



**Committee and Date**

**People Overview Committee**

**29 September 2021**

**Item**

**Public**

**School Exclusions**

**Responsible officer**

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**1.0 Summary**

1.1 This paper provides details of the the levels of permanent exclusions in Shropshire and how this compares to the national rates of exclusions. It informs scrutiny about the challenges faced by educators and the local authority and the cost and impact of permanent exclusion on children and the system.

**2.0 Recommendations**

2.1 The committee is asked to note the details given in this paper, in particular the causes of and the broader impact of increasing numbers of exclusions and consider what resources may be required to address the increasing numbers of pupils being excluded and how their needs can be effectively met.

**REPORT**

**3.0 Risk assessment and opportunities appraisal**

3.1 School exclusions result in poorer outcomes for children who are excluded, particularly because these children are already considerably more likely than their peers to have had adverse childhood experiences, experience deprivation, or to have a special education need or disability. Expulsion not only harms educational outcomes, but also places children at greater risk of criminal or sexual exploitation.

3.2 Any risks or opportunities arising from this report will depend on any recommendations made by the committee which are subsequently agreed by Cabinet or Council.

**4.0 Financial implications**

4.1 There are no direct financial implications from the recommendations contained in this report, as it is for information only.

**5.0 Climate change appraisal**

5.1 There are no climate change implications arising directly from this report.

**6.0 Background**

6.1 The rate of school exclusions in Shropshire has increased steadily since 2012, a trend that continued until schools were closed due to the Covid-19 pandemic in March 2020. Most exclusions are applied in secondary schools.

- 6.2 There is an increase in both fixed term and permanent exclusions and, of particular concern, are the numbers of children with special educational needs who are now being excluded at a higher rate than the national average (England). This was identified as a weakness in the SEND Ofsted inspection in January 2020 and is included as Priority 6 in the Written Statement of Action (WSOA) resulting from the inspection. This is attached as Appendix A.
- 6.3 The national lockdown on 23 March 2020 interrupted the upward trajectory of permanent exclusions in the academic year 2019/20. At this point the total number was 44 and it was predicted that the number would top 100 by the end of the academic year.

<b>Shropshire permanent exclusions</b>					
	2015/16	2016/17	2017/18	2018/19	2019/20 (March)
Primary	10	9	16	12	5
Secondary	34	39	56	78	39
Special	0	2	1	0	0
<b>Total</b>	<b>44</b>	<b>50</b>	<b>73</b>	<b>90</b>	<b>44</b>

In 2019/20 **the rate of permanent exclusion was 0.08**, down from 0.16 in 2018/19 (due to lockdowns), but which is still higher than national (see below).

In the academic year 2020/21, despite further periods of lockdown where schools were only open to vulnerable and keyworkers' children, the local authority was notified of **75 permanent exclusions**. 24 of these were averted by the local authority Inclusion team, 7 were rescinded and 1 was overturned on appeal to the pupil disciplinary committee. This left 43 completed permanent exclusions, of which 19 were of pupils in Key Stage 4 (44%).

#### 6.4 **National rates of exclusion**

The latest release from the DfE is for 2019/20. The number of permanent exclusions has decreased in 2019/20 from 7,900 to 5,100. This is driven by the effect of the national lockdown that started in the Spring term.

The overall rate for permanent exclusions is 0.06 in 2019/20, down from 0.10. This is the equivalent of 6 in every 10,000 pupils. This reduction is also reflected across school types.

### 7.0 **The risks and impact of permanent exclusion**

- 7.1 Department for Education guidance states that "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."
- 7.2 Besides the immediate significant financial cost of permanent exclusion to the local authority in carrying out its duties regarding sixth day provision, the impact on the life chances and future financial burden on the wider welfare system cannot be ignored.

Children who have been excluded often do not reach their potential in terms of obtaining good qualifications and securing good employment opportunities.

### 7.3 **Adverse Childhood Experiences and Exclusion**

Children who are considered vulnerable are more likely to be excluded and there is clear evidence of links between safeguarding and exclusion. An audit of all 24 children who were permanently excluded in the autumn term 2020 was undertaken with a focus on 'adverse childhood experiences' (ACEs) (Attached at Appendix B).

7.4 Of the 24 pupils who were permanently excluded during the period covered by the audit, there was clear evidence of multiple adverse childhood experiences present in the lives of 14 children and young people. There was evidence of at least two ACEs for all 14 children. 58% of pupils who were permanently excluded during the scoping period were impacted by ACEs

7.5 ACEs refer to some of the most intensive and frequently occurring sources of stress that children may suffer early in life. It has been evidenced that considerable and prolonged stress in childhood has lifelong consequences for a person's health and wellbeing.

7.6 Direct ACEs include all types of abuse by a parent/caregiver. Indirect ACEs include parents addicted to drugs and alcohol, domestic abuse in the household, family member in prison, mental illness, abandonment including through divorce or separation.

7.7 ACEs have been causally and proportionately linked to poor physical, emotional and mental health and have a significant impact on social and educational outcomes.

### 7.8 **Child Exploitation**

Children who are excluded are also more at risk from all forms of exploitation and abuse from external sources rather from their primary caregivers. An audit of exclusions with the focus on exploitation was undertaken in March 2019 (attached at Appendix C).

7.9 Recommendation 2 in the audit report was *"Schools need to keep children in school by responding to challenging behaviour and additional needs. Action needs to be taken to combat schools who persistently exclude or off roll (Children's Commissioner 2019); we need to consider the best approach to managing young people who present challenges, we know that exclusion and TMBSS only serves to increase risk and vulnerability, isolation from school will push these young people further into the clutches of perpetrators and increase the opportunities for exploitation"*.

### 8.0 **The direct financial costs of permanent exclusion**

8.1 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.

8.2 In order to fulfil its statutory obligation the local authority commissions sixth day provision from the Nisai online school, Shropshire's Tuition Medical Behaviour Support Service and Targeted Provision SEND tutors. Other alternative provision may be used to provide a more bespoke package when necessary.

8.3 Dependent upon their circumstances and individual needs, the costs of educating permanently excluded pupils to the local authority have ranged from £2,200 up to £39,200 (per pupil).

8.4 In 2018/19 the costs of providing for the needs of the 90 children who were permanently excluded totalled £302,473; these are costs beyond those which would ordinarily be spent on children's education.

## **9.0 The causes of permanent exclusions, and work to address increasing rates**

9.1 The causes are varied and complex and we are working hard to understand the factors contributing to the increase in numbers over a relatively short period of time. We believe the following factors have an impact on exclusion rates:

- Austerity – reduction in funding leading to restructuring of services to focus on statutory duties and targeted support, rather than a universal offer.
- Conversion to academy status changing the lines of accountability for schools;
- Real term funding cuts in schools and historical funding inequities in Shropshire Pastoral teams are usually the first to experience redundancies. [Total spending per pupil in England was just over £6,500 in the latest complete year of data in 2019-20, a fall of 9% in real terms compared with its high point of £7,200 in 2009-10, according to analysis by the [Institute for Fiscal Studies](#).]
- Emerging contextual safeguarding issues, with criminal exploitation (County Lines) gaining a foothold in parts of Shropshire.
- Increasingly complex needs/issues around mental health and wellbeing (some linked to the pandemic) and long waiting lists for services;
- Use of social media causing issues in schools; this can limit relationship development especially in secondary phase students
- Changes to curriculum with focus on exams, most schools no longer provide in-house vocational courses;
- Capacity issues in the Tuition, Medical, Behaviour Support Service (TMBSS).

9.2 A workstream is in place to focus on Inclusion and reducing levels of exclusion. Its purpose is to:

- review approaches, processes, provision and services to ensure that all Shropshire children and young people, including those with special educational needs and/or disabilities have access to a suitable full-time education.
- reduce the level of fixed term and permanent exclusions experienced by children in Shropshire.

9.3 Other work underway includes the following:

- A review of the TMBSS primary model has been completed. A new model of delivery is to be implemented from January 2022.

- A draft community Inclusion policy is currently out for consultation. This document has been produced in collaboration with partners including education, parent and carers' council (PACC) health, early help and social care.
- Operation Encompass is successful in achieving its aim of notifying educational establishments of domestic abuse incidents so that they are able to understand and support children in school. (ACES.) Schools are also notified of any children who have missing episodes.
- The Inclusion team attend Pupil Planning Meetings to support children and advise schools with regard to behaviour management and referral pathways.
- Officers attend Pupil Disciplinary Committee Meetings routinely (although are only allowed to speak if invited to in Academies).
- Promoting and using person centred approaches and one-page profiles
- EAS Team Leader participates in weekly Exploitation and Missing Triage meetings
- Education is fully represented on the Serious, Organised Crime Joint Area Group (SOCJAG) and a number of SSCP Sub-groups
- Well-established Specialist Placement Panel. The Specialist Placement Panel helps the Local Authority to make the best decisions possible about efficient education for children and young people who require access to a specialist provision. This includes pupils who have been permanently excluded.
- Successful development and implementation of Fair Access Panel. All permanent exclusion cases are initially presented at specialist placement panel. If panel members agree that it is appropriate for an excluded pupil to reintegrate into mainstream school, then the case will be presented to Fair Access panel where headteachers, who have no connection to the excluding school or potential receiving school sit to discuss the allocated cases. Fair Access Panel is a safe forum for confidential discussion. It encourages peer on peer challenge for headteachers to discuss those cases where a pupil with additional needs has been excluded and ensures that consideration is given to requirements for further support that is required in their new setting. The process is robust and all schools have signed up to the process.
- School Performance Monitoring cycle measures schools according to their inclusive practices/levels of exclusions.

9.4 Planned work includes the following:

- Develop a Managed Moves process and protocol. Most local authorities have managed moves in place. This will require a new post to facilitate the moves on a 'spend to save' model.
- Further review of the TMBSS model of delivery and sixth day provision in order to increase capacity in the system.
- Continue to work with schools on cultural change so that in Shropshire, children 'belong' to everyone and they are able to access the right provision at the right time.

- Provide appropriate support around behaviour management but also exert appropriate scrutiny and challenge where services are not inclusive.
- Address waiting lists for services and staff capacity.
- Develop training offer to schools.
- LA to ensure school governors receive training on how they can help shape their school's ethos, understand their role in the exclusion process and scrutinise school behaviour policies and practices.
- Consider reinstating behaviour Adviser and behaviour support team.

**10.0 Conclusion**

10.1 In order to turn the tide of permanent exclusions, partners must build on the work we have started to create a fully inclusive community that understands the factors driving behaviour in schools. Behaviour is always a form of communication which we must hear, act upon and provide the necessary response and resources to adequately/fully meet the needs of our children and young people. This is more important than ever, as we also begin to understand the impact of the Covid-19 pandemic and deal with its aftermath.

It is also firmly in the interests of Shropshire to invest in our children's futures to ensure the stability and growth of our communities and wider society as we face the challenges to come.

<p><b>List of background papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b></p> <p>None</p>
<p><b>Cabinet member (portfolio holder)</b></p> <p>Portfolio Holder for Children and Young People</p>
<p><b>Local member</b></p> <p>All</p>
<p><b>Appendices</b></p> <p>Appendix A Local Area SEND Written Statement of Action (WSoA)</p> <p>Appendix B Autumn 2020 Audit of Permanent Exclusions with focus on Adverse Childhood Experiences</p> <p>Appendix C March 2019 Audit of Exclusions with focus on Exploitation</p>