



Date: Wednesday, 14 March 2018

Time: 10.00 am

Venue: Shrewsbury Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire,  
SY2 6ND

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## PEOPLE OVERVIEW COMMITTEE

### TO FOLLOW REPORT (S)

- 6 Proposals for the Future of Education Support for Schools (Pages 1 - 8)**  
Report to Follow
- 7 The increasing numbers of pupil exclusions from maintained schools and academies and the LAs response to this issue (Pages 9 - 20)**  
Report to follow

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<u>Committee and Date</u>	<u>Item</u>
People Overview Committee 14 March 2018	

## **Proposals for the Future of Education Improvement Support for Schools**

**Responsible Officer** Karen Bradshaw  
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### **1. Summary**

- 1.1 The funding that is provided to local authorities by central government for school improvement services has reduced and is insufficient to fund the current structure of the Education Improvement Service (EIS). There is therefore the need to reduce the capacity within the EIS.
- 1.2 Shropshire Council retains a statutory responsibility to ensure sufficient and accessible school places for all children across a predominantly rural and sparsely populated county. The EIS ensures that the Council meets its statutory duty to promote high standards and ensure the welfare of all pupils regardless of whether they attend a local authority (LA) maintained school or an academy.
- 1.3 Shropshire has a high proportion of small schools and this limits the capacity of headteachers to support other schools without compromising the effectiveness of their own school.
- 1.4 The EIS was restructured in September 2015 when the service was reduced by 50%. The service continues to ensure effective approaches to school improvement that has resulted in an increase in the proportion of good and outstanding schools that is above the national average. The service also provides a comprehensive programme of traded support – including training and development - to which almost all Shropshire schools and academies subscribe.
- 1.5 The proposals for the EIS will reduce the number of current posts by 47%. The service will retain the capacity to monitor school performance in line with the responsibilities placed upon the Council, through increased commissioning of associate headteachers.

- 1.6 The revised structure also presents substantial risks which are detailed on page 6 of this report. The most significant risks are the decline in outcomes for pupils and the proportion of good and outstanding schools from above to below national averages. These risks result from the reduction in the number of Education Improvement Advisers from September 2018 and the removal of the traded professional development programme from April 2019. The new structure will also result in reductions to the Learning & Skills Business Support service team which, in particular, will see the removal of staff who are currently fulfilling a key co-ordinating role across a wide range of Council service teams delivering traded services to schools under the Council's Inspire to Learn (I2L) banner.
- 1.7 Should the Council wish to maintain the current structures for the of the Education Improvement Service and Business Support Team, in the financial years 2018-19 and 2019-20 it would be necessary for the Council to allocate £276,000 per annum from its core budget.

## **2. Recommendations**

- 2.1 That the scrutiny committee considers the proposal to go before cabinet to:
- a. Approve sustaining the Education Improvement Service solely through grant funding from central government and de-delegated funds from Shropshire Council maintained schools.
  - b. As a result of above, to maintain a traded Education Improvement Service professional training development programme through to April 2019, at which point the Council will cease to deliver this traded service to Shropshire schools.

## **REPORT**

### **3. Risk Assessment and Opportunities Appraisal**

- 3.1 The proposed redesign of the EIS ensures a structure to enable the Council to continue to fulfil its statutory responsibilities for education and retain capacity for monitoring the performance of local authority (LA) maintained schools without meeting the costs of the service from the core Council budget.
- 3.2 The revised structure ensures:
- a) Capacity to monitor higher risk LA maintained schools by Education Improvement Advisers (EIAs)
  - b) Provision to commission and deploy sufficient associate headteachers to act as Professional Partners to support the retained EIAs in sustaining an effective approach to school

- performance monitoring of LA maintained schools, including support, challenge and intervention
  - c) Flexibility to reduce the commissioning and deployment of associate headteachers in proportion to the anticipated reduction in the number of LA maintained schools over the medium term
  - d) Provision to sustain the effective approach to monitoring the performance of academies in line with a revised Shropshire protocol
  - e) Capacity to develop and embed school-to-school (peer-to-peer) support and challenge for headteachers and governors.
- 3.3 There is substantial risk that the reduced and restructured service will result in:
- a) Declining outcomes for pupils in primary and secondary schools
  - b) A reduced proportion of schools that are judged by Ofsted to be good or outstanding
  - c) Reduced capacity to centrally support other Council service teams within and beyond Learning & Skills to trade with Shropshire schools and academies.
- 3.4 The level of resources outlined in this report are reliant on a range of external funding streams, which are likely to change over time. It will be necessary for Schools Forum to review the allocation that they currently make on annual basis.

#### **4. Financial Implications**

- 4.1 Funding for LA school improvement services has reduced substantially as a result of the removal of grants from central government over recent years. There is therefore a need to reduce the overall costs of the EIS and the administration and continuing professional development (CPD) teams in Learning & Skills Business Support.
- 4.2 From April 2018 statutory school improvement services will be funded from the following external sources, which mean that the Council is not required to provide any funding from base budget from 1 September 2018:
- a) School Improvement and Monitoring Grant
  - b) Part of the Education Services Grant for Retained Duties
  - c) Retained elements of the Dedicated Schools Grant, in particular from the Central School Services and Early Years blocks
  - d) De-delegated funding from LA maintained schools, as approved by Shropshire Schools Forum in December 2017 (subject to annual approval by Shropshire Schools Forum).
- 4.3 Should the Council wish to maintain the current structures for the of the Education Improvement Service and Business Support Team, in the financial years 2018-19 and 2019-20 it would be necessary for the Council to allocate £276,000 per annum from its core budget.

- 4.4 The Government decision to remove the general duties element of Education Services Grant from September 2017 has resulted in an overall reduction in education funding for Shropshire of £2.5m in 2018-19. Part of this reduction is being offset by the de-delegation and top-slicing of funding from LA maintained schools in order to secure the ongoing provision of statutory services to these schools. As the number of LA maintained schools reduce, the levels of funding that can be secured through this route in future years will reduce, as will the responsibility to provide support.
- 4.5 The Council is allocated a School Improvement and Monitoring Grant of approximately £1,900 per LA maintained school. As schools convert to academy status, this £1,900 grant funding allocation is removed.
- 4.6 From April 2019, the external funding sources for LA school improvement are likely to be significantly reduced:
- The LA School Improvement and Monitoring Grant is only guaranteed until the end of the 2018-19 financial year - the current expectation is that this funding will be removed in April 2019
  - The de-delegated funds from LA maintained schools will reduce or cease from the end of the 2018-19 financial year, subject to the decision of Shropshire Schools Forum.
- 4.7 In respect of the removal of the CPD team in Business Support, who currently co-ordinate all aspects of the traded offer to schools and academies through the Council's Inspire to Learn brand, there will be an increased responsibility on individual service teams across the Council, as they take on the responsibilities currently met by the CPD team in Learning & Skills.
- 4.8 The proposed restructure of the EIS and Business Support from 1 September 2018 will secure 7/12ths of the necessary reductions in the financial year 2018-19.

## **5. Education Improvement Service**

- 5.1 There are 150 state funded schools in Shropshire. As at 1 February 2018, 107 (71.3%) of the schools are maintained by the LA. The remaining 43 (29.7%) consist of academies and 1 free school. Approximately half of the academies buy-back school improvement services through Service Level Agreements with the EIS.
- 5.2 Shropshire is the largest inland county in England and it is sparsely populated. Shropshire Council retains a statutory responsibility to ensure sufficient and accessible school places for all children and young people including those who live in remote and sparsely populated areas of the county.

- 5.3 The EIS ensures that Shropshire Council fulfils its statutory duty to promote high standards and ensure the welfare of pupils regardless of whether they attend an LA maintained school, an academy or a free school. The conversion of LA maintained schools to academies will not reduce these responsibilities.
- 5.4 National education policy continues to promote the increase in the number of academies and a self-improving schools' system through school-to-school support. In September 2017, the Regional Schools Commissioner (RSC) for the West Midlands confirmed that there is likely be a dual system of LA maintained schools and academies for the foreseeable future.
- 5.5 Approximately 36% of schools in Shropshire are small and very small: 11% of schools have 50 or less pupils and a further 25% have between 51 and 100 pupils. Smaller schools are more vulnerable with regard to their financial viability and their educational outcomes are more volatile.
- 5.6 The high proportion of small and very small schools in Shropshire substantially reduces the capacity of school leaders to provide support to improve other schools without compromising the quality of provision and outcomes in their own school.
- 5.7 The core purpose of the EIS is to ensure that every pupil in Shropshire has access to a good education so that they can become successful, confident and responsible learners who can make a positive contribution to their community and wider society.
- 5.8 The EIS was last restructured for September 2015 when the number of posts was reduced from 36.4 full time equivalent (fte) posts to 17.0 fte posts. The current structure consists of a core division of EIAs (7.5 fte) and a commissioned/traded division of EIAs and officers (8.5 fte). The service is led and managed by the Commissioner for Education Improvement and Efficiency.
- 5.9 The core division is responsible for monitoring, challenge, support and - where necessary - intervention to secure school improvement of LA maintained schools. This includes issuing pre-warning or formal warning notices to secure rapid and sustained school improvement where schools do not have the capacity to become good or where they are vulnerable being judged inadequate by Ofsted. The core division also monitors the performance of academies in line with the agreed Shropshire Protocol. Additionally, the core division brokers interim leadership arrangements to secure school improvement and sustain good/better provision and outcomes for pupils in LA maintained schools. It also works closely with academies to secure rapid improvement following poor inspection outcomes and to recruit school leaders.

5.10 The commissioned/traded division provides targeted support and challenge to schools to secure improvement. Work commissioned by the LA includes:

- Investigation and resolution of safeguarding concerns
- Ensuring compliance with statutory assessment and moderation procedures
- Subject support and challenge in targeted schools where school performance monitoring has identified weaknesses in teaching and learning.

Traded work includes:

- Provision of a comprehensive programme of continuing professional development (CPD). In 2017-18, 92% of Shropshire schools and academies have bought into the EIS service level agreement and/or CPD offer.
- Bespoke consultancies commissioned by schools and academies to address priorities for improvement.

5.11 The EIS is a very effective statutory service. The impact of the service includes, but is not limited to:

- a) The increased the proportion of good and outstanding LA maintained schools to above the national averages – national figures (Data View) confirms that 93% of Shropshire schools are currently good or outstanding. Shropshire is identified in HMCI's annual report 2017 as an equal 10th ranked LA for the improvement in the percentage of good or better primary schools
- b) The improved outcomes over time and in 2017 across early years, key stage 1, key stage 2 and key stage 4
- c) Thorough and timely responses to safeguarding complaints that have been made directly to Ofsted and then referred to the LA
- d) Successful brokering of (interim and permanent) leadership and management arrangements, including governance for schools following long-term illness or resignation of the headteacher
- e) The closure of unsustainable schools with the support of governors and understanding of local communities
- f) Effective moderation of key stage 1 and key stage 2 outcomes through rigorous and accurate practice
- g) The co-ordination and support for newly qualified teachers including professional development, monitoring and quality assurance
- h) Effective induction of newly appointed headteachers
- i) The provision of a comprehensive offer of professional development for leadership and management and teaching and learning across all curriculum areas.

5.12 The funding provided for school improvement from April 2018 is insufficient to meet the costs of the current structure. It is therefore necessary to redesign the EIS to ensure that the service retains the

capacity to secure effective education improvement at reduced cost or to commit sufficient funding to maintain the current structure.

- 5.13 The proposed new structure will reduce the EIS from 17.0 fte posts to 9.1 fte posts from September 2018. It will comprise of a single team of EIAs and officers (including 1 senior adviser), responsible for undertaking the LA's statutory duties to monitor the performance of schools and academies, early years provision, safeguarding compliance and, assessment and moderation.
- 5.14 This team will not have the capacity to undertake these statutory responsibilities and deliver the non-statutory CPD programme. The reduction in capacity will result in diseconomies of scale that will increase the financial risks of continuing to provide a traded CPD programme beyond April 2019.
- 5.15 In order to deliver the 2018-19 EIS service level agreement, the proposal is to sustain the CPD programme through to the end of March 2019. This is possible through maintaining a 0.5 fte fixed term co-ordinating role for this period and to use associate consultants to deliver the programme in the autumn 2018 and spring 2019 terms, rather than salaried staff. Discussions will take place with a range of potential Shropshire-based providers during the year with a view to establishing a co-ordinated CPD offer to schools from April 2019, at which point the LA will cease to trade an EIS CPD programme.
- 5.16 In order to deliver the 2018-19 EIS service level agreement, the proposal is to sustain the CPD programme through to the end of March 2019. This is possible through maintaining a 0.5 fte fixed term co-ordinating role for this period and to use associate consultants to deliver the programme in the autumn 2018 and spring 2019 terms, rather than salaried staff. Discussions will take place with a range of potential Shropshire based providers during the year with a view to them leading and sustaining the provision to schools from April 2019, at which point the LA will cease to trade an EIS CPD programme.
- 5.17 The proposed structure also ensures funding to commission and deploy associate headteachers to support the retained EIAs to continue to monitor school performance. This approach will also develop and school-to-school support for headteachers.
- 5.18 The proposed structure also presents substantial risks with regard to the quality of provision and outcomes for Shropshire pupils. The risks include but are not limited to:
- a) Reduced capacity to support schools before, during and after Ofsted inspections resulting in a decline in proportion of good and outstanding schools to a level below the national average resulting from less effective challenge and reduced capacity for intervention.

- b) An increase in the number of schools entering an Ofsted category of concern (serious weaknesses or special measures) or judged to require improvement
- c) Poorer outcomes over time across early years, key stage 1, key stage 2 and key stage 4, resulting from reduced opportunities for high quality subject specific course-based and school-based professional development for staff, especially for phonics, reading, writing and mathematics in key stages 1 and 2 resulting from reduced capacity to ensure compliance with statutory duties regarding moderation of key stage 1 and key stage 2 outcomes
- d) Less effective leadership and management (including governance) of schools resulting from reduced accountability of headteachers and governors to local councillors
- e) No capacity to broker interim or permanent leadership and management arrangements, including governance for schools following long-term illness, dismissal or resignation of headteachers - this increases the risk of school closures
- f) Reduced capacity to monitor the performance of academies
- g) Reduced capacity to support schools following critical incidents that compromise the effective operation of the school(s)
- h) Reduced capacity to support the Standing Advisory Committee for Religious Education (SACRE) which is a statutory committee.

5.19 Consultation is underway with the Shropshire’s school community on their future requirements for CPD, in order to continue to support them with a programme linked to a service level agreement with the EIS for the financial year 2018-19. This information will inform discussions with local partners, who have the potential to sustain CPD services to schools and academies from April 2019. The local partners include University Centre Shrewsbury (UCS) and the Shropshire based Teaching School Alliances.

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b>
<b>Cabinet Member (Portfolio Holder)</b> Nick Bardsley
<b>Local Member</b> All Members
<b>Appendices</b> None



<u>Committee and Date</u>
People Overview Committee
14 <sup>th</sup> March 2018

<u>Item</u>
<u>Public</u>

## THE INCREASING NUMBERS OF PUPIL EXCLUSIONS FROM MAINTAINED SCHOOLS AND ACADEMIES AND THE LOCAL AUTHORITY'S RESPONSE TO THIS ISSUE

**Responsible Officer Chris Kerry, Education Access Service Manager**

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### 1. Summary

- 1.1 This paper provides details of the current position regarding the levels of fixed term and permanent exclusions in Shropshire and how this compares to the national rates of exclusions. It informs Scrutiny about this area of statutory responsibility for Shropshire Council, the impact of exclusions and the actions undertaken to ensure continuity of education and to secure the best possible outcomes for children and young people.
- 1.2 The exclusion of pupils from maintained schools, academies and pupil referral units is covered by the following principal legislation:
  - the Education Act 2002, as amended by the Education Act 2011;
  - the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
  - the Education and Inspections Act 2006;
  - the Education Act 1996; and
  - the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.
- 1.3 New statutory guidance was published in September 2017 but the legislation governing the exclusion process remains unchanged. The statutory guidance has been updated in a small number of areas, in particular to provide greater confidence to Headteachers on their use of exclusion and to provide greater clarity to independent review panels and governing boards on their consideration of exclusion decisions.

### 2. Recommendations

- 2.1 The Scrutiny Committee is asked to note the details given in this paper and provide comment in respect of the Council's approach to fulfilling its responsibilities.

## REPORT

### 3.0 Pupil Exclusions

- 3.1 In Shropshire, pupil Exclusion and Inclusion comes under the remit of the Education Access Service (EAS) in Learning & Skills. The dedicated Inclusion Team that sits within this service is comprised of an Education Access and Safeguarding Officer, Inclusion Officer, Parental Engagement Officer and an Advisory Teacher for Gypsy, Roma, Traveller (GRT) children. Administrative support is allocated for 30 hours per week during term time.
- 3.2 The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.
- 3.3 A permanent exclusion refers to a pupil who is excluded and who will not return to the school they're excluded from (unless the exclusion is overturned).
- 3.4 Permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- 3.5 A fixed term exclusion refers to a pupil who is excluded from school for a set period of time, from part of the school day to 45 school days.
- 3.6 Pupils can be excluded for a fixed term multiple times, as long as the total fixed periods in an academic year do not add up to more than 45 days, including exclusions from previous schools they have attended.
- 3.7 All pupils have a right to education and the excluding school is responsible for taking reasonable steps to set and mark work for pupils during the first five school days of an exclusion; and alternative provision must be arranged from the sixth day (fixed term exclusion).
- 3.8 For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth school day of the exclusion.

### 4.0 Exclusion Statistics

#### 4.1 The National Trend

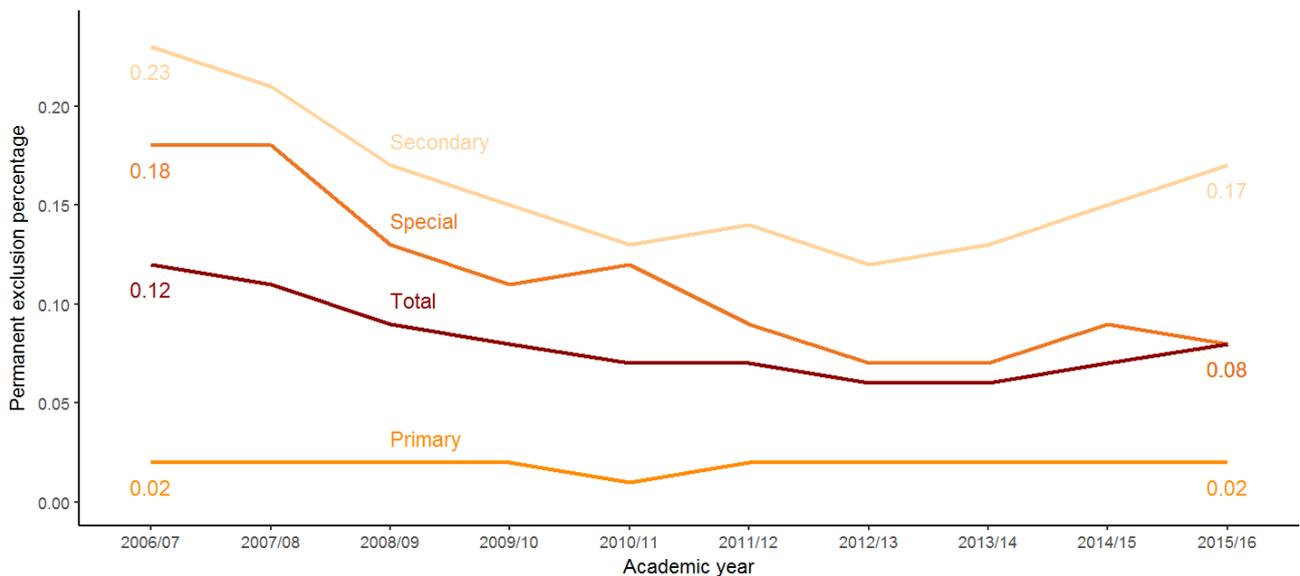
The exclusion rates for certain groups of pupils are consistently higher than average. This includes: pupils with Special Educational Needs (SEN); pupils eligible for free school meals; looked after children; and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy/Roma; Travellers of Irish Heritage; and Caribbean pupils.

The Department for Education (DfE) publishes exclusions statistics from schools' census data. The latest release was in July 2017 and relates to 2015-16 academic year.

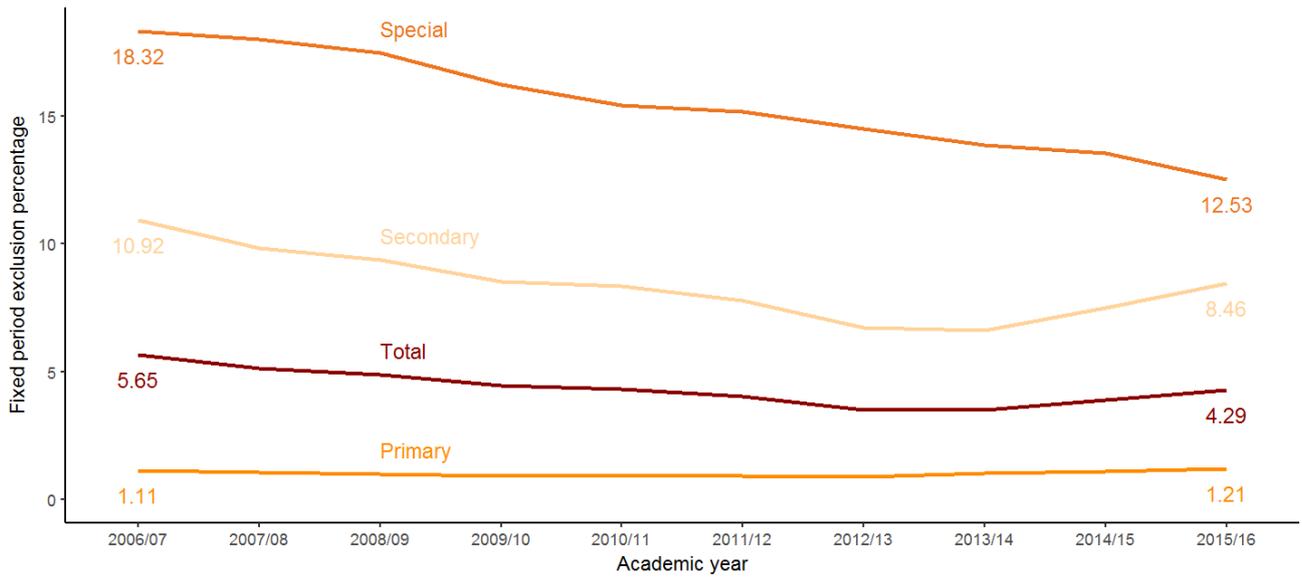
- The number of permanent exclusions across all state-funded primary, secondary and special schools has increased from 5,795 in 2014/15 to 6,685 in 2015/16. This

corresponds to around 35.2 permanent exclusions per day in 2015/16, up from an average of 30.5 per day in 2014/15.

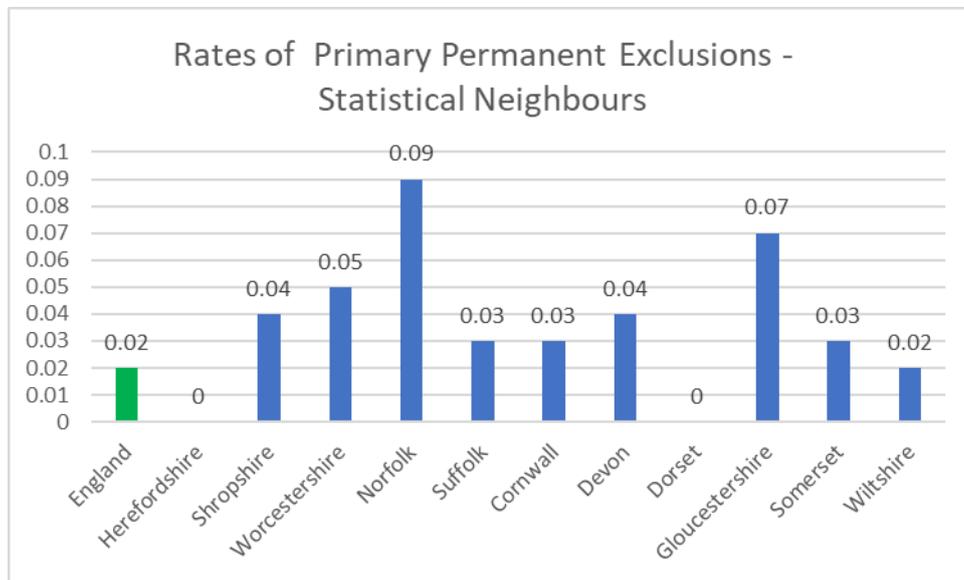
- The rate of permanent exclusions across all state-funded primary, secondary and special schools has also increased slightly from 0.07 per cent to 0.08 per cent of pupil enrolments, which is equivalent to 8 pupils per 10,000.
- Most (81 per cent) permanent exclusions occurred in secondary schools. The rate of permanent exclusions in secondary schools increased from 0.15 per cent in 2014/15 to 0.17 per cent in 2015/16, which is equivalent to 17 pupils per 10,000
- The rate of permanent exclusions stayed the same in primary schools, at 0.02 per cent, and decreased in special schools from 0.09 per cent in 2014/15 to 0.08 per cent in 2015/16

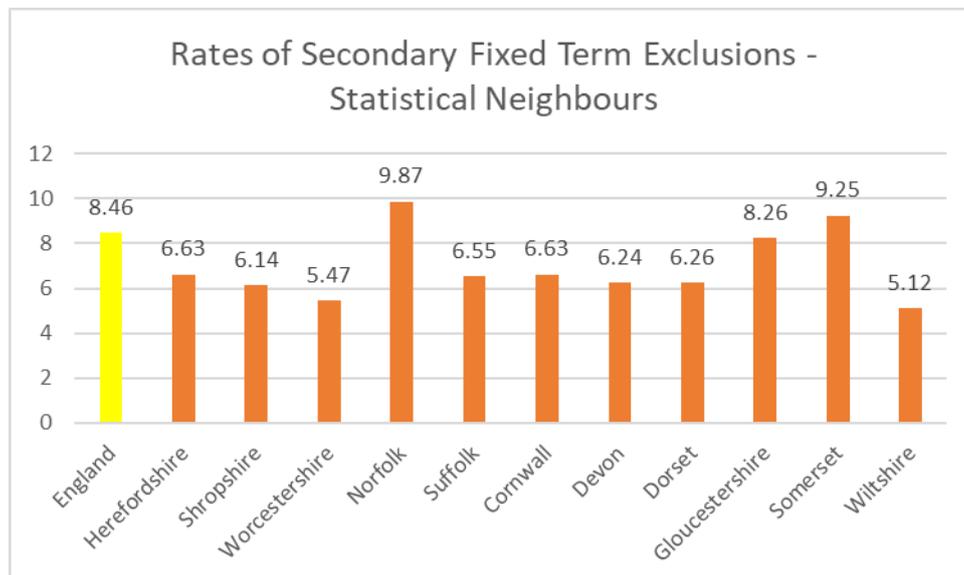
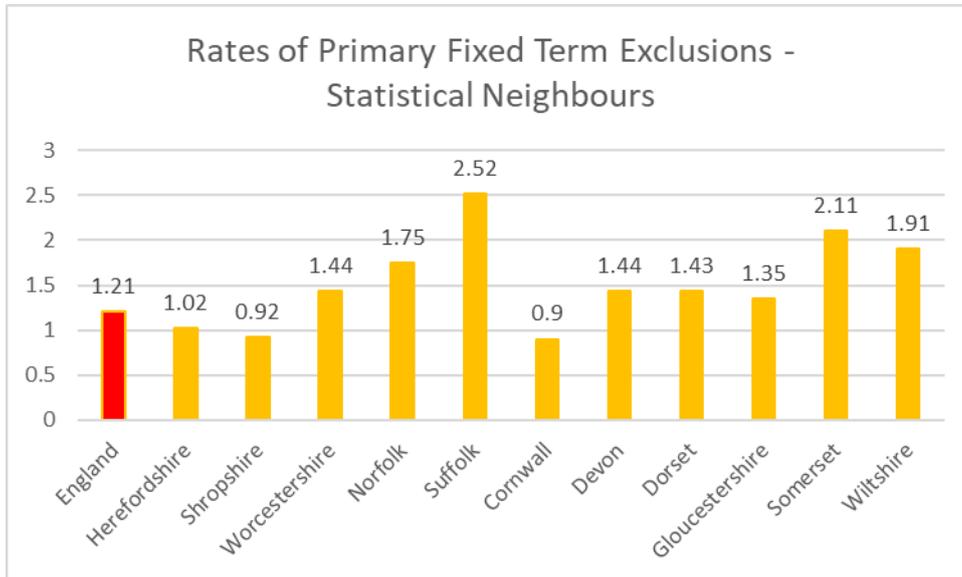
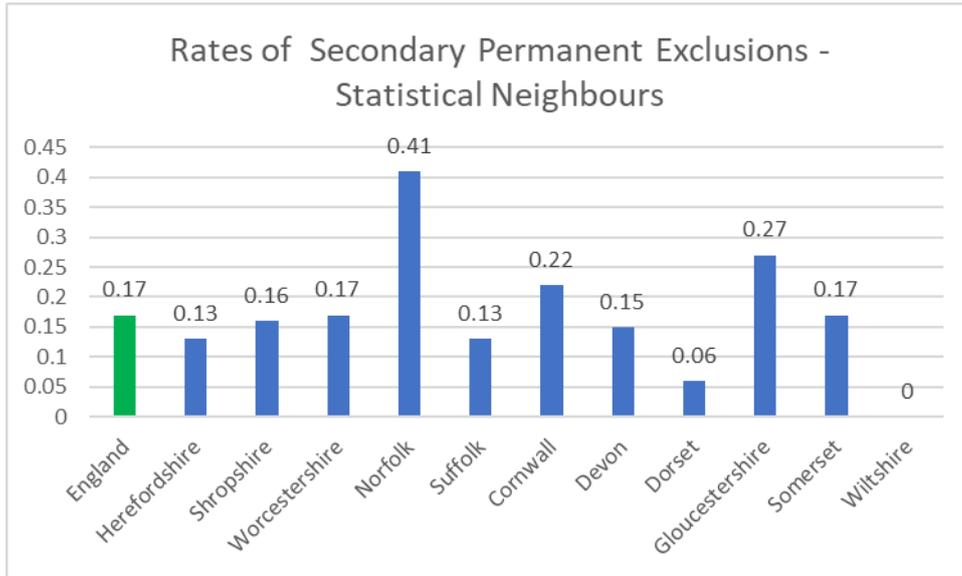


- The number of fixed period exclusions across all state-funded primary, secondary and special schools has increased from 302,975 in 2014/15 to 339,360 in 2015/16. This corresponds to around 1,790 fixed period exclusions per day in 2015/16, up from around 1,590 per day in 2014/15.
- The rate of fixed period exclusions across all state-funded primary, secondary and special schools has also increased from 3.88 per cent to 4.29 per cent of pupil enrolments, which is equivalent to 429 pupils per 10,000.
- There were increases in the number and rate of fixed period exclusions for both state-funded primary and secondary schools but rates decreased in special schools:



#### 4.2 Shropshire's Statistical Neighbours 2015-16:





#### 4.3 Shropshire Statistics

Data provided for 2017-18 covers the period 1 September to 1 March 2018.  
 Figures in brackets show the totals for the same period in previous years.

PERMANENT EXCLUSIONS				
Phase	2015-16	2016-17	2017-18 so far	2017-18 *Year- end forecast
Secondary	31 (17)	37 (25)	34	62
Primary	10 (3)	9 (4)	10	20
<b>Total</b>	<b>41 (20)</b>	<b>46 (29)</b>	<b>44</b>	<b>82</b>

\*Based on 6 half terms, there were 41 permanent exclusions in the first 3 half terms of this academic year. If exclusions continue at the current rate we could potentially see 82 by 31 July 2018.

FIXED TERM EXCLUSIONS				
Phase	2015-16	2016-17	2017-18 so far	2017-18 *Year- end forecast
Secondary	1155 (528)	1374 (758)	764	1528
Primary	217 (141)	343 (201)	168	336
<b>Total</b>	<b>1372 (669)</b>	<b>1717 (959)</b>	<b>932</b>	<b>1864</b>

Shropshire rates of exclusion against numbers on roll:

4.4	2017-2018	NOR	Permanent	Rate	Fixed	Rate
	Primary	20774	10	0.05%	168	0.81%
	Secondary	15798	34	0.22%	764	4.84%
	<b>Totals</b>	<b>36572</b>	<b>44</b>	<b>0.27%</b>	<b>932</b>	<b>5.65%</b>

	2016-2017	NOR	Permanent	Rate	Fixed	Rate
	Primary	20378	9	0.04%	343	1.68%
	Secondary	15773	37	0.23%	1374	8.71%
	<b>Totals</b>	<b>36151</b>	<b>46</b>	<b>0.27%</b>	<b>1717</b>	<b>10.39%</b>

	2015-2016	NOR	Permanent	Rate	Fixed	Rate
	Primary	20135	10	0.05%	217	1.08%
	Secondary	15690	31	0.20%	1155	7.36%
	<b>Totals</b>	<b>35825</b>	<b>41</b>	<b>0.25%</b>	<b>1372</b>	<b>8.44%</b>

In the academic year 2016-17 Persistent Disruptive Behaviour was the top reason for a permanent exclusion followed by Physical Assault Against a Pupil.

In 2017-18 (so far) Physical Assault Against an Adult is currently the top reason followed jointly by Drug and Alcohol Related and Persistent Disruptive Behaviour.

- 4.5 The reasons provided to the local authority for headteachers' decisions to exclude pupils. Please note that the data provided for 2017-18 covers 1 September 2017 to 1 March 2018. Fixed term exclusion figures denote the number of episodes rather than the number of pupils.

SECONDARY PERMANENT EXCLUSIONS			
Reason	2015-16	2016-17	2017-18 so far
Verbal abuse/threat to pupil	1	1	0
Verbal abuse/threat to adult	5	1	1
Sexual misconduct	0	0	1
Physical assault against pupil	3	8	2
Physical assault against adult	2	1	6
Other	6	6	8
Damage	2	1	0
Persistent disruptive behaviour	6	16	8
Drug and alcohol related	6	2	8
Bullying	0	1	0
Total	31	37	34

PRIMARY PERMANENT EXCLUSIONS			
Reason	2015-16	2016-17	2017-18 so far
Verbal abuse/threat to pupil	0	0	1
Verbal abuse/threat to adult	1	0	3
Physical assault against pupil	2	3	0
Physical assault against adult	4	1	3
Other	1	1	0
Damage	0	1	0
Persistent disruptive behaviour	2	3	3
Total	10	9	10

SECONDARY FIXED TERM EXCLUSIONS			
Reason	2015-16	2016-17	2017-18 so far
Verbal abuse/threat to pupil	47	55	33
Verbal abuse/threat to adult	228	186	164
Theft	12	13	7
Sexual misconduct	9	10	3
Racist abuse	16	20	17
Physical assault against pupil	188	199	100
Physical assault against adult	22	16	19
Other	361	538	211
Damage	22	18	17
Persistent disruptive behaviour	194	274	162
Drug and alcohol related	43	34	20
Bullying	13	11	11
Total	1155	1374	764

PRIMARY FIXED TERM EXCLUSIONS			
Reason	2015-16	2016-17	2017-18 so far
Verbal abuse/threat to pupil	6	17	2
Verbal abuse/threat to adult	29	45	25
Theft	0	1	0
Sexual misconduct	3	2	1
Racist abuse	2	2	0
Physical assault against pupil	55	68	24
Physical assault against adult	58	89	45
Other	16	20	4
Damage	1	5	3
Persistent disruptive behaviour	47	92	62
Bullying	0	2	2
<b>Total</b>	<b>217</b>	<b>343</b>	<b>168</b>

SPECIAL SCHOOLS FIXED TERM EXCLUSIONS			
Reason	2015-16	2016-17	2017-18 so far
Verbal abuse/threat to pupil	2	0	0
Verbal abuse/threat to adult	14	16	5
Sexual misconduct	0	0	1
Theft	1	7	0
Racist abuse	0	1	11
Physical assault against pupil	9	11	6
Physical assault against adult	11	7	5
Other	2	3	6
Damage	2	12	6
Persistent disruptive behaviour	11	19	12
Drug and alcohol related	0	0	3
Bullying	0	0	0
<b>Total</b>	<b>52</b>	<b>128</b>	<b>43</b>

#### 4.6 Fixed term exclusions pupils with special educational needs

15-16 = 598 = 22% of pupils had either an EHCP or a statement - 27% had SEN Support.

16-17 = 763 = 18% of pupils had either an EHCP or a statement – 34% had SEN Support.

17-18 = 815 = 22% of pupils had either an EHCP or a statement – 24% had SEN Support.

Including both those pupils with an EHCP or statement and those at SEN support the increase from 16-17 to 17-18 is 7%. The increase from 15-16 to 17-18 was 36%

## 5.0 Influences and Impact

### 5.1 Factors contributing to the increase in exclusions cited by Headteachers include:

- Changes to the curriculum with a move back to a more academic, exam focused timetable
- Removal of or reduction in vocational qualifications that qualify for performance measures
- School inspection regime and Progress 8 expectations (secondary phase)
- Reduction in school budgets and consequently, reduction in specialist support staff

- Increase in children and young people presenting with social, emotional and mental health conditions and issues (SEMH)
- Cuts to external services and reduction in agency support to prevent escalation of issues leading to exclusion
- Socio-economic factors
- Substance misuse and associated criminal activity

5.2 There are clearly identified risks and impacts for children and young people who have been excluded from school, in the short, medium and longer term.

5.3 Exclusion always impacts a child negatively. This can include:

- reduced or no access to the education that all children are entitled to receive,
- social exclusion and loss of access to healthy, appropriate social activity,
- sense of failure, loss and disengagement,
- issues around emotional health and wellbeing,
- opportunities to engage in inappropriate/anti-social behaviour in their community,
- entering the criminal justice system,
- increased vulnerability to abuse; often, sexually or criminally exploited children will have experienced exclusion or attendance issues,
- failure to achieve their potential and/or gain qualifications, leading to lack of opportunities later in life,
- longer term effects on the individual and the community can be:
  - Unemployment
  - Financial and housing issues
  - Mental health issues
  - Criminality
  - Substance misuse.

5.4 Increases in exclusions have an impact on local authority resources.

The cost to the LA for the 18 permanent exclusions made during the autumn term 2017 (1 September to 31 December 2017) was:

6th day provision delivery cost	£41,815.00
Transport	£35,685.50
*AWPU funding to new provision.	£5,852.76
Other	£250.00
<b>Total Expenditure</b>	<b>£83,603.26</b>
<b>Income from AWPU funding</b>	<b>£32,978.88</b>
<b>Variance</b>	<b>-£50,624.38</b>
<b>Average cost per pupil</b>	<b>£2812</b>

\*Age weighted pupil unit (AWPU) is the rate local authorities set to allocate basic entitlement funding for all pupils in the funding formula for pre-16 pupils in mainstream schools. It is a compulsory factor which must be used in the funding formula. When a child is permanently excluded, the LA will retrieve this funding to provide for their future needs.

It should be noted that, in addition to the direct costs of dealing with an excluded pupil, there are the additional costs associated with referrals to other agencies across children and adult services.

- 5.5 Since 2015 to 2018 **using the period 1 September to 31 January** there has been a 147% increase in permanent exclusions. Staffing levels in the Inclusion team have not increased.
- 5.6 Although local authorities are required to provide provision from the sixth day of a permanent exclusion, this is challenging for the following reasons:
- Assessment of individual needs has to be made in order to ensure that a pupil's needs can be met appropriately in a new setting.
  - TMBSS has fixed capacity across its centres in Shrewsbury, Bridgnorth, Oswestry and Ludlow.
  - Where transport needs to be arranged, this will take up to five days due to tendering requirements.
- 5.7 Another emerging issue around sixth day provision are the risks of placing pupils with complex needs with others in similar situations. This is particularly relevant when working with young people who misuse substances and alcohol and those who may be at risk of sexual or criminal exploitation. This can mean pupils being transported out of area to mitigate risk.
- 5.8 The increasing number of children who are excluded on a permanent basis is placing pressure on alternative provision capacity.
- 6.0 Actions and procedures to promote inclusion and reduce rates of pupil exclusion**
- 6.1 Shropshire Council encourages schools to take a preventative approach and expects that a pupil will only be excluded as a last resort, in line with statutory guidance.
- 6.2 As part of its collaborative approach to working with schools and families, the Inclusion team asks schools to organise pupil planning meetings (PPM) at an early stage. These meetings provide a forum for parents, professionals and the child (if appropriate) to explore the issues and triggers causing challenging behaviour and to agree appropriate actions and interventions to support the child in school.
- 6.3 In the academic year 2016 – 17, 150 pupil planning meetings were attended by the two Inclusion team Officers.
- 6.4 There are a variety of services and interventions available to support schools in managing challenging behaviour including Shropshire Council's own Woodland's Outreach, TMBSS and Educational Psychology Services. Schools can also access resources through the SEND Graduated Pathway. However, schools often cite their own diminishing budgets and resources as a barrier to accessing this help.
- 6.5 Shropshire Council, through Learning and Skills, is currently working with colleagues from Teaching Schools and another local authority to formulate a bid for funding through Round 3 of the School Improvement Fund. If successful, the focus of work from September 2018 will be on enabling schools to provide an inclusive environment for all pupils, improve behaviour and thus reduce exclusions and persistent absence from school.

- 6.6 Shropshire Council has also formed a strategic working group to monitor exclusions and undertake audit activity around inclusive practice in schools.
- 6.7 When a Headteacher does take the decision to permanently exclude a pupil, the Education Access Service makes arrangements to provide education from the sixth day. There is currently a commissioning arrangement with the Tuition, Medical and Behaviour Support Service (TMBSS) to make provision for this until a child is placed in a new school or more specialist setting.
- 6.8 The excluded pupil's case is presented to Shropshire Council's Specialist Placement Panel (SPP), chaired by the Education Inclusion and Safeguarding Officer. The Panel meets every fortnight to assist the local authority to make the best decisions possible about efficient education for children and young people with SEN and those who may have unrecognised special educational needs who are excluded or at risk of exclusion. Panel membership consists of Educational Psychologists, SEND Officers, headteachers from Special Schools and Alternative Provision, Virtual School Headteacher for Looked After Children, Social Care and Early Help and a mainstream school headteacher.
- 6.9 A recommendation is made at Specialist Placement Panel (SPP) about whether the pupil's needs can be met through placement in another mainstream school, or if they need a period of assessment and/or a more specialist educational setting.
- 6.10 If it is appropriate that the pupil is placed in a mainstream school, under Shropshire's Fair Access Protocol, the case is presented to the Fair Access Panel. The Fair Access Panel is a peer led process with headteachers taking part in a rota to sit on panel and make the decision of where a pupil is placed.
- 6.11 The aim of the Fair Access Panel is to:
- to ensure the swift and efficient placement of pupils who have been permanently excluded into new provision within given timescales, i.e., by the sixth day of exclusion);
  - to ensure no school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour,
  - to implement an open and transparent process for these admissions.

## 7.0 Conclusion

This report highlights the rise in exclusions being seen in Shropshire and nationally. We are concerned about this because every time a child is excluded from school it indicates an underlying issue that needs to be addressed. Children experiencing difficulties in accessing their education are less likely to achieve expected outcomes and achieve their potential.

Challenging behaviour always has an underlying cause and is a symptom of unmet needs in a child's life, the causes can be many and varied.

Recommended reading:

- Children's Commissioner Report  
Children's Voices - A review of evidence on the subjective wellbeing of children excluded from school and in alternative provision in England - [find it here](#)

- “They never give up on you” - [find it here](#)  
Office of the Children’s Commissioner School Exclusions Inquiry

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

DfE Statistical First Release – Pupil Exclusions July 2017

Exclusion from maintained schools, academies and pupil referral units in England, Statutory guidance for those with legal responsibilities in relation to exclusion – September 2017

Shropshire Council’s Fair Access Protocol

**Cabinet Member (Portfolio Holder)**

Cllr Nick Bardsley

**Local Member**

All Members

**Appendices**

None