

# Overview & Scrutiny

## Children and Young People Scrutiny Commission

All Members of the Children & Young People Scrutiny Commission are requested to attend the meeting of the Commission to be held as follows

**Wednesday, 10th October, 2018**

**7.00 pm**

**Council Chamber, Hackney Town Hall, Mare Street, London E8 1EA**

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**Tim Shields**

Chief Executive, London Borough of Hackney

**Members:** Cllr Margaret Gordon (Vice-Chair), Cllr Sophie Conway (Chair),  
Cllr Katie Hanson, Cllr Soraya Adejare, Cllr Ajay Chauhan,  
Cllr Humaira Garasia, Cllr Clare Joseph, Cllr James Peters,  
Cllr Clare Potter and Cllr Caroline Woodley

**Co-optees:** Graham Hunter, Michael Lobenstein, Liz Bosanquet, Jane Heffernan, Jo  
Macleod, Ernell Watson, Shuja Shaikh and Sevdie Sali Ali

## Agenda

**ALL MEETINGS ARE OPEN TO THE PUBLIC**

- 1 Apologies for Absence**
- 2 Urgent Items / Order of Business**
- 3 Declarations of Interest**
- 4 Outcomes of Exclusions in Hackney - evidence session** (Pages 1 - 124)
- 5 Minutes of the Previous Meeting** (Pages 125 - 138)
- 6 Children and Young People Scrutiny Commission - 2018/19 Work Programme** (Pages 139 - 148)
- 7 Any Other Business**  
To include updates on children and young people related issues from other scrutiny commissions



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### Further Information about the Commission

If you would like any more information about the Scrutiny Commission, including the membership details, meeting dates and previous reviews, please visit the website or use this QR Code (accessible via phone or tablet 'app')

<http://www.hackney.gov.uk/individual-scrutiny-commissions-children-and-young-people.htm>



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Providing oral commentary during a meeting is not permitted.



<b>Children and Young People Scrutiny Commission</b> <b>10<sup>th</sup> October 2018</b> <b>Item 4 – Outcomes of Exclusions in Hackney – evidence session</b>	Item No <b>4</b>
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## Outline

Evidence session for the scrutiny review into Outcomes of Exclusion in Hackney.

The review will seek to identify the destination of excluded pupils, where they are, and their outcomes. The aim is to inform individual schools' decision making around exclusions and broaden parents' understanding of the offer available for excluded pupils and to assist the local authority in their work to ensure children at risk of permanent exclusion and excluded children have the same opportunities as their peers in mainstream education.

The review will also aim to establish if, in the borough, there are any correlation between exclusions and youth crime (more broadly) and violent offences. The review will also consider any other related safeguarding issues e.g. the criminal exploitation of children and young people known as 'county lines' and the wider vulnerabilities of children and young people. Further, this review seek to ascertain whether the local authority is prepared for the proposed changes in legislation and expectations around alternative provision, put forward by;

- the House of Commons Education Select Committee as a part of their review into alternative provision and;
- the Institute for Public Policy Research's (IPPR) programme to improve quality in the Alternative Provision sector, to help develop and disseminate best practice to improve trajectories for children who have been excluded.

Please find both reports enclosed:

***Forgotten children: alternative provision and the scandal of ever increasing exclusions (page: 5)***

***Making The Difference - breaking the link between school exclusion and social exclusion (page: 57)***

## Invited guest:

### The Difference

- Kiran Gill, founder



Kiran started her career teaching in inner-city secondary schools, specialising in teacher training and improving literacy teaching across the curriculum. Since leaving the classroom, Kiran has worked in policy design and delivery at the Social Mobility Commission, think tank IPPR, consultancies Education Development Trust and Isos Partnership, and the charities Teach First and Save the Children. Her published research focuses on poverty, social mobility and the evolution of the school led system in England. Kiran holds a first class honours degree in English and Education Studies from the University of Cambridge, a PGCE (Teach First) from Canterbury

Christ Church University and an MSc in Political Science from the University College London.

Kiran undertook a comprehensive review of exclusion in England, speaking with practitioners, parents, pupils, academics, policymakers and third sector experts to inform her research. This has been published by think tank IPPR under the title '*Making The Difference: Breaking the link between school exclusion and social exclusion*'. Kiran is now the founder of new charity The Difference. The Difference will recruit a new generation of talented teachers to improve outcomes and reduce exclusion as well as develop the evidence base of effective practice with learners vulnerable to mental ill health and criminal exploitation.

### New Regent's College ((Hackney's Pupil Referral Unit)

- Richard Brown, Executive Head and Sue Parillon, Head of School

*Summary of provision enclosed (page: 111)*

*A short paper provided by Hackney Learning Trust Education Property team on the new building enclosed (page: 117)*

### The Boxing Academy

- Anna Cain Principal, and Marika Morrison, Head of Student Services & DSL

*Summary of provision enclosed (page: 121)*

### Inspired Directions School

- Joel McIlven, Head of School

*Summary of provision enclosed (page: 123)*

### ELATT – the learning community

- Oran Blackwood

### BSix Sixth Form College

- Ian Ellis, Head of Department – Progression

### The School at Hackney City Farm

- Adrian Johnson

### The Garden

The Garden is an outstanding school offering education for 4-16 year-olds with highly specialised provisions for learners with autism.

- Pat Quigley, Head of School

### Hackney Works

Hackney Council provides a free employment support service for Hackney residents called 'Hackney Works' this includes specialist support as well as help finding an apprenticeship and work placements for young people, aged 16-19, with local businesses in Hackney

- Andrew Munk, Head of Employment and Skills, Strategy, Policy and Economic Development
- Anna-Renee Paisley, Programme Manager - Supported Employment, Strategy, Policy and Economic Development
- Alex Jacobs, Programme Manager - Employment Pathways, Employment and Skills, Strategy, Policy and Economic Development

### **Action**

The Commission is asked to note the presentations and ask questions.

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House of Commons  
Education Committee

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# Forgotten children: alternative provision and the scandal of ever increasing exclusions

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**Fifth Report of Session 2017–19**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons  
to be printed 18 July 2018*

**HC 342**  
Published on 25 July 2018  
by authority of the House of Commons

## The Education Committee

The Education Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Education and its associated public bodies.

### Current membership

[Rt Hon Robert Halfon MP](#) (*Conservative, Harlow*) (Chair)

[Lucy Allan MP](#) (*Conservative, Telford*)

[Michelle Donelan MP](#) (*Conservative, Chippenham*)

[Marion Fellows MP](#) (*Scottish National Party, Motherwell and Wishaw*)

[James Frith MP](#) (*Labour, Bury North*)

[Emma Hardy MP](#) (*Labour, Kingston upon Hull West and Hessle*)

[Trudy Harrison MP](#) (*Conservative, Copeland*)

[Ian Mearns MP](#) (*Labour, Gateshead*)

[Lucy Powell MP](#) (*Labour (Co-op), Manchester Central*)

[Thelma Walker MP](#) (*Labour, Colne Valley*)

[Mr William Wragg MP](#) (*Conservative, Hazel Grove*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

Committee reports are published on the Committee's website at [www.parliament.uk/education-committee](http://www.parliament.uk/education-committee) and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Richard Ward (Clerk), Katya Cassidy (Second Clerk), Anna Connell-Smith (Committee Specialist), Chloë Cockett (Committee Specialist), Tommer Spence (Inquiry Manager), Jonathan Arkless (Senior Committee Assistant), Hajera Begum (Committee Apprentice), Gary Calder (Senior Media Officer) and Oliver Florence (Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Education Committee, House of Commons, London, SW1A 0AA. The telephone number for general enquiries is 020 7219 1376; the Committee's email address is [educom@parliament.uk](mailto:educom@parliament.uk).

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## Summary

Alternative provision is too often seen as a forgotten part of the education system, sidelined and stigmatised as somewhere only the very worst behaved pupils go. All pupils deserve high quality education, and while this is often the case, too many pupils are failed by the system and they are not receiving the education that they deserve.

Alternative provision is in fact diverse, set up to meet the needs of a wide-cross section of the pupil population, who will often arrive with complex needs and vulnerabilities. We have been led by significant evidence and concerns about the over-exclusion of pupils, but recognise that there are pupils in AP who will not have been excluded. Not all of our recommendations will be necessary for them, but it is vital that their needs are met by this provision.

Mainstream schools should be bastions of inclusion, and intentionally or not, this is not true of all mainstream schools. We have also seen an alarming increase in 'hidden' exclusions. The school environment means that schools are struggling to support pupils in their schools, which is then putting pressure on alternative providers. Pupils, parents and schools can end up in conflict, putting further pressure onto a system that should be supporting all pupils to achieve.

Going into alternative provision was the best outcome for some children we spoke to, but in order to access it children have to be branded a failure or excluded in the first place, rather than it being a positive choice.

### **A Bill of Rights for pupils facing exclusion**

The lack of information and rights for pupils facing exclusion and their parents is an obstacle to social justice and the educational ladder of opportunity. We want to see greater rights for pupils and their parents, for those who are excluded from school, internally isolated, informally excluded or on the verge of exclusion.

If all our recommendations were taken forward, this would create much stronger rights for pupils who access alternative provision, and responsibilities for schools and local authorities. Our conclusions and recommendations should be read as a Bill of Rights for pupils and their parents:

- **Schools should not rush to exclude pupils:** schools should be inclusive.
- **Parents and pupils have a right to know how often schools resort to exclusion:** schools should publish their permanent and fixed term exclusion rates every term, including for pupils with SEND and looked-after children, as well as the number of pupils who leave the school.
- **Parents deserve more information when their children are excluded:** the exclusions process is currently weighted in favour of schools and leaves parents and pupils fighting a system that should be supporting them.
- **Pupils and their parents should have someone in their corner:** when a pupil is excluded from school for more than five non-consecutive days in a school year, the pupil and their parents or carers should be given access to an

independent advocate. This should happen both where pupils are internally or externally excluded from school, or where the LA is arranging education due to illness.

- **Parents and pupils should be given accurate information about the range and type alternative provision that is available locally:** all organisations offering alternative provision should be required to inform the local authority in which they are based of their provision. The local authority should then make the list of alternative providers operating in their local authority available to schools and parents on their website.
- **Independent Review Panels should be able to direct a school to reinstate pupils:** legislation should be amended at the next opportunity so that this can happen.

The quality of alternative provision is far too variable, with some outstanding provision in places and in others far too poor. The teachers, who play the crucial role in the education of pupils, can similarly be of high quality, while in other cases they are not. Even the best teachers may be lacking in suitable training and development, which impacts on the support that children receive. There seems to be high quality AP despite the system, not because of it. There needs to be more collaboration between mainstream schools and AP settings—and we encourage schools and local areas to do this.

We don't know how well pupils achieve. Comparisons are made to pupils in mainstream schools, but this can be an unfair comparison that doesn't fully appreciate the achievements that pupils in AP make. Children are also being prevented from achieving by being unable to attend post-16 AP settings and we call on the Government to rectify this anomaly.

# 1 Introduction

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“If you are talking about back then, if I had thought about alternative provision—as you lot would call it—the only reason why I would not have picked it myself is because my family would look bad. It would look bad on my side, being in one. So I don’t know. I don’t think I would have chosen it, but, being in it now and having experienced it, I would have 100% chosen it.”

Young person with experience of alternative provision

## Context

1. Alternative provision (AP) is a broad term and imperfectly describes a wide variety of types of school or educational settings. Our inquiry scope included Pupil Referral Units (PRUs); alternative provision academies and free schools; hospital schools; and alternative provision delivered by charities and other organisations as well as independent or un-registered schools.
2. Statutory guidance covers the use of AP. It sets out that AP can be used by local authorities to arrange education for pupils who are unable to receive suitable education (usually due to exclusion or illness), by schools for pupils who have fixed-term exclusions, but also to ‘improve’ a pupil’s behaviour.<sup>1</sup> For the purposes of this inquiry, it does not mean elective home education. However, we have found as part of our inquiry that there is a concerning increase in the number of pupils who are being encouraged improperly or without the necessary support to be educated at home who should be educated and supported in the school system.
3. Children enter AP when they have been excluded from school; when they are unable to attend school for medical reasons; if they are pregnant or are caring for their children; when they are without a school place because they have left a custodial placement; and as we found out, if they are not in a mainstream school for other, often less legitimate reasons. In many cases, they are pupils who have been failed by the mainstream school system. The thing that unites them is their right to good quality education and support, regardless of why they are in AP. For many children alternative provision can be transformational, and has made a real difference to students’ lives. However, the challenge appears to be ensuring that the right children are receiving high quality alternative provision and entering for the right reasons at the right time.

## Policy

4. Our inquiry shines a spotlight on the unfairness that some pupils experience and the challenges that many face, and stresses where improvements are needed to ensure that pupils in alternative provision are not ignored and left to languish in poor quality provision. This is an area of policy that has had a neglect of action and oversight in recent years.

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1 DfE, [Alternative provision](#), January 2013

5. In 2012 Charlie Taylor released his report for the Government into alternative provision,<sup>2</sup> which was followed a year later by new statutory guidance.<sup>3</sup> The 2016 Government White Paper *Educational Excellence Everywhere* set out several potential proposals for the AP sector.<sup>4</sup> However, many proposals in the White Paper were not taken forward, further pushing alternative provision to the periphery of education policy.

6. Subsequently, in January 2017, the Government published a literature review, *Alternative Provision: Effective practice and Post 16 Transition*,<sup>5</sup> which looked at ways to increase key stage 4 outcomes and post-16 transition. This was followed, in October 2017, by the Institute for Public Policy Research's (IPPR) *Making the Difference* report,<sup>6</sup> which drew attention to the stark reality that many excluded pupils in school face. At the 2017 Conservative Party conference, the then Secretary of State for Education, Rt. Hon. Justine Greening MP, announced that she would roll out changes to improve AP and make best practice consistent across the country to ensure that all pupils in AP can achieve.<sup>7</sup>

7. Six months after the launch of our inquiry, the Government announced that Edward Timpson would be leading an independent review of exclusions, and published *Creating opportunity for all: Our vision for alternative provision*.<sup>8</sup> The 'vision' paper sets out plans for tackling many of the issues that we have heard about throughout our inquiry. The Minister of State for School Standards, Rt. Hon. Nick Gibb MP, also referred to the Government's paper extensively throughout his evidence session with us. The Government has introduced the Alternative Provision Innovation Fund, a £4 million grant funding programme, and commissioned primary research to explore children's, schools', AP and post-16 providers' recent experiences of post-16 transition and what they consider to be the most effective approaches.<sup>9</sup>

8. We were also pleased that during the inquiry, the Minister told us that following the work, the Department would consider the action that is needed, "whether that is a revision to the statutory guidance or legislation."<sup>10</sup> The Government's vision, focus and commitment are welcome, but the reviews and research must be conducted swiftly to ensure that policy and practice changes are implemented as soon as possible.

## Our inquiry

9. We received over 100 pieces of evidence in response to our call for evidence to this inquiry, including responses from embassies all over the world. Witnesses to the inquiry included academics and researchers; providers of alternative provision in many of its forms; representatives of charities and organisations who work with young people who attend alternative provision; teaching and local authority representatives; Ofsted; and the Minister of State for School Standards. We held a private session on 20 March 2018 where we heard directly from young people and parents with experience of alternative

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2 DfE, *Improving alternative provision*, March 2012

3 DfE, *Alternative provision*, January 2013

4 DfE, *Educational Excellence Everywhere*, March 2016

5 DfE, *Alternative Provision: Effective Practice and Post 16 Transition*, January 2017

6 IPPR, *Making the Difference*, October 2017

7 Conservative Party, 'Education and skills will unlock our nation's talent', accessed July 2018

8 DfE, *Creating opportunity for all Our vision for alternative provision*, March 2018

9 DfE, *Creating opportunity for all Our vision for alternative provision*, March 2018

10 [Q530](#)



provision.<sup>11</sup> We visited Newhaven School, a PRU in Greenwich, where we spoke to pupils, parents and teachers. We also spent a morning at SILC Training, an unregistered provider in Mitcham, where we spoke to instructors and students. The Chair visited Westside School, an alternative provision free school academy.

10. We thank all our witnesses for their time and contributions, as well as those who helped us speak directly to pupils and parents, whose input to this inquiry has been invaluable.

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11 When we reference this session, we refer to participants as either a young person with experience of alternative provision, or a parent of a pupil with experience of alternative provision.

## 2 What's going wrong in mainstream schools?

“In the mainstream school there was absolutely nothing. Even when we asked for it—demanded it—we never received it. It was a battle. It was a war. That is what it felt like: a war against a parent. The education system should be a good experience for a parent as well as a child, but it never was. “

Parent of a pupil with experience of alternative provision

### The rise in exclusions and pupils being educated in alternative provision

11. Many pupils enter AP as a result of being excluded from school. Exclusions can be:
- Permanent, where a pupil is unable to stay at their current school;
  - Temporary, where a pupil is not allowed to attend school for a certain number of days;
  - Internal, where a pupil is placed in isolation and segregated from the rest of the school.

Many pupils in alternative provision haven't been excluded. These include:

- Pupils who remain on the roll of their mainstream school, but attend AP full time;
- Pupils who attend AP part time, alongside attending their mainstream school;
- Pupils whose parents have been encouraged to take their child out of school voluntarily.

12. Between 2006/7 and 2012/13, the number of permanent exclusions reduced by nearly half, but has since risen, with a 40% increase over the past three years.<sup>12</sup> In 2015/16, 6,685 pupils were permanently excluded from school. In the same year there were 339,360 fixed period exclusions.<sup>13</sup> However, the AP population is made up of a greater number of students than those who are just permanently excluded. There are 16,732 pupils who attend pupil referral units, AP academies or free schools and other provision like FE colleges. This doesn't include a further 9,897 pupils who also attend AP but have a mainstream school as the main school at which they are registered.<sup>14</sup> 22,848 pupils are also educated in other forms of AP, which includes, but is not exclusive to, independent schools and providers that are not able to register as a school.<sup>15</sup>

12 IPPR, *Making the Difference*, October 2017, pp 12–13

13 DfE, *Permanent and fixed-period exclusions in England: 2015 to 2016*, July 2017, p 3

14 Pupils are dual-registered if they attend two different schools. They are primarily registered at their main school and have a second registration at the second school. For more information see: DfE, *School census 2017 to 2018*, May 2018

15 DfE, *Schools, pupils and their characteristics – 2018 – national tables*, June 2018, Table 1b

13. This means that there are at least 48,000 pupils who are educated outside of mainstream and special schools during the year.<sup>16</sup> However, this does not include pupils who are educated in alternative provision—often directed to offsite provision to improve their behaviour or for medical reasons—but who remain on the full roll of their mainstream school.<sup>17</sup>

14. According to the Institute for Public Policy Research (IPPR), some groups of children are more likely to be educated in alternative provision, or excluded, than other children. Children in care, children in need, children with special educational needs and disabilities (SEND) and children in poverty<sup>18</sup> are all more likely to be excluded than their peers.<sup>19</sup> Pupils with SEN support are almost seven times more likely to be permanently excluded than pupils with no SEN.<sup>20</sup> Boys are more likely to be permanently excluded than girls; for every girl permanently excluded last year, over three boys were permanently excluded.<sup>21</sup> Some ethnicities are disproportionately represented in alternative provision, including Black Caribbean, Irish traveller heritage and Gypsy Roma heritage pupils.<sup>22</sup>

15. 47% of children in AP are 15 to 16 years old.<sup>23</sup> 25% of exclusions happen when children are aged 14, and half of all exclusions happen in Year 9 or above.<sup>24</sup> More broadly, when FFT Education Datalab looked at moves pupils make, they found that there were 87,000 instances of a child leaving a state-funded school during the five years of secondary school. Moves reach their highest point in Year 9, with 75% of all moves taking place in the first three years of secondary school. 67,000 moves were to another placement in the state sector; however, FFT Education Datalab found that 19,975 pupils left a mainstream secondary school and were never recorded as being on a state-funded secondary school's roll again.<sup>25</sup>

16. The demand for places, driven by the high numbers of exclusions, is greater than the sector can provide, with many alternative provision schools oversubscribed.<sup>26</sup> This in turn puts pressure on the AP sector, which then affects the quality of education that can be provided to pupils who should be able to access alternative provision. Essex County Council's written evidence said that the recent Ofsted inspections of Essex PRUs have highlighted how the lack of space that it has can impact on pupils' "attendance, safety and turnover."<sup>27</sup>

17. We acknowledge that throughout this report we reference 'mainstream schools' and it is a catch-all term covering a wide variety of schools, including maintained schools, academies, free schools, grammar schools and faith schools. The population and educational landscape will vary across the country, with some areas having different

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16 IPPR, *Making the Difference*, October 2017, p 7

17 The Difference (ALT 94) para 3

18 This refers to eligibility for free school meals, as in schools this is the standard poverty measure.

19 IPPR, *Making the Difference*, October 2017, p 16

20 DfE, *Permanent and fixed-period exclusions in England: 2015 to 2016*, July 2017, p 5. New data was published on 19 July 2018.

21 DfE, *Permanent and fixed-period exclusions in England: 2015 to 2016*, July 2017, p 5

22 IPPR, *Making the Difference*, October 2017, p 18

23 DfE (ALT 58) para 36

24 LKMco (ALT 62) para 3.1

25 FFT Education Datalab, 'Who's left: An introduction to our work', accessed July 2018

26 Essex County Council (ALT 84) para 3.4; Q391 [Jules Daulby]

27 Essex County Council (ALT 84) para 32

types of schools making up their provision, along with variable involvement from local authorities. It is important to understand whether there are specific types of schools that are disproportionately excluding pupils.

18. *The Timpson Exclusions Review should ensure that it looks at the trends in exclusion by school type, location and pupil demographics.*

## The causes of an increase in exclusions and referrals to alternative provision

### *A lack of early intervention and support*

19. Witnesses to the inquiry described many challenges facing schools which might contribute to their inability or unwillingness to identify problems and then provide support. These include a lack of expertise in schools that would allow them to identify problems.<sup>28</sup> Schools and school representatives told us that schools no longer have the financial resources to fund pastoral support, including teaching assistants, that would often help keep pupils in mainstream schools.<sup>29</sup> This raises the possibility that financial pressures are affecting schools' capacity and ability to identify and support problems and provide the early intervention that is necessary.

20. *The Timpson Exclusions Review should examine whether financial pressures and accountability measures in schools are preventing schools from providing early intervention support and contributing to the exclusion crisis.*

21. We heard significant evidence about the increasing numbers of children with SEND being excluded. In 2015/16, there were 2,990 permanent exclusions and 148,665 fixed term exclusions of pupils with special educational needs.<sup>30</sup> Many of these children are arriving in the AP sector with unidentified and unmet needs.<sup>31</sup> In line with what we heard about funding challenges and a lack of expertise, we heard worrying evidence that some schools may be deliberately failing to identify a child as having SEND. The National Education Union told us that excluding pupils can save schools thousands of pounds,<sup>32</sup> while the Association of Youth Offending Team Managers suggested that schools could be deliberately not identifying pupils as having SEND, as it is more difficult to permanently exclude a pupil with SEND.<sup>33</sup> We also heard that schools are justifying permanent exclusions of pupils with SEND, by claiming that they will get the support that they need in alternative provision, and exclusion will speed up the assessment process.<sup>34</sup> This then leads to pupils with SEND being left for long periods of time in alternative provision while the assessment takes place, which does not mean that a child's needs are being met.<sup>35</sup>

22. In addition to strain being put on schools by meeting the needs of pupils with SEND, there is a greater awareness of pupils' mental health and well-being as a factor in their

28 Manchester Metropolitan University (ALT 87) para 1.1.4

29 NAHT (ALT 29) para 18; PRUSAP (ALT 17) para 5

30 DfE, *Permanent and fixed-period exclusions in England: 2015 to 2016, National tables: SFR35/2017*, July 2017, Table 6

31 Chaselea PRU (ALT 28) para 4; The Limes College (ALT 8) para 5; Headteachers' Roundtable (ALT 13) para 5.4

32 NEU (ALT 41) para 2

33 Association of Youth Offending Team Managers (ALT 55) para 2

34 Ms Joanne Southby (ALT 78) para 6; London South East Academies Trust (ALT 43) para 65

35 Ms Joanne Southby (ALT 78) paras 6–7

educational attainment. As more is understood about the impact of poor mental health and adverse childhood experiences on children, more children are being identified as needing support. Factors in children's lives outside of school affect their behaviour and ability to cope with school, and schools and wider support services struggle to support them.<sup>36</sup> This was evidenced in our report *The Government's Green Paper on mental health: failing a generation*, in which we looked at the factors impacting on young people's mental health. Among other factors, pupils told us that exam stress and subject choice, along with negative impacts of social media, all impacted on their mental health and well-being.<sup>37</sup>

### **Behaviour policies**

23. We have heard that there is an increase in zero-tolerance behaviour policies, contributing to the rise in exclusions and increase in pupils attending alternative provision.<sup>38</sup> Matthew Dodd from the Special Educational Consortium told us that "on curriculum, the same as with behaviour policies, the more rigid you make a structure the more difficult it is for children who are different to fit into that."<sup>39</sup> Jules Daulby told us that there needs to be flex in the system and reasonable adjustments should be made to accommodate behaviours that arise from a child's special educational needs, and that she does not think that zero-tolerance behaviour policies allow for that.<sup>40</sup> We were told by one pupil that at their previous mainstream school, there "are these little things you just can't do, or if you do them you can get excluded for it. I think most people are getting permanently excluded, just instantly, in my mainstream school right now. I don't think they are treating everyone fairly and evenly."<sup>41</sup>

24. While it would be reasonable of schools to take a zero-tolerance approach to drugs or weapons, a school culture which is intolerant of minor infractions of school policies on haircuts or uniform will create an environment where pupils are punished needlessly where there should be flexibility and a degree of discretion.

**25. The evidence we have seen suggests that the rise in so called 'zero-tolerance' behaviour policies is creating school environments where pupils are punished and ultimately excluded for incidents that could and should be managed within the mainstream school environment.**

**26. The Government should issue guidance to all schools reminding them of their responsibilities to children under treaty obligations and ensure that their behaviour policies are in line with these responsibilities.**

**27. The Government and Ofsted should introduce an inclusion measure or criteria that sits within schools to incentivise schools to be more inclusive.**

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36 Manchester Metropolitan University ([ALT 87](#)) para 1.3.1; NEU ([ALT 41](#)) paras 7–8

37 Education and Health and Social Care Committees, First Joint Report of the Education and Health and Social Care Committees of Session 2017–19, *The Government's Green Paper on mental health: failing a generation*, HC 642, paras 29–36

38 Mr John Watkin ([ALT 45](#)) para 1.4; National Association of Virtual School Heads ([ALT 61](#)) para 6; ASCL ([ALT 90](#)) para 22

39 [Q53](#)

40 [Qq367–370](#)

41 Young person with experience of alternative provision

### **An increase in mental health needs**

28. There are increasing numbers of children with mental health needs in schools and alternative provision.<sup>42</sup> In January 2017, 186,793 pupils in state funded mainstream or special schools had social, emotional and mental health as their primary category of SEN.<sup>43</sup> IPPR estimates this to be one in 50 children in the general population, and one in two pupils in alternative provision.<sup>44</sup> Mental health issues can affect pupils in different ways, including on pupils' abilities to cope with school, their attendance and their behaviour. Exclusion can also affect a pupil's mental health.<sup>45</sup> Evidence from The Association of Child and Adolescent Mental Health raised concerns that schools could be failing to intervene in a timely or effective manner when there are concerns about a pupil's mental health as opposed to the needs being unidentified.<sup>46</sup> Others suggested that social, emotional and mental health (SEMH) needs are going undiagnosed and teachers are unable to identify pupils with SEMH needs.<sup>47</sup> In our report on the Government's Green Paper on mental health, we recommended that the Department's review of exclusions examined the increase of excluded pupils with mental health needs and how their needs are being met and that the Government should ensure that PRUs are sufficiently resourced to meet the needs of their pupils.<sup>48</sup>

### **Off-rolling, Progress 8 and a narrowing curriculum.**

29. Pupils count towards the Progress 8 scores of schools if they are registered on the school's census in the January in which they are in Year 11. While Progress 8 tracks the academic 'distance' travelled by a student and takes into account prior attainment, pupils who fall behind in secondary school, for example for medical reasons or because a pupil's additional needs which were met in their smaller primary school but then become unmet in larger secondary settings, can negatively affect a school's results. Off-rolling—the process by which pupils are removed from the school's register by moving them to alternative provision, to home education or other schools—was raised by many witnesses, and we were told that the accountability system and Progress 8 was a major factor.<sup>49</sup>

30. We recognise that Progress 8 is a more nuanced and improved measure of school performance accountability than existed previously. But we were concerned to hear some headteachers including Drew Povey, Headteacher of Harrop Fold School, tell us that new Progress 8 measures give an incentive for exclusion.<sup>50</sup> Kevin Courtney from the National Education Union explained that:

With Progress 8, and many other accountability measures, you know that it is more time invested to get the same result from a child in challenging circumstances. An easier thing to do is to remove the child if you are

42 Acorn Academy Cornwall (ALT 24) para m; Gloucestershire Hospital Education Service (ALT 86) para 15

43 DfE, *Special educational needs in England: January 2017 National tables: SFR37/2017*, July 2017, Table 8

44 IPPR, *Making the Difference*, October 2017, p 16

45 Association of Child and Adolescent Mental Health (ALT 60) para 8

46 Association of Child and Adolescent Mental Health (ALT 60) para 8

47 NEU (ALT 41) paras 18–19

48 Education and Health and Social Care Committees, First Joint Report of the Education and Health and Social Care Committees of Session 2017–19 *The Government's Green Paper on mental health: failing a generation*, HC 642, para 34

49 NAHT (ALT 29) para 15; AP Network (ALT 72) para 6.2; Pavilion Study Centre (ALT 19) para 6; Qq140–141 [David Whitaker]; Q425 [Kevin Courtney]

50 Q95

thinking about the institution instead of thinking about the child. [ ... ] If we only focus on academic results, EBacc results, then that is what you get as your focus. You cannot be surprised if schools concentrate on that if that is what everybody tells them to concentrate on. For some children who are not feeling happy in that system that can lead to mental health problems and to challenging behaviour.<sup>51</sup>

31. We were told that a narrow curriculum can affect the engagement of some pupils with their education,<sup>52</sup> and Progress 8 in particular can narrow the curriculum for some pupils.<sup>53</sup> The National Education Union told us that SATs preparation can negatively impact on children with SEND and their access to a broad and balanced curriculum as their time is taken up focusing on SATs preparation, leaving little room for other lessons.<sup>54</sup> One respondent to our call for written evidence acknowledged that Progress 8 can be seen as more inclusive:

It can be argued that Progress 8 is a more inclusive standard in that it reflects the average progress of all students in a school. But it is progress in a far narrower set of subjects than would have been considered before. Creative and technical subjects, which a lower-ability child would find more accessible, have lost their validity and are disappearing from many schools.<sup>55</sup>

If pupils are experiencing a narrow curriculum, they are missing out on the wider subjects and opportunities that enable them to develop social and economic capital, which is vital for their future education and adult life.

32. The Minister told us that he did not accept the argument about Progress 8 and that it is the fairest way of holding schools to account for their academic attainment. However, he acknowledged that there may be a case for schools being accountable for the future outcomes of their past pupils.<sup>56</sup> The Department for Education has changed the methodology of Progress 8 so that the negative impact of some pupils' scores will be reduced.<sup>57</sup> However outliers still remain a problem because Progress 8 double counts maths and English, and it only takes two or three pupils to affect the overall progress outcome of a school. This needs looking at. These changes also do not reduce the incentive to off-roll pupils who will bring down the school's Progress 8 score. Philip Nye from FFT Education Datalab told us that one solution was to slightly change how league tables work:

We suggested that you could change the way the league tables work and say, "Okay, let's look at all the children who have been on-roll with you at any period of time up to Year 11 and let's allocate their results and weight them according to how much time the child spent with you. If they were there for

51 [Q425](#)

52 Manchester Metropolitan University ([ALT 87](#)) para 2, Mr John Watkin ([ALT 45](#)) paras 1.5–1.6

53 Lancashire PRU Headteachers ([ALT 36](#)) para 1.4

54 NEU ([ALT 41](#)) para 4

55 Mr John Watkin ([ALT 45](#)) para 1.11

56 [Qq450–451](#)

57 DfE, *Secondary accountability measures Guide for maintained secondary schools, academies and free schools*, January 2018, pp 12–13

one term, that would only count for a relatively small amount. If they were there up until halfway through year 10 and then left, let's say, those kids count to that extent against your results".<sup>58</sup>

This would mean that all pupils who have spent time at a school would count towards results. Retaining a degree of responsibility would reduce the attractiveness of off-rolling as a way of schools to wash their hands of pupils who will bring down their Progress 8 score. If pupils are excluded or removed for home schooling, and if schools feel that a pupil requires or would benefit from alternative provision, this would encourage the schools that are making decisions about where to send them to make choices in the best interests of their pupils and encourage greater oversight of pupils receiving education elsewhere.

33. The Minister was clear that the practice of off-rolling is unlawful:

Off-rolling is unlawful. There is only one reason a school can exclude a pupil permanently from a school, and that is due to behavioural issues. Off-rolling, to the extent that it occurs, is unlawful. Ofsted and the system as a whole will be vigilant in looking out for those practices.<sup>59</sup>

We agree that Ofsted plays a role in ensuring that schools do not off-roll pupils. Ofsted told us that it is vigilant in looking out for these practices by training its inspectors.<sup>60</sup>

**34. We do not think that Ofsted should take sole responsibility for tackling off-rolling. Off-rolling is in part driven by school policies created by the Department for Education. The Department cannot wash its hands of the issue, just as schools cannot wash their hands of their pupils.**

35. The Headteachers' Roundtable told us that schools "who retain children with challenging behaviour risk disruption, poor outcomes (significant impact on Progress 8, EBacc etc), low attendance, low staff morale, increased intervention costs [ ... ], complaints from parents, high exclusions costs and ultimately, critical and high stakes Ofsted gradings."<sup>61</sup> We acknowledge the resourcing challenges.<sup>62</sup> However, we also acknowledge that there are schools that are inclusive despite those challenges.

**36. An unfortunate and unintended consequence of the Government's strong focus on school standards has led to school environments and practices that have resulted in disadvantaged children being disproportionately excluded, which includes a curriculum with a lack of focus on developing pupils' social and economic capital. 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 classed as difficult or challenging.**

**37. We recommend that the Government should change the weighting of Progress 8 and other accountability measures to take account of every pupil who had spent time at a school, in proportion to the amount of time they spent there. This should be done alongside reform of Progress 8 measures to take account of outliers and to incentivise inclusivity.**

58 [Q22](#)

59 [Q453](#)

60 [Q416](#)

61 Headteachers' Roundtable ([ALT 13](#)) para 1.5

62 The Committee has launched inquiries into school and college funding and special educational needs and disabilities.



### 3 The process of exclusion and referral

“Parents who advocate strongly for their kids are seen to be a pain and pushy. I have had letters where I am described as being a particularly difficult person to deal with, because I am advocating for my child, and because I know the system and am prepared to say what is right and what is wrong.”

Parent of a pupil with experience of alternative provision

38. There are several ways that a pupil can be referred to alternative provision. Pupils may be placed by their school, while others may be placed by their local authority. If a child is permanently excluded, it is the responsibility of the local authority to find them an alternative school. The local authority also has a duty to provide education for pupils with additional health needs where their illness will prevent them from attending school for 15 or more days and where suitable education is not arranged. Schools can commission their own alternative provision places for pupils who are being directed off-site for education to improve their behaviour. Local protocols will also affect the referral pathway. Peterborough City Council operates a Pupil Referral Service, creating a single service.<sup>63</sup> In other areas, referrals may go through a Fair Access Panel, while in others some will be directly referred by the local authority or school.

39. We already know that many pupils are in alternative provision because they are excluded from school. While we have found that many pupils are excluded from school when perhaps they should not be, there will be pupils who have been excluded from school for good reason. Where pupils have committed violent or criminal acts, exclusion may be the only viable option as pupils and teachers have the right to learn and work in safe environments. Some pupils will be too ill to attend school, or will self-exclude due to mental health difficulties. But no pupil who is excluded should be given up on, and every pupil should be educated in high quality provision that meets their need for and right to a good education.

#### School powers and pupils’ and parents’ rights

40. In England, only headteachers can exclude a pupil, which can only be for disciplinary reasons.<sup>64</sup> It can appear confusing who is responsible for arranging education in this case. Headteachers must tell parents of an exclusion, and in some cases, including in the case of permanent exclusions, must inform the governing boards and local authority. While governing bodies and proprietors of maintained schools and academies must arrange suitable full-time education from the sixth day of fixed period exclusions (or first day for looked after children), it is the local authority that has the duty in other cases.<sup>65</sup>

41. There are many challenges that come with exclusion, or referral to alternative provision, for pupils and parents. We heard that the decision about where a child is sent

63 Peterborough Pupil Referral Service ([ALT 30](#)) para 2.1

64 DfE, *Exclusion from maintained schools, academies and pupil referral units in England*, July 2017, p 8

65 DfE, *Exclusion from maintained schools, academies and pupil referral units in England*, July 2017, pp 16–17

to is largely out of their hands, and decisions made by the school, or local authority, will be affected by financial considerations, availability of suitable provision and whether the provision has places.<sup>66</sup> A parent told us:

When we were sat around the table with our education and care plan, putting things into place, the headmaster from my son's primary sat at the table and the only contribution from him was, "Well, this is cutting into my budget now. It is costing me £100 a day to keep this child in this AP school. What can we do quickly?" It was not about my child. The focus was about moving him on quickly because it was cutting into the budget. It was not about the welfare of my child.<sup>67</sup>

42. Parents and pupils often do not know their rights regarding exclusions, and where the pupil is internally excluded or directed off-site, there is no system of redress.<sup>68</sup> When a school is proposing to exclude a child, however right it may be, it is likely that it is also a time of stress or tension, with pressure on the relationship between the pupil and/or parent and the school. Jules Daulby told us:

There are so many parents that feel they get, "Oh, another call from the school", and what ends up happening is the parent and the child become against the school, and it should be the school and the parent saying to the child, "Right, this is how we're going to help". That relationship is really important, and sometimes it feels very much that the family and child are to blame, and the school will not work with them until they turn themselves around.<sup>69</sup>

Navigating the exclusions process can be difficult and parents and pupils can be left fighting a system that they do not understand and that they feel is stacked against them. In addition, we heard that parents often do not have the time or social capital to challenge schools. Dr Gazeley, Senior Lecturer in Education at the University of Sussex told us:

Some parents are very much better placed to exert their rights than others, and one of the issues is that many of the children who get tied up in all these processes have parents who do not have the knowledge, the understanding, the trust or the experience to exert their rights, and they do not have access to advocacy either. They are in a very dependent position o[f] trust for professionals, some of whom do a very good job and some of whom we know are not doing the right things. It is really important to recognise that some parents can leverage the system and some cannot, and we need to think about how we help them.<sup>70</sup>

43. Only in the case of permanent exclusion can a parent appeal against the decision. If a parent's appeal fails, they can appeal to the Independent Review Panel, but the Independent Review Panel can only be convened if parents apply within 15 school days.<sup>71</sup> Many parents will not know about their right to do so, and may lack the time and capacity to do so

66 Nacro ([ALT 69](#)) para 1.2

67 Parent of a pupil with experience of alternative provision

68 Ms Diana Robinson ([ALT 16](#)) para 5.4; The Engage Trust ([ALT 32](#)) para 7

69 [Q381](#)

70 [Q406](#)

71 DfE, [Exclusion from maintained schools, academies and pupil referral units in England](#), July 2017, p 27

and meet the deadline. Responsibility for bringing together the panel rests with the local authority, or academy trust. The panel should have one lay member, a school governor and a headteacher representative, and guidance states “every care should be taken to avoid bias or an appearance of bias.”<sup>72</sup> We consider that an appearance of bias can arise, purely by the makeup and weighting of the panel. We heard from Matthew Dodd, from the Special Educational Consortium, that their power is weighted in favour of schools as the “Education Act 2011 removed the right to reinstatement, so an independent review panel cannot enforce a reinstatement.”<sup>73</sup> We do however acknowledge that if a governing body does not reinstate a pupil it must make a financial payment to the local authority.

**44. The exclusions process is weighted in favour of schools and often leaves parents and pupils navigating an adversarial system that should be supporting them.**

**45. *Legislation should be amended at the next opportunity so that where Independent Review Panels find in favour of the pupils, IRPs can direct a school to reinstate a pupil.***

**46. *Where responsibility sits for excluded children in a local area has become very ambiguous. The Timpson Exclusions Review needs to clarify whose responsibility it is to ensure that excluded or off-rolled pupils are being properly educated. This could be the local authority or it could be local school partnerships, but at the moment too many pupils are falling through the net.***

**47. *When a pupil is excluded from school for more than five non-consecutive days in a school year, the pupil and their parents or carers should be given access to an independent advocate. This should happen both where pupils are internally or externally excluded from school, or where the LA is arranging education due to illness.***

## Children getting to the right place at the right time

48. We were told that it is often not in the hands of the pupil or parent when decisions are made about where a pupil attends alternative provision. Where a pupil is directed off-site to ‘improve their behaviour’, a parent does not have to agree to the placement, much less the actual details of the placement,<sup>74</sup> although statutory guidance does state that “where possible, parents should be engaged in the decision taken by the school to direct a pupil off-site.”<sup>75</sup> In addition, for many pupils their journey to the right provision takes time. This can be because the permanent exclusion process takes time,<sup>76</sup> either because the process adheres to statutory timescales or because schools leave pupils to languish and struggle for too long.

### The right place

49. Of the alternative provision that is inspected by Ofsted, 88% is ‘good’ or ‘outstanding’.<sup>77</sup> However, 18% of places in maintained schools for excluded pupils are in ‘requires

72 DfE, [Exclusion from maintained schools, academies and pupil referral units in England](#), July 2017, p 29

73 [Q78](#)

74 Independent Parental Special Education Advice ([ALT 74](#)) para 11

75 DfE, [Alternative provision](#), January 2013 p 12

76 The CE Academy ([ALT 14](#)) para 40.2

77 Ofsted, [Maintained schools and academies inspections and outcomes as at 31 August 2017: main findings](#), November 2017 p 1

improvement' or 'inadequate' provision.<sup>78</sup> Of the alternative provision in the independent sector, 72% of independent alternative providers have a good or better inspection rating.<sup>79</sup> However, the quality, and availability, of provision is variable. In 11 local authorities, there are no 'good' places in alternative provision, while in Dudley, Gateshead, Newcastle and Thurrock, all PRUs are 'inadequate'.<sup>80</sup> It appears that there are areas of the country, and therefore large numbers of pupils, that have no access to high quality alternative provision and therefore high quality educational opportunities for those who may be set up to fail in mainstream school.

50. We asked parents and pupils if they felt that they had a say in where they were referred to, either following a permanent exclusion or any other move. While the young people we met with seemed happy that they were in high quality provision that was working for them, none of them felt that they had been offered a choice about where they would attend school. This was also reflected in the discussion we had with parents. One parent told us "Against my wishes, they put my son in an EBD [emotional and behavioural difficulties] school, which is about the worst provision you can put an autistic child in, quite literally. It was catastrophic for him. I objected about as strongly as I could to that, and they put him in there anyway."<sup>81</sup>

51. In 2012, the Taylor Review of alternative provision found that while the DfE kept a central register of AP providers, it only contained partial, un-validated information. Taylor therefore recommended that the Department no longer maintained a central list.<sup>82</sup> While this recommendation was acted on, this had led to no clear responsibility for alternative provision oversight. Essex County Council told us that because there is no requirement on alternative provision providers to register with the local authority before they offer provision, local authorities can be unaware of the provision that is available in their area.<sup>83</sup> This was explained to us in the context of quality assurance, but if local authorities are not aware of the provision that is out there to quality assure, they will be equally unaware of providers with whom they can place children. We are unconvinced that schools and parents will be able to place pupils in the most appropriate setting for them if they do not know about the full range of alternative provision on offer.

52. Pupils who require alternative provision because their medical conditions or needs mean they cannot attend school have little control over the education that they receive. Cath Kitchen, Chair of the National Association of Hospital and Home Teaching, told us that "our children do not always have a choice about when they move into alternative provision because they are placed there because of their health needs. There is no choice for parents or for young people because they are moved to a hospital that best meets their medical needs."<sup>84</sup> She went on:

The children who have physical medical needs most often come into alternative provision because they are admitted to hospital as an inpatient. When they go into hospital, depending on which local authority and what

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78 IPPR, *Making the Difference*, October 2017 p 35

79 FFT Education Datalab, '[What we've learnt about the independent alternative provision sector](#)', accessed July 2018

80 IPPR, *Making the Difference*, October 2017 p 35

81 Parent of a pupil with experience of alternative provision

82 DfE, *Improving alternative provision*, March 2012 pp 9–10

83 Essex County Council ([ALT 84](#)) para 5.3

84 [Q49](#)

type of hospital, whether it is a regional one or just a local hospital, they will access teaching while they are there. If they have a mental health condition that means it cannot be safely managed within the community, they also are entered into an inpatient provision; they call them tier 4 CAMHS units, where again they are accessed there. If their mental health is so severe they may be sectioned under the Mental Health Act and then put in a different type of environment. If there are no places in tier 4 units, then they may be placed in private hospitals. In private hospitals a lot of the education provision there is not regulated and you do not have a choice about where you go.<sup>85</sup>

**53. *The Government should encourage the creation of more specialist alternative providers that are able to meet the diverse needs of pupils with medical needs, including mental health needs.***

### **The right time**

54. We spoke to several young people during our inquiry, and for many of them they arrived in alternative provision after having had failed moves, having spent time in ‘inclusion’ or ‘isolation’, or having given up on attending school altogether. One young person was moved four times in three years, before arriving at their current alternative provision. Another young person told us that they spent Year 7 and Year 8 in and out of school, and it took a long time for them to get the support that they needed. One of the young people we spoke to who attended alternative provision for medical reasons told us:

I didn’t get given the choice to go to the online tuition until nearer the end of my treatment. If I had been offered that earlier, I might have been able to get more schooling in, which might have improved my results at the end. If I’d had it at the start of my treatment, that might have helped us in the long run.<sup>86</sup>

We were therefore pleased to hear from the Minister that “We want to see increasing parental and pupil engagement in terms of decisions about going into alternative provision. We want those pupils and their parents to be more engaged in that process than they perhaps currently are.”<sup>87</sup>

55. Some pupils need a different environment to learn in. Currently parents and pupils are not sufficiently involved and the process can often take too long. Where schools recognise that alternative provision is the most suitable option for a pupil, schools should feel able to find the right provision for that pupil. Parents and pupils have a tremendous stake in their education and schools and local authorities need to include them more in decisions.

**56. *There is an inexplicable lack of central accountability and direction. No one appears to be aware of all the provision that is available, which impacts on both schools, local authorities and parents. Unless all providers are required to notify the local authority of their presence, not all schools or LAs will be able to make informed decisions about***

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85 [Q58](#)

86 Young person with experience of alternative provision

87 [Q501](#)

placements. Without someone to take responsibility for co-ordinating and publishing information about the local provision that is available, parents and pupils will remain unable to fully participate in discussions about alternative provisions referrals.

57. *All organisations offering alternative provision should be required to inform the local authority in which they are based of their provision. The local authority should then make the list of alternative providers operating in their local authority available to schools and parents on their website.*

58. *Pupil Referral Units, and other forms of alternative provision, should be renamed to remove the stigma and stop parents being reluctant to send their pupils there. We suggest that the Government seeks the advice of pupils who currently attend alternative provision when developing this new terminology. Many have described AP as specialist provision, offering children a more tailored, more personal education that is more suited to their needs.*

## A lack of oversight

59. We heard that there can be little oversight of pupils in alternative provision, with The Pendlebury Centre PRU suggesting that there can be an “out of sight, out of mind mentality by some.”<sup>88</sup> The Engage Trust suggested that there is too little scrutiny of the school’s actions in placing children into alternative provision, and even when pupils are sent to registered provision like AP Academies, there is little or no oversight of the decisions made by schools.<sup>89</sup>

60. The Department’s guidance states that the headteacher of a school must, without delay, notify the local authority of:

- Any permanent exclusion;
- Any exclusion that means that the pupil would be excluded for a total of more than five school days (or more than ten lunchtimes) in a term;
- any exclusion which would mean that the student misses a public examination or national curriculum test.<sup>90</sup>

In addition, headteachers must tell the local authority and governing body termly of any other exclusions that they have not already informed them of. Where a pupil lives in a different local authority to the school from which a pupil is permanently excluded, the pupil’s home authority must be informed.<sup>91</sup> However, it is unclear what impact this reporting has and whether there is any further scrutiny undertaken of the decisions that schools are making.

61. The Department’s guidance clearly suggests that there is a role for local authorities to play in the oversight and monitoring of exclusions, as headteachers are required to notify them of exclusions.<sup>92</sup> However, we heard the diversification of the school system has caused

88 Pendlebury Centre PRU ([ALT 12](#)) para 1.6

89 The Engage Trust ([ALT 32](#)) paras 3–4

90 DfE, [Exclusion from maintained schools, academies and pupil referral units in England](#), July 2017, p 15

91 DfE, [Exclusion from maintained schools, academies and pupil referral units in England](#), July 2017, p 15

92 DfE, [Exclusion from maintained schools, academies and pupil referral units in England](#), July 2017 p 15

the role of the local authority in alternative provision to become more difficult.<sup>93</sup> Ralph Holloway from Essex County Council told us about the challenges that local authorities can face when placing pupils in AP:

We might have had some involvement with that young person or we might not. It depends upon the individual school and the circumstances in which that young person was permanently excluded. We get a notification and within literally 24 hours we have to have that referral into one of our pupil referral units. Within six school days that young person will be starting their position with the PRU. There is not much room there for making an informed decision about what is the best provision for the young person.<sup>94</sup>

The ADCS felt that there is a role that the local authority should play when relationships between the school and parent break down.<sup>95</sup> Kevin Courtney from the NEU also told us:

You need an honest broker locally who is keeping all schools honest in these behaviours. That is the much vaunted middle tier. Everyone has their own opinion about who that middle tier should be, but there needs to be something that is robust that can challenge a headteacher. The head teacher has to make a professional decision but it should be a local authority or some other body that is in dialogue with them, rather than thinking it is parents that are going to be keeping that right.<sup>96</sup>

**62. Local authorities have statutory responsibilities to provide suitable education for pupils and yet can have little oversight or scrutiny over decisions about exclusions and placement decisions. This may be due to inadequate resourcing, which needs to be addressed. We are also concerned by the lack of transparency about exclusion rates that are available to parents about schools.**

**63. *We recommend that LAs are given appropriate powers to ensure that any child receive the education they need, regardless of school type.***

**64. *Schools should publish their permanent and fixed term exclusion rates by year group every term, including providing information about pupils with SEND and looked-after children. Schools should also publish data on the number of pupils who have left the school.***

### **Commissioning of alternative provision**

65. Ofsted's 2016 report on alternative provision found that the commissioning of AP is varied, describing a landscape where some schools use a fully centralised system, right through to schools commissioning solely in isolation.<sup>97</sup> Ofsted also found that just less than a third of the schools they looked at systematically evaluated the quality of teaching

93 NASUWT ([ALT 57](#)) para 16; NEU ([ALT 41](#)) para 13

94 [Q115](#)

95 ADCS ([ALT 39](#)) para 8

96 [Q428](#)

97 Ofsted, [Alternative Provision](#), February 2016, p 10

and learning in the alternative provision they were commissioning,<sup>98</sup> and the majority of staff working at the alternative providers in their sample had not attended any formal child protection training.<sup>99</sup>

**66. Schools do not always have the capacity and specialist knowledge to have full responsibility for the commissioning of long-term placements for pupils who will often have complex needs. If, as we discussed in paragraph 52, local authorities are unaware of provision in their area, they too do not always have enough knowledge to make appropriate commissioning decisions. A fragmented approach to commissioning responsibilities and a lack of oversight and scrutiny around decisions means that pupils are being left vulnerable to inappropriate placement decisions.**

### *Fair Access Protocols*

#### *Admissions*

67. Every local authority is required to have a Fair Access Protocol (FAP) in place, developed in partnership with local schools.<sup>100</sup> FAPs are designed to ensure that pupils who do not have a school place are able to find one quickly, so that their time out of school is kept to as little as possible.<sup>101</sup> This would include pupils who do not have a mainstream place due to exclusion, or already being in alternative provision. However, we heard that there is significant variation in how they are run and managed, and how well they work.<sup>102</sup> We heard that where providers thought FAPs were working, they said that the protocol was shared by all schools,<sup>103</sup> met regularly,<sup>104</sup> and included peer challenge.<sup>105</sup>

68. However, despite clear evidence of good practice and systems that do work, we were concerned to hear that systems can be put in place that benefit schools and disadvantage pupils:

I think there is almost a misunderstanding or a lack of willingness to understand that the purpose of fair access protocols, as far as I am aware, is as the local authority's vehicle for the most vulnerable children to be brought back, discussed and ideally put back into a mainstream school. Where those protocols are set up, which they are in some cases, to protect schools and enable them to put up barriers to taking children back, it becomes a way of keeping children in alternative provision.<sup>106</sup>

The National Association of Virtual School Heads told us that in some areas access to AP is controlled by groups of headteachers who fund and gatekeep provision and their criteria do not include looked-after children who have just arrived in the local authority.<sup>107</sup>

98 Ofsted, *Alternative Provision*, February 2016, p 28

99 Ofsted, *Alternative Provision*, February 2016, p 6

100 DfE, *Fair Access Protocols: Principles and Process*, November 2012, p 3

101 DfE, *Fair Access Protocols: Principles and Process*, November 2012, p 3

102 [Q183](#) [Emma Bradshaw]; [Q185](#) [Joanne Southby]; [Qq430-431](#) [Sue Morris-King]

103 London East Alternative Provision ([ALT 25](#)) para 15

104 London East Alternative Provision ([ALT 25](#)) para 19

105 Headteachers' Roundtable ([ALT 13](#)) para 1.2; [Q429](#) [Stuart Gallimore]

106 [Q185](#) [Joanne Southby]

107 National Association of Virtual School Heads ([ALT 61](#)) para 8



## Reintegration

69. We heard that sometimes reintegration of pupils back to mainstream school does not happen.<sup>108</sup> Reintegration can be much harder for pupils in key stage 4, who may actually benefit from staying in alternative provision.<sup>109</sup> We also heard that a lack of ambition can inhibit reintegration.<sup>110</sup> We also note that where there are selective local authorities, this can place a greater amount of pressure on schools as there are a smaller number of schools that are able to take pupils returning from alternative provision.<sup>111</sup> Ralph Holloway from Essex County Council suggested that schools can opt-out, telling us:

Our fair access protocol works very much on a district basis, so it would be equivalent to a smaller authority. It is only as strong as the individual schools within it and their commitment to the fair access protocol, and that is the difficulty.<sup>112</sup>

70. We were told that when mainstream schools are reluctant to accept pupils from AP, and where they fail to provide a rapid return to mainstream, this can lead to some pupils feeling rejected. London South East Academies Trust suggested that pupils can often be reliant on the benevolence of headteachers, rather than the system, in order to return to mainstream school.<sup>113</sup> We were privately told that there are certain types of schools that do refuse to accept pupils who are returning from AP. We further heard that there is a lack of scrutiny about decisions that are being made and no challenge about decisions that are made:<sup>114</sup>

In terms of getting kids back from alternative provision into mainstream or for a child who has been permanently excluded, there should be fair access protocols that allow in-year admission. If a child has been excluded they should be able to get back into a mainstream school using these fair access protocols. There is no scrutiny of how they are used. Basically we would say there is no scrutiny virtually at every level in this system.<sup>115</sup>

We were disappointed that the Minister was not able to tell us who was accountable when schools do not co-operate. When asked who was accountable when schools in some areas do not sign up to them, he told us that it “is about professionals co-operating together.”<sup>116</sup> When pressed further about what happens when schools do not take part, he told us that schools are not entitled to do so, and assured us that the Exclusions Review being undertaken by Edward Timpson would look at this.<sup>117</sup>

**71. The best Fair Access Protocols work well because they are local and understand the needs of their communities. However, this is not always the case, and it is not right that some schools can opt out of receiving pupils back to mainstream schools or following the Fair Access Protocol.**

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108 Lancashire PRU Headteachers ([ALT 36](#)) para 3.2; [Q422](#) [Sue Morris-King]

109 Mr John Watkin ([ALT 45](#)) para 2.4

110 Office of the Children’s Commissioner ([ALT 79](#)) para 17

111 The Limes College ([ALT 8](#)) para 20

112 [Q127](#)

113 London South East Academies Trust ([ALT 43](#)) para 36

114 Ms Diana Robinson ([ALT 16](#)) para 1.3; [Q188](#) [Emma Bradshaw]

115 [Q73](#) [Matthew Dodd]

116 [Q458](#)

117 [Q459](#)

**72. *Government should issue clearer guidance on Fair Access Protocols to ensure that schools understand and adhere to their responsibilities and encourage reintegration where appropriate. No school should be able to opt-out and if necessary either the local authority or the DfE should have the power to direct a school to adhere to their local Fair Access Protocol.***

73. There is too little consistency around the process of exclusion and referral to AP. We have heard too much that suggests that there is not the focus on collaboration and community that is described by Dr Gazeley:

One of the issues around resource and responsibility is the sense that the schools that we looked at were sites of good practice and we scoped them very carefully, but that sense that their collective responsibility is within local communities. Sometimes the solutions do not lie solely within the grasp of the individual school, which is partly why some of the focus on alternative provision within our particular study was about co-development of solutions across local context, which was very much thinking about what is it that young people might need, with a very positive, flexible, resourceful mindset, rather than thinking about it as punitive, places overflowing because children are not wanted.<sup>118</sup>

74. We think that there is a lot to learn from the existing Virtual School Head model for looked-after children. Local authorities' duties to looked-after children include promoting their educational achievement. The Children and Families Act 2014 required local authorities to employ someone to carry out that duty: Virtual School Heads. Among other things, Virtual School Heads advise on educational provision for looked-after children; track and monitor the progress and achievements of their pupils, support and quality assure the Personal Education Plan process and advise on the use of the Pupil Premium Plus. They act as the educational champion for their virtual school cohort.

75. We see no reason why a similar role and duty should not be created with responsibility for children in alternative provision. The duties of this role would include maintaining a list of all pupils being educated in AP, ensuring that appropriate monitoring of placements takes place by the commissioning schools and where a child is placed by the local authority monitoring the quality of provision and outcomes of the pupil. It would also include supporting the commissioning of appropriate alternative provision and acting as an advocate for the best interests and views of the pupil. This role would create a mechanism by which Fair Access Protocols were consistently co-ordinated and overseen, Fair Access Panels were attended and schools challenged where they refuse to accept pupils.

**76. *There should be greater oversight of exclusions and the commissioning of alternative provision for all pupils by the local authority. These children need a champion, and schools need both challenge and support.***

**77. *There should be a senior person in each local authority who is responsible for protecting the interests and promoting the educational achievement of pupils in alternative provision, which is adequately resourced. This role and post-holder should be different from that of the Virtual School Head for Looked-After Children.***

## 4 What does good alternative provision look like?

“A good PRU delivers a lot of love and a little magic into the lives of those who have very frequently, and sadly, experienced too little of either.”

Peterborough Pupil Referral Service ([ALT 30](#))

78. AP is diverse and it would not be appropriate to set a one-size-fits-all template for what good alternative provision looks like, but in this chapter we set out some of the issues and challenges that alternative provision faces and highlight good practice. We have heard from many outstanding providers, teachers, headteachers and local authorities who offer the very best of provision to their pupils. They talk about providing supportive, flexible environments that meet individual needs and allow pupils to flourish. No provision that we have heard from or visited is the same, but no pupil is the same. There is no template for good AP, but the challenge that we set is providing consistently good AP to all pupils no matter where they are living.

### In-school alternatives

79. Learning Support Units (LSUs) were introduced in schools from 1999 as part of the Excellence in Cities partnerships and Education Action Zone partnerships. Funding was provided to schools with the intention to improve behaviour and reduce exclusion.<sup>119</sup> Ofsted found that while a quarter of units didn't help pupils learn effectively, it did find that most LSUs were successful in reducing exclusions and promoting inclusion.<sup>120</sup>

80. There is a lack of agreement about whether in-school alternatives to alternative provision are increasing or decreasing. Some told us that schools were using in-school provision more,<sup>121</sup> in many cases the reason being funding pressures, while other witnesses said that funding pressures and a focus on Progress 8 were driving schools to reduce their in-school provision.<sup>122</sup> Two large providers of alternative provision, Nacro and YMCA Training, both argue that in-house provision may not be best for the pupil,<sup>123</sup> and Gloucestershire Hospital Education Service told us that it is opposed to in-school options for pupils with medical needs, particularly those with mental health needs.<sup>124</sup>

81. We heard about the importance of in-school alternatives needing to be good quality, but we also heard that in many cases this is not the case.<sup>125</sup> Dr Val Gillies, Professor of Social Policy and Criminology at the University of Westminster, told us that:

119 The Difference ([ALT 94](#)) para 39

120 Ofsted, *Excellence in Cities and Education Action Zones: management and impact*, May 2003, p 58

121 YMCA Training ([ALT 34](#)) para 26; Nacro ([ALT 69](#)) para 5.1; ADCS ([ALT 39](#)) para 5

122 London South East Academies Trust ([ALT 43](#)) para 53; ASCL ([ALT 90](#)) para 16; Mrs Lorraine Thompson ([ALT 67](#)) para 9; SSCYP ([ALT 5](#)) para 24

123 Nacro ([ALT 69](#)) para 5.1; YMCA Training ([ALT 34](#)) para 26

124 Gloucestershire Hospital Education Service ([ALT 86](#)) paras 26a–d

125 Ms Joanne Southby ([ALT 78](#)) para 19

Where there is that segregated model, of course they are not keeping up with what is going on in the classroom. The provision in terms of education can sometimes be very poor. They may be in a unit where there are not any trained teachers, and even where the teachers are coming into the unit, that is usually given to supply teachers. It does not tend to be a very popular job. Teachers do not want to go into the unit and teach them, so they do not have an opportunity to build a relationship with the teachers in the first place. The longer they are in those units, the harder it is then to reintegrate back in to mainstream.<sup>126</sup>

82. Many of the young people we spoke to talked about being put in isolation in mainstream school for large parts of academic years. Some of the pupils were put in isolation for behavioural reasons, while others were removed from the classroom for other reasons, including because they were victims of bullying. The young people told us about the impact that isolation had on them. One young person who was isolated because they had been bullied told us that “With that kind of support, I gave up with the school system—I chose not to go.”<sup>127</sup> Another described their experience of learning: “There were a lot of different people in the isolation room that I was put in, but it was a box, essentially. [ ... ]They would give you a textbook to copy from. There would be no real learning.”<sup>128</sup> We were also told by a young person with experience of alternative provision about their experience of isolation in mainstream school:

At first, I felt like I had been naughty and was in trouble, but I obviously couldn’t work out what I’d done. They changed my time for eating my dinner. I would go and eat my dinner before everyone else even started theirs. I was isolated not just from my lessons but from everyone completely. It makes you feel bad. You feel like you’re not going to have friends. Even though I was in a very bad situation at the time, I was still never allowed that freedom.<sup>129</sup>

83. Diana Robinson raised concerns about the move towards a ‘sin bin’ approach:

I don’t think this is the ‘in-school alternatives’ being proposed in this question. Instead I think the ‘sin-bin’ or ‘seclusion room’ is being proposed. I have witnessed the awful environment of such facilities, where the pupil is held in isolation with no work or intervention to address whatever ‘sin’ had led him or her to be placed there. It does not provide education, but punishment.<sup>130</sup>

84. However, we were told about successful interventions that are delivered in-house, using inclusion style models. Drew Povey, Headteacher of Harrop Fold school in Manchester, told us that his school hadn’t excluded a pupil in over ten years.<sup>131</sup> He told us that Harrop Fold has three levels of intervention rooms, and described the success of this model using the example of a pupil called Kodie:

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126 [Q86](#)

127 Young person with experience of alternative provision

128 Young person with experience of alternative provision

129 Young person with experience of alternative provision

130 Ms Diana Robinson ([ALT 16](#)) para 5.3

131 [Q83](#)

Her progress was phenomenal. She did have her challenges at school and I am absolutely certain in many other settings she would have been permanently excluded. But we believed that she could turn a corner. We have tiers of provision within the school that are slightly different from what you might see elsewhere and it is perfect for our young people. We got Kodie through to the end. She did not break any records when it came to exam results, but she did well and she went on to college. She will be coming back to Harrop to train as an apprentice as a teaching assistant.<sup>132</sup>

Drew Povey also told us that his school's approach also included a mindset shift, moving from saying that they "cannot" exclude, to exclusion being something that they "do not" do.<sup>133</sup>

85. We also heard that in-school alternatives can also have other protective benefits. Dr Val Gillies told us about the power of mentors:

They are a great resource and they are the first to go in terms of education cuts at the moment, but because teachers are so pressured they often do not have an opportunity to get to know young people or understand the various different challenges that they might be dealing with, so mentors can operate as a really important bridge.<sup>134</sup>

We also heard that in-house AP maintains a learner's sense of connectivity with the school,<sup>135</sup> although we are concerned that this would only be the case where in-house provision is of good quality.

86. In many cases, high quality in-school alternatives can be used to prevent exclusion and provide support to pupils. In-school alternatives will not be the right provision for some pupils, and where they are poorly set up, they can cause damage to pupils and cause more harm than good.

**87. *Government should collect best practice and provide dedicated resources and guidance to schools to improve behaviour and reduce exclusion and develop appropriately resourced Learning Support Units. This guidance should include that all LSUs are staffed by at least one qualified teacher. The Government should also investigate the practice of placing students in isolation units.***

**88. *Ofsted should carry out thematic inspections of in-school alternative provision.***

## Quality of teaching

89. The Department for Education recognises the quality of teaching as the single biggest factor influencing the children's classroom experience.<sup>136</sup> This is true of all provisions, and should be true for all pupils. We were told by one young person:

The teachers at my school, in my final year of school, sat down with me at the start of the year, because they had known that I had fallen behind from

132 [Q89](#)

133 [Q83](#)

134 [Q105](#)

135 ADCS ([ALT 39](#)) para 5

136 NAO, [Retaining and developing the teaching workforce](#), September 2017 p 17

not going in and being in isolation. They sat down with me and said, “What can you do? What do you feel comfortable with? Is there anything that we need to work on?” They did listen to me with that, but they would also speak to me. They would find ways of trying to help you remember. If you wanted extra work, they would give it to you. They would say, “I’d support you no matter what.”<sup>137</sup>

## **Recruitment and training of teachers**

### **Recruitment of qualified teachers**

90. 82% of teachers in all AP providers have qualified teacher status (QTS). 60% of teachers in AP free schools are qualified, compared to 84% of teachers in PRUs. 95% of teachers in mainstream schools have QTS.<sup>138</sup> According to the Institute for Public Policy Research, the number of vacancies in the maintained AP and special sector has nearly trebled since 2011. Vacancies are 100–150% higher than in mainstream secondary schools.<sup>139</sup>

91. Alternative provision needs high quality teachers. Professor David Berridge told us:

These children need the best teachers. These children need the most skilled and the most dedicated teachers. Traditionally in England, the best teachers have wanted to work with the high flyers that may be the most academically rewarding and enriching, but how we can create a system that incentivises the best teachers to go to the areas where they are needed?<sup>140</sup>

However, as well as issues with qualified teachers, a child educated in a special or AP schools is twice as likely as a mainstream pupil to be taught by a supply teacher. We heard that a workforce staffed by supply teachers can have an impact on the development of relationships between staff and pupils, which is necessary for successful teaching and behaviour management.<sup>141</sup>

### **Quality of teaching**

92. Witnesses raised issues about the quality of teaching in alternative provision, in part linked to poor recruitment, but also linked to misconceptions about the sector. Joanne Southby, Executive Head at London South East Academies Trust, told us:

Potential candidates can be attracted for the wrong reasons including misunderstanding that PRUs are schools and teachers will be equally accountable for outcomes and progress as they would in any mainstream environment. Sometimes, potential teachers assume that teaching in a PRU would be “easier” as less might be expected of pupils and parents’ evenings/ extra-curricular activities non-existent. This can lead to reduced fields of quality candidates or unsuitable appointments which result in disrupted

137 Young person with experience of alternative provision

138 DfE (ALT 58) para 44

139 IPPR, *Making the Difference*, October 2017, p 30

140 Q27

141 The Difference (ALT 94) para 16

education for pupils due to staff absence, capability processes and higher turnover. Committed staff in PRUs have high retention, but securing them in the first place can be difficult.<sup>142</sup>

93. IPPR also found that in 80% of PRUs' Ofsted inspections that it analysed, low expectations or the quality of teaching and learning were identified as an area of improvement.<sup>143</sup> Concerns have been raised about the lack of subject specialists in AP, which has an impact on the curriculum that can be offered, but also the workload of teachers who are experts in their subject.<sup>144</sup> Managing the behaviour of pupils is clearly an important part of the role of teachers in AP, however Kevin Courtney told us:

In lots of places we are starting to think what you need on the behavioural management side of it is somebody who is good with the kids. You need that but you also need the expertise of a teacher. You need qualified teachers at the heart of the system<sup>145</sup>

### *Initial teacher training*

94. Some schools are overcoming the recruitment challenges, and training teachers in innovative ways. In Peterborough, the Executive Headteacher delivers training to PGCE students and all trainees have a placement within the Pupil Referral Service.<sup>146</sup> Acorn Academy Cornwall is developing the Multi-Academy Trust as a teaching school and is a partner in the delivery of Initial Teacher Training through local partnerships.<sup>147</sup> Education Links said that it and other providers are moving to 'grow their own', whereby they train unqualified teachers or classroom assistants.<sup>148</sup> However, the National Education Union raised concerns about the appropriateness of PRUs for initial teacher training, saying that it is "simply inappropriate to have emerging teacher trainees working with the most vulnerable children and young people. Equally, it is unfair for trainee teachers to receive initial training in such environments, ultimately having an adverse effect on their professional development."<sup>149</sup>

95. Teaching in alternative provision should be held in high regard, and attract the highest quality leaders and teachers. However, alternative provision is clearly not seen as a prospective career choice for the most talented teachers. This is likely to be down to a lack of professional development opportunities and also proper understanding of the challenges and rewards of working in alternative provision.

**96. *All trainee teachers, in order to achieve Qualified Teacher Status, should be required to undertake a placement outside of mainstream education, for example in a special school or in alternative provision.***

142 Ms Joanne Southby (ALT 78) para 10

143 IPPR, *Making the Difference*, October 2017, p 34

144 NEU (ALT 41) para 23

145 Q435

146 Peterborough Pupil Referral Service (ALT 30) para 5.1.1

147 Acorn Academy Cornwall (ALT 24) paras 6.1–6.2

148 Education Links (ALT 59) para 11

149 NEU (ALT 41) para 24

## Leadership

97. When there are challenges like recruitment issues, unqualified teachers and a pupil cohort that is transient and with high needs, leadership is crucial. However, according to *The Difference*, vacancies in leadership roles have more than doubled in the AP and special school sector between 2011 and 2016.<sup>150</sup> Kiran Gill told us:

The challenge that we have is we also have large leadership vacancies in alternative provision, so we need to get people in who can do that inspirational training for younger, unqualified and trainee teachers. At the moment, the latest reviews we have into continuous professional development on alternative provision show that there isn't a lot out there and that this sector is often quite isolated from the developments that are happening in the mainstream sector.<sup>151</sup>

98. In order to address these challenges, *The Difference* programme will recruit teachers with a minimum of three years' teaching experience and at least middle-leadership experience. These teachers will take on leadership roles in PRUs before returning to mainstream schools in leadership roles, with the expectation of disseminating best practice and thereby reducing exclusions.<sup>152</sup> This practice of cross-fertilisation of knowledge between sectors already happens in other countries in the UK, where exclusion rates are much lower.<sup>153</sup> In 2016/17 one pupil in Scotland was permanently excluded.<sup>154</sup> In 2015/16, five pupils in Scotland were permanently excluded. This equates to 0.0007% of the school population. This compares to 6,685, or 0.8% of the school population in England.<sup>155</sup> This was further reflected by Dr Gillooly, Head of Strategic Development & Innovation at the Scottish charity Includem who told us:

[Exclusions] are reducing. There are fewer exclusions, and the length of period of exclusion is reducing. There are ways that schools can look at alternatives for young people. It is possible, for instance, to come to an agreement within a local authority that a child will attend another school within the local authority for a period of time, but there is always the presumption that they will be reintegrated back into that original school where at all possible. These situations are looked at and monitored, so that presumption of mainstreaming and presumption of inclusion is absolutely running through all of the practice around how we deal with challenging behaviour.<sup>156</sup>

## Continuing professional development

99. Paul Devereux, a Head of Hospital and Hospital Outreach Education but submitting evidence in a personal capacity, described how supply teachers often teach pupil with medical needs, and supply staff lack access to good quality training, which means that

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150 *The Difference* ([ALT 94](#)) para 19

151 [Q27](#)

152 IPPR, *Making the Difference*, October 2017, p 38

153 IPPR, *Making the Difference*, October 2017, p 34

154 "[Scottish schools stamp out permanent exclusions](#)" TES, January 2018

155 "[Do Scotland's exclusion figures tell us the full story?](#)", TES, March 2018

156 [Q397](#)



their understanding of the curriculum can be behind current standards.<sup>157</sup> More broadly, we heard that there are challenges for schools having to provide subject knowledge training when teachers are teaching outside of their specialism, as well as broader skills needed for the setting.<sup>158</sup> We were told that schools can find themselves caught between a rock and a hard place: much as they would wish to allow their staff to attend training, the often small size of provision, and the need for high levels of staffing, means that the practicalities of releasing staff is difficult to accommodate. This training is important to ensure that staff are kept up to date with training, particularly as pupils arriving in AP can present with high risk behaviours.<sup>159</sup>

## Curriculum and school ethos

100. When we spoke to pupils in alternative provision, they told us that they valued the relationship that they have with their teachers.<sup>160</sup> They felt that teachers building relationships with pupils is not possible in mainstream schools.<sup>161</sup> We particularly noted the language they used: one young person likened their school to a family,<sup>162</sup> while another young person talked about their “school mummy.”<sup>163</sup> One young person from alternative provision told us why having that relationship with teachers was important:

they understand that maybe somebody is having a giddy day or a depressed day, or they're very tired, or a bit anxious, and then they will work around that. So it's easier for you to work when you know that they know what you're going through, and it's understanding, and then you can have a relationship with them.

When I was at mainstream, I was a bit scared of the teachers, but at [alternative provision] I'm friends with quite a few of them and they're all really nice people—the nicest people I've ever met.<sup>164</sup>

101. When asked if they feel that there are areas of the curriculum that they feel that they miss out on, they didn't agree, instead talking about the different subjects that they do get to study, like media, sociology and citizenship.<sup>165</sup> One young person who attended AP for medical reasons talked about taking fewer GCSEs being a deliberate choice, and how the decision was made to focus on maths and English as those subjects would best help them in the future.<sup>166</sup> There was a recognition that sometimes a smaller provision will not offer the wide choice that a mainstream school would,<sup>167</sup> and that the timing of their arrival in AP could affect their subject choices:

But there would be subjects like science which we could be missing out on, because students join late year, so I could have been here since Year 8 but some have joined from Year 10 or 11, and that could affect my education as

157 Mr Paul Devereux (ALT 64) para 11

158 Essex County Council (ALT 84) para 2.2

159 Ms Joanne Southby (ALT 78) para 12

160 Young people with experience of alternative provision

161 Young person with experience of alternative provision

162 Young person with experience of alternative provision

163 Young person with experience of alternative provision

164 Young person with experience of alternative provision

165 Young people with experience of alternative provision

166 Young person with experience of alternative provision

167 Young person with experience of alternative provision

well, because it's joining in late. So we have to start everything all over again from 15, if we missed out on something. That's the only poor thing about alternative provision, but other than that you take literally everything that mainstream school does, or my school does anyway, and you get treated nearly the same.<sup>168</sup>

We also heard from one young person that they appreciated the classes where they were taught how to control their emotions and well-being and felt that it helped them.<sup>169</sup>

102. However, while young people did not seem worried that they were missing out on aspects of the curriculum, we also heard concerns about the curriculum on offer. Written evidence echoed the young people's views that small provision can find it challenging to offer a broad and balanced curriculum.<sup>170</sup> Other concerns included insufficient stretch in the curriculum,<sup>171</sup> and only low qualifications on offer, which can result in pupils being unable to progress to further study at college.<sup>172</sup> We were told that the most effective alternative provision offers a broad and balanced curriculum that combines academic subjects with vocational options, along with teachers having high expectations for their pupils.<sup>173</sup>

## Outreach and collaboration

103. Some providers of AP told us about the outreach that they do with schools, giving support and advice to mainstream schools. One mainstream school also told us that it provides inclusion support.<sup>174</sup> Many alternative providers have significant pastoral staffing, including psychotherapists, counsellors, educational psychologists. Many are significantly aware of the many vulnerabilities that the cohort of children have, and can assess and co-ordinate support.<sup>175</sup>

104. We heard that some alternative providers build partnerships with other schools and services, which provides support and expertise to pupils that the providers alone cannot provide.<sup>176</sup> However, we think that it appears that this can often be one-sided and relies on alternative providers reaching out to mainstream schools. We are also concerned that this perpetuates an 'out of sight, out of mind' mentality and alternative provision being seen as a 'sin-bin' where only badly behaved pupils learn and failed teachers work. We consider that the work by The Difference is a step towards improving relations between mainstream schools and alternative provision.

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168 Young person with experience of alternative provision

169 Young person with experience of alternative provision

170 Essex County Council ([ALT 84](#)) para 2.2; Headteachers' Roundtable ([ALT 13](#)) para 3.1

171 Headteachers' Roundtable ([ALT 13](#)) para 3.1

172 Office of the Children's Commissioner ([ALT 79](#)) para 13

173 NEU ([ALT 41](#)) para 27; Ms Joanne Southby ([ALT 78](#)) para 15

174 TBAP Multi Academy Trust ([ALT 46](#)) para 6.1–6.2; Acorn Academy Cornwall ([ALT 24](#)) para 5.3; Hospital and Outreach Education ([ALT 21](#)) paras 15–16; Leyland St. James' CE (Aided) Primary School Inclusion Services ([ALT 9](#)) para 2.1

175 AP Network ([ALT 72](#)) para 2.1

176 Association of School and College Leaders ([ALT 90](#)) para 38; NAHT ([ALT 29](#)) para 29; Essex County Council ([ALT 84](#)) para 2.2

## Unregistered provision

105. Unregistered provision is often used as alternative provision. It is so called because it is not required to be registered with the Department for Education. Schools that are unregistered but required to be registered are operating illegally. Schools must register if they provide full time education for five or more pupils of compulsory school age, or one or more pupils of compulsory school age with an Education Health and Care plan or one or more pupils of compulsory school age who are looked after by the local authority. There is no legal definition of ‘full time’. However, the Department for Education clarified that they would consider an establishment that is open during the day and for more than 18 hours a week to be providing full time education.<sup>177</sup> Providers that are registered with the Department are required to be inspected and this will either be by Ofsted, or an approved independent inspectorate. The Difference states that while local authorities are required to keep a register of alternative providers, even if they are unregistered, in many cases the local authority registers were partial and not validated.<sup>178</sup>

106. Many unregistered providers offer a valuable service to pupils and schools, and often offer vocational options or creativity and flexibility that is needed by pupils.<sup>179</sup> However, we were told that the quality of education and pastoral support offered by these providers is variable, and in many cases poor.<sup>180</sup>

107. We recognise that there are many excellent unregistered providers and commissioning schools that have robust quality assurance processes.<sup>181</sup> However, given what we have heard in paragraphs 60 and 66 about the lack of oversight that there can be when schools themselves commission alternative provision for pupils, we are concerned that there are pupils who are attending unregistered provision for substantial parts of their education and being put at risk of harm as well as receiving poor quality education. Sue Morris-King from Ofsted told us:

When we see pupils going out for just one day a week to something like motor mechanics that they find very engaging, that probably would not lend itself to any kind of registration or inspection. We look at that through our section 5 inspections and we hold the school or PRU to account there. However, there is a big gap between where we are now and all the unregistered providers where pupils can go for four and possibly five days a week, if they go to two different places, and nobody inspects it.<sup>182</sup>

Despite the lack of consensus around the issue of registration of provision, there was agreement that children should be in safe and high-quality provision. Some argued that all alternative provision should be registered.<sup>183</sup> Others suggested that regulation, but not registration, could be a way forward.<sup>184</sup> David Whitaker, from the Headteachers’ Roundtable, told us

177 [Correspondence from the Minister for School Standards regarding alternative provision](#), June 2018, p 3

178 [The Difference \(ALT 94\)](#) para 52

179 [Association of Youth Offending Team Managers \(ALT 55\)](#) para 9; [SSCYP \(ALT 5\)](#) para 27

180 [Essex County Council \(ALT 84\)](#) paras 5.1–5.2; [London South East Academies Trust \(ALT 43\)](#) para 58

181 [Pavilion Study Centre \(ALT 19\)](#) paras 26–29

182 [Q419](#)

183 [The Limes College \(ALT 08\)](#) para 31; [Mrs Lorraine Thompson \(ALT 67\)](#) para 11b

184 [Nacro \(ALT 69\)](#) para 6.1; [ASCL \(ALT 90\)](#) para 64

One of the problems with the system is that if everybody has to make a significant shift to be registered, we might lose some really great providers who are working with small numbers of children, who are doing some part-time, who are doing it really well. Some of them are reluctant to turn themselves into schools and I think there should be a more graduated approach to that.<sup>185</sup>

108. We recognise that requiring provision to register could be burdensome and that ASCL has said that some valuable provision could be lost.<sup>186</sup> We have also been told that there are providers that want to be registered but current guidelines means that they are unable to do so.<sup>187</sup>

**109. We do not consider that there are sufficient checks on unregistered providers. If pupils are placed in unregistered provision, without sufficient oversight, their education and safety is put at risk. We are not convinced that the quality and consistency of oversight is enough not to require there to be registration and regulation across the sector.**

***110. No pupil should be educated in unregistered provision for more than two days a week. The Government, Ofsted and independent school inspectorates should consider how this may affect different forms of alternative provision so that where providers want to accept pupils for more than two days a week, they are able to register and be subject to a suitable inspection and regulation regime. Schools that commission any alternative provision should be responsible for the quality of that provision.***

111. We were fortunate to visit and take evidence from high quality provision and meet with pupils who are clearly thriving in their alternative provision. However, we are concerned that there are too many barriers to alternative provision offering the type of high quality education we would expect pupils to be able to benefit from. We recognise that the very nature of alternative provision, often offering flexible, short-notice school places for vulnerable, disruptive and/or disengaged pupils, can often make providing this high-quality provision challenging. We are encouraged where we see providers overcoming this creatively, by working collaboratively and looking for options that enable them to support pupils holistically and provide them with a broad and balanced educational experience. However, the onus to collaborate should not rest with alternative providers. All schools have a responsibility to reach out to support the pupils in their community.

112. Alternative provision should be seen as part of a suite of options that schools have at their disposal, and this should extend beyond school places. Mainstream schools should utilise the expertise of alternative provision schools and actively seek their advice. Alternative provision will have specific expertise that mainstream schools will benefit from, just as mainstream schools will have expertise that alternative providers will benefit from. Sharing of expertise will benefit pupils and teachers in all schools and help to dispel the stigma and myths about alternative provision.

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185 [Q135](#)

186 ASCL ([ALT 90](#)) para 64

187 Red Balloon Learner Centre Group ([ALT 48](#)) paras 13–20

***113. Mainstream schools should be more proactive in their engagement with alternative provision. All mainstream schools should be 'buddied' with an alternative provision school to share expertise and offer alternative provision teachers and pupils opportunities to access teaching and learning opportunities.***

## 5 Successful outcomes and destinations

“He has done so much to prepare him for the outside world. With that confidence and self-esteem, he is now just set through. [ ... ] He has a lot of options to look at, where 12 months ago he would never even have thought of anything. They have prepared my son for the outside world.”

Parent of a pupil with experience of alternative provision

### Outcomes

114. Pupils in alternative provision should be able to access both GCSEs and technical qualifications. However, we were told that “1% of children in alternative provision get five good GCSEs with English and maths but 99% do not”.<sup>188</sup> Further evidence told a more nuanced story of the 1% figure and the focus on measuring outcomes by five good GCSEs, the same as their peers.<sup>189</sup> The 1% figure refers only to pupils who are single-registered at their alternative provision; most pupils are dual-registered and therefore their exam grades count towards the performance of their mainstream school.<sup>190</sup> Providers told us that pupils in AP were unlikely to achieve 5 A\*-Cs at GCSE whether they were in mainstream or in alternative provision.<sup>191</sup>

115. In reporting outcomes by five good GCSEs, there is no recognition of the challenges that alternative provision and its pupils must overcome in order to achieve good exam results. We were told that it is rare for pupils to arrive with evidence of past work;<sup>192</sup> that there are challenges when pupils have been studying a number of different exam board syllabi;<sup>193</sup> and that schools often take pupils late into their key stage 4 journey.<sup>194</sup> Alternative providers have to spend time addressing issues such as poor attendance, disengagement, building relationships with families and referring pupils for assessments for unmet needs before they can begin to focus on academic education.<sup>195</sup>

116. Providers pointed out the range of successes that their pupils have achieved, even if they are not academic. We have also heard from and met pupils who are now better able to manage their anxiety or anger; are regular school attenders; are more confident and engaged with learning; and are on high quality post-16 courses or in jobs. The Education Support Centre in Hertfordshire told us:

Ex-students return to share with us their success in life such as a local postman, an owner of a barber’s shop, a blind football referee at the 2012 Olympics, an emergency services worker, a carpenter to name a few.<sup>196</sup>

117. Transition or return to mainstream can also be a successful outcome, and one that some providers work towards, particularly at key stage 3. However, as discussed in

188 [Q2](#) [Kiran Gill]

189 PRUSAP ([ALT 17](#)) para 14; The Limes College ([ALT 8](#)) para 22; ADCS ([ALT 39](#)) para 4

190 National Association of Hospital and Home Teaching ([ALT 31](#)) para 3.1; PRUSAP ([ALT 17](#)) para 16

191 The Limes College ([ALT 8](#)) para 22

192 Ms Joanne Southby ([ALT 78](#)) para 14; London South East Academies Trust ([ALT 43](#)) para 73

193 PRUSAP ([ALT 17](#)) para 15

194 Bridge Short Stay School ([ALT 23](#)) para 6

195 Ms Joanne Southby ([ALT 78](#)) para 14

196 North Herts Education Support Centre ([ALT 22](#)) para 1d

paragraphs 70 and 71, we heard that reintegration is often not a possible outcome for pupils, with some schools being reluctant to reintegrate pupils.<sup>197</sup> Sue Morris-King, a senior Her Majesty's Inspector at Ofsted told us:

Reintegration is crucial, but what we are often seeing is pupils who are in pupil referral units for the long term and are not going back into the mainstream. They can spend three, four or even more years in full-time alternative provision.<sup>198</sup>

Where pupils are reintegrated without appropriate support, schools can struggle to keep pupils in their school, and they are likely to return to alternative provision, often through permanent exclusion.<sup>199</sup> Some alternative provision offers outreach to help support pupils as they reintegrate back to mainstream provision.<sup>200</sup>

118. Fundamentally, outcomes for children in AP are not good enough and their successes and achievements often go unrecognised. Their outcomes are currently judged against mainstream performance measures and do not take into consideration the circumstances that have led pupils to be educated in alternative provision and the challenges that both pupils and teachers face. Acknowledging these challenging circumstances and their vulnerabilities should not mean that schools are able to make excuses for poor performance and all alternative providers must have high expectations for their pupils. We welcome the Government's commitment to create a bespoke performance framework for AP and the acknowledgment by the Minister that "when we come to assess alternative provision, it needs to be more than just the A to C figure, the GCSE results. It does also need to be things like attendance, behaviour and so on; all those pastoral non-qualification-related issues."<sup>201</sup>

119. *This framework should take into account the fragmented educational journey that these pupils will have had, and enable schools to demonstrate all the achievements of their pupils. We urge the Government to ensure that it uses the very broadest of measures, including softer skills that pupils have developed as well as harder outcomes like apprenticeship take up.*

## Destinations

120. 94% of Year 11 pupils from a mainstream or special school go on to a sustained education or employment or training destination,<sup>202</sup> compared to 57% from alternative provision.<sup>203</sup> Pupils from AP can face limited choices about where they can go on to based on the qualifications they achieved, or didn't achieve, at AP,<sup>204</sup> or their educational histories.<sup>205</sup> Pupils who move on from AP to college can struggle to integrate as the college is too large and presents challenges that pupils are unable to navigate and cope with.<sup>206</sup>

197 SSCYP ([ALT 5](#)) para 7c; Ms Diana Robinson ([ALT 16](#)) para 1.3

198 [Q422](#)

199 Headteachers' Roundtable ([ALT 13](#)) para 5.3

200 Essex County Council ([ALT 97](#)) para 5; Education Links ([ALT 59](#)) para 22

201 [Q477](#)

202 To count as a 'sustained' destination, the young person has to be participating for 'two terms' or 'six months' the following academic year – the period considered is October to March.

203 DfE, *Destinations of key stage 4 and key stage 5 students, England, 2015/16*, October 2017, p 21

204 Office of the Children's Commissioner ([ALT 79](#)) para 13; Mr John Watkin ([ALT 45](#)) para 4.2

205 Lancashire PRU Headteachers ([ALT 36](#)) para 3.1

206 Wac Arts College ([ALT 20](#)) para 3.3

It is important, when we are thinking about post-16: for these young people, that the transition is often very, very difficult for them. If they are coming from an alternative provider—coming from a PRU or a small special school—into a huge college they can find that transition very difficult. Sometimes we find they get the college place but don't manage to stay once they lose the really good support from their PRU or alternative provision.<sup>207</sup>

Some providers of alternative provision extend their support to pupils beyond Year 11 to help them with their transition to post-16 education, to help pupils to transition successfully.<sup>208</sup>

121. Alternative provision is not funded post-16, and the statutory duty on a local authority to provide education to pupils who are too ill to attend school also only extends to 16, despite the participation age having been raised to 18. However, some providers argue that there is a case for post-16 provision. Wac Arts College told us:

There are very few providers of alternative provision for post 16 students. However our experience is that provision such as ours meets a very specific need. Our pre 16 students have all had difficult experiences in secondary school and as a result many under-achieve at GCSE. Offering them continuity between the pre and post 16 phases gives them the opportunity to recover from that under-achievement in a familiar and secure environment.

There are students who simply are not ready at 16 to face the challenges of a large and relatively impersonal college or school. We believe, having worked with our students for more than three years, that there is a place in the system for our kind of provision.<sup>209</sup>

122. The Minister told us:

It is a power local authorities have. It is not a duty. The duty is to provide alternative provision for those of compulsory school age to 16. There are 49 PRUs, alternative settings, that do have provision beyond the age of 16, but that is a very small number compared to total provision settings. I am sure this is something that we will look at, in terms of the alternative provision review.<sup>210</sup>

**123. It is extraordinary that the increase in the participation age was not accompanied by statutory duties to provide post-16 alternative provision. Pupils neither stop being ill at 16, nor do they stop being in need of additional support that would enable them to access education. These pupils are being denied access to post-16 education because the system is not designed or funded to accommodate their additional needs. There is a clear will in the sector to provide post-16 education to pupils in alternative provision, and a clear need on the part of pupils.**

207 [Q437](#) [Sue Morris-King]

208 Ms Joanne Southby ([ALT 78](#)) para 16; The CE Academy ([ALT 14](#)) para 22; Mr David Holloway OBE ([ALT 47](#)) para 9; London East Alternative Provision ([ALT 25](#)) para 22

209 Wac Arts College ([ALT 20](#)) paras 3.2–3.3

210 [Q506](#)



***124. Given the increase in participation age to 18, the Government must allocate resources to ensure that local authorities and providers can provide post-16 support to pupils, either in the form of outreach and support to colleges or by providing their own post-16 alternative provision.***

## Conclusions and recommendations

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### What's going wrong in mainstream schools?

1. *The Timpson Exclusions Review should ensure that it looks at the trends in exclusion by school type, location and pupil demographics. (Paragraph 18)*
2. *The Timpson Exclusions Review should examine whether financial pressures and accountability measures in schools are preventing schools from providing early intervention support and contributing to the exclusion crisis. (Paragraph 20)*
3. The evidence we have seen suggests that the rise in so called 'zero-tolerance' behaviour policies is creating school environments where pupils are punished and ultimately excluded for incidents that could and should be managed within the mainstream school environment. (Paragraph 25)
4. *The Government should issue guidance to all schools reminding them of their responsibilities to children under treaty obligations and ensure that their behaviour policies are in line with these responsibilities. (Paragraph 26)*
5. *The Government and Ofsted should introduce an inclusion measure or criteria that sits within schools to incentivise schools to be more inclusive. (Paragraph 27)*
6. We do not think that Ofsted should take sole responsibility for tackling off-rolling. Off-rolling is in part driven by school policies created by the Department for Education. The Department cannot wash its hands of the issue, just as schools cannot wash their hands of their pupils. (Paragraph 34)
7. An unfortunate and unintended consequence of the Government's strong focus on school standards has led to school environments and practices that have resulted in disadvantaged children being disproportionately excluded, which includes a curriculum with a lack of focus on developing pupils' social and economic capital. 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 classed as difficult or challenging. (Paragraph 36)
8. *We recommend that the Government should change the weighting of Progress 8 and other accountability measures to take account of every pupil who had spent time at a school, in proportion to the amount of time they spent there. This should be done alongside reform of Progress 8 measures to take account of outliers and to incentivise inclusivity. (Paragraph 37)*

### The process of exclusion and referral

9. The exclusions process is weighted in favour of schools and often leaves parents and pupils navigating an adversarial system that should be supporting them. (Paragraph 44)

10. *Legislation should be amended at the next opportunity so that where Independent Review Panels find in favour of the pupils, IRPs can direct a school to reinstate a pupil. (Paragraph 45)*
11. *Where responsibility sits for excluded children in a local area has become very ambiguous. The Timpson Exclusions Review needs to clarify whose responsibility it is to ensure that excluded or off-rolled pupils are being properly educated. This could be the local authority or it could be local school partnerships, but at the moment too many pupils are falling through the net. (Paragraph 46)*
12. *When a pupil is excluded from school for more than five non-consecutive days in a school year, the pupil and their parents or carers should be given access to an independent advocate. This should happen both where pupils are internally or externally excluded from school, or where the LA is arranging education due to illness. (Paragraph 47)*
13. *The Government should encourage the creation of more specialist alternative providers that are able to meet the diverse needs of pupils with medical needs, including mental health needs. (Paragraph 53)*
14. *There is an inexplicable lack of central accountability and direction. No one appears to be aware of all the provision that is available, which impacts on both schools, local authorities and parents. Unless all providers are required to notify the local authority of their presence, not all schools or LAs will be able to make informed decisions about placements. Without someone to take responsibility for co-ordinating and publishing information about the local provision that is available, parents and pupils will remain unable to fully participate in discussions about alternative provisions referrals. (Paragraph 56)*
15. *All organisations offering alternative provision should be required to inform the local authority in which they are based of their provision. The local authority should then make the list of alternative providers operating in their local authority available to schools and parents on their website. (Paragraph 57)*
16. *Pupil Referral Units, and other forms of alternative provision, should be renamed to remove the stigma and stop parents being reluctant to send their pupils there. We suggest that the Government seeks the advice of pupils who currently attend alternative provision when developing this new terminology. Many have described AP as specialist provision, offering children a more tailored, more personal education that is more suited to their needs. (Paragraph 58)*
17. *Local authorities have statutory responsibilities to provide suitable education for pupils and yet can have little oversight or scrutiny over decisions about exclusions and placement decisions. This may be due to inadequate resourcing, which needs to be addressed. We are also concerned by the lack of transparency about exclusion rates that are available to parents about schools. (Paragraph 62)*
18. *We recommend that LAs are given appropriate powers to ensure that any child receive the education they need, regardless of school type. (Paragraph 63)*

19. *Schools should publish their permanent and fixed term exclusion rates by year group every term, including providing information about pupils with SEND and looked-after children. Schools should also publish data on the number of pupils who have left the school. (Paragraph 64)*
20. Schools do not always have the capacity and specialist knowledge to have full responsibility for the commissioning of long-term placements for pupils who will often have complex needs. If, as we discussed in paragraph 52, local authorities are unaware of provision in their area, they too do not always have enough knowledge to make appropriate commissioning decisions. A fragmented approach to commissioning responsibilities and a lack of oversight and scrutiny around decisions means that pupils are being left vulnerable to inappropriate placement decisions. (Paragraph 66)
21. The best Fair Access Protocols work well because they are local and understand the needs of their communities. However, this is not always the case, and it is not right that some schools can opt out of receiving pupils back to mainstream schools or following the Fair Access Protocol. (Paragraph 71)
22. *Government should issue clearer guidance on Fair Access Protocols to ensure that schools understand and adhere to their responsibilities and encourage reintegration where appropriate. No school should be able to opt-out and if necessary either the local authority or the DfE should have the power to direct a school to adhere to their local Fair Access Protocol. (Paragraph 72)*
23. There should be greater oversight of exclusions and the commissioning of alternative provision for all pupils by the local authority. These children need a champion, and schools need both challenge and support. (Paragraph 76)
24. *There should be a senior person in each local authority who is responsible for protecting the interests and promoting the educational achievement of pupils in alternative provision, which is adequately resourced. This role and post-holder should be different from that of the Virtual School Head for Looked-After Children. (Paragraph 77)*

### What does good alternative provision look like?

25. *Government should collect best practice and provide dedicated resources and guidance to schools to improve behaviour and reduce exclusion and develop appropriately resourced Learning Support Units. This guidance should include that all LSUs are staffed by at least one qualified teacher. The Government should also investigate the practice of placing students in isolation units. (Paragraph 87)*
26. *Ofsted should carry out thematic inspections of in-school alternative provision. (Paragraph 88)*
27. *All trainee teachers, in order to achieve Qualified Teacher Status, should be required to undertake a placement outside of mainstream education, for example in a special school or in alternative provision. (Paragraph 96)*
28. We do not consider that there are sufficient checks on unregistered providers. If pupils are placed in unregistered provision, without sufficient oversight, their education

and safety is put at risk. We are not convinced that the quality and consistency of oversight is enough not to require there to be registration and regulation across the sector. (Paragraph 109)

29. *No pupil should be educated in unregistered provision for more than two days a week. The Government, Ofsted and independent school inspectorates should consider how this may affect different forms of alternative provision so that where providers want to accept pupils for more than two days a week, they are able to register and be subject to a suitable inspection and regulation regime. Schools that commission any alternative provision should be responsible for the quality of that provision.* (Paragraph 110)
30. *Mainstream schools should be more proactive in their engagement with alternative provision. All mainstream schools should be 'buddied' with an alternative provision school to share expertise and offer alternative provision teachers and pupils opportunities to access teaching and learning opportunities.* (Paragraph 113)

### Successful outcomes and destinations

31. *This framework should take into account the fragmented educational journey that these pupils will have had, and enable schools to demonstrate all the achievements of their pupils. We urge the Government to ensure that it uses the very broadest of measures, including softer skills that pupils have developed as well as harder outcomes like apprenticeship take up.* (Paragraph 119)
32. *It is extraordinary that the increase in the participation age was not accompanied by statutory duties to provide post-16 alternative provision. Pupils neither stop being ill at 16, nor do they stop being in need of additional support that would enable them to access education. These pupils are being denied access to post-16 education because the system is not designed or funded to accommodate their additional needs. There is a clear will in the sector to provide post-16 education to pupils in alternative provision, and a clear need on the part of pupils.* (Paragraph 123)
33. *Given the increase in participation age to 18, the Government must allocate resources to ensure that local authorities and providers can provide post-16 support to pupils, either in the form of outreach and support to colleges or by providing their own post-16 alternative provision.* (Paragraph 124)

## Formal minutes

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**Wednesday 18 July 2018**

Members present:

Robert Halfon, in the Chair

Lucy Allan                      Ian Mearns

Emma Hardy                  Lucy Powell

Draft Report (*Forgotten children: alternative provision and the scandal of ever increasing exclusions*) proposed by the Chair, brought up and read.

*Ordered*, That the Chair's draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 124 read and agreed to.

Summary agreed to.

*Resolved*, That the Report be the Fifth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till 11 September 2018 at 9.30 am

## Witnesses

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The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Tuesday 21 November 2017

**Professor David Berridge**, Professor of Child & Family Welfare, University of Bristol, **Kiran Gill**, Founder, The Difference, and **Philip Nye**, Researcher, Education Datalab

[Q1–47](#)

### Tuesday 6 February 2018

**Matthew Dodd**, Co-coordinator and Policy Advisor, Special Educational Consortium, **Cath Kitchen**, Chair, National Association of Hospital and Home Teaching, and **Jane Pickthall**, Chair, National Association of Virtual School Heads

[Q48–81](#)

**Dr Val Gillies**, Professor of Social Policy and Criminology, University of Westminster, **Kevin Kibble**, CEO, The Nurture Group Network, and **Drew Povey**, Headteacher, Harrop Fold School

[Q82–113](#)

### Tuesday 6 March 2018

**Claire George**, Head of Service, Peterborough Pupil Referral Service, **Ralph Holloway**, Transformation of SEN Service Manager, Essex County Council, and **David Whitaker**, Founding Member, Headteachers' Roundtable

[Q114–173](#)

**Colin Jeffrey**, Fairbridge and Achieve Programme Manager, The Prince's Trust, **Emma Bradshaw**, Headteacher, The Limes College, **Chaz Watson**, Director, SILC Training, and **Joanne Southby**, Executive Head, London South East Academies Trust

[Q174–220](#)

### Tuesday 20 March 2018

Private session with young people and parents with experience of alternative provision

[Q221–360](#)

### Tuesday 17 April 2018

**Jules Daulby**, Director of Education, Driver Youth Trust, **Dr Louise Gazeley**, Senior Lecturer in Education, University of Sussex, and **Dr Marion Gillooly**, Head of Strategic Development & Innovation, Includem

[Q361–407](#)

### Tuesday 1 May 2018

**Stuart Gallimore**, President, Association of Directors of Children's Services, **Sue Morris-King**, Senior HMI, Ofsted, and **Kevin Courtney**, Joint General Secretary, NEU

[Q408–443](#)

**Rt Hon Nick Gibb MP**, Minister for School Standards, Department for Education

[Q444–545](#)

## Published written evidence

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The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

ALT numbers are generated by the evidence processing system and so may not be complete.

- 1 Acorn Academy Cornwall ([ALT0024](#))
- 2 ADCS ([ALT0039](#))
- 3 Anonymous 2 ([ALT0011](#))
- 4 Anonymous 4 ([ALT0105](#))
- 5 AP Network ([ALT0072](#))
- 6 Association of Child and Adolescent Mental Health ([ALT0060](#))
- 7 Association of Colleges ([ALT0071](#))
- 8 Association of Educational Psychologists ([ALT0068](#))
- 9 Association of School and College Leaders ([ALT0090](#))
- 10 Association of Youth Offending Team Managers ([ALT0055](#))
- 11 Bridge Short Stay School ([ALT0023](#))
- 12 Catch22 ([ALT0063](#))
- 13 Centre for Social Justice ([ALT0092](#))
- 14 Chaselea PRU ([ALT0028](#))
- 15 Circles Alt Ed Ltd ([ALT0018](#))
- 16 CLIC Sargent ([ALT0037](#))
- 17 Department for Education ([ALT0058](#))
- 18 Dr Pat Thomson ([ALT0056](#))
- 19 Driver Youth Trust ([ALT0081](#))
- 20 Education Links ([ALT0059](#))
- 21 Essex County Council ([ALT0084](#))
- 22 Essex County Council ([ALT0097](#))
- 23 Essex Youth Offending Service ([ALT0066](#))
- 24 Essex Youthbuild ([ALT0051](#))
- 25 ForcesWatch ([ALT0095](#))
- 26 Gloucestershire Hospital Education Service ([ALT0086](#))
- 27 Headteachers' Roundtable ([ALT0013](#))
- 28 Hospital and Outreach Education ([ALT0021](#))
- 29 Independent Parental Special Education Advice ([ALT0074](#))
- 30 Individio Media Limited ([ALT0085](#))
- 31 Lancashire PRU Headteachers ([ALT0036](#))
- 32 Leeds City College ([ALT0053](#))
- 33 Leeds City Council ([ALT0027](#))



- 34 Leeds City Council ([ALT0050](#))
- 35 Leyland St. James' CE (Aided) Primary School Inclusion Services ([ALT0009](#))
- 36 LKMco ([ALT0062](#))
- 37 London East Alternative Provision ([ALT0025](#))
- 38 London South East Academies Trust ([ALT0043](#))
- 39 Manchester Metropolitan University ([ALT0087](#))
- 40 Ministry of Education and Culture, Finland ([ALT0102](#))
- 41 Ministry of Education and Research, Norway ([ALT0101](#))
- 42 Ministry of Education and Research, Sweden ([ALT0106](#))
- 43 Ministry of Education, Culture, Sports, Science and Technology, Japan ([ALT0099](#))
- 44 Ministry of Education, Singapore ([ALT0100](#))
- 45 Ministry of National Education, Poland ([ALT0103](#))
- 46 Moat House PRU ([ALT0038](#))
- 47 Mr David Holloway OBE ([ALT0047](#))
- 48 Mr John Reilly ([ALT0003](#))
- 49 Mr John Watkin ([ALT0045](#))
- 50 Mr Paul Devereux ([ALT0064](#))
- 51 Mrs Liz Hyman ([ALT0083](#))
- 52 Mrs Lorraine Thompson ([ALT0067](#))
- 53 Mrs Lynn Watson ([ALT0035](#))
- 54 Ms Diana Robinson ([ALT0016](#))
- 55 Ms Joanne Southby ([ALT0078](#))
- 56 Nacro ([ALT0069](#))
- 57 NAHT ([ALT0029](#))
- 58 NASUWT ([ALT0057](#))
- 59 National Association of Hospital and Home Teaching ([ALT0031](#))
- 60 National Association of Virtual School Heads ([ALT0061](#))
- 61 National Education Union ([ALT0041](#))
- 62 New Schools Network ([ALT0042](#))
- 63 NISAI ([ALT0065](#))
- 64 North Herts Education Support Centre ([ALT0022](#))
- 65 Nottingham Centre for Children, Young People and Families, Nottingham Trent University ([ALT0052](#))
- 66 Nurture Group Network ([ALT0040](#))
- 67 Office of the Children's Commissioner ([ALT0079](#))
- 68 Ofsted ([ALT0091](#))
- 69 Open Road West Norfolk Trust ([ALT0096](#))
- 70 Pavilion Study Centre ([ALT0019](#))

- 71 Pendlebury centre PRU ([ALT0012](#))
- 72 Peterborough Pupil Referral Service ([ALT0030](#))
- 73 Pool Academy ([ALT0098](#))
- 74 Pool Academy ([ALT0104](#))
- 75 PRUSAP ([ALT0017](#))
- 76 Red Balloon Learner Centre Group ([ALT0048](#))
- 77 Red Balloon Learner Centre Group ([ALT0049](#))
- 78 Royal College of Speech and Language Therapists ([ALT0044](#))
- 79 SCHOOLS NorthEast ([ALT0089](#))
- 80 Special Educational Consortium ([ALT0093](#))
- 81 SSCYP ([ALT0005](#))
- 82 St Georges Academy ([ALT0070](#))
- 83 TBAP Multi Academy trust ([ALT0046](#))
- 84 Teens and Toddlers ([ALT0033](#))
- 85 The CE Academy ([ALT0014](#))
- 86 The Difference ([ALT0094](#))
- 87 The Engage Trust ([ALT0032](#))
- 88 The Hawkswood Group ([ALT0026](#))
- 89 The Limes College ([ALT0008](#))
- 90 The Prince's Trust ([ALT0082](#))
- 91 TLG - Transforming Lives for Good ([ALT0088](#))
- 92 Tute Education Limited ([ALT0073](#))
- 93 Wac Arts College ([ALT0020](#))
- 94 YMCA Training ([ALT0034](#))
- 95 Young Enterprise ([ALT0080](#))

## List of Reports from the Committee during the current Parliament

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All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

### Session 2017–19

First Report	Fostering	HC 340 Cm 9662
Second Report	The future of the Social Mobility Commission	HC 866 Cm 9619
Third Report	The Government's Green Paper on mental health: failing a generation: First Joint Report of the Education and Health and Social Care Committees of Session 2017–19	HC 642
Fourth Report	Appointment of the Chair of the Social Mobility Commission	HC 1048
First Special Report	Children and young people's mental health—the role of education: Government Response to the First Joint Report of the Education and Health Committees of Session 2016–17	HC 451
Second Special Report	Apprenticeships: Government Response to the Second Joint Report of Session 2016–17	HC 450
Third Special Report	Multi-academy trusts: Government Response to the Committee's Seventh Report of Session 2016–17	HC 452
Fourth Special Report	Exiting the EU: challenges and opportunities for higher education: Government Response to the Committee's Ninth Report of Session 2016–17	HC 502
Fifth Special Report	Primary assessment: Government Response to the Committee's Eleventh Report of Session 2016–17	HC 501
Sixth Special Report	Evidence check: Grammar schools: Government Response to the Committee's Fourth Report of Session 2016–17	HC 623

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# **MAKING THE DIFFERENCE**

**BREAKING THE LINK BETWEEN  
SCHOOL EXCLUSION AND  
SOCIAL EXCLUSION**

**Kiran Gill, with  
Harry Quilter-Pinner  
and Danny Swift**

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## ABOUT IPPR

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# PREFACE

## THE BEST IN EDUCATION, FOR THOSE WHO NEED IT MOST

*Edward Timpson, Former Minister of State for Vulnerable Children and Families, 2012-17*

Growing up in a family who fostered taught me many things about the children we cared for. I saw first-hand that the educational underperformance of children who are vulnerable – those involved with the care system, poorer pupils and those with special needs – is a complex and enduring challenge. Yet this is also where stakes are highest, and where successful innovations can truly change lives.

For education to transform the life chances of vulnerable children, new solutions must be evidence-informed, ambitious and willing to evolve beyond a siloed system of public service delivery.

That is why I welcome this report, which calls for new expertise in the teaching workforce. The programme it outlines, *The Difference*, seeks to raise the status of and evidence-base for teaching the most vulnerable learners, and to improve capacity for collaboration between schools and other agencies so troubled young people get the right support at the right time.

When in government, I ensured the targeting of funding at vulnerable children, and helped prioritise their admission to the best schools. *The Difference* sets out how the best in teaching practice can be directed at the children who need it most.

# KEY TERMS

TERM	EXPLANATION
<b>AP</b>	Alternative provision is a catch-all term which describes all educational provision outside of mainstream and special needs schools. It includes state maintained PRUs as well as independent and non-registered schools.
<b>CAMHS</b>	Child and Adolescent Mental Health Services, run by the NHS.
<b>Child in need</b>	Child interacting with social care services who does not meet the threshold for being 'looked-after' but who is nonetheless receiving intervention from social care services.
<b>Child protection plan</b>	A plan drawn up by social care services to protect a child who they feel is suffering, or is likely to suffer, significant harm.
<b>CPD</b>	Continuing professional development for teachers.
<b>EHCP</b>	Education, Health and Care Plan. details extra support required for a child with formally diagnosed special educational needs or disabilities (SEND). These replaced statements of special educational needs in 2015.
<b>FSM</b>	Free school meals eligibility is a proxy for poverty in the UK: schools with higher proportions of FSM-eligibility serve more disadvantaged communities.
<b>LA</b>	The Local Authority.
<b>LAC</b>	A looked after child (also 'child in care') is a child who is living with foster parents; at home under social services supervision; or in residential homes or units – formally under the care of the local authority.
<b>Ofsted</b>	The government watchdog responsible for inspecting schools and other educational institutions. Ofsted inspects and rates schools' effectiveness as Outstanding, Good, Requires Improvement or Inadequate.
<b>PRU</b>	Pupil Referral Unit. A type of alternative provision, maintained by the local authority.
<b>Pupil Premium</b>	A fixed quantity of extra funding paid every year to schools for each disadvantaged pupil they teach.
<b>Safeguarding</b>	The act and responsibility of protecting children from abuse and neglect. Every school has a Safeguarding Officer, who works with teachers and external services to ensure the safety of all pupils.
<b>SEMH</b>	Social, emotional and mental health needs; a type of SEND.
<b>SENCO</b>	Special educational needs coordinator. Every school has a designated SENCO, who is responsible for the support and provision for all students with special educational needs and disability (SEND).
<b>SEND</b>	Special educational needs and disabilities – this term refers to pupils who have had their needs formally recognised by the school.
<b>Unqualified</b>	Refers to teachers who do not have Qualified Teacher Status.

# SUMMARY

## 60-SECOND SUMMARY

Nowhere is Britain's social mobility failure more obvious than in the example of school exclusion in England. Excluded children are the most vulnerable: twice as likely to be in the care of the state, four times more likely to have grown up in poverty, seven times more likely to have a special educational need and 10 times more likely to suffer recognised mental health problems. Yet our education system is profoundly ill-equipped to break a cycle of disadvantage for these young people.

This problem is much bigger than previously recognised. As mental ill health in young people rises, and more children are subject to interaction with social care services each year, more vulnerable children spill into the alternative provision (AP) sector. Too often this path leads them straight from school exclusion to social exclusion. Excluded young people are more likely to be unemployed, develop severe mental health problems and go to prison.

The cost to society of failing excluded young people is staggering. It is an economic, as well as social imperative that action is taken to upskill the teaching workforce, improve outcomes for multiply disadvantaged pupils and to stem the tide of exclusions. IPPR is advocating a new programme – The Difference – to develop expertise in the teaching profession, connect exceptional teachers to schools for excluded children, and create a community of leaders to drive positive and lasting change throughout England's education system.

IPPR finds significant demand for such a programme. More than one in three teachers is interested in the proposed training and career development offered by The Difference. Networks of alternative provision schools have welcomed the programme and several of England's biggest mainstream multi-academy trusts have already expressed interest in recruiting specialist senior leaders through this pathway.

## KEY FINDINGS

**This report reveals the cost to the state of failing our most vulnerable children at school.**

- Every cohort of permanently excluded pupils will go on to cost the state an extra £2.1 billion in education, health, benefits and criminal justice costs. Yet more pupils are being excluded, year on year.

**New analysis reveals that official data is only the tip of the iceberg in terms of the full extent of exclusion.**

- Despite only 6,685 reported permanent exclusions last year, 48,000 of the most vulnerable pupils were educated in the AP sector, which caters for excluded students. We reveal that still more pupils are not captured in any government data, yet are functionally excluded from mainstream school.

**We identify key factors in rising exclusion rates.**

- There are increasing numbers of children with complex needs – where mental ill health, unstable or unsafe family environments and learning needs combine. Yet a lack of workforce development in schools compounds the challenge students face. Half of school leaders say their teachers cannot

recognise mental ill health, and three in four say they cannot refer effectively to external services.

**As more pupils are excluded close to their exams, the capacity of the staff who work with excluded students is diminishing.**

- New data analysis shows once a child is excluded, they are twice as likely to be taught by an unqualified teacher and twice as likely to have a supply teacher. Meanwhile, a leadership recruitment crisis in schools for excluded pupils has seen leader vacancies double between 2011 and 2016.

**Poor staffing can lead to dangerous environments in schools for excluded pupils, particularly in 'cold spot' regions.**

- A child excluded from school in the North East is around eight times more likely to attend an alternative provision rated 'Inadequate' by Ofsted. In some local authorities with the highest levels of exclusion, 100 per cent of pupils are in settings graded 'Inadequate'.

## **RECOMMENDATIONS**

A new programme should be established, which develops expertise in the profession, connects exceptional teachers to schools for excluded children, and creates a community of leaders to drive increasing inclusion throughout our education system. Leaders graduating from this new programme – The Difference – would be the catalyst for change throughout the school system, working to break the link between school exclusion and social exclusion.

**Research set out in this report points to four priorities for workforce development:**

- improving preventative support for young people with complex needs in mainstream schools
- improving the commissioning and oversight of alternative provision (AP) for excluded pupils
- increasing and then maintaining the supply of exceptional teachers and leaders into AP
- developing an understanding of 'what works' in improving trajectories for excluded young people.

**IPPR is calling for a new programme to develop specialist school leadership. Led by a dedicated charity named The Difference, this programme would be designed to address these problems by:**

- **recruiting exceptional early career teachers** with leadership experience
- **placing them in leadership positions in an AP school**, and upskilling them through a two-year bespoke programme of on-the-job training accredited at Master's level
- **developing a route back to mainstream leadership**, through a careers programme which matches alumni with senior leadership vacancies leading inclusion
- **pioneering evidence-led practice** by using its own programme and partnership with existing research organisations to develop and disseminate a better understanding of 'what works' to support vulnerable and disengaged young people.

# INTRODUCTION

In recent years, the outcry against Britain's low social mobility has become louder and louder. Half of Britons believe it is becoming harder for people from less advantaged backgrounds to move up in society, with younger people the most disillusioned (SMC 2017). They are not wrong: Britain ranks as one of the worst among developed nations for both intergenerational and intragenerational social mobility (OECD 2017). Nothing illustrates this social mobility failure more starkly than school exclusion in England.

Education should be the means to break the link between demographics and destiny. Yet official figures suggest that every day, 35 of the most disadvantaged children – equivalent to a full classroom of pupils – are permanently excluded from school, with disastrous personal and societal consequences. In fact, our research reveals that official figures significantly underestimate the actual number of children in this position.

This report examines the cost of school exclusion, its causes and, importantly, the role that workforce development can play in addressing this growing national problem. New research into the causes of exclusion suggests that there are increasing numbers of children with complex and acute needs. These young people face challenges in accessing specialist services beyond their school, and the environments they learn in may be exacerbating their mental ill health. Often these pupils are excluded late in their school career, when much damage to their learning has already been done. Once they are excluded, often close to their exams, the teachers they work with are increasingly likely to be unqualified and only temporary.

Our research identifies urgent priorities for workforce development. Currently only 1 per cent of excluded pupils get the five good GCSEs they need to access the workforce. The alternative provision (AP) workforce requires the teaching and learning expertise more commonly found in mainstream schools. Furthermore, in order to improve universal support of mental health, and early intervention, the mainstream workforce would benefit from the expertise more commonly found in AP schools.

Meanwhile, the entire profession needs a more determined focus on better research, greater innovation and more substantial evidence to discover what really works in educating those most vulnerable pupils and radically improving their trajectories.

In response, a new programme should be established, committed to delivering the best in education to the most vulnerable children. Run by a dedicated education charity, this programme would develop new expertise in the teaching profession, connect exceptional teachers to schools for excluded children, and create a community of leaders to drive change in England's schools. Leaders graduating from this new programme – The Difference – would be a catalyst for change throughout the education system, working to develop and spread best practice in breaking the link between school exclusion and social exclusion.

# 1. WHAT IS EXCLUSION AND HOW MANY CHILDREN DOES IT AFFECT?

## 1.1 WHAT IS EXCLUSION?

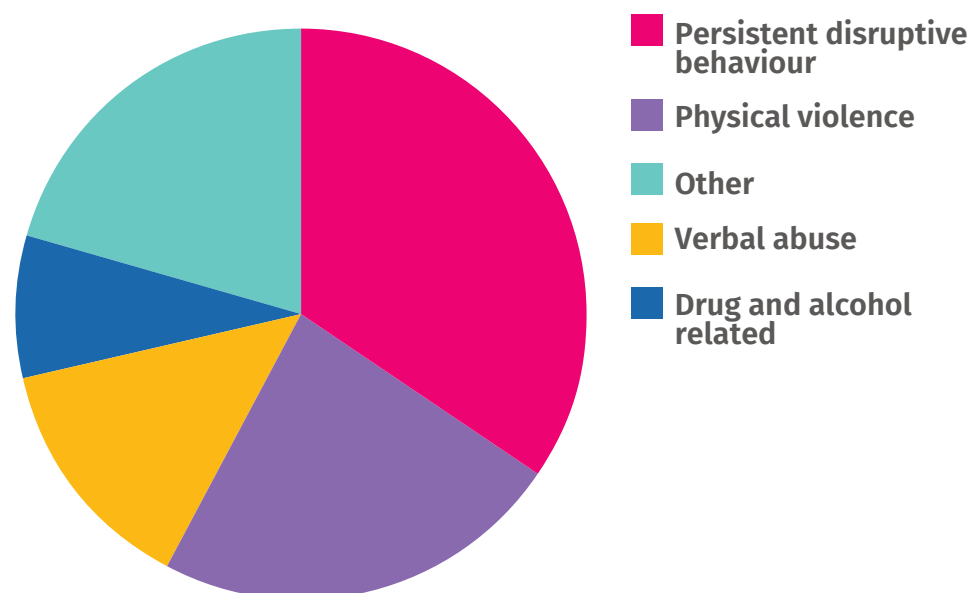
Exclusion in its broadest form is the removal of a child from their existing educational establishment due to their behaviour. Sometimes this exclusion can be *preventative*: an attempt to access therapeutic or specialist education for a student which will improve their behaviour. Sometimes this exclusion can be *punitive*: an attempt to punish a pupil to disincentivise repeated bad behaviour.

There are a range of reasons why a pupil might be excluded, including disrupting other students, being aggressive, or using drugs or alcohol (see figure 1.1).

**FIGURE 1.1**

**Persistent disruptive behaviour is the most common reason given for permanent exclusions in England**

*Reported reasons for permanent exclusions in England in 2015/16*



Source: Department for Education 2017 'Table 4 : Permanent and fixed period exclusions by reason for exclusion', *Permanent and fixed-period exclusions in England: 2015 to 2016*

Once the decision is made that a child needs to be educated somewhere other than their school, there are a number of options open to their headteacher and governing body. These can be divided into official and unofficial exclusions.



- *Official exclusions* are recorded with central or local government and include temporary fixed-period exclusions or permanent exclusions.
- *Unofficial exclusions* are those that are not recorded as exclusions in the national data. These include a managed move to another school; a move into some form of alternative provision offsite; or illegal exclusions.

**TABLE 1.1**

TYPES OF EXCLUSION		
TYPE OF EXCLUSION	DESCRIPTION	WHAT HAPPENS NEXT?
<b>OFFICIAL EXCLUSION</b>		
<b>PERMANENT EXCLUSION</b>	The pupil must permanently leave the school. This can only be used as a 'last resort in response to a serious breach ... of the school's behaviour policy' and where the pupil is putting others at risk (DfE 2012).	The pupil usually becomes the responsibility of the local authority with education provided by a pupil referral unit (PRU) or another type of alternative provision (AP). This is supposed to be a temporary situation while the student waits to find a new place in a mainstream school or specialist provision. However, in practice permanently excluded pupils often remain in their PRU or other AP provider until they finish their GCSE exams.
<b>FIXED-PERIOD EXCLUSION</b>	The pupil's school attendance is temporarily suspended. This can occur on several occasions across the school year, for a maximum of 45 days within one year (DfE 2012).	A pupil can have a fixed period exclusion for five days with no alternative education arranged, but on the sixth day their school must find alternative education for them. This may be in a PRU or another type of AP.  Repeated fixed-period exclusions are often a precursor to permanent exclusion.
<b>UNOFFICIAL EXCLUSION</b>		
<b>MANAGED MOVE</b>	Instead of a permanent exclusion, headteachers mutually agree to move the pupil from one school roll to another.	The pupil is taken off the roll of their original schools, and becomes a pupil of the new school, which may be a mainstream school, or a PRU.
<b>OFFSITE ALTERNATIVE PROVISION</b>	The school directs the pupil to be educated somewhere other than the school, full-time or part-time, if they believe it will 'improve his or her behaviour' or because, for 'illness or other reasons', they would 'not receive suitable education without such provision' (DfE 2013). <sup>1</sup>	The school will choose somewhere for the pupil to be educated offsite, in agreement with parents. This may be a PRU, independent school or unregistered provision. The school will remain legally responsible for the pupil's education and safety.
<b>ILLEGAL EXCLUSION</b>	The school encourages parents to take their child out of school. This is illegal.	The parent may sign paperwork to home educate their child, or they may enrol their child in another school, as though they have moved house or made an independent decision to change local school.

Source: Author's own analysis

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## What is alternative provision?

Alternative provision (AP) is a catch-all term which describes all educational provision outside of mainstream and special needs schools. Some of this provision is *state-maintained*, which means the government is responsible for this provision.<sup>1</sup> However, most children not in mainstream or special schools are in *non-maintained* provision, which is commissioned by maintained settings. For examples of the different types of provision, see Annex I.

### *State-maintained alternative provision*

- Pupil referral units (PRUs)
- AP academies (academised PRUs)<sup>2</sup>
- AP free schools (PRU alternatives)<sup>3</sup>

These default providers of education for permanently excluded pupils sometimes also offer places for pupils who have been fixed-period excluded or are being educated offsite by their mainstream school.

PRUs may commission offsite AP for their pupils, meaning that the student is registered at the PRU but receives full-time or part-time education in another provision (often a non-maintained provision).

### *Non-maintained alternative provision<sup>4</sup>*

- Independent schools
- Unregistered schools
- Illegal schools

Many independent schools provide alternative provision. However, if an alternative provider offers only part-time education, or if it educates five or fewer full-time students, then it need not register as an independent school.<sup>5</sup> In a recent survey of use of AP, Ofsted found 14 instances where schools ought to be registered but were not (Ofsted 2016b). This is illegal.

Local authorities may choose to place permanently excluded pupils in non-maintained provision if there are insufficient spaces or only poor-quality places in local PRUs. PRUs and mainstream schools may also choose to place pupils in non-maintained provision, as part of a fixed-period exclusion or as offsite AP (see table 1.1 for fuller explanations of these types of exclusion).

---

## 1.2 HOW MANY CHILDREN DOES EXCLUSION AFFECT?

Each school day 35 children are told to leave their school permanently. After a positive story in the last decade, exclusions are again on the rise (DfE 2017a). Permanent exclusions nearly halved between 2006/7 and 2012/13, but have risen

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1 Academies and free schools are technically categorised as ‘state-funded non-maintained’, as they are free from local authority control, as with other types of academy. However, national government remains meaningfully responsible for these schools, through regional schools commissioners, and so for the purpose of categorising AP schooling it makes sense to distinguish between these types of schools, and those which are not maintained by any part of the state.

2 See above

3 See above

4 These schools are sometimes categorised as ‘non-state-funded’; however, this description is misleading as the education of excluded pupils in these settings is paid for by the state. So for the purpose of categorising schooling for excluded pupils, we use governmental responsibility as the key distinction between types of AP.

5 Providing that none of these pupils is recognised as having a special educational need through an education, health and care (EHC) plan or is registered as a looked-after child (LAC).

year on year since then, representing a 40 per cent increase over the past three years. Last year 6,685 pupils were reported as permanently excluded (ibid).

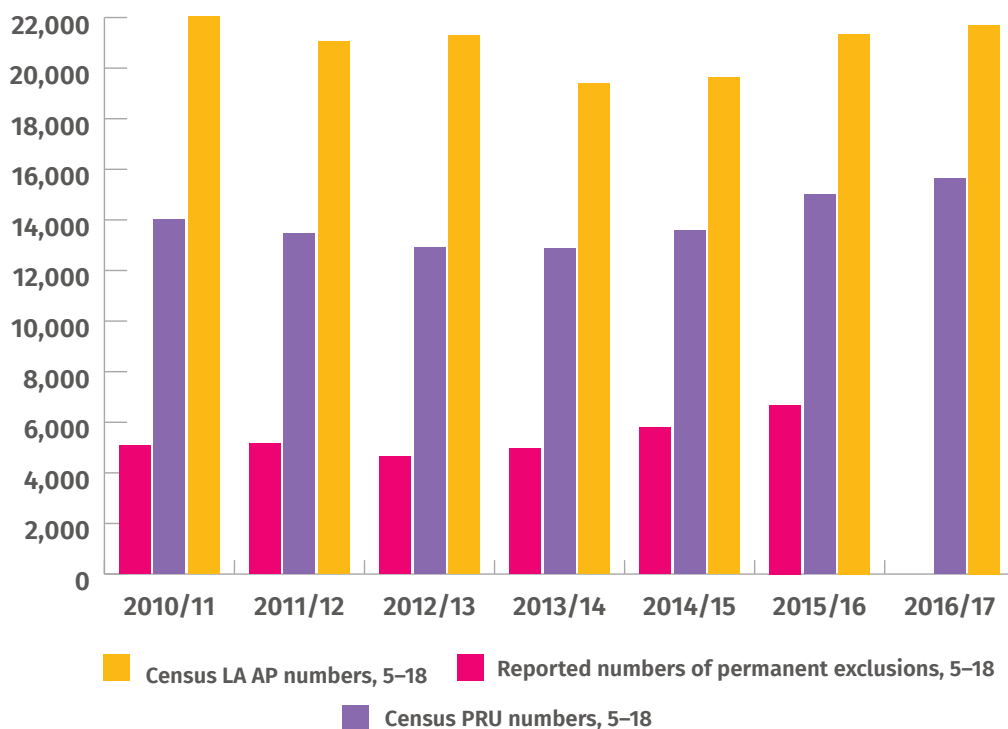
However, these figures significantly underestimate the scale of the problem. There are a number of ways in which a pupil can be functionally excluded from their school, aside from official exclusions (see table 1.1 above). Census data reveals that there are 15,669 pupils solely registered in England’s pupil referral units (PRUs), a further 10,152 dual registered in PRUs and mainstream schools (which is likely due to use of offsite alternative provision into a PRU) (DfE 2017c). Another 22,212 pupils are registered in alternative provision paid for by the local authority (likely to be non-maintained provision including one-to-one tutoring and hospital schools).

This total of 48,000 pupils is equivalent to one in every 200 pupils in the country being educated outside of mainstream education or in special schools at some point in the academic year. When compared to the official figure of 6,685 permanent exclusions, it is clear that official statistics grossly underestimate the scale of the challenge of exclusion (see figure 2.1). There are more than five times the numbers of pupils educated in schools for excluded pupils than the number officially reported as permanently excluded each year. A part of the education system which was initially intended to provide temporary schooling for a few students is in reality being asked to provide longer-term care and education of a much larger group of pupils.

**FIGURE 1.2**

**The number of pupils educated in schools for excluded pupils is five times higher than the number of officially permanently excluded pupils**

*Exclusions data vs alternative provision populations, 2013/14 to 2016/17*



Source: Department for Education (2017), *Permanent and fixed-period exclusions in England: 2015 to 2016*, and Department for Education (2017), *Schools, pupils and their characteristics*

Note: There is a lag in the publishing of reported exclusions, so this data is not yet available for 2016/17.

## How are exclusions hidden?

There are a number of ways in which children who are meaningfully excluded from their school on the grounds of behaviour are hidden from exclusions data.

**TABLE 1.2**

EFFECTIVE EXCLUSIONS HIDDEN FROM DATA		
	DESCRIPTION	NUMBER OF PUPILS
<b>MANAGED MOVES INTO PRUS</b>	If a pupil is put on a PRU's role as part of a managed move, this is not counted as a permanent exclusion. However, often this pupil will complete their education in the PRU: they have therefore functionally been permanently excluded.	IPPR calculates that 1,570 extra pupils sat their final exams in PRUs, though they were not reported as having been permanently excluded. This is equivalent to 23 per cent of last year's entire reported permanent exclusions (IPPR 2017).
<b>OFFSITE AP</b>	If schools and PRUs use offsite AP, this is not counted as an official exclusion. For almost a quarter of schools (23 per cent) offsite AP is used for full-time education of pupils for an entire academic year or longer (Smith et al 2017). Functionally, these pupils have been excluded from their schools and are at school in another institution.	A recent survey found use of offsite AP is very widespread: 4 in 5 secondary schools use it (Smith et al 2017). However, as schools are not obliged to report pupils in offsite AP, we have no way of knowing exactly how many pupils are excluded in this way.  If we assume each secondary school only uses offsite AP for one child, even this most conservative estimate would leave 2,556 pupils temporarily excluded in this way – 784 of them for a full academic year or longer. <sup>2</sup> However, Ofsted's three-year survey found huge variety in the numbers of pupils placed in offsite AP: in one mainstream school they found 426 places in Years 9 to 11, where 98 pupils regularly attended offsite AP (Ofsted 2016b).
<b>OFF-ROLLING</b>	If a school uses offsite AP, a pupil is supposed to remain on the school's register. However, there is nothing to stop a school from removing a child's name from their register. This is illegal.	Ofsted has warned inspectors that 'large numbers of pupils' are being off-rolled before they sit their GCSEs, to game performance tables (Ofsted 2017a). Analysis by Education Datalab found 20,000 pupils close to sitting their GCSEs had disappeared from secondary school rolls in 2016 and did not appear again on the rolls of other state-funded secondary institutions (Thomson 2016). These pupils can be lost to national statistics, unless they sit national examinations. There is no oversight of their safety or quality of education.
<b>ELECTIVE HOME EDUCATION</b>	A parent can choose to electively home educate their child. If a school wants to avoid recording a permanent exclusion, they can encourage a parent to register their child as home-educated. This is illegal.  In response to a freedom of information (FOI) request, North-East Lincolnshire council said that the primary reason for home education in their local authority had 'changed from ideological or religious reasons, to concern for their child's welfare or unresolved difficulties relating to behaviour or attendance'. A third of councils in the same FOI request similarly cited behaviour, threat of prosecution and risk of exclusion as reasons for home education (Staufenberg 2017).	In 2015/16, a total of 37,500 pupils were estimated to be off school rolls as part of elective home education (ADCS 2016). We have no way of knowing how many of these were illegal exclusions. These pupils are lost to national statistics, and there is no oversight of their safety or quality of education.

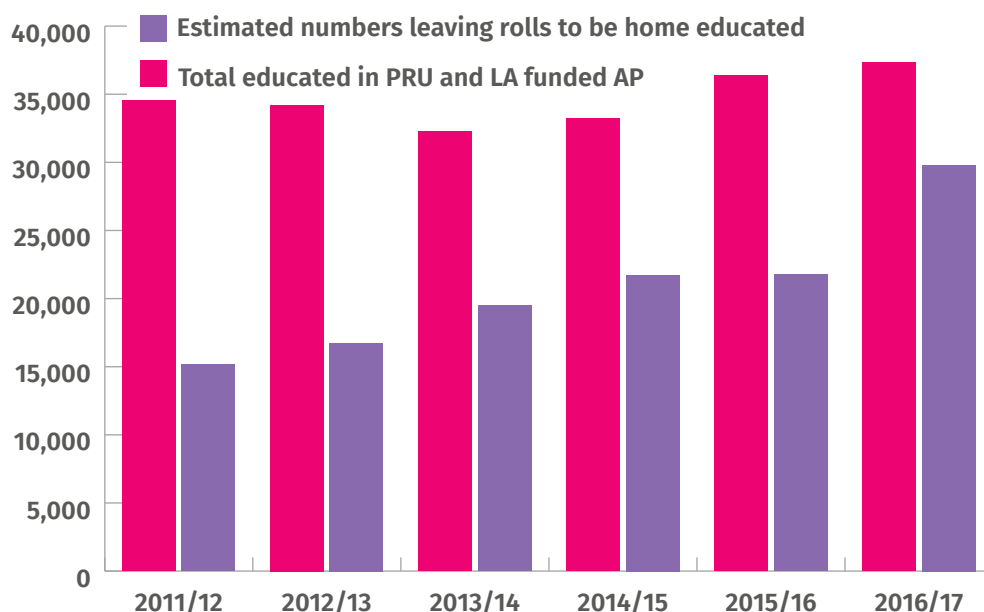
Source: Author's own analysis of various sources (see citations in box)

By its nature it is difficult to capture data on illegal exclusion. However, in 2013, the Children’s Commissioner for England found that 1.8 per cent of schools admitted to ‘encouraging parents to take their children out of school and educate them at home’ as an illegal method of exclusion (OCC 2013). Since then, there has been a rapid rise in the number of children home schooled, up 78 per cent since 2013 (see figure 1.3). Illegal exclusions may account for some of this rise.

**FIGURE 1.3**

**Numbers of home educated pupils have been rising alongside populations of pupil referral units and other local authority-funded alternative provision**

*Total number of pupils educated outside mainstream and special schools*



Source: Department for Education (2017), *Schools, pupils and their characteristics*, and author’s estimations from freedom of information requests obtained by Schools Week as part of Staufenberg (2017)

### 1.3 CONCLUSIONS

- Official exclusions are rising, and have been year on year for the past three years; 35 pupils a day are permanently excluded from school.
- Exclusions data is a serious underestimation of the school exclusion challenge. A total of 48,000 children are being educated in alternative provision for excluded pupils – 5 times the yearly official exclusion statistics. These AP populations have also been rising year on year.
- Still more exclusions are being hidden, and children are lost from government oversight. Tens of thousands of pupils leave school rolls in what appear to be instances of illegal exclusion. The numbers of pupils becoming electively home educated have more than doubled over the past four years; some local authorities attribute this to illegal exclusion.

## 2. WHO GETS EXCLUDED AND WHY?

### 2.1 THE DEMOGRAPHICS OF EXCLUSION

Our research has highlighted that there are several vulnerabilities – or risk factors – that increase the likelihood of a child being excluded. These include living in poverty; experiencing abuse and neglect at home; having a learning difficulty; having low attainment in school; and suffering from a mental health condition.

#### *Poverty*

Overwhelmingly, excluded children are poorer children. For example, 55 per cent of 5–10-year-olds and 40 per cent of 11–15-year-olds in schools for excluded pupils<sup>6</sup> are eligible for free school meals<sup>7</sup> compared to 14 per cent of the pupil population at large (DfE 2017c). On average, poorer young people are four times more likely to be excluded than their wealthier peers (DfE 2017a).

#### *Unsafe family environment*

Children who have been taken into care are twice as likely to be excluded as those who have not (DfE 2017d). Moreover, ‘children in need’ – whose home lives have prompted interaction with social services but who remain in their home environment – fare even worse: they are three times more likely to be excluded from their school than other pupils.

#### *Special educational needs*

Nearly eight in ten children (77 per cent) in schools for excluded children have recognised special educational needs or disability (SEND) (DfE 2017c). Those with a recognised need are seven times more likely to be excluded than their peers without SEND, suggesting that their needs may be a causal factor in exclusion (DfE 2017a).

#### *Poor mental health*

In 2015/16, one in fifty children in the general population was recognised as having a social, emotional and mental health need (SEMH) (DfE 2017e). In schools for excluded pupils this rose to one in two.<sup>8</sup> Yet the incidence of mental ill health among excluded pupils is likely to be much higher than these figures suggest. Only half of children with clinically diagnosed conduct disorders and a third of children with similarly diagnosed emotional disorders are recognised in their schools as having special educational needs (ONS 2005).<sup>9</sup> This means the proportion of excluded children with mental health problems is likely closer to 100 per cent.

#### *Low prior attainment*

Pupils who leave primary schools with the lowest skill levels are most likely to be excluded from school. The most recent data available on this is a 2011 longitudinal analysis of exclusions in England, using the National Pupil Database (Strand and

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6 Schools for excluded pupils in this section refers to pupil referral units only.

7 Eligibility for free school meals is the standard poverty measure in schools.

8 IPPR calculations based on DfE 2017e and 2017c

9 There has been an absence of official data on child and adolescent mental health. Prevalence data used to be collected every five years, but the last study was published in 2005. NatCen and ONS, on behalf of NHS Digital, have launched a new national study of health and wellbeing to update this data, the findings of which are expected to be published in 2018.

Fletcher 2011). This showed a strong relationship between a pupil’s Key Stage 2 score, and the average number of fixed-period exclusions across their secondary school career; with the average number of exclusions for the lowest-attaining pupils 15 times that of the highest-attaining pupils (ibid).

## 2.2 COMPLEX NEEDS

The vulnerabilities – or risk factors – set out above are often closely linked to one another and are therefore mutually reinforcing (see table 2.1). We think of children with one or more of these intersecting vulnerabilities as having ‘complex needs’ which raise challenges in supporting them to succeed in education.

TABLE 2.1

THE RELATIONSHIP BETWEEN VULNERABILITIES				
	POVERTY	FAMILY PROBLEMS	SPECIAL EDUCATIONAL NEEDS	POOR MENTAL HEALTH
FAMILY PROBLEMS	There is a causal link between family poverty, parental mental ill health, and negative and damaging parenting behaviour (Cooper and Stewart 2013). Children in the most deprived neighbourhoods are 11 times more likely to be subject to a child protection plan than those in the most affluent neighbourhoods (Bywaters et al 2017).			
SPECIAL EDUCATIONAL NEEDS	The above impact of poverty can affect a child’s social, emotional and cognitive development (Cooper and Stewart 2013). One in four pupils on free school meals also has special educational needs; at twice the rate of wealthier peers (DfE 2017e).	Abuse and neglect damage children’s behavioural and cognitive development. Looked-after children (LAC) are 10 times more likely to have a recognised special educational needs (DfE 2017d).		
POOR MENTAL HEALTH	Mental ill health among children is strongly linked to familial mental health, which is in turn linked to family poverty. In families with weekly incomes of less than £200, 20 per cent of young people have a mental disorder, compared with just 6 per cent of children from families with incomes over £600 a week (ONS 2005).	Maternal mental health and major adverse life effects (such as bereavement, serious illness and injury) are significant predictors of mental ill health (Johnston et al 2014). Almost 40 per cent of looked-after children and those on child protection and safeguarding registers have a conduct disorder mental health problem.	Pupils with special needs are unhappier at school, and at greater risk of conduct problems, hyperactivity problems, struggles with peer relationships and mental ill health (Barnes and Harrison 2017).	
LOW PRIOR ATTAINMENT	Family poverty has a knock-on impact on attainment (Cooper and Stewart 2013): 65 per cent of pupils with free school meals do not achieve the expected standards aged 11, compared to 43 per cent of other children (DfE 2017f).	Children who experience neglect or abuse can struggle to learn at the same rate as peers: 75 per cent of children in care or classified as ‘in need’ by social services do not achieve the expected standards aged 11, compared to 46 per cent of other children (DfE 2017d).	Children with learning needs can fall behind their peers: 86 per cent of children with special educational needs do not meet attainment expectations aged 11, compared to 38 per cent of other children (DfE 2017f).	Child mental health has a large effect on educational progress (Johnston et al 2014). The more abnormal a child’s mental health state, the greater the predicted losses in educational progress.

Source: Author’s own analysis

Not all pupils with complex needs are easily identified by teachers, or captured in official statistics. Table 2.1 uses data on pupils whose vulnerabilities have been formally recognised; however, qualitative research for this report suggested that many young people who are excluded often fall below thresholds of certain classifications, or do not have these needs formally recognised. For instance, school leaders identified pupils facing safeguarding concerns but who did not meet social care thresholds to be designated 'in need'. Many PRU leaders identified speech, language and communication needs in excluded pupils, which had gone unrecognised by mainstream schools, so that pupils with these needs did not have a formal designation of special needs (SEND).

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## Gender, ethnicity and discrimination

Disproportionate exclusions for certain groups suggest that either schools may be failing to adequately support certain learners, or that school behaviour systems inadvertently discriminate against some pupils.

### *Gender*

Last year for every one girl permanently excluded, three boys were in the same position (DfE 2017a). This may be linked to the way in which mental ill health presents differently in boys and girls. Boys are much more likely to have a mental health disorder with externalising symptoms including aggression, making up two-thirds of all young people with conduct disorder (ONS 2005). Girls with mental health problems are more likely to have emotional disorders, whose symptoms can include internalising behaviours, such as being withdrawn and self-harming (ibid).

### *Ethnicity*

Though most pupils in PRUs are white British (70 per cent), certain ethnic groups are disproportionately represented in PRU populations. Black Caribbean pupils are educated in PRUs at nearly four times (3.9) the rate we would expect, given the proportion they make of the national pupil population (DfE 2017c). Mixed ethnicity Black Caribbean and white pupils are also more than twice as likely (2.5) to be educated in a PRU than they should be (ibid).

Gypsy Roma heritage pupils appear in PRU populations at almost three times the expected rate (3.2), and Irish traveller heritage pupils at seventeen times the rate (16.5) (though this is a small population size and so cohort effects lead to large changes in this disproportion) (ibid).

As with the other vulnerabilities discussed in this chapter, there is an interactive effect between ethnicity and other vulnerabilities. For instance, black pupils are the ethnic group most likely to live in poverty – with more than one in four children eligible for free school meals (Shaw et al 2016).

Teacher behaviour plays an important role in the intersection of ethnicity and other vulnerabilities. Racist stereotypes have been shown to unconsciously bias teachers' perceptions of behaviour and pupils' personalities, particularly with black students (Okonofua and Eberhardt 2015). Experiences of racist discrimination are known to have a long-term negative impact on mental health (Wallace et al 2016). This in turn is connected to self-perception, aspiration and attainment. Recent research shows that though black children begin school with similar attainment to their peers, on average they fall behind drastically through secondary school (Shaw et al 2016).



## 2.3 EXPLAINING THE RISE IN EXCLUSIONS

As set out in Chapter 1, the number of exclusions has risen in recent years. This rise is explained by several factors. Notably, there is growing evidence that the number of children experiencing the intersecting vulnerabilities described in section 2.2 above is increasing. Put simply: rising exclusions could be partially explained by rising numbers of children with complex needs.

Child poverty is rising. Between 2010 and 2015, half a million more children fell into absolute poverty (DWP 2015). This has been driven by stagnant incomes due to the slow economic recovery – with median real wages falling between 8 and 9 per cent from 2008 to 2014 (Machin 2015) – and accentuated by welfare policy.

Meanwhile, the number of children identified as requiring a social services assessment more than doubled from 2010 to 2016, to over 170,000 children (DfE 2016a).<sup>10</sup> Furthermore, the proportion of these cases that have been escalated from being a ‘child in need’ to being subject to a child protection plan has also increased year on year; rising from around 44,000 in 2009/10 to just over 50,000 in 2015/16 (ibid). This may be partly explained by earlier and more effective interventions by children’s services but the figures are striking nonetheless.

Finally, children and young people’s mental ill health appears to be worsening. For example, the number of 0–17-year-olds admitted to A&E with a diagnosed psychiatric condition more than doubled between 2010/11 and 2014/15 (Burt 2016). In 2016, 80 per cent of school leaders were concerned about pupils’ mental health, up from 67 per cent in 2015 (The Key 2016).

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### Case study: Khadija/Jenni’s story

Khadija was asked to leave her mainstream school in Year 9. She arrived at her AP school with no records. Throughout her first year there, she was known as Khadija. Her mother had converted her to Islam and changed her birth name, after a new boyfriend had moved in with the family.

Khadija did not smile, make eye contact or engage in class. On her first day at the AP school, teachers noticed signs of self-harm and prompted an urgent referral to social care and child and adolescent mental health services (CAMHS). An investigation into the family produced evidence that both Khadija and her brother were subject to child protection orders in two boroughs and her mother had a history of moving them with no forwarding address to avoid agency involvement. Khadija and her brother were witness to domestic violence at home.

Although her home life was not improving, Khadija began to settle in and enjoy her new school. Her attendance gradually improved and she developed relationships first with staff, and eventually with other students. After a year at the AP school, Khadija gradually became less aggressive and started to engage in her CAMHS sessions. At this point Khadija asked staff at the academy to start calling her by her original name, Jenni, which they did. Jenni opened up to staff about being bisexual and wanting to ‘come out’. At home, her mother said that homosexuality was disgusting and she was banned from talking about it.

Jenni was particularly vulnerable at this point. She started missing school and engaging in risky, self-destructive behaviours – the school alerted social services when Jenni was seen by another student getting into a car with some older men. One day Jenni came in and had a knife in her bag, which was discovered by staff. She said that she had forgotten the knife was in there

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<sup>10</sup> Rounded to the nearest thousand

but that she had hidden it from her step-father, who had threatened to stab her and her brother. The school asked for an urgent referral from the local authority, saying that they believed Jenni's life was in danger.

Jenni was taken into care and was placed with a foster carer with whom she could build a supportive relationship, and begin to process some of the abuse she had suffered in her birth family. At school, Jenni's attendance returned to normal and she began to become more confident. She got a new haircut and some piercings, and became open and more comfortable about her sexual orientation, talking with other students about it. She stopped self-harming, and her attainment increased. Jenni did so well on her coursework that she was entered for higher papers at GCSE.

During her year and a half at the AP school, Jenni's transformation was stark. Through a turbulent and complex time in her life, the AP school provided a safe and stable environment which supported her to achieve. Its staff were equipped to work collaboratively with other services, to help Jenni navigate the challenges she faced, and finish her education with a happier, healthier life ahead of her.

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## 2.4 CONCLUSIONS

- Excluded pupils are likely to have complex needs, where different vulnerabilities intersect and compound one another. These include: child poverty; family problems including parental mental ill health, abuse and neglect; learning needs; mental ill health; and poor educational progress.
- There are increasing numbers of children with these complex needs, and this may be a key driver in rising exclusion rates.

# 3.

## WHAT HAPPENS TO EXCLUDED CHILDREN AND WHAT IS THE COST TO SOCIETY?

### 3.1 THE SOCIAL COST OF EXCLUSION

School exclusion too often results in social exclusion; a cycle of social immobility. The complex combination of personal disadvantages often faced by excluded pupils is likely to be compounded by the exclusion process. Poor outcomes for excluded pupils stretch across a range of social dimensions including:

- health
- qualifications
- employment
- criminality.

#### *Health*

Researchers at the University of Exeter found evidence of a two-way relationship between child and adolescent mental illness and exclusion from school (Parker et al 2016). They found that exclusion could trigger long-term psychiatric illness, exacerbating existing mental ill health.

Some of this seems to happen via parents: the stress and practical challenges of having a child regularly sent home from school, and of the formal process of school exclusion, can impact parental mental health, known in turn to affect child mental health (ibid).

But exclusion can also radically affect a child's social and emotional world. Being excluded from school can abruptly end friendships and trusting teacher-pupil relationships. In addition, the experience of rejection from school can reinforce a negative self-image. Exeter university researchers found a particularly high incidence of deliberate self-harm among excluded young people in their sample (ibid).

#### *Qualifications*

Exclusion blights educational opportunities and can stall or halt altogether the transition from school to further study and the world of work. Only 1 per cent of excluded young people achieve five good GCSEs including English and maths (DfE 2017g). Last year, the average Attainment 8 score of pupils in England was 48.5; for excluded pupils it was less than a seventh of that: an average score of 7.8. This measure is calculated based on an assumption that a student has taken eight subjects at GCSE; the majority of excluded children are not even enrolled in the two core GCSEs of English and maths (ibid).

Basic levels of literacy and numeracy are a bar for entering semi-skilled employment, and often even low-skilled apprenticeships and training (SMC 2016). A significant proportion of young people nationally who do not achieve English and maths at grade C or above (level 2) at 16 go on to achieve these or equivalent

qualifications through FE and apprenticeships after leaving school (ibid). Yet this is not the case with excluded young people. Among the sample in the longitudinal 2010 Youth Cohort Study, nearly 9 in 10 (87 per cent) young people who had never been excluded from school had achieved their level 2 qualification by the age of 20 (DfE 2011). By contrast, only 3 in 10 (30 per cent) excluded young people had achieved these qualifications by the same age.

#### *Employment*

Without the qualifications they need to enter and thrive in the workplace, many young people inevitably struggle to access or stay in work. The latest government destinations data, focusing on pupils finishing their GCSEs in 2012/13, shows that nearly half (45 per cent) of young people leaving PRUs were not in a 'sustained' employment, education or training destination six months after their GCSEs, compared to only 6 per cent leaving mainstream schools, and 11 per cent leaving special schools (DfE 2016b).

Long-term unemployment at a young age has a significantly detrimental impact on mental health, future employment and risk of criminal activity (PHE 2014). Excluded young people are very likely to experience long-term unemployment. The Youth Cohort Study showed that more than one in four (27 per cent) excluded young people were not in education, employment or training (NEET) for between one and two years by the time they were 19, compared to one in 10 young people who had never been excluded. Fifteen per cent were NEET for more than two years, compared with only 3 per cent of those who had never been excluded (DfE 2011).

#### *Criminality*

The majority of UK prisoners were excluded from school. A longitudinal study of prisoners found that 63 per cent of prisoners reported being temporarily excluded when at school (MoJ 2012). Forty-two per cent had been permanently excluded, and these excluded prisoners were more likely to be repeat offenders than other prisoners (ibid).

### **3.2 THE ECONOMIC COST OF EXCLUSION**

The personal cost of exclusion is tragic and incalculable. There is clearly a strong moral case for more and better interventions to divert children from the outcomes described above.

However, there is also a strong economic imperative to address this sharp end of the social mobility challenge. IPPR research estimates that the cost of exclusion is around £370,000 per young person in lifetime education, benefits, healthcare and criminal justice costs.

This calculation reflects the costs of: education in the alternative provision sector; lost taxation from lower future earnings; associated benefits payments (excluding housing); higher likelihood of entry into the criminal justice system; higher likelihood of social security involvement; and increased average healthcare costs. Using the official figure of 6,685 children permanently excluded from school last year, this amounts to £2.1 billion for the cohort.

However, the true cost is likely to greatly exceed this figure. As explored in the Chapter 2, more than five times the number of pupils permanently excluded last year were known to be being educated full-time in schools for excluded pupils, and there is evidence that a further unknown number of pupils are functionally excluded through methods which elude government data. The true cost of exclusion is an unknown number, likely many multiples of this conservative estimate.

### 3.3 CONCLUSIONS

- Excluded pupils are likely to suffer long-term mental health problems, fail to achieve basic levels of literacy and numeracy, struggle to gain qualifications needed to access work, to be long-term unemployed, and to be repeatedly involved in crime.
- As well as an incalculable personal cost, this has a huge societal cost. The cost to the state of failing each pupil is an estimated £370,000 in additional education, benefits, healthcare and criminal justice costs across a lifetime.
- We calculate on official estimations of numbers of exclusion, that this is a £2.1 billion cost for every year's cohort of permanently excluded young people. Yet, given that the full extent of exclusion greatly exceeds official figures, the true cost of exclusion is likely to be many multiples of this estimate.

# 4.

## THE ROLE OF SCHOOLS

### 4.1 BREAKING THE LINK BETWEEN SCHOOL EXCLUSION AND SOCIAL EXCLUSION

The social mobility story of exclusion does not have to be dictated by personal circumstance. Many individuals with complex needs succeed despite these disadvantages. Put more simply: exclusion is not inevitable.

Breaking the links between multiple disadvantage, school exclusion and social exclusion requires the support of effective teachers and other public services (alongside family and friends). Unfortunately, not all children get the support they need. In some instances, schools and statutory services can even exacerbate, rather than negate, the vulnerabilities set out in the previous chapters.

This chapter lays out the current situation in both the mainstream and alternative provision (AP) sectors, which may be contributing to rising exclusions and poor outcomes for excluded children. In doing so, it points to priorities in workforce development to help break the link between school exclusion and social exclusion.

Our analysis highlights two key areas where reform is urgent if we want to rewrite the story of worsening school exclusion:

- the **capacity to prevent exclusion** from mainstream education
- the **capacity to improve trajectories for excluded children** once they enter the AP sector.

### 4.2 CAPACITY TO PREVENT EXCLUSION

#### *Diminishing preventative services*

Since the financial crisis, there has been increasing fiscal pressure on public services. Successive governments have aimed to deliver a fiscal surplus and reduce public expenditure as a share of GDP. The squeeze in public funding has also led to reductions to preventative services and out-of-school support that could help prevent exclusion. Higher demand is leading to higher referral thresholds and more children and families being turned away from support.

For example, up to 75 per cent of children who need treatment for ill health do not receive this treatment, according to Public Health England (2016). Analysis by CentreForum estimated that a quarter of children referred to child and adolescent mental health services (CAMHS) were turned away in 2016 (Frith 2016).

#### *Challenges in supporting vulnerable learners*

Unlike other areas of the public sector, schools have been largely protected from measures to reduce the deficit, with funding increasing by 7 per cent in real terms between 2009/10 and 2014/15 (IfG 2017). However, the rise in pupil numbers means spending per pupil is set to fall by 8 per cent between 2014 and 2020, taking school-specific inflation into account.<sup>11</sup> Meanwhile, new demands on school

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11 <https://fullfact.org/education/spending-schools-2020/>

budgets, such as higher teacher pension contributions and the apprenticeship levy, are adding further pressure.

Many schools are responding to the squeeze in funding by reducing the number of support staff, who work with vulnerable pupils and often staff pastoral elements of the school. For example, a 2017 survey of educational leaders found that 69 per cent of primary school leaders and 68 per cent of secondary school leaders expected to reduce numbers of support staff to make savings in the academic year 2017/18 (The Key 2017). This is of particular concern if such support staff are responsible for identifying and supporting pupils with mental ill health and other vulnerabilities, as indicated by the qualitative research for this report.

The Department for Education is now prioritising mental health support in schools. Research to understand the current position of schools in supporting mental health revealed that 71 per cent of education institutions felt lack of funding was one of the biggest barriers to developing their internal mental health provision (Marshall et al 2017).

National curriculum reforms and new examination specifications have raised the bar in terms of the content schools need to teach across subjects. However, there are indications that these new curricula are not meeting the needs of all learners. For example, one in two (48 per cent) said curriculum changes were having a negative effect on the progress of children with special educational needs and disabilities (SEND) in their schools (The Key 2017). Research commissioned by the Department for Education this year showed that secondary school pupils with SEND have much higher levels of unhappiness regarding their school work and school (Barnes and Harrison 2017). These children with SEND were also much more likely to have conduct problems, hyperactivity problems, to struggle with peer relationships and be at risk of mental health problems.

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### **Case study: Variation in exclusions by local authority**

Some areas struggle with inclusion much more than others. For instance, in Blackpool, one of the Department for Education's new Opportunity Areas, the population of local pupils educated in pupil referral units (PRUs) is seven times the national average.

Local levels of poverty are a factor in this national variation. One in four pupils in Blackpool, for instance, is eligible for free school meals (FSM – the poverty measure in schooling). Among the 20 local authorities with the largest proportion of pupils educated in PRUs, seven local authorities are in the top decile for deprivation; a further three in the top quintile. Only one local authority, Reading, has an FSM rate below the national average (see table A1 in Annex II).

There is interesting variation in the quality of local mainstream schooling in the areas with high PRU populations. In Blackpool, Gateshead and Knowsley, the overwhelming majority of students attend secondary schools rated poorly by Ofsted (in Knowsley 100 per cent of school places are in schools graded 'Inadequate' or 'Requires Improvement'). In these places, high rates of exclusion may be a symptom of dysfunction in local schooling. However, some local authorities with large PRU populations have many secondary schools rated 'Good' and better. In Harringey, Slough and Tower Hamlets a tiny minority of secondary school places are in schools rated 'Inadequate' or 'Requires Improvement'. In these areas, school exclusion may be artificially improving local school standards, as large numbers of the most vulnerable pupils are educated and sitting examinations in alternative provision. (For the full data see table A1 in Annex II.)

It is very worrying that among the top 20 local authorities for large PRU populations, there are several where quality of provision is particularly poor. In Gateshead, Barking and Dagenham, and Reading, 100 per cent of places for excluded pupils are in less than 'Good' provision. Islington and Nottingham also stand out as having poor provision for the vast majority of excluded pupils (for full data see table A1 in Annex II.)

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#### *Incentives for schools to exclude*

The decision to exclude a child is a difficult one for a leader to make and not one most headteachers take lightly. However, there is growing evidence that the system within which schools operate may be incentivising the exclusion of students with complex needs.

Since the onset of new public management, schools operate in a system that rewards them primarily on students' academic outcomes. Over the past three decades, expectations on schools have been incrementally raised. Yet in recent years, schools have had less external resource to help them deliver higher standards. Though school funding has been protected from reductions in public expenditure, there are other areas of the education budget that have not, such as the education services grant. This means that school improvement services provided by local authorities have been pared back. Alternative school improvement services are often traded, meaning struggling schools must budget to pay for them (Gu et al 2015). There is increasing incentive, therefore, for schools to choose cheap and short-term measures to improve results, over resource-intensive methods of improving pupil outcomes (Gill 2016).

Within this system, schools that are failing – and under pressure to improve rapidly – can use exclusion to deliver improvements in key metrics. In a study of 411 academy leaders published in the *Harvard Business Review*, researchers identified a group of school leaders whose approach to rapid turnaround often involved high numbers of exclusions (Hill et al 2016). In their sample, they found an average of a quarter of the entire GCSE cohort was excluded in this type of school turnaround strategy (Cook 2016).

The high-profile cases of exclusion from St Olave's Grammar School suggests that it is not just low-performing schools who use exclusion to boost their results, but high-performing schools too.

Recent data analysis by Education Datalab corroborated this. It identified a small number of outlier schools whose GCSE scores substantially benefited from pupil mobility, where pupils left school rolls (in this study formal exclusion was grouped with all instances where a pupil left the school roll) (Allen 2016). Ofsted has recently criticised gaming behaviours among schools, including 'off-rolling' to remove underperforming students from a school's roll before they affect GCSE results (Ofsted 2017a).

Incentives to exclude could get stronger, due to recent accountability changes. In the research for this report, experts and practitioners interviewed were supportive of a move to Progress 8, which will hold schools to account on *progress* of pupils, alongside accountability for attainment. However, these experts raised several concerns about perverse incentives affecting children with complex needs. For example, the Progress 8 measure means that outliers who severely under-attain could have a disproportionately damaging effect on schools' performance data. This might create a penalty for inclusive schools, and incentivise the exclusion of very low-performing pupils; or lead schools to avoid taking such pupils on initially through formal and informal admissions processes. Another challenge



is a 'multiplier effect' of disruptive pupils on other students' progress, which is better recognised under Progress 8 than under old attainment metrics. One leader described this in the following way:

***'The impact of a distressed and distressing child on the learning of others is now even more calculable. You now have to think about that when you're deciding whether to exclude.'***

This trade-off is made more challenging because there is an argument that in some respects exclusion may benefit a child, as it may increase their access to more small-group learning and external support services (Menzies and Baars 2015). One leader said:

***'You can't get away from the economic logic that says "Right, if I permanently exclude this challenging young person who smashes things up, then they'll go to the PRU and get extra funding for their needs and will finally meet thresholds for other services. But if I keep them in my academy I'll only get £4,500 [the age-weighted pupil average] and it doesn't cover the costs of working with them.'"***

#### *Workforce challenges*

Teachers' insufficient training and knowledge can compound the challenges faced by children with complex needs. Addressing this is key to preventing exclusion. In particular, teachers have little access to training on child development and mental health, which results in teachers having difficulty recognising behaviour linked to mental ill health. Instead, challenging behaviour can often be construed as a moral choice and punished without appropriate intervention. A government-commissioned survey of teachers published last year found that one in two senior leaders felt their staff could not recognise behaviour linked to mental health and were not equipped to teach pupils with mental health issues (Smith et al 2017).

This is concerning because research has shown a clear association between teacher-pupil relationships and psychiatric disorders. This research suggests both that poor teacher-pupil relationships can worsen child and adolescent mental health (and are a factor in likelihood of exclusion), but also that positive relationships can mediate the effects of poor mental health (Lang et al 2013).

The need for more and better teacher education in this area has been recognised. The latest government review on Initial Teacher Training called for education on child and adolescent development, special educational needs and mental health to be part of a universal framework for new entrants to the profession (Carter 2015). However, this approach to training will take a long time to permeate through the system. There is an agreement that more is needed to be done to reach the majority of in-service teachers and the young people that they work with.

Alongside a skill gap in supporting universal mental health, schools also require further training and expertise in identifying pupils in need of further intervention. Interestingly, this expertise seems better developed in the AP sector for excluded pupils. A recent government-commissioned survey found less than half of mainstream schools collected data to inform themselves of pupils' specific mental health needs (44 per cent of maintained schools and 49 per cent of academies), compared with more than three-quarters of AP settings (77 per cent) (Marshall et al 2017).

Finally, our research identified a demand for further training for schools in working across agencies and non-statutory services to ensure vulnerable children get the right support outside the school gates. This includes an understanding of what non-statutory services and interventions can be delivered onsite for pupils who do not meet referral thresholds for statutory services. Currently, three in four school

leaders say their staff cannot signpost pupils to appropriate external mental health support (Smith et al 2017).

Qualitative research for this report heard many accounts of school leaders making unsuccessful referrals to social care and CAMHS, and receiving no feedback on why these referrals were unsuccessful. CAMHS data reports that between 21 and 29 per cent of referrals nationally are ‘inappropriately referred’.<sup>12</sup> In some instances, leaders we spoke to reported simply making the same referral again and again. This volume of ultimately unsuccessful referrals can delay the process of referral for cases which do meet thresholds. One leader described the challenge:

*‘Social care and schools are basically at war. [Schools] are over-referring; social care doesn’t have the capacity to do all of these. Now there is one point of access to request early help, family support worker, acute help – it isn’t clear what you can ask for and why. [There needs to be explanation] why things are taken up, or not taken up – coaching on effective referrals, what to include and what not to, and on what can be done by the school themselves when something doesn’t meet the threshold for local authority services.’*

#### **4.3 CAPACITY TO IMPROVE TRAJECTORIES FOR EXCLUDED PUPILS**

The quality of education on offer once a child is excluded from school can make the difference between hope and hopelessness, a job and prison, and in the worst cases, life and death. But too often, the damage done to a child’s development and opportunities by the time they have been excluded from school is not mitigated after the event. As explored in Chapter 3, the trajectories for the vast majority of excluded pupils are personally tragic and very costly to society in general.

##### *Insufficient evidence base of ‘what works’*

In recent decades there has been a focus on improving teaching practice, based on evidence. This has included government investment in a new body to develop and disseminate evidence of ‘what works’ in education: the Education Endowment Foundation (EEF); reform of initial teacher training to emphasise research literacy; and mechanisms to increase practitioners’ knowledge of research such as the new Chartered College of Teaching and the Research Schools programme (DfE and NCTL 2016). These initiatives are explicitly about improving school quality through the use of continuous professional development to upskill teachers in selecting evidence-based tools to improve pupil outcomes.

However, there has been very little research into what works in engaging and improving the trajectories for excluded pupils. In fact, there is no consensus over what ‘success’ looks like in AP. The most recent government-commissioned review of alternative provision called for ‘further research on evaluating attainment and progression ... to identify tools that can be used to ascertain the effectiveness of AP and related interventions’ (Tate and Greatbatch 2017). Put simply: we don’t even know how to measure success in AP, let alone what works in helping more pupils achieve that success.

Meanwhile, the sector has very little access to an understanding of the knowledge base that does exist in the mainstream sector. Experts and practitioners interviewed for this research agreed that professional development in AP rarely focuses on teaching, assessment or pedagogy; the most common training in AP schools covers ‘positive handling’ to reduce behaviour escalation, and safe ways to physically restrain pupils. There were similar findings from a review of quality in alternative provision by researchers from the University of Nottingham. They

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12 See Frith 2016 and Children’s Commissioner 2016

found that ‘in England in particular ... we saw very few people with formal special education qualifications’ and that although bigger AP organisations were able to offer training ‘there was almost no specific training in literacy and numeracy. Staff had largely taught themselves what to do’ (Thomson and Pennacchia 2016).

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### Case study: Transforming Lincolnshire’s PRU

In 2015 Lincolnshire’s pupil referral unit (PRU) was in special measures. Ofsted had found that basic safety procedures were not in place, and young people were at risk. Fire risk assessments were not up to date and in one site fire extinguishers had been taken from their mounting points around the building because staff were ‘afraid the pupils will use [them] inappropriately’. The sites were often staffed by temporary employees without ‘the required skills and experience to ... manage [pupils’] behaviour effectively’. Most worryingly, school leaders had not ensured that all staff working with the vulnerable pupils in the unit had undergone the legally required criminal history checks (Ofsted 2015).

Learning and pupil progress was poor. Ofsted noted that senior leaders had not created policies to check and improve teaching and learning across the school, which was particularly problematic as there were so many supply staff who had ‘an adverse impact on the quality of teaching’ (ibid). Too often teachers’ expectations of pupils were low and the work of strong teachers was ‘hampered by a lack of strategic oversight, resources and staffing’ (ibid).

Lincolnshire county council worked in partnership with Wellspring Academy Trust to turn around the PRU. Wellspring run a group of successful schools for students with social, emotional and mental health needs, excluded pupils and primary pupils. This work was led by Dave Whitaker, executive principal of Springwell Learning Community in Barnsley, Mark Wilson, CEO of the Wellspring Trust, and Josh Greaves, the trust’s chief operating officer.

‘Recruitment was key to the turnaround process,’ says Dave, ‘and recruiting the right senior leaders was vital.’ Gill Kelly, deployed as the interim executive principal, came on board and immediately got to work hiring and galvanising a new team. But it was tough. The majority of teachers aren’t familiar with PRUs and don’t think to apply for jobs there. As well as adverts appealing to mainstream teachers, Dave and other colleagues within the trust used their personal contacts and online presence through the Headteachers’ Roundtable to help recruit leaders outside the normal pool.

Dave and Gill recruited a team of excellent leaders from mainstream schools, travelling from nearby cities to transform the PRU sites in this isolated rural and coastal area. ‘Phil was an assistant head in a mainstream school in Nottingham, and had exactly what we were looking for,’ recalls Dave. ‘Coming from mainstream, Phil could bring the rigour, systems and standards which were sorely needed in the PRU.’

Lisa was a special educational needs coordinator (SENCO) in a secondary school before joining the PRU’s senior leadership team. ‘She had great leadership skills and extensive special educational needs and disability (SEND) experience and knowledge. We knew she would be an asset,’ says Dave. On her first week in the role she realised that education, health and care plans (EHCs) for pupils hadn’t been updated; in some cases not for several years. ‘Crucial information about what these children needed to support their learning was missing,’ explains Dave. Lisa led a team to get the EHC plans in order and begin tracking interventions for pupils with SEND. ‘Lisa’s monitoring systems for SEND and Pupil Premium interventions,

as well as tracking of admissions and reintegration, meant we could set meaningful targets for the pupils' success. The staff knew what young people needed, and the steps to get them there.'

The third executive vice principal, Amy, joined the team with leadership experience in primary mainstream and in another PRU. She brought with her a wealth of expertise in quality assurance and set about designing systems to develop teaching and learning, implement effective CPD and raise professional standards and expectations. 'With the right team, we could really start rewriting the story for these young people, who had been so failed by their PRU,' says Dave.

From 1 April 2017, Lincolnshire Teaching & Learning Centre reopened as Springwell, Lincoln City Academy and the process had begun to create four purpose-built free school sites. The new school has a new purpose: 'unlocking potential of the most vulnerable young people'. With the proper training, oversight, systems and support, staff in the PRU are now learning, developing and thriving – and so are the students.

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#### *Staff shortages and vacancies*

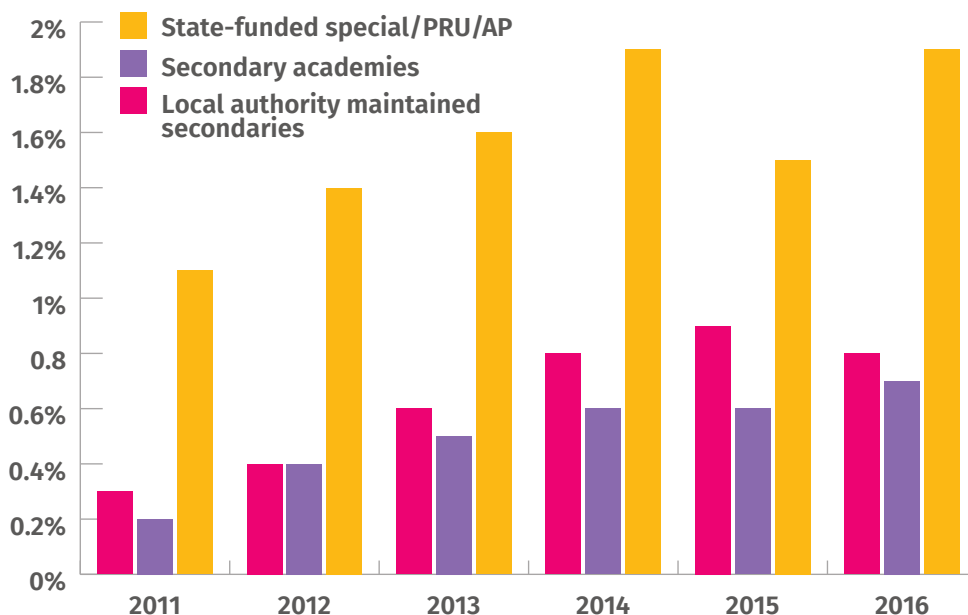
Staff shortages are an issue in all types of school in England. However, in the AP sector they are particularly acute. Numbers of vacancies in the maintained AP and special sector have nearly tripled since 2011 (2.6 times higher by 2016). As a proportion of all teaching posts in the sector, the numbers of vacancies in special and AP schools are 100–150 per cent higher than in mainstream secondary schools.<sup>13</sup> Teaching in AP has suffered from a poor reputation, which has been linked to recruitment challenges (Thomson and Pennacchia 2017).

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<sup>13</sup> We compared the proportion of vacancies in secondary maintained schools and academies, which are 0.2 per cent and 0.3 per cent of the workforce respectively, compared to 0.6 per cent in the special and AP workforce.

**FIGURE 4.1**

**Excluded children are twice as likely to be taught by a supply teacher**  
Percentage of full-time posts not filled by a permanent member of staff



Source: Department for Education (2017), 'Table 14: Full-time teacher vacancies, temporarily filled posts and rates in state funded schools by sector and grade', *School workforce in England: November 2016*

Note: Government data aggregates teacher qualification data by sector, grouping AP with special schools

The recruitment challenge in AP results in a dependence on supply teachers. Our analysis shows that the use of temporary staff has nearly doubled in the special and AP sector over the past six years, as shown in figure 4.1. A child educated in a special or AP school is twice as likely to have a supply teacher, compared to a mainstream student. This is concerning because the temporary nature of supply work can hamper the trust and relationships with pupils, necessary for effective behaviour management and teaching and learning, as seen in the case study of Lincolnshire's failing PRU (see box above).

The quality and commitment of supply staff can be lower than that of permanent teachers. School leaders referred to this as a challenge in raising the quality of teaching and learning in AP. One leader facing recruitment challenges said:

*'The majority [of candidates] were failed teachers who hadn't managed to put down a successful career in mainstream.'*

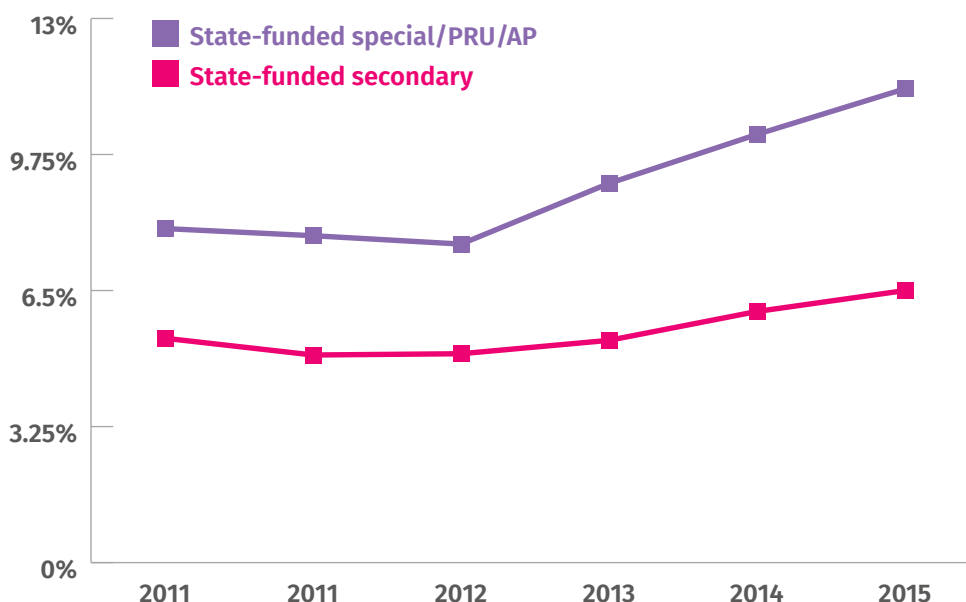
#### *The rise in unqualified staff*

For a long time, trainee teachers were prohibited from training in PRUs, exacerbating recruitment challenges. Now this is no longer the case, and many PRUs train their own teachers, often using training to develop talent internally and upskill teaching assistants. However, this reform has seen levels of unqualified staff increase at an alarming rate. Figure 4.2 shows how the proportion of unqualified teachers in mainstream schools has risen by one and a half percentage points in the past four years, while in AP and special schools it has increased by nearly four percentage points over the same period. Nearly one in eight teachers in the sector is now unqualified.

**FIGURE 4.2**

**The proportion of unqualified teachers in AP and special schools has increased far faster than in mainstream schools**

*Percentage of unqualified teachers in state-funded secondary and special schools in England*



Source: Department for Education (2017), 'Table 2a: Head count of full-time, part-time and full-time equivalent (FTE) teachers in state funded schools by sector and grade1 or post', *School workforce in England: November 2016*  
Note: Government data aggregates teacher qualification data by sector, grouping AP with special schools

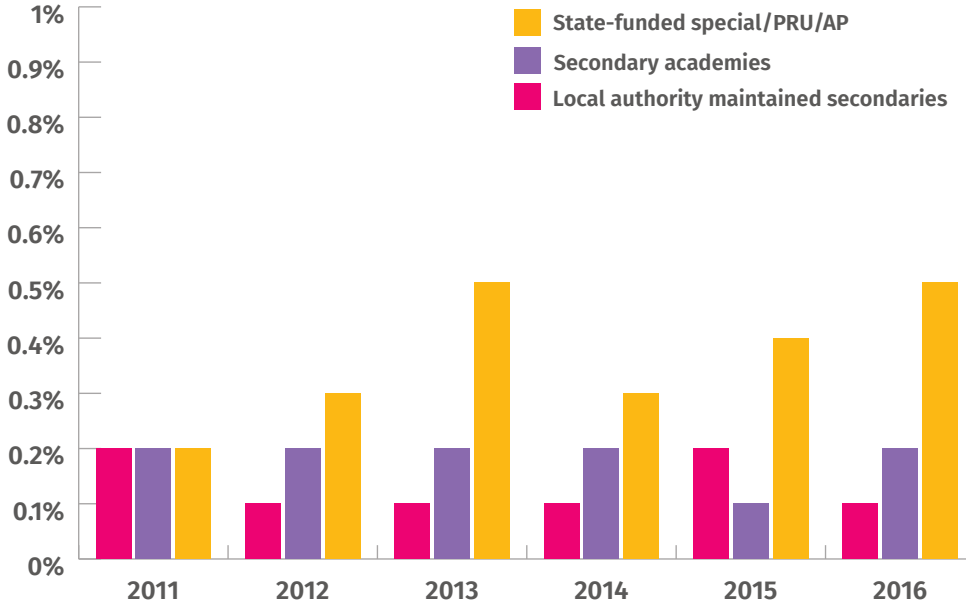
*Leadership*

If a large proportion of the workforce in the AP sector is unqualified and temporary, leadership is more important than ever in steering a school's course to success. Yet vacancies in leadership roles have leapt in recent years, more than doubling in the AP and special sector between 2011 and 2016. Figure 4.3 shows that this problem is specific to the AP and special school sector; vacancies in leadership positions have remained fairly stable in mainstream schools over the same period.

**FIGURE 4.3**

Vacancies in leadership roles more than doubled in the AP and special sector between 2011 and 2016 but remained stable in mainstream schools

*Leadership vacancies in mainstream and alternative schools*



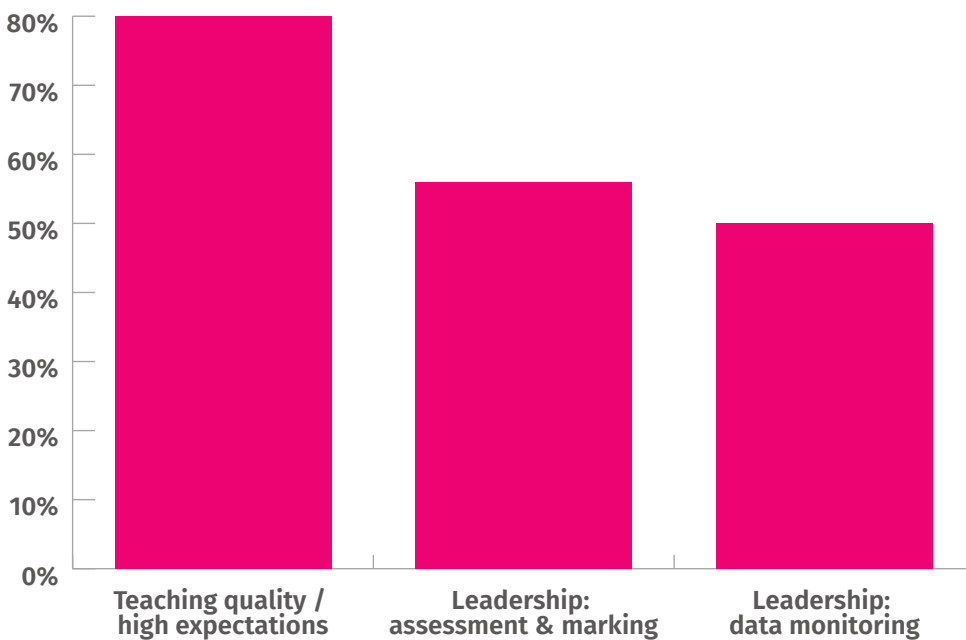
Source: Department for Education (2017), 'Table 14: Full-time teacher vacancies temporarily filled posts and rates in state funded schools by sector and grade', *School workforce in England: November 2016*

Note: Government data aggregates teacher qualification data by sector, grouping AP with special schools

**FIGURE 4.4**

Improving the basics of teaching and learning is a priority in the majority of pupil referral units

*Percentage of Ofsted inspections listing teaching quality and associated factors as priorities for improvement*



Source: IPPR analysis of Ofsted inspection reports 2015-2017

Not only is AP grappling with leadership vacancies, but the standard of leadership is not good enough across the sector. Even in Ofsted-rated 'Good' AP provision, leadership of learning is a key barrier to pupils making the progress they ought to. IPPR analysed a sample of the most recent Ofsted inspections of PRUs and AP schools (sample size 50). We found that 80 per cent of the school's Ofsted reports mentioned teachers' low expectations or the broader quality of teaching and learning as a point for improvement. More than half of the Ofsted reports specifically referenced the leadership of assessment processes, marking and feedback; and half mentioned data monitoring as a point for improvement (see figure 4.4).

In other parts of the UK, secondment models have been used to try to bring norms and expectations in teaching, learning, assessment and data monitoring from mainstream into AP schools. In North Lanarkshire in Scotland, teachers are regularly seconded to work in AP for several years. Researchers from the University of Nottingham pointed to this process as key in transferring best practice between the two different sectors, bringing 'knowledge of the academic norms of regular schools' from mainstream to AP, and bringing 'additional expertise' from AP to mainstream, to support children vulnerable to exclusion (Thomson and Pennacchia 2017). Rates of school exclusion in Scotland and Northern Ireland, which also use teacher secondments, are much lower than in England.

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### **Current quality of alternative provision**

The challenge facing an AP school when it takes on an excluded child is far from easy. As set out in Chapter 3, excluded children often have a background of neglect and abuse, poor mental health, and learning difficulties. They are likely to have been failed by their previous schools – often multiple times – and have spent large chunks of their educational career outside the classroom. Unsurprisingly, they often feel rejected by and disengaged with school.

The work of an AP school, then, is much more complex than simply imparting knowledge. It involves rebuilding the emotional damage of exclusion; developing trusting relationships often with young people who have had few trusted adults in their lives; and attempting to catch up learners who are often far behind their peers.

#### *Maintained provision*

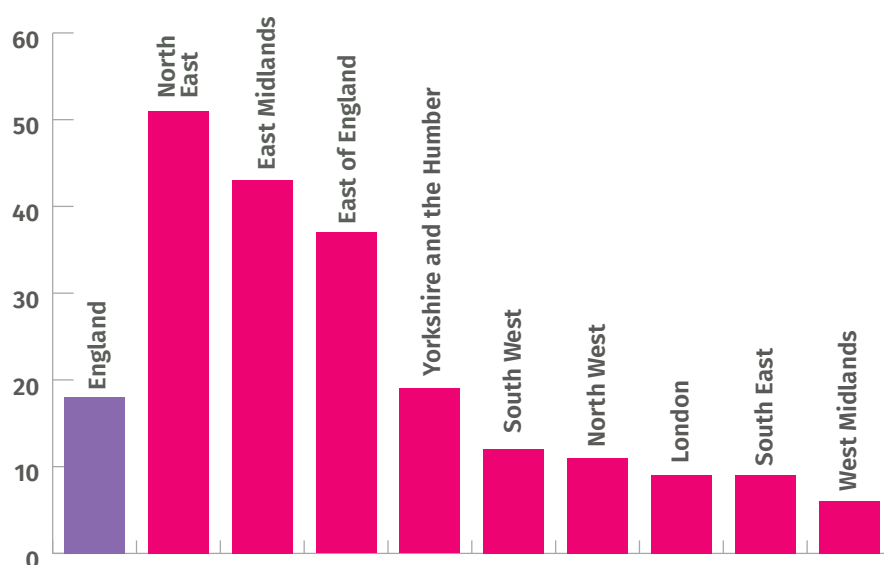
Given this challenging context, the quality of provision in many maintained AP schools is strong: the vast majority of schools for excluded pupils are rated 'Good' or 'Outstanding' by Ofsted (Ofsted 2017c). London offers the best provision for officially excluded young people, with 91 per cent of excluded children attending a provision deemed 'Good' or better. The South East, West Midlands, North West and East of England also cater well for students in AP according to Ofsted (ibid).



**FIGURE 4.5**

**An excluded child in the North East is more than five times more likely to attend a less than good school than a child excluded in London, the West Midlands or the South East**

*Percentage of places rated 'Requires Improvement' or 'Inadequate'*



Source: Ofsted (2016), *Maintained schools and academies inspections and outcomes as at 31 August 2016*

Note: Ofsted releases national data for its inspection outcomes on a termly basis. In this analysis we used data for the end of the academic year 2015/16. Data for the end of 2016/17 is available from November 2017.

However, nationally almost one in five places in maintained schools for excluded pupils (18 per cent) are in a 'Requires Improvement' or 'Inadequate' provision.

There is a frightening postcode lottery in the quality of provision: an excluded child in the North East is around eight times as likely to attend an 'Inadequate' provision (46 per cent) as the national average (6 per cent). Were they excluded instead in the neighbouring North West, or Yorkshire and the Humber, they would have a far greater chance of a place in 'Good' alternative provision.

Even more shockingly, there are local authorities with no 'Good' places whatsoever: Barking and Dagenham, Cheshire East, Dudley, Gateshead, Lincolnshire, Newcastle-upon-Tyne, Norfolk, Reading, Sheffield, Stockton-on-Tees, and Thurrock all effectively guarantee that a child's alternative provision will be 'Requires Improvement' or 'Inadequate'. Worse still, across Dudley, Gateshead, Newcastle and Thurrock, all 659 PRU places are 'Inadequate'.

However, most excluded pupils are not educated in maintained provision for which we have data on quality. Increasing demand has seen increasing use of Independent AP, where quality cannot easily be compared across the country; and unregistered AP schools, where there is no national oversight of quality.

#### *Non-maintained provision*

The oversight of independent and unregistered AP is the responsibility of whoever is commissioning it. Most commonly this is the PRU on behalf of a local authority, or mainstream schools which use the provision for Offsite AP. However the two comprehensive reports on this type of AP – that of

government behaviour tsar Charlie Taylor in 2012, and Ofsted's three-year review published in 2016 – point to damning weaknesses in commissioning expertise, and worrying variability in quality.

For example, Ofsted found that less than a third of commissioning schools in their sample 'carried out any systematic evaluation of the quality of teaching and learning at the placements they were using'. The Taylor review found that some alternative providers which had been commissioned were of very high quality, yet others seemed to do 'little more than keep their pupils off the streets' (Taylor 2012). Ofsted reported that the majority of alternative providers in their sample had been given no child protection training by the school which commissioned them, despite working with the most vulnerable young people (Ofsted 2016b).

It is worrying that more and more children are being educated in non-maintained settings, where procedures for oversight are so flawed. It is also concerning that so many of the most vulnerable and disenfranchised children are being educated in settings with the least quality assurance, and fewest mechanisms for quality improvement.

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#### 4.4 CONCLUSIONS

- There are two key areas where reform is pressing if we are to rewrite the story of worsening school exclusion: the *capacity to prevent exclusion* and the *capacity to improve trajectories for excluded pupils*.

##### *Capacity to prevent exclusion*

- There are fewer preventative services whose work supports children with complex needs. Meanwhile there are increasing accountability and financial pressures on schools, which heighten the risk of exclusion for pupils, whose complex needs require extra resources to assure their achievement.
- Workforce development is key to preventing rising exclusion. As resources outside schools diminish, capacity inside the workforce to deal with complex needs is more and more pressing.

##### *Capacity to improve trajectories for excluded pupils*

- There has been virtually no research into 'what works' to change the trajectories for children who have been excluded.
- Nationally, the sector is struggling to recruit quality staff. A large and growing proportion of the AP workforce is unqualified and temporary. Meanwhile, leadership vacancies in the sector have more than doubled since 2011.
- Despite 80 per cent of maintained AP being good or better according to Ofsted, there is a shocking postcode lottery in the quality of provision. A child excluded from school in the North East is more than five times more likely to attend an alternative provision rated less than 'Good' by Ofsted, than a child living in London, the West Midlands or the South East. In some local authorities with the highest levels of exclusion, 100 per cent of pupils are in settings graded 'Inadequate'.
- Finally, and most worryingly, the majority of excluded pupils are being educated in settings with little accountability and oversight. The government does not collate, and often does not even collect, data on the quality of provision or teacher qualifications in this part of the sector. Ofsted has raised concerns that this can leave some of the most vulnerable and disenfranchised children working with ill-equipped or even unsafe staff.

# 5.

## THE RIGHT TO A DIFFERENT STORY

### 5.1 MAKING THE DIFFERENCE

In this report we have set out the significant social mobility failure associated with exclusion. All too often excluded children face a life of poor health, unemployment and even imprisonment, because of a sad combination of personal circumstance and a school system which isn't working for the most vulnerable. But it shouldn't be this way. And it doesn't have to be.

This report has so far outlined the challenges in capacity of the teaching workforce to both reduce exclusions and improve trajectories for pupils. This chapter turns to the workforce development which holds the key to breaking the links between disadvantage, school exclusion and social exclusion. Our analysis is synthesised in a provisional framework for the design of a new programme to develop new expertise in the teaching profession. This will recruit and train specialist teachers, who will go on to become the inclusive school leaders of tomorrow.

This new programme – provisionally known as 'The Difference' – aims to:

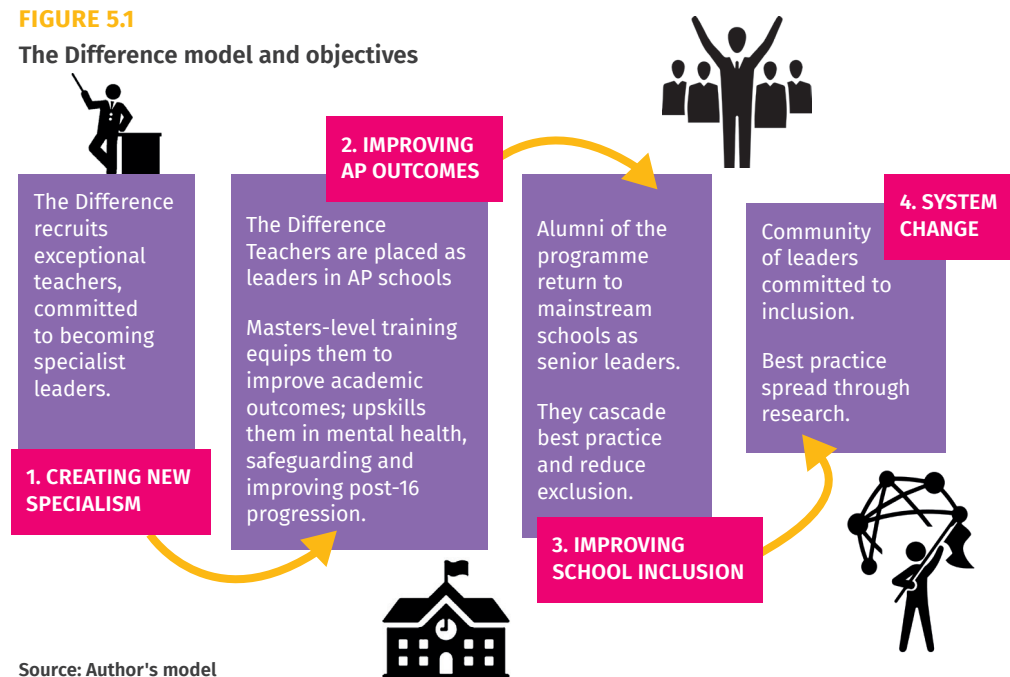
1. improve outcomes for those already studying and sitting exams in the AP sector
2. reduce the number of students excluded from the mainstream sector in the long term.

In order to achieve this, the programme will:

1. **recruit exceptional teachers to work in AP schools**
2. **upskill these teachers through a two-year bespoke multi-disciplinary programme**, including on-the-job training in a school leadership position at Master's level
3. **develop a route back into mainstream leadership** through an alumni careers programme to match programme alumni with senior leadership vacancies leading whole-school inclusion.

**FIGURE 5.1**

**The Difference model and objectives**



**5.2 STEP 1: RECRUIT EXCEPTIONAL TEACHERS INTO THE AP SECTOR**

This report has set out the evidence that AP schools face significant workforce challenges, including an increasing proportion of classes taught by unqualified teachers and supply teachers, and rising vacancies among the leaders who quality-assure and improve their work. It also uncovered the patterns in Ofsted reports, which found that the quality of teaching and learning is a barrier to overall school improvement in the AP sector. The Difference programme will address these problems by attracting exceptional teachers to take on leadership roles in PRUs and other maintained AP schools.

The sector has signalled that this would be welcome: researchers interviewed and visited leaders working across 40 PRUs, AP academies and free schools – representing a sample of roughly 10 per cent of the entire maintained AP sector. All participants were supportive of the development of such a programme, including some of the largest networks of providers in the sector.

*Recruiting the right teachers and future leaders*

The Difference will recruit ambitious teachers with strong emotional literacy, high expectations and evidenced skill in leading others. These teachers must have a minimum of three years' teaching experience and evidence of a whole-school or middle leadership role in their former school.

Careful candidate selection is vital to improving pupil outcomes. The Difference's recruitment strategy and process will be informed by best current practice in assessment centres. For example:

- Teach First's competitive teacher selection process has been credited for the programme's impact on grades in schools serving disadvantaged communities (Allen and Alnutt 2013). The charity's two-stage selection process involves assessing prospective teachers through an online application and an assessment centre which assesses candidates' competencies through an interview, group problem-solving and a lesson role play.

- Think Ahead, the programme for mental health social workers, uses a rigorous selection process to assess aptitude for working with vulnerable people. This involves a situational judgment test in the initial application stage, and interviews with mental health service users, alongside more traditional assessment centre activities of role play, group problem solving and interviews.
- Future Teaching Scholars recruits maths and physics teachers to a six-year training programme, delivered in collaboration with Teaching School Alliances (TSAs) across the country. Assessment centres are held onsite in the partner Teaching Schools and use the expertise of TSA practitioners, alongside external assessors, to select the candidates who will thrive in school-led training.

#### *Connecting teachers with the AP sector*

This report has outlined both the rise in vacancies in leadership positions in the AP sector; and the decreasing expertise in the frontline teaching workforce. The Difference programme will help address this by recruiting mainstream teachers to their first leadership post in AP, where these exceptional teachers will contribute to rising standards of teaching and learning.

As with successful secondment models in Scotland and Northern Ireland, The Difference programme will allow its teachers to bring expertise in mainstream curriculum design and delivery; data monitoring; and assessment and feedback into the AP schools they work in. Their leadership role will involve improving practice in these areas, with a particular focus on improving literacy and numeracy.

Informed by successful programme models with fixed-term contracts, such as Frontline or Unlocked Graduates, The Difference programme will agree a two-year contract for its teachers in their AP school. Difference Teachers will only be placed in 'Good' or 'Outstanding' providers for their two-year placement, and their training will involve visits to sites of best practice in the country. This will ensure that Difference Teachers' first experience of AP would allow them to learn from best practice.

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### **Demand for The Difference**

There is demand for this career route among teachers. As part of our research, IPPR commissioned YouGov to carry out a survey in summer 2017. This tested appetite among a representative sample of 750 teachers in England for The Difference programme. One in four said they were interested in exploring the outlined career route. One in ten teachers said that they were definitely interested in enrolling in the programme. In total, 36 per cent of surveyed teachers – a pool of 93,000 teachers nationally – would be interested in becoming specialist leaders through The Difference.

Teachers want to be upskilled in supporting the most vulnerable young people. Our YouGov teacher survey found that 'social justice – a desire to work with the children most in need' was the strongest pull-factor in joining a programme like The Difference. Sixty-three per cent of those interested in the programme ranked this as one of their top three motivations of 11 potential motivations to join the programme. Developing expertise was the second-strongest pull-factor, with 58 per cent of those interested in the programme ranking 'expertise in working with children with complex needs' as one of their top three motivations.

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### 5.3 STEP 2: UPSKILL THESE TEACHERS AS MULTIDISCIPLINARY LEADERS

The teaching profession has insufficient expertise and access to training in supporting the most vulnerable children and young people. Addressing this problem requires a pipeline of specialist leaders who can cascade this knowledge across the workforce. The Difference will create this expertise by providing a two-year leadership position in the AP sector, and delivering a bespoke training programme to upskill these teachers to become future headteachers.

#### *Providing a bespoke Master's-level training programme*

Borrowing from the success of predecessor models Frontline, Teach First and Think Ahead, The Difference programme will provide high-quality on-the-job professional learning, accredited at Master's level. This will combine an understanding of theory, existing national and international best practice in education of vulnerable learners, and – uniquely – how other statutory agencies and non-statutory organisations work with young people and their families. A provisional overview of this comprehensive curriculum – covering strands in improving low literacy, low numeracy, mental health, safeguarding, and pupils' post-16 destinations – is demonstrated in figure 5.2 (see box below). Knowledge of the latest evidence-based practice will be combined with the on-the-job training support provided by practitioner tutors and clinical supervisors, borrowing a model successful in social care and mental health services.

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#### Developing an evidence base

This report has highlighted that insufficient evidence of what works is one of the key barriers to improving quality in the AP sector. In developing the curriculum for the programme, the dedicated charity The Difference will find and synthesise existing best practice in supporting vulnerable young people, and improving their outcomes against a range of metrics. The programme itself will then be used to help develop and disseminate best practice further.

Through collaboration with existing partnership organisations, The Difference will seek to build a more robust evidence base in what works to support vulnerable young people with complex needs. Difference Teachers will have the option of completing a dissertation, focusing on replicating existing interventions and exploring their impact, or on pioneering new ways of collaborating with other agencies to support young people. The Difference would partner with bodies such as the Chartered College of Teaching, the Education Endowment Foundation and the Teacher Development Trust in this endeavour to raise the evidence-base for working with vulnerable young people.

Each Difference Teacher will use their training to inform their leadership in their AP school. This might include a number of projects across the two-year placement, leading staff training to improve low literacy, low numeracy, pupils' self-regulation and pro-social behaviour. As with Teach First, The Difference will also create a network of practitioners and schools, able to share best practice with one another and to access elements of continuous professional development through the charity.

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**TABLE 5.1**

**Provisional curriculum outline**

STRAND OF LEARNING	LOW LITERACY / LOW NUMERACY	CHILD DEVELOPMENT & MENTAL HEALTH	FAMILY, RELATIONSHIPS & SAFEGUARDING	SELF-EFFICACY, AGENCY AND EMPOWERMENT
<b>OBJECTIVES</b>	Difference Teachers will be equipped to lead improved outcomes in literacy or numeracy.  Teachers will specialise in low literacy or low numeracy – depending on their initial teacher training specialism.	Difference Teachers will be equipped to lead improved pupil self-regulation and wellbeing.	Difference Teachers will be equipped to support pupil safety and lead reduced risk of involvement in risky and criminal activity.	Difference Teachers will be equipped to lead pupils' increased motivation and engagement with learning as a means to achieving personal citizenship and career goals.
<b>THEORY CONTENT</b>	Typical and atypical development of literacy and communication skills, including types of language-related special educational needs (SEND).  Typical and atypical development of numeracy skills, including types of number-related SEND.	Typical and atypical social and emotional development, including types of social, emotional and mental health-related SEND.	Prevalent safeguarding issues and their risk factors including: neglect; domestic violence and abuse; child sexual exploitation; gang involvement and knife crime; drug-taking and addiction.	The role of active citizenship and careers education in developing intrinsic learning motivation.
<b>CLASSROOM PRACTICE CONTENT</b>	Evidence-based pedagogies and interventions to rapidly improve literacy and numeracy skills.	Pedagogies and interventions with indicative evidence of success in improving self-regulation, wellbeing and mental health.	Pedagogies and interventions with indicative evidence of success in reducing risk-taking and criminal behaviours.	Pedagogies and interventions with indicative evidence of improving pupil engagement in learning and post-16 destinations.
<b>MULTI-AGENCY CONTENT</b>	The work and referral processes of services to support literacy and numeracy-related learning needs – statutory and non-statutory, including educational psychologists; speech and language therapists.	The work and referral processes of local child, adolescent and young people's mental health services – statutory and non-statutory.	The work and referral processes of social work, policing and youth offending teams, as well as relevant local youth work organisations.	The work of and access routes to relevant youth organisations including the National Citizenship Service, the Reclaim Project, and the Careers and Enterprise Company.
<b>ORIGINAL RESEARCH: DISSERTATION (OPTIONAL)</b>	<p>Participants may choose to write a dissertation, which would comprise original research. This would add to the existing evidence base for supporting vulnerable learners, with a focus on either an area of classroom practice or multi-agency collaboration. The research would be conducted and disseminated in collaboration with universities or existing research bodies.</p> <ul style="list-style-type: none"> <li>• Classroom practice – focus on a particular intervention with indicative evidence of success, its replication, and data analysis of its impact.</li> <li>• Multi-agency collaboration – focus on a particular multi-agency approach or specific cross-service collaboration. Original research would involve an implementation analysis of this way of working, highlighting factors in and barriers to wider implementation.</li> </ul>			

Source: Author's model

### 5.4 STEP 3: DEVELOP A ROUTE BACK INTO LEADERSHIP ROLES IN THE MAINSTREAM SECTOR

Steps 1 and 2 are intended to improve the quality of teaching and outcomes in the AP sector. However, this is only half of the challenge. To really address the problem of exclusions, we need to reduce the number of young people with complex needs who are told to leave their schools each year. This will require – among other things – teachers and leaders in the mainstream sector who understand the needs of, and provisions available to their most vulnerable students. The Difference will help to ensure that this happens by creating a pool of specialist leadership talent for the mainstream sector.

#### *Careers brokering service*

The Difference will offer an alumni service for Difference Leaders who have completed the programme and are ready for a new challenge. For the majority, this new challenge will be to return to the mainstream and spread their skills and insight across the system. Relationships with multi-academy trusts could help The Difference to broker interviews for Difference Leaders for existing vacancies in senior leadership teams.

#### *Demand among mainstream schools*

In research for this report, we held roundtables and interviews with a range of mainstream headteachers and executive headteachers, and surveyed 120 heads working across the country. These research participants showed an interest in recruiting Difference Leaders in their schools to:

- improve universal provision
  - line manage pastoral work across a school, improving whole school knowledge of mental health, and linking more effectively a school's behaviour and SEND strategies (particularly in secondary schools)
- improve targeted and preventative support
  - line manage the SEND team to identify undiagnosed social, emotional and mental health (SEMH) and speech language communication needs (SLCN); lead effective interventions to address low literacy and numeracy; and intervene to support wellbeing and self-regulation amongst pupils with SEMH
  - use insight into external organisations to broker preventative support for vulnerable students including effective commissioning of offsite AP.
- improve support for pupils with acute needs
  - line manage the SEND team to improve referral processes for Education and Health Care Plans
  - use insight into multi-agency expertise to improve effective referrals and multi-agency working
- improve specialist capacity for groups of schools
  - run internal exclusion provision, including offering more preventative work and traded places in offsite AP to other local schools
  - quality assure local offsite AP, and offer this service to other local schools on a traded basis.

More than half of surveyed leaders said they would be interested in hiring The Difference leaders. Ninety-five per cent of these said they would particularly value this leader's knowledge of complex needs and behaviour; 84 per cent said they would value their knowledge about mental health; and 51 per cent said they would value their expertise in working with external agencies.

Eighty-nine per cent of respondents said their motivation for hiring such a leader would be improved mental health for all pupils; 66 per cent were motivated by



the opportunity to boost CPD for all their staff on mental health; 62 per cent were motivated by the opportunity to improve pastoral support and pupil behaviour across the school. More than half (54 per cent) said that they would be motivated by a desire to reduce their fixed-period exclusion rates, and nearly half said they would particularly like to hire such a leader to improve attainment for their pupils making the least progress in literacy and numeracy.

Some of England's largest multi-academy trusts have already endorsed the development of The Difference and expressed a desire to partner with the programme to hire its graduates as senior leaders, including Oasis Learning Community, Ormiston Academies Trust and Ark Schools..

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### **Case study: A whole-school approach to inclusion**

Shaun is deputy headteacher for inclusion at Thomas Tallis School. He was an attractive hire to his mainstream school because of his MA in inclusion, SENCO qualification and experience working in a PRU. 'In the PRU, I learnt to speak CAMHS and I learnt to speak social care,' he says, describing his close relationships with colleagues working around vulnerable pupils and their families. These experiences influenced Shaun's three-tiered, whole-school approach to leading learning, wellbeing and safeguarding.

#### *Tier 1 – Supporting universal needs*

Before Shaun arrived, behaviour, special educational needs and pastoral staff teams sat separately in the school's structure. A new inclusion framework now unites the teams, formalised in a line management structure under Shaun's deputy headship. This framework involves goals and training for all staff skills in 'tier 1' – universal support of students' learning, wellbeing and safeguarding needs.

#### *Tier 2 – Intervening preventatively*

Shaun's tiered model involves providing preventative interventions, often with the help of external organisations. 'This year I brought in Chelsea's Choice, a child sexual exploitation awareness charity; the Amy Winehouse Foundation, which focuses on self-esteem and substance misuse; and have lined up Growing Against Gang Violence and Yinka Williams, whose work focuses on online abuse. In each instance, the organisation delivered to the whole year group about the safeguarding risk. We don't assume that a particular issue is/isn't affecting students – we allow them all to learn about and understand the issue, and equip them with the skills to recognise it in the future. Next, students reflected on the content in pastoral groups. From there, we moved on to targeted work with students who were identified through the process as particularly at risk.'

#### *Tier 3 – Addressing acute need*

Shaun holds relationships with key local authority agencies, which has enabled him to improve referrals and support for vulnerable children. 'In one instance, our concerns weren't being recognised by social care, because interactions with parents were positive even though the child was in serious risk of harm. I did something really unorthodox and called an Initial Child Protection Conference myself – normally this is called by social care. If I hadn't worked so much with other agencies, I wouldn't have necessarily known that schools have that power too. But they do, and I did, and it led to much better support from social care for that vulnerable young person.'

## 5.5 CONCLUSIONS AND RECOMMENDATIONS

- **A new programme to develop specialist leadership capacity in the teaching profession should be created to improve outcomes for those pupils who have been excluded in the short term, and reduce the numbers of pupils excluded from school in the longer term.**
- This programme, provisionally called The Difference, could:
  - **recruit exceptional early career teachers** with evidenced leadership experience
  - **place them in leadership positions in an AP school**
  - **upskill them through a bespoke programme** of two-year on-the-job professional learning at Master's level
  - **develop a route back to mainstream leadership** through an alumni careers programme to match alumni with senior leadership vacancies leading inclusion
  - **increase evidence-led practice** by using its own programme and the research skills of existing organisations, to develop and disseminate a better understanding of 'what works' to support children with complex needs.
- There is demand for such a programme among teachers, PRUs and other AP schools, mainstream multi-academy trusts, and professional bodies working to improve evidence-led practice in schools.

# ANNEX I.

## EXAMPLES OF TYPES OF ALTERNATIVE PROVISION

### THE LIMES COLLEGE

The Limes College is a pupil referral unit (PRU) for 8–16-year-olds, catering predominantly to pupils who have been permanently excluded, are at risk of permanent exclusion, or are in short-term respite places. However, the PRU also provides education to young girls who are pregnant, students who cannot attend school for medical reasons, and unaccompanied minors who are new migrants to the area and are not yet enrolled in a mainstream school. The Limes has capacity for 120 pupils at any one time.

A continuum of education and support is on offer to the varied young people who the Limes College supports. Pupils come with a wide range of learning needs and current attainment. The Limes aims to reintegrate as many pupils as possible into mainstream school, and to ensure that those who sit exams with them leave with qualifications and go on to further education, apprenticeships or employment. Ofsted recognises their strength in achieving these outcomes with young people, and judged the PRU ‘Outstanding’ in all areas in its last inspection (Ofsted 2015).

### THE FAMILY SCHOOL

The Family School is a state-maintained AP school, run by the mental health and children’s charity the Anna Freud Centre. The school works exclusively with pupils who have been excluded in Key Stages 2 and 3, and aims to reintegrate them into mainstream school with the confidence, educational progress and ambition they need to succeed. The Family School’s innovative model works with families and pupils, integrating CAMHS practice into the school’s work. At any one time, 12 pupils and their parent or significant adult carer work together as a ‘multi-family group’. The families are supported to help one another, learn about their child’s learning and development, and create the conditions and changes necessary so that their children can resolve their problems and return to school better equipped as learners. In 2017, Ofsted judged the school ‘Outstanding’ in all areas (Ofsted 2017b).

### THE BOXING ACADEMY

The Boxing Academy is an AP free school which began its life as a charity in Tottenham, but has been in its Hackney home since 2010, under the headship of Anna Cain. Its unique approach balances academic learning with the discipline of a boxing gym, and currently serves 40 pupils. The model provides intense mentoring and support for the young people in its care, placing them in a class of eight students with a dedicated boxer who acts as mentor, teacher support and coach throughout their time at the academy. Pupils develop a strong relationship with their ‘pod leader’. This relationship provides a foundation for students’ effort and pride in their achievement.

The school caters to pupils in Years 10 and 11 and sees them through to their GCSEs, with pupils sitting a minimum of five subjects including English and maths. All teaching staff at the academy are trained, and Ofsted judged that pupils have

well-targeted support to make good progress, judging the school 'Good' in all areas (Ofsted 2016c). This year, the Boxing Academy won the TES School Awards in the category of alternative provision school (Bloom 2017).

### **JAMIE'S FARM**

Jamie's Farm offers an intensive residential experience, to help re-engage vulnerable learners with education. The week-long residential visit focuses on developing pupils' resilience, self-esteem and discipline through a combination of 'farming, family and therapy'. While staying at the farm, pupils have a routine of preparing meals for each other and eating around a family table, and experience farming activities like lambing, log-chopping, horse-whispering and harvesting in the garden. While inner-city pupils have the opportunity to engage in these new and often calming activities, Farm staff engage the students in reflective conversations about emotions and behaviour, encouraging self-awareness about interactions with others. Last year, 82 per cent of the pupils deemed at risk of exclusion before their visit to the farm moved out of that category within just six weeks of their visit in the 2015–16 academic year.

Jamie's Farm is not a full-time school provision; instead the work of the farm complements the work of mainstream schools or PRUs. In partnership with its commissioning schools, the work of Jamie's Farm has begun to evolve, now offering exam revision residential trips for vulnerable students, which combine the farm's traditional therapeutic approach with revision for core subjects at a time of anxiety for students.

# ANNEX II.

## VARIATION IN EXCLUSION BY LOCAL AUTHORITY

**TABLE A1**

Local authorities with the highest population of pupils in schools for excluded students (as a proportion of total local pupil population)

LOCAL AUTHORITY	% PUPILS EDUCATED IN A PUPIL REFERRAL UNIT (PRU)  (BRACKETED NUMBER: THIS IS A MULTIPLE OF THE NATIONAL AVERAGE)	% FREE SCHOOL MEAL (FSM) ELIGIBILITY	% PLACES IN LOCAL SECONDARY SCHOOLS WHICH ARE RATED 'REQUIRES IMPROVEMENT' (RI) OR 'INADEQUATE' (I)	% PLACES IN LOCAL PRUS WHICH ARE RI OR I
England average	0.18 (1x)	14.7	18%	18%
Blackpool, North West	1.18 (7x)	25.5	79%	0%
York, Yorkshire & Humber	0.72 (4x)	8.2	13%	0%
Islington, London	0.72 (4x)	27.5	24%	71%
Blackburn with Darwen, North West	0.64 (4x)	15.4	11%	0%
Kingston Upon Hull, Yorkshire & Humber	0.64 (4x)	24.1	34%	17%
Nottingham, East Midlands	0.51 (3x)	25.1	11%	87%
Peterborough, East of England	0.50 (3x)	15.9	8%	0%
Slough, South East	0.49 (3x)	11.3	8%	0%
Gateshead, North East	0.44 (2x)	17.2	70%	100%
St Helens, North West	0.44 (2x)	18.3	24%	0%
Barking and Dagenham, London	0.43 (2x)	16.7	7%	100%
Plymouth, South West	0.42 (2x)	16.9	26%	0%
Hammersmith and Fulham, London	0.40 (2x)	22.4	11%	0%
Reading, South East	0.40 (2x)	14.1	41%	100%
Haringey, London	0.39 (2x)	17.0	0%	0%
Poole, South West	0.38 (2x)	11.6	15%	0%
North East Lincolnshire, Yorkshire & Humber	0.37 (2x)	17.3	23%	0%
Tower Hamlets, London	0.35 (2x)	32.9	5%	0%
Knowsley, North West	0.34 (2x)	29.0	100%	0%
Manchester, North West	0.34 (2x)	25.8	38%	0%

Source: IPPR analysis of Department for Education (2017) Schools, pupils and their characteristics and Ofsted (2017), 'Maintained schools and academies inspections and outcomes as at March 2017'

Note: The rate is the number of excluded pupils expressed as a percentage of the number of students studying in the local authority.

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(Footnotes)

- 1 This guidance references section 19(1) of the Education Act 1996, as amended by section 3 of the Children, Schools and Families Act 2010.
- 2 IPPR calculations, based on the number of state-funded secondary schools, see DfE 2017c





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## **Children and Young People's Scrutiny Commission**

### **New Regent's College: The Provision in Summary**

New Regent's College is Hackney's Pupil Referral Unit. We are also a Vocational College and do early intervention work in respect of students deemed at risk of exclusion or vulnerable in a way that means they need a bespoke program of education. We are designed to be a short stay provision, although the majority of students referred to New Regent's College from end of Year 9 onwards remain on our roll until the end of Year 11 to allow them to complete a two year programme at Key Stage 4.

We are an 'all through' provision from Year 1 to Year 11. We do not have Sixth Form or preschool provision.

All of our provision is based on a 25 hour per week of lessons model as recommended by Ofsted. Every student does numeracy and literacy (Primary) English and Maths (Secondary). We follow the National Curriculum and approved exam syllabuses. Students on roll in Year 6 sit SATs. Students on roll in Year 11 sit GCSEs or equivalent qualifications. A small proportion of learners receive one to one tuition as this is deemed the best way to meet their needs.

Our provision is made up of the following:

**Primary** (Years 1 to 6) currently on our Ickburgh Road site.

**Key Stage 3** (Years 7 to 9) at Ickburgh Road. These are divided into groups according to their readiness to return to mainstream schools.

**Key Stage 4** (Years 10 and 11) New Regent's College assesses and quality assures the education of these learners which is currently 'commissioned' to external providers (usually know as Alternative Education Provision). All our providers are registered by the DfE and subject to Inspection by Ofsted. Most are rated 'Good' or better, and, the annual commissioning process takes account of student outcomes, a Tri Borough Quality Assurance Process, and, outcomes of Ofsted Inspections. In total we commissioned 13 different providers last year, mainly located in Hackney.

### **Key Stage 4 – Vulnerable Girls**

Known as the 'Blue Hut' as the current premises are painted blue, this is a girls only provision for learners who have been identified as vulnerable and usually at risk of child sexual exploitation. This is a full time programme which combines study for GCSEs and equivalent qualifications with programmes designed to address their vulnerability. To my knowledge, this is the only provision of its type within Hackney and its neighbouring boroughs.

All of the above are provisions for any Hackney resident who has been Permanently Excluded (PEX), students referred to New Regent's College by the Assistant Director of education due to 'exceptional circumstances', and, students who are referred by their

schools (with parental agreement) for a time limited period of intervention (schools pay New Regent's College as a traded service and this is known as Dual Registration).

In addition The Restorative Learning School (RLS) housed on our Ickburgh Road site, is a traded service for students who mainstream schools have Fixed Term Excluded for five days or more but who will return to their school at the end of the Fixed Term exclusion. New Regent's College supervises the students doing work and tries to 'restore' the child's place at the school by getting the child to reflect on what happened or how to avoid a repetition of these behaviours. The RLS is separate to the rest of New Regent's College and students do not mix at any time. RLS students do not appear on our school roll.

### **Primary Partnership Placements**

These are a maximum of 12 places, funded by Hackney Learning Trust, for students in Year 1 to 5 deemed to be at risk of exclusion. The student attends New Regent's College for four days per week and spends the fifth day at the 'Host' school. We use a 'Nurture Group' model to support the child in improving behaviours and relationships. After 12 weeks the child returns to their school. This is with explicit parental agreement. At the time of writing, every child has either returned to their original school or has been placed in Special School via an EHC Plan. This programme has been successful in reducing rates of exclusion amongst Primary learners.

New Regent's School roll changes on a daily basis. If another Headteacher Permanently Excludes a Hackney resident we take responsibility for that child's education within five working days, and, immediately if that child is a Looked After Child or identified as vulnerable. We also act quickly in respect of referrals from schools. We have to plan for spare capacity and data sets are highly variable. A 'Snapshot' of our school on one day could be very different a week later.

We are placed funded for 225 learners (a notional figure) who will be 'ever on roll' during an academic year. This means New Regent's College will be educating that number of learners at some point during the academic year. In 2017/18 our 'ever on roll' figure was actually 258 – our funding will be adjusted for the next academic year consistent with a protocol agreed with Hackney Learning Trust.

In April 2019 we are due to move into new premises at Nile Street. This will be our first purpose built site, funded by Hackney Council. I have been heavily involved in the design of the new building. Initially we will move our Primary and Key Stage 3 provision. From September 2019 Year 10 will be predominantly educated on site. Year 11 will be on site from September 2020. We will still commission some external provision for KS4 even when we have our own KS4 school at Nile Street.

### **Mission Statement and Ethos**

Our mission statement is 'Learning to succeed'. Young people join us with a sense of failure, low expectation of themselves and poor self-esteem. They have either been PEX or have not been successful within a mainstream context of groups of 25+ learners. Groups at New Regent's College rarely exceed 10 learners, usually with two or more adults, including one Specialist teacher. We do not focus heavily on the past, but the present and the future. The aim is to refocus the student on learning and rebuild relationships with teachers and other adults. Primary and KS3 PEX learners will usually be referred back to a different mainstream school, when New Regent's College judge the time is right, via a process known as In Year Fair Access (IYFA).

## **Interventions**

These are varied and bespoke according to the needs of each learner. Most interventions are one to one. We also invite groups into school to work with our learners. We have time allocated by Young Hackney (who address risk taking behaviour and gang related issues) and are part of the WHAMs Project which is focused on developing good mental health and wellbeing in schools. Recent trips and visits have included to the Institute of Mechanical Engineering (KS3), Tate Modern, The Royal Navy Base at Canary Wharf and Swan Upping at Windsor (thanks to one of our Board Members). We participate in school sport competitions (Indoor Rowing at Lea Valley Athletics Centre, for example).

We had bi annual awards ceremonies supported by The Vintners – one of London's Worshipful Companies. In July 2018 one of our students won the English Schools' Athletics National Championship High Jump competition – jumping 1.83m. In short, we provide an extensive 'Enrichment Curriculum' which is designed to normalise behaviour and develop a love of learning. There is no shortage of external organisations who want to work with us. We need to determine what will make the most positive impact on our learners.

## **Leadership and Management**

Richard Brown has been Executive Headteacher since 2013 and combines this with being Headteacher of The Urswick School (a mainstream 11-19 Secondary School). Steve Belk is Chair of our Management Board and was previously Head of Hackney Learning Trust. Our Board includes representatives of Hackney Learning Trust, Primary and Secondary Headteachers, staff and community representatives. Sue Parillon is Head of Lower School. Our Primary section is currently led by Orlene Badu, an experienced Hackney Headteacher on a part time secondment.

Prior to 2013 there were numerous reorganisations of the provision and a rapid turnover of school leaders. Since 2013 there has been a period of stability in terms of the leadership of the school, which is set to continue.

We are the first school in our sector to be awarded an Equalities Award. We also gained the Artsmark – a reflection of the excellence of our arts education and our creativity in meeting the needs of young people.

## **Ofsted**

New Regent's College was last Inspected in June 2016 when our overall effectiveness was graded as 'Good'. We were graded as 'Good' in all four elements of the Inspection: Effectiveness of Leadership and Management; Quality of Teaching, Learning and Assessment; Personal Development, Behaviour and Welfare; Outcomes for Pupils. The previous Inspection in June 2014 had categorised the School as 'Requiring Improvement'. Ofsted (2016) reported: 'Since the last inspection, the Executive Headteacher and Senior Leaders, supported by an experienced Management Board, have improved standards and raised expectations'.

'Staff have a clear understanding of the vulnerabilities of their pupils. Teachers plan lessons that successfully meet the needs of pupils'.

In my judgement, the quality of education has further improved since the last Inspection. This view is shared by Hackney Learning Trust's School Improvement Partner (SIP). We will be aiming to be judged 'Outstanding' at our next Ofsted Inspection. To place this in context, I am advised that nationally only one PRU inspected under the current Ofsted framework has been graded outstanding – and that is a KS4 provision not an all age provision like New Regent's College.

## End of Key Stage 4 Outcomes

2018 GCSE results are still provisional (and we have lodged a significant number of appeals in respect of these results given the uncertainty surrounding new specifications). These headlines reflect all our Year 11 students on roll including those learners commissioned to different providers (89 in total).

The percentage of students achieving 5+ GCSEs including English and Maths was 4.5% (4 students). This figure though low compared to mainstream schools will be well above average for the sector (it is usually less than 1% nationally).

10% achieved grades 4 to 9 in both English and Maths.

85 students achieved a qualification – one or more GCSEs or an equivalent qualification. Of those that didn't, one has been missing for most of the last year and the others are persistent non-attenders where statutory action has made no impact.

Below is our statistical analysis of New Regent's College student outcomes compared with national and London provisions within our sector (2012/13 to 2016/17 – the latest year for which validated data is available).

### **New Regent's College 2016/17 Performance Analysis** National and Local Comparisons for PRU and AP Pupils

Region/ Local Authority	Number of end of key stage 4 pupils	Percentage of pupils at the end of key stage 4 achieving						Average GCSE and equivalents point score per pupil at the end of key stage 4
		5+ GCSE at A*- C or equivalent %	5+ A*- C including English and Mathematics GCSEs %	5+ GCSE at A*- G or equivalent %	Level 2 English and Mathematics skills %	Level 1 English and mathematics skills %	A pass in any qualification %	
National	8,982	1.9	1.2 (1.1*)	10.5	2.2 (3.2*)	21.3	57.8	51.2
London	2,233	2.9	1.8 (1.4*)	12.1	2.9 (5.1*)	16.3	57.6	56.7
Outer London	1,301	3.7	2.5 (2.2*)	12.4	3.4 (6.9*)	16.8	55.4	55.2
Inner London	932	1.8	1.0 (0.3*)	11.7	2.3(2.8*)	15.7	60.7	58.8
<b>NRC</b>								
<b>2012/13</b>	<b>110</b>	<b>0.91</b>	<b>0.91</b>	<b>15.45</b>	<b>1.82</b>	<b>20</b>	<b>75.45</b>	<b>48.65</b>
<b>NRC</b>								
<b>2013/14</b>	<b>101</b>	<b>0.99</b>	<b>0.99</b>	<b>30.6</b>	<b>3.96</b>	<b>33.6</b>	<b>79.2</b>	<b>57.03</b>
<b>NRC</b>								
<b>2014/15</b>	<b>104</b>	<b>2.88</b>	<b>2.88</b>	<b>41.35</b>	<b>6.73</b>	<b>50.96</b>	<b>94.23</b>	<b>79.12</b>
<b>NRC</b>								
<b>2015/16</b>	<b>87</b>	<b>2.29</b>	<b>2.29</b>	<b>48.27</b>	<b>9.19</b>	<b>47</b>	<b>95.4</b>	<b>85.24</b>
<b>NRC</b>								
<b>2016/17</b>	<b>93</b>	<b>2.15</b>	<b>2.15</b>	<b>35.48</b>	<b>7.52</b>	<b>43</b>	<b>96.77</b>	<b>73.80</b>
<b>+/- National</b>		<b>+0.25</b>	<b>+0.95 (1.05*)</b>	<b>+24.98</b>	<b>5.32 (4.32*)</b>	<b>+21.7</b>	<b>+38.97</b>	<b>+22.6</b>

The comparative data used in this table can be found at

<https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2014-to-2015> and at <https://www.gov.uk/government/statistics/revised-gcse-and-equivalent-results-in-england-2015-to-2016> for available comparison data marked \*

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## **New Regent's College at Nile Street – Summary of Provision**

### **Overview – design vision**

The New Regent's College will accommodate a wide range of different education provisions. This includes pupils with a range of emotional needs and also those with challenging behaviour who may need to be supported on a short or more extended term out of mainstream schooling. It is proposed that the primary age pupils occupy the site after Easter 2019, with the remainder of the cohort moving in from September 2019.

The school is expected to have up to 250 pupils on the roll, but with the temporary nature of attendance, only approximately 150 pupils will be on site at any one time. This includes both primary and secondary pupils across an age range of 5-16 years old.

The specific educational needs of the pupils is met by organising the school into 5 different groups. This includes Primary, Key Stage 3 and Key Stage 4 group, and two smaller groups accommodating vulnerable girls and restorative learners.

It is key that each group, and their respective new accommodation, is kept separate and distinct. Unlike mainstream schools, the cohort of pupils are not brought together for wider school activities such as sport or assemblies. To ensure efficiency, however, the dining provision is served through one kitchen. Sports and specialist classrooms also serve the whole school, with careful timetabling allowing staggered access to these facilities by each group.

Each group of pupils is provided with a self-contained suite of accommodation which includes a variety of teaching and learning spaces. The occupancy of classrooms will average between 8-10 pupils, although there are considerably more support spaces than found in mainstream schools. Support accommodation principally deals with 1 to 1 tuition, but also includes group therapy, and time out rooms. Toilets are located close to each separate cohort group, specialist area and the dining areas.

Each pupil group will also have separate access arrangements, with different entrances on the north-eastern and south-western edges of the site. Dedicated outdoor space is provided for all the groups, except the restorative learners (who will not be on site for large periods of time, e.g. 3 days), the majority of access to outdoor spaces is provided to the north and western areas and particularly the multi-use games area (MUGA) through careful timetabling.

The school is organised to allow some of the facilities to be open for the benefit of the wider local community. This includes the sports hall, dance studio, multigym and MUGA.

The building is designed around a central outdoor courtyard which results in a highly legible plan arrangement, helping to support user orientation.

The proposed building includes the efficient distribution of staff accommodation to allow the school to be effectively managed.

### **School organisation and zoning**

The school consists of five different pupil groups – primary age and vulnerable girls groups, KS3 and KS4 pupil groups and a restorative learning group. Each group is located within its own self-contained suite of classrooms and support spaces. The organisation of each zone has also been highly influenced by entrance arrangements, maximising separation between each zone within the school and also between the school and residential accommodation.

A courtyard is located at the heart of the school and allows zones within the school to be organised in a clear and legible manner around it. As well as bringing light and air into the plan and generating external façade, views across the space also provide good passive supervision.

The primary and vulnerable girls' pupils together with restorative learning groups are provided with their own separate entrance on the northern end of the site off Britannia Walk. This minimises contact between the older and the younger and more vulnerable pupils. The primary pupils' accommodation is located on the eastern side of the courtyard looking out towards the west. The restorative learning group is located at the north eastern corner of the building at ground floor. This shallow location within the plan suits this group as they will be the most transitory in nature. The vulnerable girls group is located on the northern edge of the building at first floor. A small dedicated outdoor terrace is directly accessible from their classroom space.

The older pupils at KS3 and KS4 are arranged on the western end of the building with classrooms orientated away from the residential accommodation. Smaller supporting spaces which will have less regular use and which provide better opportunities to control glazing and aspect are arranged on the courtyard side. KS3 pupils are located on the ground floor and access the building from the north end of Britannia Walk entrance. The older KS4 pupils are located on the first floor and enjoy a dedicated entrance off Nile Street through the arrivals garden on the west.

Specialist rooms are located on the first floor and include a Food Technology room, a Science Laboratory, ICT room and Art and Design studio. This location allows all groups to readily access the specialist rooms without passing through other pupil zones.

Dining provision for the different groups of pupils is organised in separate dining halls served off a single kitchen. The kitchen has service access directly off the north end of Britannia Walk.

Indoor and outdoor Sports facilities are organised around the north western corner of the ground floor and are served through a single set of changing facilities.

Main administrative functions are located close to the main Nile Street entrance. Outreach and staff functions, which are less sensitive to overlooking, are deliberately organised along Nile Street to create a more active frontage to the street.

The accommodation schedule attached provides more detail on the variety and size of spaces available to the College.

## New Regent's College - Accommodation Schedule

Name of Areas	Name of Required Spaces	Number of spaces	Area (m <sup>2</sup> )
<b>KS3</b>			
	KS3 Classrooms & Resources storage	3	154.9
	KS3 Toilets	4	10.5
	KS3 Sensory Room	1	11.9
	KS3 Therapy Room-Art	1	11.3
	KS3 Small Group Room	1	11.1
	KS3 Time Out Room	1	10
	KS3 Staff offices and workrooms	3	24.2
	<b>KS3 SUBTOTAL</b>		<b>233.9</b>
<b>KS4</b>			
	KS4 Classrooms	4	200.5
	KS4 FTtoilets	4	11.5
	KS4 Sensory Room	1	12.9
	KS4 Small Group Rooms	2	22.5
	KS4 Therapy Room-Art	1	11.3
	KS4 Time Out Room	1	8.7
	KS4 Staff offices and workrooms	4	33.9
	<b>KS4 SUBTOTAL</b>		<b>301.3</b>
<b>Primary &amp; Vulnerable Girls (VG) learners</b>			
	MI Room / Therapy Room	1	12.8
	Primary Classrooms & Resource storage	3	155.5
	Primary Dining	1	49
	Primary toilets	5	13.7
	Primary Small Group Room	1	12.5
	Primary Soft Play Room	1	11.8
	Primary Staff Workroom & Offices	3	17.9
	Primary Time Out Room	1	9.1
	VG Classroom	1	51.7
	VG SLT Office/Workroom (& Dumbwaiter)	1	12.6
	VG Small Group Room	1	9.9
	VG Toilets	2	4.4
	<b>PRIMARY &amp; VULNERABLE LEARNERS SUBTOTAL</b>		<b>360.9</b>
<b>Restorative Learning School</b>			
	RLS Classroom & Resource Storage	1	46.4
	RLS toilets	2	6.5
	RLS SLT Office & Staff Workroom	1	8.8
	RLS Small Group Room	1	8.5
	RLS Time Out Room	1	9.6
	<b>RESTORATIVE LEARNING SCHOOL SUBTOTAL</b>		<b>79.8</b>
<b>Shared Teaching Facilities</b>			
	Art & Design Studio	1	78.6
	Art Resources & Design Prep	1	9.3
	Changing 1 - Male	1	15.6
	Changing 2 - Female	1	17.1
	Dance Studio	1	79.7
	Dry Food Store & Equipment	1	7.8
	Equipment Store	1	8.1
	Food Technology Room	1	67.4
	ICT Resource area & ICT store	1	63
	Internal Equipment Store	1	12.6
	Multi Gym	1	22.4
	Multi-Faith Room / Music Therapy	1	24.9
	Science Lab	1	75
	Science Prep	1	14.9
	Sports Hall	1	306.3
	Unisex Accessible Changing	1	5.9
	WIP Store	1	5.5
	<b>SHARED TEACHING FACILITIES SUBTOTAL</b>		<b>814.1</b>
<b>Shared Dining Facilities</b>			
	KS3 / KS4 Dining	1	83.1
	<b>SHARED DINING FACILITIES SUBTOTAL</b>		<b>83.1</b>
<b>Management / Administration Facilities</b>			
	<b>ADMINISTRATION FACILITIES SUBTOTAL</b>	<b>27</b>	<b>318.1</b>
<b>Management / Administration Facilities-Maintenance store</b>			
	<b>MAINTENANCE STORE SUBTOTAL</b>	<b>4</b>	<b>13.3</b>
<b>Management / Administration Facilities-Kitchen</b>			
	Kitchen	1	70.1
	Staff Changing Area	1	4.9
	Store	1	12.6
	<b>KITCHEN SUBTOTAL</b>		<b>87.6</b>
<b>TOTAL NET AREA</b>			<b>2292.1</b>
<b>Circulation</b>			
	Circulation (26% of net area)		
	<b>CIRCULATION SUBTOTAL</b>		<b>696.7</b>
<b>Services</b>			
	Risers		

Name of Areas	Name of Required Spaces	Number of spaces	Area (m <sup>2</sup> )
	<b>SERVICES SUBTOTAL</b>		<b>32.4</b>
<b>Partitions</b>	Partitions (5% of net area)		
	<b>PARTITIONS SUBTOTAL</b>		<b>235</b>
<b>TOTAL GROSS INTERNAL AREA (EXCLUDING BASEMENT)</b>			<b>3256.00</b>
	Maintenance Store		11.5
	Basement Lobby School		27.2
	Lift		5.5
	Stair S1		14.8
	<b>BASEMENT SUBTOTAL</b>		<b>59</b>
<b>TOTAL GROSS INTERNAL AREA (EXCLUDING PLANT AREA)</b>			<b>3315.00</b>

### **History**

The Boxing Academy started life in 2007 as a small community project in a boxing gym in Tottenham, and moved to Hackney in 2010. The Academy converted to become an Alternative Provision Free School in 2017, and is the only government funded Boxing-based school in the country.

The Academy caters for students who are at risk of exclusion, or who have already been excluded, from mainstream education. It is our experience that these children require more support than is available in mainstream and have become disengaged causing a cycle of exclusion, failure and low self-esteem. This cohort often presents as aggressive, violent and anti-social in order to mask their vulnerability and therefore require a higher level of support and a longer-term commitment. They will often have a history of poor attendance, gaps in education and undiagnosed learning difficulties, and an increasing number have mental health issues. Our method is built around creating a secure, consistent and disciplined environment which will enable them to succeed.

### **Why Boxing?**

Boxing training benefits our students by getting them fit, teaching them teamwork, anger management and discipline, and improving their confidence and concentration. We employ boxing coaches in this role because young people instinctively look up to and respect them as strong role models. Within the boxing gym they present a positive image of respect for others, discipline, responsibility, a work ethic and good manners.

The boxing coaches support their students both in the gym and during academic classes, which provides consistency throughout the day. Our staff are locally recruited, trained and experienced in dealing with challenging young people. They get involved in their students' lives, even collecting from home if they need support with their attendance, and as a result they develop a strong relationship that provides a foundation from which the students can rebuild their self-esteem and start a positive cycle of achievement.

Our ethos reflects our origins, that of a boxing gym: a small, comfortable and familial environment with clear boundaries, a system of rewards and an emphasis on discipline, achievement and hard work. The relationships we build allow for genuine breakthroughs in behaviour, conflict resolution and anger management as well as academic improvement and aspirations.

### **How it works**

Currently our capacity is for 40 students in KS4. On average the ethnicity breakdown is 80-85% BAME, with only 5% girls. In 2017-18 we had one student with an EHCP, but in this academic year we have 25% of students who have an EHCP.

The majority of referrals come from mainstream schools and in this case students will remain dual registered, or direct from local authorities in which case they will be single registered.



The Boxing Academy offers a reduced curriculum of six GCSE's: Maths, English, Art, Science, RE and Health & Fitness (GCSE-equivalent) and we supplement this with an extensive careers programme as well as PSHE, SMSC and British values education. The Boxing Academy is a member of the Hackney Teaching School Alliance and we collaborate with the other schools in the alliance to moderate all our assessments and lesson observations so we can be confident in our judgments on the quality of teaching and learning.

Every year 100% of our students are entered for all the GCSEs.

### Outcomes 2017-18: Comparisons against 2016-17 DfE published data

	No. of pupils at the end of KS4	Percentage of pupils at the end of key stage 4						
		Attendance	English GCSE passes (1-9)	Maths GCSE passes (1-9)	English GCSE 5+	Maths GCSE 5+	Both English & maths GCSE 5+	Average Progress 8 score
<b>Boxing Academy</b>	<b>20</b>	<b>87.4%</b>	<b>94%</b>	<b>100%</b>	<b>16%</b>	<b>10%</b>	<b>11%</b>	<b>+0.03</b>
England AP	9,575	68.1%	80.2%	76.5%	6.2%	6.1%	1.5%	-3.10
England Mainstream	587,640	95.3%	90%	89%	49%	46%	40%	-0.08

- 94% of Boxing Academy candidates passed both English and maths GCSE.
- 11% of Boxing Academy candidates achieved a Grade 5 or above for both English and maths GCSE; 1.5% nationally for AP.
- 16% of BA candidates achieved a Grade 5 or above for English GCSE; 6.2% nationally for AP.
- 10% of BA candidates achieved a Grade 5 or above for mathematics GCSE; 6.1% nationally for AP.

### Reintegration / progression

In the last three years 100% of our leavers have gone on to a place in college, employment or an apprenticeship.



## Outline for CYPs Commission Meeting, 10<sup>th</sup> October 2018

Inspired Directions School began in 2009 as an alternative education programme delivered by Inspire! Education Business Partnership to a small group of students referred by the local PRU. Since then we have evolved organically, becoming formally registered as a school in July 2014 and receiving a grade of 'Good' in our first full Ofsted inspection in June 2015, and another 'Good' in the most recent inspection in June 2018. In March 2017 the school moved into new premises, featuring a number of tailored learning spaces including classrooms, meeting rooms, a music studio and a therapy room. We are currently able to educate up to 30 young people on-site, aged 13-16.

We receive referrals for some of the most challenging young people in the local area, with a broad combination of behavioural and learning needs, and out of school risk factors. Of the 32 students who attended the school at some point over the past academic year, 15 have (or are in the process of applying for) EHC Plans, five are Looked After Children, 10 are subject to CIN or other social services interventions and 10 have had involvement with Youth Offending Services. The gender, breakdown, and academic level breakdown of the school's cohort is also diverse.

Premised around the school's values of collectivism, individuality and progression, we have developed a model of inclusiveness, high expectations, and an imaginative curriculum with a strong emphasis on project-based learning, therapeutic support and creative opportunities. All students sit Functional Skills exams in English and Maths, and some also take GCSEs in these subjects.

Our provision is for students with multiple complex needs. Often previous alternative provision placements may have broken down, as well as mainstream school placements. Consequently, and also due to the fact that most of our students join is in KS4, it is not a common aim for our students to be reintegrated into mainstream settings. Rather, we work with students until the end of year 11, and will seek to find appropriate settings for them beyond this.

We receive referrals from local mainstream schools, Pupil Referral Units and special schools, in Hackney and Islington. We also receive referrals directly from the local authority for students with EHCPs. We work closely with all our commissioning partners, in terms of reporting and planning, as well as coordinating joint responses to specific incidents where necessary.

We commission a number of partner providers to deliver specific aspects of the curriculum. This includes gardening at OrganicLea; construction at Building & Crafts College; catering at the Shoreditch Trust; film-making at Mouth That Roars; film studies at Rio Cinema and a student radio show at 199 community radio station.

We have previously provided outreach services to local mainstream schools, delivering aspects of the curriculum or tailored programmes to students at risk of exclusion. As part of the New Regents College providers network, we share practice and resources with other APs in the local area. We have recently been a partner to

The Family School for a successful DfE funding bid. This will provide additional technological resources and training for our school.

### Summary of outcomes

	2015-16	2016-17	2017-18
Total number young people worked with	32	30	34
Girls	6	13	9
Boys	26	17	25
EHCP/Statements	12	15	15
Total Y11 Leavers	8	13	16
Students receiving a qualification in English and/or Maths	8	13	15
Y11 students progressing into education/employment	7	11	9*

*\*as of July 2018, although more students will obtain college places in new academic year*





<b>Children and Young People Scrutiny Commission</b> <b>10<sup>th</sup> October 2018</b> <b>Item 5 – Minutes of the previous meeting</b>	Item No <b>5</b>
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## **Outline**

The draft minutes of the meeting held on 20<sup>th</sup> September 2018 are attached.

## **Action**



The Commission is asked to agree the minutes and note any actions.

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London Borough of Hackney  
Children and Young People Scrutiny Commission  
Municipal Year 2018/19  
Date of Meeting Thursday, 20th September, 2018

Minutes of the proceedings of the  
Children and Young People  
Scrutiny Commission held at  
Hackney Town Hall, Mare Street,  
London E8 1EA

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<b>Chair</b>	<b>Councillor Sophie Conway</b>
<b>Councillors in Attendance</b>	<b>Cllr Margaret Gordon (Vice-Chair), Cllr Soraya Adejare, Cllr Ajay Chauhan, Cllr Humaira Garasia, Cllr Clare Joseph and Cllr Caroline Woodley</b>
<b>Apologies:</b>	<b>Cllr Katie Hanson, Cllr James Peters and Cllr Clare Potter</b>
<b>Co-optees</b>	<b>Graham Hunter, Michael Lobenstein, Liz Bosanquet, Jo Macleod and Sevdie Sali Ali</b>
<b>Officers In Attendance</b>	<b>Anne Canning (Group Director, Children, Adults and Community Health), Annie Gammon (Director of Education), Paul Kelly (Head of Wellbeing and Education Safeguarding, Hackney Learning Trust), Andrew Lee (Assistant Director of Education Services, Hackney Learning Trust), Sarah Wright (Director, Children and Young People's Service) and Deborah Ennis (Safeguarding and Learning Consultant)</b>
<b>Other People in Attendance</b>	
<b>Members of the Public</b>	
<b>Officer Contact:</b>	<b>Sanna Melling</b>  020 8356 3315  sanna.melling@hackney.gov.uk

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## Councillor Sophie Conway in the Chair

### 1 Apologies for Absence

1.1 Apologies for absence were received from the following Members of the Commission:

- James Peters (Councillor)
- Katie Hanson (Councillor)
- Clare Potter (Councillor)

- Jane Heffernan (Co-optee)
- Ernell Watson (Co-optee)

## **1 Urgent Items / Order of Business**

2.1 There were no new or urgent items and the agenda was as published.

## **3 Declarations of Interest**

3.1 Cllr Ajay Chauhan declared that he worked as a teacher and was a member of the National Union of Teachers but this was not a prejudicial interest.

3.2 Co-optee Michael Lobenstein declared that he is a representative of the Union of Orthodox Hebrew Congregation. This was not a prejudicial interest.

## **4 Executive Response - Unregistered Educational Settings in Hackney**

4.1 The Chair thanked the officers for Hackney Learning Trust for the comprehensive response to the investigation into Unregistered Settings in Hackney.

4.2 The Deputy Mayor and Cabinet Member for Children's Social Care, Education and Young People told the Commission that she, the Mayor and officers welcomed the Children and Young People Scrutiny Commissions investigation. It was noted that the investigation had brought to light all the work of officers and political leaders that had gone on in the background to address the issues identified by the Scrutiny Commission. Further, the investigation had provided a time to pause and reflect, and for the Council to set out a clear strategy for engaging with unregistered settings around safeguarding and educational expectations.

4.3 The Deputy Mayor and Cabinet Member for Children's Social Care, Education and Young People thanked the Charedi Orthodox Jewish community for their input and pointed out that unless there are legislative changes councils will continue to find it very difficult to intervene in unregistered settings to ensure children are safe. Therefore it remains essential that she, as the Deputy Mayor, continues to lobby the Government for a change in legislation.

### **Questions and answers**

4.4 The Chair wanted the officers in attendance to expand on which Local Authorities they had meet with, what the learning had been so far and what the commonalities/differences were in their approaches compared to Hackney's. In response the Group Director of Children, Adults & Community Health made the following substantive points:

- The Local Government Association (LGA) and Hackney co-hosted a conference on unregistered educational settings in June which was attended by local authorities from across the country. Most of them, without characterisation, when talking about unregistered educational settings refer to other and disparate religious faiths in comparison to Hackney where we are dealing with one particular faith. Further, it was noted that it was hard to draw out commonalities and differences due to the vast range of faiths and the disparity of settings,

across the different local authorities that attended the conference. However, it was noted that there was good local authority interface across the board.

- As a part of some explorative work with Department of Education (DfE), 5-6 local authorities in London, including Hackney, are discussing how in partnership they can best support unregistered educational settings in moving into the regulative framework as well as exploring how and in what way this task can best be carried out. It was noted that although all the local authorities have the same end in sight they all have their own complexities to work with locally.
- Salford and Gateshead are the two local authorities that work with unregistered settings that most resemble those in Hackney.

4.5 The Commission wanted to know whether it is only in Hackney where it appears to be mainly an issue within the Orthodox Jewish Community or whether this is reflected elsewhere. In response, the Group Director of Children, Adults & Community Health, the Deputy Mayor and the Assistant Director Education Services made the following substantive points:

- Salford and Gateshead have been identified as having similar unregistered settings to those in Hackney however, that was far from the only type of unregistered settings nationally.
- Nationally, unregistered settings are linked to a wide range of different faiths as well as non-faith groups.
- The LGA conference highlighted that the issues vary locally and are different across the country for example in Luton they found the same issue was linked to unregistered tutorial colleges and tuition.
- It was noted that unregistered setting was not a faith issue, often there was a political persuasion or an ideological reason to why some groups do not want their children to attend a mainstream setting where the national curriculum was taught.

4.6 At this point one of the Members of the Commission wanted it recorded that he disagreed with the term 'unregistered' being used to describe a form of home schooling. This would imply that a setting or an entity was in the first place required by law to be registered in order for it to have been unregistered or otherwise it was an incorrect use of the word.

4.7 The Group Director of Children, Adults & Community Health informed the meeting that the Council has agreed to adopt this terminology, which was used across the country, when discussing a setting where children and young people are organised in a way similar to a school.

4.8 The Members wanted to know how this issue was dealt with in the past and sought to understand how many of these settings have moved from being unregistered to being registered and if so what interventions took place to ensure this happened. They also wanted to know in more detail the outcomes of the strategic safeguarding project and how HLT in practice will identify the parents of children who are not being educated in registered settings. In response, the Group Director of Children, Adults & Community Health, the Assistant Director Education Services, the Director - Children and Families and the Head of Wellbeing and Safeguarding Education Services made the following substantive points:

- To date no unregistered settings have gone through the process to become a registered settings.
- The responsibility to register a setting sits with the proprietor and the process with the DfE and Ofsted. Local authorities do not form part of this stage of the process.
- The strategic safeguarding project was a joint project with Public Health and Interlink, an Orthodox Jewish umbrella organisation working with the community in Stamford Hill, to develop a programme in schools with young children to build up an understanding of and talking about safeguarding issues, developing

- curriculum materials, upskilling teachers to ensure there was a greater knowledge of, as well as, good safeguarding procedures and policies in place.
- It was noted that the small project was about to enter its third phase and the feedback received at this point highlighted that teachers were feeling more confident in dealing with safeguarding issues.
  - In order to make contact and to discuss the matter HLT have written to the proprietors of the 22 settings which they have identified as unregistered, on several occasions in the last few years. It was noted that the City and Hackney Safeguarding Children Board (CHSCB) also had approached these proprietors. The only response so far had been in the way of challenging HLT, accusing them of asking for data on the children that had the settings obliged, would have breached data protection. This was noted to be untrue.
  - On the other hand, the CHSCB has had some response from the community in regards to setting up an advisory group working in the community around safeguarding procedures. The advisory group has agreed to meet with the DfE as a starting point.
  - Further, the Council are grateful for the involvement of Interlink and the other agencies working in the community, and will continue to work in partnership and to engage with the community through these agencies.
  - HLT has set up a SENCO forum for the independent schools with the aim to move away way from solely dealing with SEN to also incorporate safeguarding issues. Discussing safeguarding issues in the registered schools continues to be of importance as it was noted to be a community issue rather than an unregistered settings issue.
- 4.9 To sum up the Members wanted to understand more about the officers understanding to why the Government appears to be reluctant to discuss a change in legislation, seemingly this had been going on since 2014, and if the Council has the resources to cope with a possible change in legislation. In response, the Group Director of Children, Adults & Community Health and the Deputy Mayor made the following substantive points:
- The details of this complex issue which relates to all areas of the country in different guises will need to be carefully considered. The Council's lobbying has meant that the Independent Chair of CHSCB has received confirmation from Lord Agnew at the DfE that there is a draft legislation that will be brought forward, but due to the number of issues the Government is currently dealing with in regards to Brexit, the DfE will not put forward a date for when this will go on the Government's agenda and therefore officers do not have a sense of when this will be.
- 4.10 The Commission thanked the officers for the response and it was noted that the 6-month recommendation update will be presented to the Commission in April (2019).

## **5 Executive Response - Recruitment and Support to Foster Carers review**

- 5.1 The Chair explained to the members that last year the Commission carried out a review of recruitment and support to foster carers. This was in light of the difficulties around recruiting in-house foster carers culminating in having to rely on independent fostering agencies to provide foster carers with a greater cost to the service. The objective for the review was to identify and assess the challenges which impede the recruitment and retention of foster carers in Hackney and to identify those policies and practices which can help to overcome them.
- 5.2 It was noted that the Commission had asked for an officer to attend the meeting in order to provide more information on the progress of recommendation 2 and 3 in the

Executive response in regards to the foster carer recruitment strategy and the pilot of offering larger properties to experienced foster carers.

5.3 The Director - Children and Families made the following substantive points:

- It was a useful and thorough review and the Fostering service welcomed the recommendations.
- The Commission's recommendations had informed the review of the current foster carer recruitment strategy.
- Last year 17 new foster carers were recruited which was noted to be considerably more than Hackney's neighbouring boroughs, indicating how challenging this target was to achieve. The service feel confident that they will get reasonably close to the target set by the Commission of 23 new recruits per year.
- A lot of activity has taken place around recruitment including a piece of work focusing on the LGBTQi community, participating in a number of events and a social media campaign with the focus on myth busting and raising the profile of fostering through an increased number of in-house ambassadors. It was noted that recent statistics show that foster carers or staff recruiting foster carers were the most effective ways of getting people into fostering.
- The service has implemented a system which responds to in-house foster carers enquiries within 2 days as well as a new online system which helps to filter the enquiries received so that the service only deal with those that are likely to be eligible to become foster carers. The service has found that people are often not eligible due to the fact that they have not got a spare room, however the service will still engage with people that have indicated that they are thinking about moving to a bigger property and similarly where there is a lack of child care experience the service engage and encourage people to volunteer in schools and other children settings.
- Hackney Fostering Service has been working with the Council's Benefits and Housing Needs Service around exploring the possibility for more experienced foster carers to move into a larger property to allow them to provide additional foster placements. Two foster carers have been referred to this scheme and one foster carer has already moved into a larger property. It was noted that the Benefits and Housing Needs Service is committed to this initiative and foster carers are equally committed and interested in this possibility.
- Further, Hackney Fostering Service has formally signed up to the Mockingbird model and there is a plan in place to work with the Fostering Network to implement this model in Hackney. The model encourages using experienced foster carers to help build resilience amongst foster carers in their area through operating as a network. The Commission heard that this model has worked very well in the US and has begun to be used in some local authorities in England.

5.4 At this point the Deputy Mayor added that she welcomed the review and informed the Commission that foster carer recruitment and retention continues to be a standing item at Hackney's Corporate Parenting Board. Further, Staying Put arrangements allow looked after children stay with foster carers as they enter young adulthood and go off to university. Officers have been asked to continue to consider and celebrate different and diverse groups of foster carers and to continue to encourage foster carers to look after young people with more specific needs.

### **Questions and answers**

5.5 Members sought to understand what the impact of a shortage of in-house foster carers has been on children services that are already stretched as well as how quickly the service anticipate that the Mockingbird model will be up and running and whether the service foresee any barriers in the implementation of this model, particularly around training and resourcing. In response the Director - Children and Families made the following substantive points:

- The shortage of in-house foster carers was a national issue and in Hackney, the Fostering Service are, along with the recommendations in the review, addressing this by reviewing their offer to in-house foster carers and looking at how to best ensure foster carers choose to become and remain in-house foster carers, rather than opting to go through independent fostering agencies. It would also be more cost efficient for the Council to be able to use more in-house foster carers.
- The Mockingbird model was at the early stages of development and the idea was to not push it through too fast but to ensure there was a phased roll out beginning with one cluster of foster cares and in that way develop and implement the model over time to all foster carers.

5.6 The Commission sought clarification around whether in regards to recommendation 3, the 4 larger properties allocated to foster carers would be allocated to this specific pool on a permanent basis as well as around the allocation process. In response the Director - Children and Families made the following substantive points:

- The allocation would be based on the Fostering service's experience of working with the foster carer and their commitment to fostering over a long period of time. An assessment would be made to ensure the foster carer would be best placed to take on an additional foster placement.
- A number of foster carers had shown an interest in this scheme which requires them to move house and be able to be in a position where they can absolutely commit to continue to foster and increase the number of placements they provide.
- It was noted that the details in regards to the allocation arrangement was not available at the meeting.

5.7 The Commission wanted to know a bit more about recruitment through schools and how this was incorporated in promoting fostering as well as whether third sector charities, such as Home for Good, had been considered as a part of the recruitment strategy. In response the Director - Children and Families made the following substantive points:

- As a part of the [North London Fostering Consortium](#), Hackney had previously entered into an agreement with Home for Good, however it did not provide the expected number of referrals, at least not at that point in time, since then the Fostering Service has developed links with local churches that have proven to be a fertile recruitment ground for potential new foster carers.
- The Fostering Service has gone into schools and children centres as part of the recruitment strategy (both in relation to staff in schools, and within the parent networks).

5.8 Members wanted to know whether the Fostering Service had a sense of why foster cares choose independent fostering agencies over the in-house fostering service and wanted to better understand how Islington had managed to turn their situation around (as referred to in the agenda) by the use of satellite specialists. In response the Deputy Mayor and the Director - Children and Families made the following substantive points:

- Research completed by the Fostering Service over the last few years has highlighted that independent fostering agencies tend to pay a bit more and sometimes provide other benefits. It was noted that the flipside to this was that these organisations also take a lot of money out of the system.
- Some foster carers have also fed back that they prefer to work with one agency rather than liaise with a number of local authorities (and therefore prefer to become an in-house foster carer) and others do not want to foster a child from the same borough in which they reside.
- It was noted that the research and feedback received has been carefully considered and has helped inform the recruitment strategy.



- Further, no Hackney in-house foster carers have left to join an independent fostering agency in recent years.
- Islington is part of the North London Fostering Consortium, alongside Hackney, and as a part of the consortium the individual local authorities benchmark their fees across the consortium. Even though all partners have slightly different schemes Hackney is pretty much on par with the others. Further, all the partners have a slightly different history, a few years ago the number of looked after children in Hackney came down to a very low level and therefore so did the focus on recruiting new foster carers, when the trend changed and the numbers came back up again it proved difficult to respond as quickly in terms of foster carer recruitment. In Islington they did not experience the same drop in numbers and had maintained their level of recruitment and in-house foster carers throughout this period of time. It was noted that in general Islington's current recruitment levels were lower than Hackney's.

5.9 The Commission thanked the officers for the response and it was noted that the 6-month recommendation update will be presented to the Commission in March (2019).

## **6 Controlling Migration Project: Building foundations: Meeting the needs of unaccompanied asylum seeking children (UASC)**

6.1 The Chair asked the officers from Children and Families Service to briefly summarise how the 'Building foundations: Meeting the needs of unaccompanied asylum seeking children' bid will be used and to update the Commission on the progress so far. In response the Director - Children and Families made the following substantive points:

- Hackney has been awarded just over a quarter of a million pounds for a two-year project to support unaccompanied asylum seeking children.
- We recognise that unaccompanied asylum seeking children have very particular and specific needs and the bid will be used to take the two stands of the project forward:
  - recruiting foster carer and supported lodgings
  - developing independence and integration
- The latter includes helping them settle, provide support around their asylum application and preparing them for the possible rejection and repatriation back to their country of origin.
- Further, the bid will be used to reduce isolation and setting up support groups reflective of their background as well as ensuring they receive the support required from the Virtual School.
- It was noted that a lot of this support was already in place but the bid allows the service to set up the supported lodgings which requires more investment to start with and allows them to invest in additional specialist support. This aids the other professionals in the means of providing advice and an opportunity to up-skill while ensuring that the expertise is maintained in the service beyond the two years. These two specialist posts have been successfully recruited to.

### **Questions and answers**

6.2 The Chair wanted to know a bit more about the role of the Home Office worker and how their services might be used to assist unaccompanied minors. In addition, the Commission also sought to understand how the current climate of immigration has impacted on the existing service and if this bid alleviates some of the pressures in the system. In response the Director - Children and Families made the following substantive points:

- A Home Office representative already works with the service one day a week providing support to families with no recourse to public funds around the immigration process and help to expedite their right to remain. It was noted that the Home Office representative will provide support and advice when challenging decisions around deportation.
- The national allocation quota was set to 0.07% of the child population and in Hackney this equates to 42. Hackney currently supports 42 unaccompanied minors and this number was expected to remain close to 42 despite two of them turning 18 shortly. It was noted that this in conjunction with more care leavers still going through the asylum process does put a strain on the local authority and therefore the additional funding is welcomed.
- Further, finding legal representation to deal with these complex issues also presents a challenge due to a decrease in capacity as well as being due to the relatively short window of time to help those that come to Hackney when they are around 17 years old. It was noted that the local authority work with some very good solicitors and always aim to seek to work with them on these cases.

6.3 At this point the Deputy Mayor added when young people that are new to the country come to Hackney with complex issues such as trauma, staff provide great support and work really hard to ensure that these issues are addressed and ensure that health and wellbeing wrap-around care is set up.

## **7 SEND funding Co-design Group - update**

7.1 The Chair handed over to the Cabinet Member for Families, Early Years and Play and Cllr Gordon to present this item and asked them to begin by outlining the context, why the group was set up, progress so far and the next steps. In response, Cllr Gordon made the following substantive points:

- The group meets in private, for accountability the terms of references have been put to the Commission to comment on in public.
- Last year, the Council launched a consultation in regards to the changes to the funding structures for SEND (Special Educational needs and Disability) in schools. The consultation received a very large response from parents and campaigners, these responses helpfully highlighted a broad range of issues in regards to the SEND provision particularly in regards to the significant reduction in resources available. It was noted that the funding had been frozen since 2012 and meanwhile the responsibility for the local authority had been extended from not only school aged children, to 0-25s. The change in the landscape had led to an increasing number of children with identified needs in relation to SEND education.
- The co-design group, which consists of Council officers, Councillors, school governors, parent representatives and SEND teacher representatives, has met three times since the beginning of August. The group has agreed on a terms of reference (as in agenda) and there was an understanding that while they might not cover everything the group wish to discuss this had been aired at the meetings. It was noted that the group still need to recruit a head teacher representative.
- At their last meeting the group received a helpful presentation from Haringey describing their funding model and at the forthcoming meeting they will hear from Newham around their funding model. The Commission was told that it would also be beneficial to hear from Camden, Islington, Lewisham and Lambeth.

7.2 The Cabinet Member for Families, Early Years and Play added that the purpose of the group was to recommend options and state its preferences for the cabinet to consider and consult on. The group was looking at comparable local authority

models and the group was looking at the existing 5 levels of funding and how these might be used better or changed.

- 7.3 The Commission were informed that there was an ongoing legal challenge and the outcome was expected to be announced in mid-November and it can be assumed that any recommendations to come out the judicial review will need to be taken into account in the scoping of a new model.

#### **Questions and answers**

- 7.4 The Commission wanted to know whether the group had looked at models used outside of London and wanted to gain a better sense of the timeline for this exercise. In response, the Cabinet Member for Families, Early Years and Play made the following substantive points:

- The SEND support group had also been looking at models used in Leeds and Nottinghamshire where there are similarities in the innovative approach but quite often not the same level of need and therefore the group ought to look at other major metropolitan areas in terms of comparable local authority models.
- The recommendations made by this group are expected to go to Cabinet at the mid to end of November with the caveat that they should take into account those of the judicial review.

- 7.5 Members also sought clarity on why the group had not managed to engage a head teacher to sit on the group. In response the Cabinet Member for Families, Early Years and Play and the representative from HiP (Hackney Independent Forum for Parents/Carers of Children with Disabilities) made the following substantive points:

- The Group has continued to try to promote this opportunity for a head teacher to join the group and the message has recently been re-circulated again. It might be reflective of the pressures they are under in regards to their workload.
- It was noted that while there was one school staff representative the SENCOs in the group had not been in attendance as of yet.

- 7.6 The Chair wanted to understand whether the co-design group will reflect on the areas of overspend in the SEND budget as a part of its set up or whether the focus will be just on a way forward. In response the Cabinet Member for Families, Early Years and Play made the following substantive point:

- It was noted that the greatest spend was in the mainstream block, much greater than that of the three other blocks independent schools, special schools and out of borough provision. The terms of reference are therefore right to concentrate on the area of the greater spend.

- 7.7 At this point the representative from HiP (Hackney Independent Forum for Parents/Carers of Children with Disabilities) added that arguably, cuts in the mainstream would most likely also result in a greater number of children going out of borough.

- 7.8 The Assistant Director of Education Services added that the focus of the group as clearly outlined in the terms of reference was to consider and advise on a funding model, the system of allocations and the processes, not on the values attached.

## **8 Outcomes of Exclusions in Hackney - DRAFT Terms of Reference**

- 8.1 The Chair explained that since the Commission agreed at their meeting in June to look at outcomes of exclusions in Hackney as their review for this year, she had worked together with the Scrutiny officer on the draft terms of reference. This included meeting with a number of officers, reading and reviewing reports and

recent research on the topic whilst being mindful to not duplicate the work done in the earlier exclusion review.

- 8.2 The draft terms of reference had been circulated to the Members of the Commission and to the lead officers in August for their comments.
- 8.3 It was noted that Cllr Peter's had sent through a number of suggested amendments still to be incorporated into the draft terms of reference and subsequently the Chair asked the Members of the Commission for any other comments in regards to the aims and objectives, on page 88 in the agenda, before agreeing the draft terms in principle.
- 8.4 At this point a member of the public asked why the Commission had chosen to look at what happens after a child has been excluded, and wanted to know what the Commission learnt at the last review and highlighted that she felt it was a model that seemed to blame the children for being excluded. In response the Chair made the following substantive points:
- The Commission felt that while the reasons for exclusions and the rates of exclusions should still be monitored and reviewed, this particular review would limit its focus to looking at how the national issue around the outcomes of excluded children, which are known to be very poor, apply here in Hackney. They would also be better placed to make recommendations with an impact, unlike in the previous review where it was felt that the Commission and the local authority had limited powers to implement change across academies and independent schools. Further, while in the last five years the alternative provisions have not been reviewed by Scrutiny, this would be an opportunity to get a better understanding of what the alternative pathways can offer and how to best ensure that these children have the same opportunities as their peers in mainstream school. As well as looking at, when bearing in mind that a lot of the excluded children have identified and unidentified SEND needs, whether the alternative provision is appropriately equipped to meet the needs of these individual children.
  - It was noted that the alternative provision also work with children at risk of exclusions and the Commission were therefore keen to, by reviewing this cohort, tease out if there was more that can be done or whether resources can be used differently to ensure these children remain in mainstream schools.
- 8.5 At this point the Director of Education added that while it was not one of the objectives of this review to review exclusions in mainstream schools it was on Hackney Learning Trust agenda as a priority attached to an action plan.
- 8.6 The Members of the Commission wanted clarification on how the review will look at children with SEND in relation to exclusions and felt that perhaps the review should also take into account the planning of school places and the built environment (new schools) and the withdrawal of a school and what that does to enhance or further diminish exclusions. They questioned whether point 2.2 could further draw out the safeguarding issues related to exclusions as well as enhance what further support could be put in place in mainstream schools to prevent exclusions and the voice the child including their experiences, wishes and trying to get a better understand the impact exclusions have on their mental health and wellbeing.
- 8.7 The Chair thanked the members for their contributions and comments and made the following substantive points:
- Building on the findings from the previous review and following the meetings with officers, it was felt that the review should ask questions around how and when in the exclusion process children's needs are identified and whether we are satisfied that alternative settings are best placed to meet the needs of this large percentage of the excluded cohort.

**Thursday, 20th September, 2018**

- The review aims to explore the extent to which special schools are working with other mainstream schools and alternative provision to see if there is scope for any further collaboration between the different settings.
- The intention is for the Commission to meet with a group of young people as a part of this review in order for them to share their experiences, whilst the review will use a backwards logic in finding out what support and advice received during this process.

8.8 Cllr Joseph put forward the following suggestion – it would be beneficial to create a ‘at risk’ control group based on the different sets of characteristics held by excluded children which could be used to prevent exclusions going forward. In response the Chair responded that within the limits of the review the best indication of being ‘at risk’ would be those that have received a number of fixed term exclusions and those that are in an alternative setting due to concerns in regards to their behaviour.

8.9 Cllr Adejare suggested the Commission also consider looking at how we can access the data on managed moves and looking retrospectively at those without Education Health Care plans and unidentified needs as a part of this review.

8.10 The Commission agreed the terms of reference in principle.

## **9 Minutes of the Previous Meeting**

9.1 The Commission noted the actions and agreed the minutes of the last meeting.

## **10 Children and Young People Scrutiny Commission - 2018/19 Work Programme**

10.1 The Members of the Commission noted the last version of the work programme for the municipal year 2018/19 including the additional joint meeting with Health in Hackney in November when the Commission will receive an update from the Integrated Commissioning Children, Young People and Maternity Work stream.

10.2 It was noted that there was flexibility in the work programme to include another 3-4 substantial discussion items and the Chair encouraged the Commission to put forward areas/topics for scrutiny including context, objectives and desired outcomes outside of the meeting.

## **11 Any Other Business**

11.1 None received.

Duration of the meeting: 7.00 - 8.50 pm

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<b>Children and Young People Scrutiny Commission</b> <b>10<sup>th</sup> October 2018</b> <b>Item 6 – Children and Young People Scrutiny Commission</b> <b>- 2018/19 Work Programme</b>	Item No <b>6</b>
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**Outline**

Attached is a copy of the work programme for the Commission for 2018/19. Please note this is a working document and is regularly revised and updated.

**Action**

The Commission is asked to make any amendments as necessary and note the latest version of the work programme for the municipal year 2018/19.

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# Overview & Scrutiny

## Children & Young People Scrutiny Commission Work Programme June 2018 – April 2019

*Please note: this is a working document subject to change.*

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<b>18<sup>th</sup> June 2018</b>  Papers deadline: 7 <sup>th</sup> June 2018  Agenda dispatch: 8 <sup>th</sup> June 2018	Election of Chair and Vice Chair	Sanna Melling, Scrutiny Team/ Chair CYP	
	Update on School Admissions and the Childcare sufficiency Assessment	Marian Lavelle, Head of Admissions and Pupil Benefits, HLT Angela Scattergood, Head of Early Years, HLT Tim Wooldridge, Early Years Strategy Manager, HLT	
	Review update – Childcare: the introduction of extended (30-hour) free childcare in Hackney.	Angela Scattergood, Head of Early Years, HLT Tim Wooldridge, Early Years Strategy Manager, HLT	
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To discuss and agree the work programme.
<b>20<sup>th</sup> September 2018</b>  Papers	Executive Response - Unregistered Educational Settings in Hackney	Anne Canning, Group Director, Children, Adults and Community Health, LBH Andrew Lee, Assistant Director Education Services, Hackney	

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
deadline: 11 <sup>th</sup> September 2018  Agenda dispatch: 12 <sup>th</sup> September 2018		Learning Trust Paul Kelly, Head of Wellbeing and Education Safeguarding Education Services, Hackney Learning Trust	
	Executive Response - Recruitment and Support to Foster Carers review.	Sarah Wright, Director of Children & Family Services Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service	Including an additional short written update on the project to provide additional support to unaccompanied asylum seeking children.
	SEND Reference group - update	Cllr Kennedy, Cabinet Member for Families, Early Years and Play Cllr Gordon, Vice Chair CYP Scrutiny Commission	Update to cover terms of reference, progress and remit of reference group.
	Outcomes of Exclusions – DRAFT Terms of Reference	Sanna Melling, Scrutiny Team	
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>10th October 2018</b></p> <p>Papers deadline: 1<sup>st</sup> October 2018</p> <p>Agenda dispatch: 2<sup>nd</sup> October 2018</p>	<p>Evidence session – Review: Outcomes of Exclusions in Hackney</p> <p><u>Guests:</u></p> <p>Kiran Gill, founder of the charity The Difference</p> <p>Executive Head and Head of School, New Regent’s College</p> <p>Head teacher, Garden School</p> <p>As well as representatives from the following alternative provisions;</p> <p>ELATT</p> <p>The Boxing Academy</p> <p>BSix College</p> <p>Inspired Directions School</p> <p>The School at Hackney City Farm</p>	<p>Sanna Melling, Scrutiny Team</p>	<p>First evidence session with key stakeholders</p>
	<p>Work Programme 2018/19</p>	<p>Sanna Melling, Scrutiny Team</p>	<p>To review and monitor progress</p>
<p><b>15<sup>th</sup></b></p>	<p>Annual Question Time with</p>	<p>Cllr Christopher Kennedy,</p>	<p>The Commission to identify 3 areas for</p>

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>November 2018</b></p> <p>Papers deadline: 6<sup>th</sup> November 2018</p> <p>Agenda dispatch: 7<sup>th</sup> November 2018</p>	Cabinet Member for Children's Services (SEND)	Cabinet Member for Families, Early Years and Play	depth questioning in advance. To include budget and performance monitoring of service area - to look 'beyond' data set to gain a better understanding of complex issues. In order to promote 'investigative rather than for information'.
	Children and Families Service Bi-Annual Update – End of Year Report to Members	Sarah Wright, Director of Children & Family Services Lisa Aldridge, Head of Service, Safeguarding and Learning Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service	CFS End of Year Report 2017/18  Including a narrative about the increased demand on the service and a breakdown of abuse type over the past year and information about trends.
	Work Programme 2018/19	Sanna Melling, Scrutiny Team	To review and monitor progress
<b>19<sup>th</sup> November 2018</b>	<p><b>Joint Meeting with Health in Hackney:</b></p> <p>Integrated Commissioning – CYP and Maternity Workstream</p> <p>Vaccine preventable disease and childhood immunisations</p>	<p>Amy Wilkinson, Workstream Director Children, Young People and Maternity Services Integrated Commissioning Workstream</p> <p>NHSE London GP Confed Public Health</p>	<p>Long item on Childhood Immunisations to address concerns about the borough's performance and key issues</p>

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
		CCG Rep of an Anti Vac campaign	for the stakeholders engaged in trying to increase the uptake of immunisations.
<b>14<sup>th</sup> January 2019</b>  Papers deadline: 3 <sup>th</sup> January 2019  Agenda dispatch: 4 <sup>th</sup> January 2019	Annual Question Time with Cabinet Member for Children's Services	Cllr Anntoinette Bramble, Deputy Mayor and Cabinet Member for Children's Services	The Commission to identify 3 areas for depth questioning in advance. To include budget and performance monitoring of service area - to look 'beyond' data set to gain a better understanding of complex issues. In order to promote 'investigative rather than for information'.
	Draft report: Outcomes of Exclusions in Hackney	Scrutiny Officer	Second evidence session with key stakeholders
	Work Programme 2018/19	Scrutiny Officer	To review and monitor progress
<b>25<sup>th</sup> February 2019</b>  Papers deadline: 14 <sup>th</sup> February 2019  Agenda dispatch: 15 <sup>th</sup> February 2019	<b>Substantive discussion item – as suggested by the commission and key stakeholders</b>		
	Work Programme 2018/19	Scrutiny Officer	To review and monitor progress

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
<p><b>25<sup>th</sup> March 2019</b></p> <p>Papers deadline: 14<sup>th</sup> March 2019</p> <p>Agenda dispatch: 15<sup>th</sup> March 2019</p>	<p><b>Substantive discussion item – as suggested by the commission and key stakeholders</b></p>		
	<p>Children and Families Service Bi-Annual Report to Members</p>	<p>Sarah Wright, Director of Children &amp; Family Services Lisa Aldridge, Head of Service, Safeguarding and Learning Deborah Ennis, Service Manager - Safeguarding and Learning Children and Families Service</p>	<p>Including a separate paper on the outcomes of and the tracking of the social and emotional development of children in Temporary Accommodation</p>
	<p>6-month recommendation update on Recruitment and Support to Foster Carers review.</p>	<p>Children &amp; Family Services</p>	
	<p>Annual Update on Achievement of Students at Early Years Foundation Stage, Key Stage 2 and Key Stage 4.</p>	<p>Sara Morgan, Principal Adviser Primary, Hackney learning Trust; Anton Francic, Principal Secondary Adviser, Hackney Learning Trust – TBC Head of Early Years, HLT –TBC</p>	<p>HLT to provide a narrative outlining in more detail the progress in regards to the SEN and Education Health and Care plan cohorts as a part of the annual update as well as provide a document showing each cohort's progress from Early Years through to Key Stage. (actions for HLT that came out of the CYP Commission meeting in March 2018)</p>
	<p>Work Programme 2018/19</p>	<p>Scrutiny Officer</p>	<p>To review and monitor progress</p>
<p><b>30<sup>th</sup> April 2019</b></p>	<p><b>Substantive discussion item – as suggested by the commission and</b></p>		

Date	Item title and scrutiny objective	Directorate – Division – Officer Responsibility	Preparatory work to support item
Papers deadline: 19 <sup>th</sup> April 2019  Agenda dispatch: 22 <sup>nd</sup> April 2019	<b>key stakeholders</b>		
	Annual Report City and Hackney Safeguarding Board	Jim Gamble, Chair of the City and Hackney Safeguarding Children Board – TBC Rory McCallum, Senior Processional Adviser	
	6 month recommendation update – Unregistered Educational Settings review	Anne Canning, Group Director, Children, Adults and Community Health, LBH Andrew Lee, Assistant Director Education Services, Hackney Learning Trust Paul Kelly, Head of Wellbeing and Education Safeguarding Education Services, Hackney Learning Trust	
	Discussion of 2019/20 work programme	Scrutiny Officer	Commission to identify, suggest and agree possible topics for inclusion within the Children and Young People Scrutiny Commission work programme for 2019/20.

