

## TRAFFORD COUNCIL

**Report to:** Children and Young People's Scrutiny Committee  
**Date:** 8<sup>th</sup> October 2019  
**Report for:** Information  
**Report of:**

### Report Title

Exclusion from school and other related aspects

#### **Exclusion from school**

Exclusion is the Head teacher's decision alone. The Head teacher must follow the Department for Education guidance ([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/641418/20170831\\_Exclusion\\_Stat\\_guidance\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)) and must notify the Local Authority. Exclusion must involve a serious breach, or persistent breaches, of the school's behaviour policy.

All permanent exclusions, and some fixed period exclusions, must be reviewed by Governors.

Schools must place the pupil in full time Education elsewhere from Day 6 of a fixed period exclusion. They will need to Commission, quality assure and monitor that Alternative Provision

#### **Permanent exclusion.**

The Local Authority must place all pupils in full time Education from the 6<sup>th</sup> day following a permanent exclusion. The Local Authority are responsible for commissioning, quality assuring and monitoring the Alternative Provision. The Local Authority should attend Pupil Disciplinary Committee meetings and Independent review Panel meetings for pupils excluded from maintained schools as a neutral party to ensure guidance is followed.

The Local Authority cannot advocate on behalf of the parents/pupil, nor can they change the decision. The Education of Vulnerable Children Service can offer advice and guidance to Head teachers relating to whether an exclusion is an appropriate sanction, and signpost to support where there may be unmet needs or other issues. Most Head teachers will seek advice before making a final decision.

Prior to 2012, the rate of permanent exclusion across Trafford was usually lower than the national average but it has been rising since 2013-14 when it was 0.07% of the pupil population to 0.16% in 2017-18. 2018-19 has shown a downturn to 0.12%. National data isn't yet available, but comparison to other North West authorities is favorable.

Permanent exclusions of pupils with an EHCP are very low. The Education of Vulnerable Children Service will liaise with SEN colleagues and the school to prevent a permanent exclusion and facilitate a better outcome, wherever possible,

we cannot overturn a Head teacher's decision.

We have seen an increase in the number of children who have received an EHCP following permanent exclusion in recent years, and have been working with other colleagues and schools to try to address this.

The rate of exclusions from Grammar Schools is very low and is usually an exception. These pupils usually return to mainstream school fairly quickly.

The high excluding schools are also those schools who take a higher proportion of pupils with issues. Many of these schools buy our SLA and will work closely with the LA in addressing issues.

16 of 19 Secondary schools have Permanently Excluded at least 2 pupils in the last 5 years, three schools have had no permanent exclusions in that period (all Grammar schools).

70% of excluded pupils were male and 40% took place whilst the pupil is in Y10.

Whilst the chart shows that a high proportion of exclusions are recorded as children of white ethnicity, it should be noted that around a third have no ethnicity recorded. That said, of those recorded 66% are of White British ethnicity, and 69% for all White ethnicities. This is around the level we would expect when comparing against the demographics in the school census.

By Ward, the highest number of pupils are resident outside the Borough (OoB) – 54. The highest for a Trafford ward is Bucklow, with 27. The next 4 places are filled with the 4 wards in North Area

The 10 wards with the lowest numbers are in South and Central areas.

**Fixed period exclusions** in Trafford are lower than the National average. More data is required for a breakdown into vulnerable groups, but the data that we do have indicates that there is an issue with exclusions of pupils with SEN.

Analysis of last year's partial cohort data indicated that there were a very small number of schools with a high number of SEND Fixed Period Exclusions, this is reflected across the 5 year trend. If they were removed from the data, Fixed Period Exclusions of children with SEND were around the National average. Officer's have challenged and supported the schools.

The number of days lost to Fixed Period Exclusions varies across schools.

Fixed Period Exclusions of Children in Need and those under Child Protection is low. 9.6% of fixed period exclusions between 2014-19 were from Primary schools, although numbers of pupils are low. All Secondary sector schools except one Special School have instances of Fixed Period Exclusions recorded during this period.

As with Permanent exclusions, Out of Borough resident pupils account for the biggest proportion of Fixed Period Exclusions: around 20% of the total, followed by Bucklow Ward.

The next 3 highest wards are in North area: wards in South / Central have the lowest number.

The proportion is similar to permanent exclusions in that 27% were girls, 73% Boys. Y10 was the biggest single group, followed by Y 8, 9 & 11.

The main reasons were:

1. Physical Assault against Pupil
2. Serious Breach
3. Verbal Abuse / Threatening Behaviour against Adult

Data recording is done manually based on information sent from schools and ethnicity data capture is patchy. Where recorded, White British is by far the biggest and accounting for half the total, where ethnicity is recorded or not.

### **Alternative Provision**

Alternative Provision is education provided off the school site. All schools must commission, quality assure and monitor a pupil in any alternative provision used for a pupil who is on roll at the school.

Schools will be responsible for the costs with the exception of pupils who need specialist medical/SEND provision.

The Local Authority must commission, fund, quality assure and monitor a pupil in any alternative provision used for a pupil who is not on a school roll nor educated otherwise.

The Education of Vulnerable Children Service only places pupils in our Pupil Referral Unit (Trafford High School), The Medical Education Service and Longford Park Special School. The first two are rated as 'Good' by Ofsted, the latter is rated as 'Outstanding'.

If parents choose not to send their children to school, they must bear all costs and provide an education which is 'suitable and efficient'.

Where the LA has reason to believe that the education isn't suitable and efficient, they can request evidence from the parents.

The LA have no right to enter the home or meet with the child to satisfy this.

If not satisfied, legal processes to return the child to education can be followed.

### **Returning pupils to education**

Pupils who have been permanently excluded may need more support to return to mainstream education. The Bridge programme was developed with the aim of improving pupil outcomes by ensuring that pupils leaving the Pupil Referral Unit were ready to return to mainstream school by gradually reintegrating them into school with support. This also reduced numbers in a substantially overcrowded Pupil Referral Unit at no additional cost to the High Needs Block as it was using funding already allocated, in a different way. The Bridge evolves each year with fluctuating need, and we now have fewer permanent exclusions, and so fewer eligible pupils to place on the programme.

Pupils who have been successful in the Bridge programme, are then taken to the Fair Access Panel in Trafford to be allocated a school place. Accessing a school place can be very difficult in Trafford as all but one Secondary school are their own Admissions authority. Time can be spent applying for different schools and going through various appeal processes. Meanwhile the Local Authority has a statutory duty to put education in place if the child isn't on roll at a school.

Children Missing education Panel (CME) is a multi agency panel which meets monthly to identify children not on a school roll and take steps to remedy that.

Fair Access Panel (FAP) meets every 6 weeks for secondary pupils and makes recommendations that a child should go on roll at a named school. This process has difficulties as most children are not eligible for a Grammar school and may have been permanently excluded from another school. The pool of receiving schools is small, and there can be an impact on these schools and their existing pupils at a large number of in-year entries. We are about to launch a task & finish group with stakeholders to investigate possible options for Y11 in –year pupils, where the impact is largest for the pupil.

The Local Authority and schools are working together through the Education Board to produce an Inclusion Charter for Trafford schools to sign up to. We are aiming to have a statement relating to Fair Access and Admissions.

### **Removal from roll and off-rolling**

Schools can only remove a pupil from roll under one of the designated reasons and must notify the LA immediately.

(Section 8 of the Education Pupil Registrations Regulations (England).)

The Local Authority must, where relevant, use powers available to return the child to education. (e.g. School Attendance Order).

This removal from roll has been recorded in different places depending on the specific regulation it relates to. We are now moving to a position where this will be overseen by one officer who will be able to follow up on cases and patterns.

Off-rolling usually refers to the possibility of parents removing their child from the school roll to prevent an outcome such as prosecution for non-attendance, prevent exclusion, because they were unhappy with the school, or, allegedly, on the advice of a school. It is extremely unlikely that one of the reasons in Section 8 won't have been given. Ofsted may look at removals from roll in a school to try to verify if the reasons recorded are accurate.

### **Recommendation(s)**

**The Committee is asked to endorse the following actions:**

**A new data system is purchased which can bring together all of the non-academic information around pupils, so that vulnerable cohorts can be more easily identified and tracked. Analysis is currently very resource heavy as data often has to be transferred or cross referenced manually.**

**When the Behaviour and Standards Officer post is filled, the Officer carries out:**

- **an analysis of permanent exclusion from secondary school to determine how many permanently excluded pupils have transferred into the school after the start of Y7.**
- **Initiates shared conversations across groups of schools to consider the appropriate length of fixed period exclusions depending on age and what the behavior policy breach relates to.**

Contact person for access to background papers and further information:

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