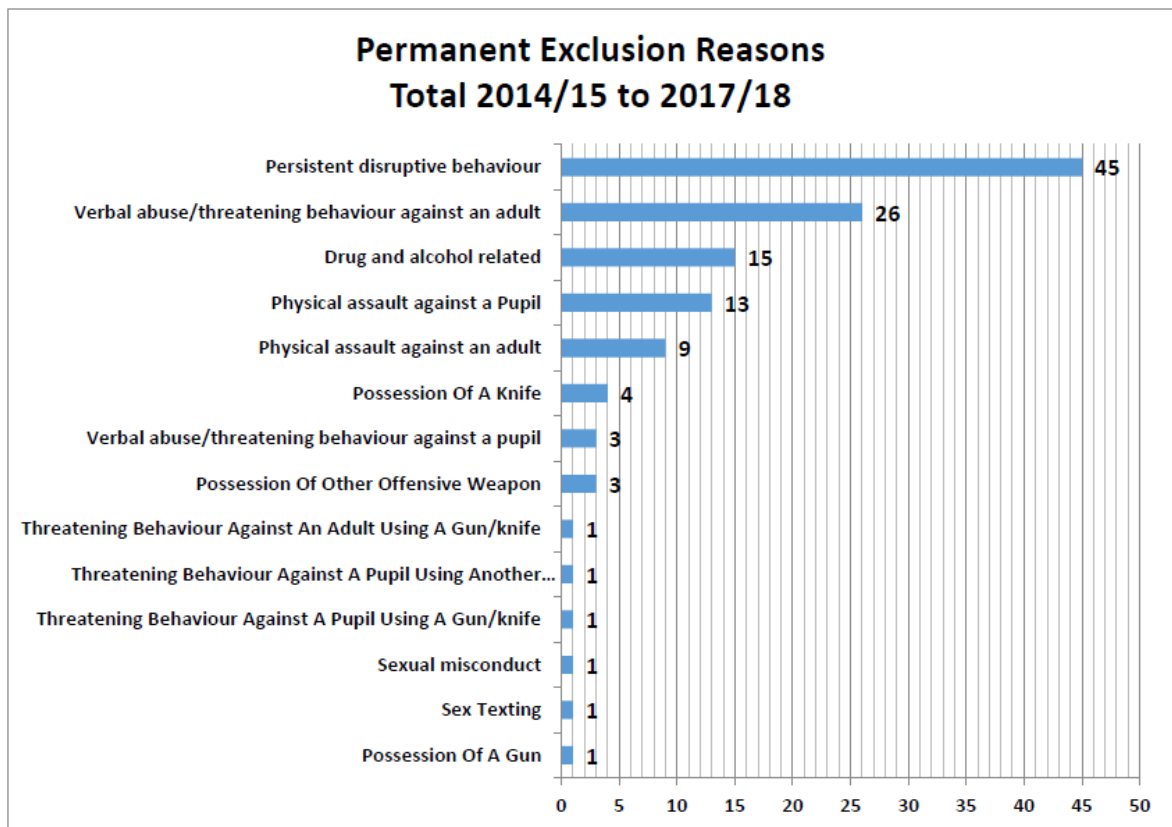


**Chart 4**

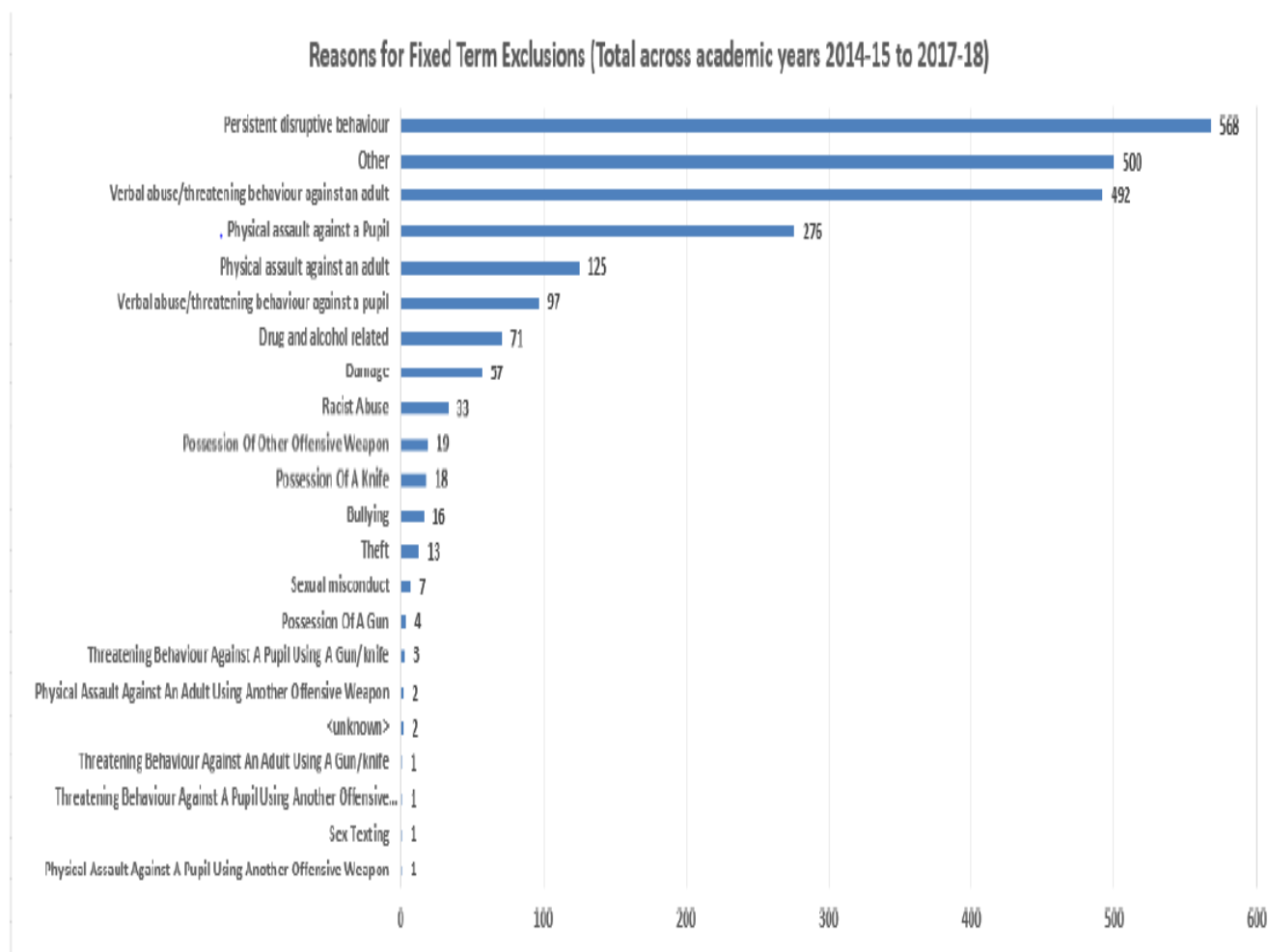


3.5 Chart 5 below shows the reasons for permanent exclusion across the four years. The main reason given is persistent disruptive behaviour. Chart 6 provides the reason for fixed term exclusion; however, in many cases schools have not provided specific reason but entered other in their records.

Chart 5



**Chart 6**



#### **4.0 REVIEW OF EXCLUSIONS**

- 4.1 In July 2018 the House of Commons Education Committee published a report “Forgotten children: alternative provision and the scandal of ever increasing exclusions”. The Committee considered over a 100 pieces of evidence. Witnesses to the inquiry included representatives from local authorities, teaching, charities and organisations representing young people, alternative provision, researchers, academics, Ofsted and the Minister of State for School Standards. The Committee, also heard directly from young people and their parents, as well as visiting a number of educational establishment including schools and a PRU.
- 4.2 In its conclusion the report makes reference to the independent Review of Exclusions currently being undertaken by Edward Timpson and it recommends that this review “ensures it looks at the trends in exclusion by school type, location and pupil demography”. It also suggests that this review “should examine whether financial pressures and accountability measures in

schools are preventing schools from providing early intervention support and contributing to the education crisis.”

- 4.3 The report states that from the evidence seen there is a rise in “Zero-tolerance” behaviour policies which ultimately result in pupils being excluded for incidents that should have been managed in a mainstream school. It therefore suggests that the Government issues guidance to all schools reminding them of their responsibilities to children and ensuring their behaviour policies reflect these responsibilities.
- 4.4 It is recommended that the Government and Ofsted “introduce an inclusion measure or criteria that sit within the schools to incentivise schools to be more inclusive”.
- 4.5 The report concludes that the increased focus on schools standards has had the unintended consequence of creating “schools environments and practices that have resulted in disadvantaged children being disproportionately excluded”. “It states that “there appears to be a lack of moral accountability on the part of many schools and no incentive to, or deterrent to not, retain pupils who could be classified as difficult or challenging.”
- 4.6 The Committee ask that the Government change the weighting of Progress 8 and other accountability measures to take account of every pupil who has spent time at a school.
- 4.7 The evidence presented showed that the current system is weighted in favour of schools and it was therefore recommended that there are changes to legislation in terms of the role of Independent Review Panels and that parents are given access to independent advocates.
- 4.8 Other recommendations address alternative provision, publications by schools of permanent and fixed term exclusions, commissioning specialist support, In Year Fair Access Protocols and the identification of a senior person in each local authority” responsible for protecting the interest and promoting the educational achievements of pupils in alternative provision”

## **5.0 REDUCING EXCLUSIONS IN HALTON**

- 5.1 The number and rate of exclusions in Halton is unacceptably high with persistent disruptive behaviour provided as the reason for the majority of exclusions. The DFE national statistics showed that in 2016/2017 the rate for secondary exclusions in Halton was 0.46 by comparison to an England average of 0.20 and North West average of 0.31. We have also seen a significant increase in the number of primary permanent exclusions in 2017/2018. Although our special schools are often faced with supporting some very vulnerable pupils, exclusions are rare. There are therefore lessons to learn from colleagues in these settings about their approach to behaviour management.

5.2 Research shows that the effect on pupils of exclusion can seriously damage their long term outcomes and mental health. We have therefore taken the following actions to try and encourage more inclusive schooling and reduce exclusions.

- Shared the data on the number of exclusions with headteachers and governors and advised on the impact exclusion has on pupils outcomes;
- Revised the In Year Fair Access Protocol for Secondary schools;
- Developed a Protocol for supporting schools with pupils with challenging behaviour;
- Developed a primary school in year admissions flow chart and clarified the position in terms of exclusions and in year admissions;
- Education Strategic Partnership Board has agreed that its key priority is Social, Emotional and Mental Health, identified a lead and established a Task and Finish Group
- Revised the arrangements for discretionary top up funding linked to the Protocol have now been agreed;
- Established and recruited to a new Behaviour Support Team;
- Invested in the provision of a new alternative provision vocational skills base at Astmoor;
- Developing additional Foundation/Key Stage 1 Resource Base provision for SEMH
- Supported the development of Nurture in schools and providers across the borough; and
- Commissioned an independent review of SEND.

5.3 Protocol for Supporting Schools with Pupils with Challenging Behaviour was developed and launched in Autumn 2017. Schools are asked to use the Protocol as soon as a pupil seems to be unresponsive to the behaviour strategies used with typical children. It reminds staff of the steps they need to take as part of a graduated approach and it sets out the support they can receive from specialist services if required. Schools are reminded that in the past too many young people have been excluded who do not appear to have been supported through a graduated approach and are unknown to the Local Authority or other services. The protocol allows schools to reflect on what they have provided to date, ensure that they have fully utilised all the resources at their disposal and encourages schools to seek advice where appropriate. When they have done this they can then complete a form setting out their support and requesting further support. A panel will then consider this form and provide direction and support.

5.4 Discretionary top up funding (previously known as enhanced provision) is now linked to the completion of this form where support for a challenging pupil is requested.

5.5 A revised In Year Fair Access Protocol (IYFAP) was agreed in 2017/2018. Secondary schools signed up to an SLA so that all in-year admissions are now co-ordinated by the LA. A panel of schools and staff meet to consider all



IYFAP requests. Once a decision has been made the details are then circulated to all secondary schools. Termly reports are provided on all in-year admissions in each school and an annual report is shared with secondary colleagues.

- 5.6 An increasing concern over the last two years has been the increase in primary exclusions and the practice of some schools of refusing to admit any pupil who has previously been excluded. This has been raised with Primary Headteachers and revised guidance has been issued to remind schools about their responsibility. However, anecdotally it has been reported that some schools will sign post and encourage parents to look at other schools in the borough rather than admit the pupil to their school. For an excluded pupil meetings now take place with the EWO, parent and school to try and address this practice.
- 5.7 At the same time as a rise in exclusions there has also been an increase in the number of children and young people whose parents have opted for Elective Home Education see table 3 below.

**Table 3**

	<b>Count of ID</b>		
<b>Year Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>
Reception	3	5	3
Year 1	4	4	5
Year 2	2	5	6
Year 3	2	3	4
Year 4	5	4	4
Year 5	4	6	4
Year 6	2	8	7
Year 7	11	12	15
Year 8	8	12	20
Year 9	7	14	22
Year 10	15	15	17
Year 11	17	20	20
<b>Grand Total</b>	<b>80</b>	<b>108</b>	<b>127</b>

- 5.8 This is also a trend which has been reflected nationally and LAs have requested more robust legislation/guidance from the government on their responsibilities in relation to EHE. Currently in Halton, parents/carers must notify school in writing if they wish their child to be educated at home and the school must notify the LA before removing the pupil from the school role. There is a protocol in place which is shared with parents/carers choosing this route. Up to 3 attempted home visits are made, the final visit letter will request a written report identifying the education being provided and

requesting examples of work completed since last visit. If no information is received or contact made then legal action will be considered. In Halton a report is provided annually to the safeguarding Board on EHE on the numbers and reason for EHE.

## **6.0 NEXT STEPS**

6.1 We are committed to working with our partners to promote a more positive approach to behaviour management, encourage greater inclusion and reduce both fixed and permanent exclusions. In 2018/2019 we are therefore looking to do the following:

- Hold an Inclusion Conference for all schools on 17<sup>th</sup> October 2018;
- Launch to New Behaviour Support Team in Autumn 2018;
- Launch the new definition of SEMH and develop an SEMH Strategy;
- Learn lessons from colleagues in special schools and specialist provision about behaviour management;
- Further develop Nurture provision within the Borough;
- More effectively challenge all exclusions ensuring that parents/carers understand their rights particularly where pupils have SEND;
- Develop our response to the review of SEND;
- Establish a new Division which will lead on Placement – with a dedicated SEND Commissioner; and
- Launch to the AP Vocational Skills base at Astmoor in September 2018.

## **7.0 COUNCIL PRIORITIES**

### **7.1 Children & Young People in Halton**

Excluding pupils impacts on their long term outcomes and their mental health by promoting inclusion and reducing exclusions we aim to improve outcomes for the more vulnerable children and young people in the borough.

### **7.2 Employment, Learning and Skills**

More inclusive practice will improve the Education, training and employment opportunities for pupils and students.

### **7.3 A Healthy Halton**

More inclusive practice will have a positive impact on the emotional health and wellbeing of challenging pupils and students.

### **7.4 A Safer Halton**

None identified.

## 7.5 Halton's Urban Renewal

None identified.

## 8.0 RISK ANALYSIS

8.1 More work will be done with schools to improve their capacity to support the most challenging pupils and support will be provided to parents and carers through the new Behaviour Support Team.

8.2 Parents, Carers and SEND Partnership, Information, Advice and Support Service (SENDIAS) will be provided with information advising them of their rights in the case of an exclusion.

## 9.0 EQUALITY AND DIVERSITY ISSUES

9.1 Through reducing exclusions and developing more inclusive practice the aim is to improve the outcomes of some of the most vulnerable pupils in the Borough.

## 10.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Forgotten Children: alternative provision and the scandal of ever increasing exclusions	Rutland House	Ann McIntyre, Operational Director, Education, Inclusion & Provision
National Statistics: permanent and fixed period exclusions in England 2016-17	Rutland House	Ann McIntyre, Operational Director, Education, Inclusion & Provision