



Buckinghamshire County Council Select Committee

Children's Social Care and Learning Select Committee

Report to the Children's Social Care and Learning Select Committee

Title:	Permanent Exclusions - Focus on Primary Schools
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1. Purpose of Agenda Item

The purpose of this report is to provide information relating to recent rise in permanent school exclusions, the research we have done to understand this rise and the actions we have taken to mitigate the issue. This report has a specific focus on the primary sector as this is where we have seen the biggest percentage rise.

2. Background

Last academic year 2015/16 Buckinghamshire saw almost a 100% increase in the amount of permanent school exclusions across both the primary and secondary sectors. This was most notable in the primary sector where the rise was from 6 permanent exclusions in 2014/15 to 24 in 2015/16.

Appendix 1 contains a table that breaks down the overall increase in numbers by year group since 2009/10. Table 2 outlines the reasons schools have given each year for permanently excluding.

National data is always 1 to 2 years behind and therefore does not include the recent rise in Buckinghamshire. In the academic year 2014/15 the national data showed that overall permanent exclusions from all schools have gone up from 0.06% to 0.07%, however



mainstream primary school permanent exclusions have remained the same at 0.02% of the population.

Buckinghamshire is reported to have had 0.01% of permanent exclusions for the primary sector, equal to our statistical neighbours (below the national average of 0.02%) and 0.13% from secondary mainstream (below the national average of 0.15% but above our statistical neighbours which was 0.07%).

<https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2014-to-2015>

3. Summary

Children who are permanently excluded from schools have worse long term outcomes than their peers, their educational achievements suffer, they are more likely to develop mental health issues and become involved in the criminal justice system. A survey of 15 to 18 year olds held in custody reported that 90% of the young men and 75% of the young women had been excluded from school. There is a significant difference in the cost between educating pupils in mainstream schools, special schools and Pupil Referral Units (PRU's). In 2007 New Philanthropy Capital estimated the aggregate lifetime cost of permanent exclusions from school to be £650 million.

The decision to exclude a pupil is the sole responsibility of a Head Teacher and must be lawful, reasonable and fair. Head Teachers must have regard to the DfE guidance and the local Buckinghamshire guidance. Permanent exclusions should only be issued as a last resort after cumulative fixed term exclusions or as a 'one-off' for a serious offence.

Parents can appeal decisions through the Board of Governors and the Independent Review Panel although schools cannot be forced to re-admit the pupil even if the appeal is found against them.

The Local Authority has a responsibility to find a permanently excluded pupil an offer of education within six days of them being permanently excluded. PRU's invite parents and the pupil for interview to discuss the provision to be made available from the 6th day after a permanent exclusion.

The Buckinghamshire Primary PRU has 3 small sites and has 36 FTE places available. The Local Authority commission 10 FTE for permanently excluded mainstream pupils with the remaining 26 commissioned by schools to support behaviour and avoid exclusions. The increase in exclusions last year meant that all the places were full and there was no other provision available to fulfil the Local Authority's 6 day provision requirement.

Additionally the primary PRU only takes children in key stage 1 and 2 and does not have the expertise or facilities to accommodate compulsory aged reception children still at foundation level. Last year for the first time pupils in foundation level were permanently excluded. Therefore the Local Authority had to find alternative packages of education to ensure they met their 6 day provision duty.

4. Key issues

4.1. April 2016 - Primary Permanent Exclusions Review

Because of the steep rise in primary school exclusions a dive review was undertaken in spring 2016. The review focused on the previous 25 primary school permanent exclusions. This resulted in the following findings as at April 2016:

Local	National (based on stats 13/14)
Predicted: 18 increase in Permanent Exclusions (PX) cases from academic year 14/15 to 15/16.	29% increase.
88% of exclusions are boys.	Over 75% of exclusions were of boys.
96% (24 out of 25) involve SEN children. 20 of which were diagnosed prior to PX.	70% of exclusions of SEN pupils.
24% of exclusions were of Black or Black British pupils.	3 times more likely to be excluded.
56% of children excluded are eligible for Free School Meals (FSM).	Four times more likely to be excluded than non-Free School Meals pupils.
Over half of exclusions were due to persistent disruptive behaviour (PDB).	32% of exclusions for PDB.
Over ¾ of exclusions took place in schools rated "Good" or "Outstanding" by Ofsted. These schools were also more likely to exclude on more than one occasion.	Unknown.

4.2. Data Analysis

From the analysis, the report drew attention to six areas of the data that gave a clearer picture of the current situation in Buckinghamshire:

- **The Root of Permanent Exclusions in Buckinghamshire:** Unmet special educational needs are the primary reason that leads to permanent exclusions of pupils at primary level. Increasing numbers of children are being placed on Education Health Care Plans (EHCP's) and the needs of these children are not being met within mainstream education;

- **Breakdown by Academic Year:** There is a steady rate of permanent exclusion cases across all primary year groups therefore it is difficult to target strategies to a particular age. This academic year saw 2 reception aged children PX'd. This offers a unique challenge for the Council as Pupil Referral Units are not commissioned to provide education to foundation aged children.
- **Inconsistent use of Persistent Disruptive Behaviour:** Behaviour that schools perceive to be Persistent Disruptive Behaviour (PDB) differs throughout the county due to levels of tolerance. This leads to inconsistent treatment of pupils from school to school;
- **Permanent Exclusions in “Outstanding” Schools:** There is a correlation between level of Ofsted Rating and use of PX. Moreover, the higher the Ofsted rating, the more likely a school is to PX on more than one occasion;
- **Social Care and Education:** With 2/3 of PX pupils being known to Social Care, there is a need for more collaboration between services to increase opportunities for prevention and share knowledge about each child.

4.3. What Caused the Rise - June 2016

As a result of the initial findings further work was done to understand the possible reasons for the rise. This was done through interviews with other Local Authorities, Head Teachers, SENCOs, the PRU and Education Officers within the Council. Although it was impossible to draw any single conclusion based on the available data the following factors that came to the surface were:

- The national government's language relating to permanent school exclusion has changed and the guidance they issued (then withdrew due to legal challenge) appeared to actively encourage its use;
- OFSTED has placed a greater emphasis on behaviour and schools may be responding by having a lower tolerance to poor behaviour in their schools thus excluding more readily;
- There are issues and time delays with getting support/assessment for SEND pupils;
- Higher thresholds and waiting lists for services that can support schools with behaviour means less support is available;
- A perverse financial incentive existed whereby it costed a school less money to exclude than to buy in additional support. Conversely schools were allocated less money when taking on a previously permanently excluded pupil therefore there was no incentive to reintegrate back into mainstream;

- The home situation is a contributing factor and a driver to behavioural concerns. The lack of information sharing between Social Care and Education means this is not managed effectively;
- Recruitment concerns surrounding experienced teachers who can effectively manage behaviour exacerbates the issues;
- Parents putting increasing pressure on schools not to have disruptive pupils in the classroom is a concern.

4.4. The Permanent Exclusion Avoidance plan

The Permanent Exclusion Avoidance Group was set up in the spring term 2016. It coordinates through one plan all the different initiatives that are being developed that could have a bearing on the number of exclusions in the County (both for secondary and primary age). It also identifies gaps and aims to further understand the issues and takes the lead for new work if applicable.

Some of the primary aged work that has happened since the initial plan was drafted includes:

- A revamped primary offer from the PRU which includes whole school behaviour support for 15 schools per term. Early results from this shows that fixed term exclusion are down in all the participating schools;
- Improved links between the Primary Exclusion Officer and the Early Help process. This will help support referrals of all appropriate primary 'at risk' pupils. Referrals and outcomes will be tracked and hopefully an Education Psychologist will be seconded to the Early Help Panel at some point in the future;
- A moving on process has been agreed with Primary PRU and our Special Educational Needs team. Data will be monitored next term to see if this has made moving SEND pupils on from the PRU any quicker;
- A more robust challenge to schools where the Local Authority feels exclusion reasons are weak;
- Single View has been implemented to join up Education and Social Care data;
- The Education and Social Care Protocol has been rolled out and termly Social Care attendance at Hubs and Liaison Group Meetings have been agreed;
- New training opportunities have been offered to schools on managing behaviour;
- Agreement has been reached for changing the funding formula that is used to charge excluding schools and allocate to admitting schools to produce a fairer system;
- The Graduated Approach and the SEND Strategy have both been developed and are currently going through the formal approval processes;

- A new transition process from early years to reception is being trialled to ensure that schools can support children entering reception appropriately.

4.5. Current Picture – Academic Year 2016/17 - Permanent Exclusions as at 31/12/2016

At the end of the Autumn Term there were 44 permanent exclusions overall (primary and secondary), down from 54 at the same time last year. In the primary sector there were 6, down from 13 at this point last year.

Of the primary sector two had EHC plans and a further two were under statutory assessment. The final two had identified SEND, a continuation of the trend seen previously where mainstream schools feel they are not able to support pupils with SEND.

The primary PRU is full due in part to a lack of places in special schools and the time taken to undertake a statutory assessment where this had not been instigated in a timely manner by the school prior to permanently excluding.

The reduction in exclusions in the primary sector is welcomed and is also reflected in the number of pupils at risk of permanent exclusion which is down from 40 to 19 (informal data collected by the Exclusions and Reiteration Team). The exact causal factors for this reduction are difficult to identify. Continuous monitoring throughout the year will continue and an end of year survey will be undertaken to ascertain guiding factors.

The increase in the secondary sector last year was influenced in part by an increase in one off serious incidents related to substance abuse and weapons related incidents and incidents such as these often result in more than one pupil being excluded at a time. This period there have been less one off incidents but only a small decrease in the overall reduction in the secondary sector.

The government's white paper 'Educational Excellence Everywhere' proposed that moving forward schools would retain the responsibility for their pupil's attainment even if they did permanently exclude. However a number of the proposals contained in this have been shelved and although government officials have stated they would still like this aspect of the white paper to be implemented there are no current plans to change the law to allow this to happen.

5. Resource implications

There were no new resources available to tackle this problem therefore any work that has taken place to reduce exclusions has been done by realigning existing resources.

The Local Authority did need to use the PRU contingency budget to spot purchase additional places at the PRU.

6. Next steps

There is still further work to be done and a number of initiatives are already being explored or are work in progress as part of the plan. These include:

- Research into the feasibility of developing a Pupils Educationally At Risk Panel;
- Improved and more easily accessible behaviour management resources for schools;
- A task and finish group to develop resources for schools on awareness of the risks of carrying weapons;
- Further research into the secondary sector permanent exclusions.