

Children's Services Committee

Item No.....

Report title:	Exclusions in Norfolk Schools
Date of meeting:	16 October 2018
Responsible Chief Officer:	Sara Tough, Executive Director of Children's Services
Strategic impact Children's Services is committed to reducing the number of Permanent Exclusion from Norfolk's schools. Current rates remain proportionally higher than the national average. This can impact negatively on both those pupils who are excluded, and on the capacity and resources available to the education system.	

Executive summary

To support this report, a presentation has been prepared for Committee to be delivered by the Head of the Education Achievement and Early Years Service and the Head of Education Vulnerable Groups Achievement and Access Service, providing an analysis of trends in exclusion in Norfolk and nationally, and outlining some actions being taken to address high exclusions.

Understanding the picture for exclusions at a local and national level is complex. Each Local Authority (LA) will have different approaches and systems for working with schools in relation to exclusions. Some authorities, especially some smaller than Norfolk, have long established systems between schools where children move before an exclusion takes place, and so report no permanent exclusions at all. There are issues about the robustness of reporting exclusions both locally and nationally and this again will be more, or less reliable in different authorities.

This report will identify the data as we collect and collate it in Norfolk and will make some comparisons with the most recent national data where possible. It will not explore the reasons behind the data. The Task and Finish Group, set up by members of the Children's Services Committee in 2016/17 explored reasons for exclusions by visiting schools and talking to professionals and children. This work was reported to the previous committee and led to specific actions which have been undertaken and remain a priority.

The report does not name schools, nor distinguish between Academies and LA maintained schools. All but two secondary schools are now Academies and the number of primary phase exclusions, whilst unacceptably high is still too small to draw any conclusions when scrutinised by type of school.

Recommendations:

The Committee are requested to

- note the contents of the report and the associated presentation;
- provide comments to steer the direction of LA work to support the education system in Norfolk in being more inclusive and meet the needs of all pupils.

1. Background

- 1.1 The data in the report is drawn from Department for Education (DfE) statistics published at <https://www.gov.uk/government/collections/statistics-exclusions> and our own database. DfE data is drawn from school census data, local authority data is sent directly by schools.

- 1.2 Local authority exclusions data is reliant on schools fulfilling their statutory duty to inform the local authority about all exclusions. For permanent exclusions we know this captures every exclusion. We know that fixed term exclusions are under reported and we are improving our processes to capture more of these.
- 1.3 DfE statistics are collected two terms in arrears to ensure that the period when an exclusion can be appealed has ended. This has the consequence that if a school closes and reopens as a sponsored academy there will be a loss of the final two terms of data from the school. The impact is that DfE statistics do not capture all exclusions.

2. Statutory Responsibilities

- 2.1 Statutory guidance is published by DfE which makes clear the legal responsibilities in relation to exclusion at <https://www.gov.uk/government/publications/school-exclusion>.
- 2.2 A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently.
- 2.3 Only the head teacher of a school can exclude a pupil and this must be on disciplinary grounds. A decision to exclude a pupil permanently should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- 2.4 Most fixed period exclusions last for one day. A fixed period exclusion can be for part of the school day. Rarely (in less than 2% of cases), a fixed period exclusion lasts for more than one week, in which case the school must arrange suitable full-time education from the sixth school day of the exclusion. Schools should have a strategy for reintegrating a pupil who returns to school following a fixed-period exclusion and for managing their future behaviour.
- 2.5 Governing bodies are legally required to consider parents' representations about an exclusion and in some cases, including all permanent exclusions, consider the reinstatement of the excluded pupil.
- 2.6 If applied for by parents, the local authority or (in the case of an academy) the academy trust must arrange for an independent review panel hearing to review the decision of a governing board not to reinstate a permanently excluded pupil.
- 2.7 Where pupils are permanently excluded, the local authority must arrange suitable full-time education from the sixth school day of the exclusion.

3 National Context

- 3.1 National rates of permanent exclusions (number of exclusions per 100 pupils) across all state-funded primary, secondary and special schools followed a downward trend from 2007 until 2013. Since 2013 national rates of exclusion have been increasing exponentially.
- 3.2 In response to concerns around the national increase in the use of permanent exclusion, the DfE launched a Review of School Exclusion in March 2018, chaired by Edward Timpson CBE. Norfolk officers contributed to the review. The findings and recommendations of this review are expected by the end of 2018.

4. Exclusion data in Norfolk

- 4.1 The rate (number of excluded pupils per 100 pupils) of permanent exclusion in Norfolk schools remains well above the average proportion nationally. Ten years ago, Norfolk permanent exclusion rates were below the national average and have increased since then, reaching a peak in 2015-16.
- 4.2 Permanent exclusion rates are declining in Norwich, Breckland and Broadland. There was an increase in the number of PEX in King's Lynn and West Norfolk last academic year.
- 4.3 Nationally and in Norfolk, the majority of exclusions are in secondary schools. National rates of exclusion are increasing in primary and in secondary schools.
- 4.4 In Norfolk the high number of permanent exclusions in secondary schools has remained at around 190 pupils in the last two years. Four in every ten exclusions are in years 9 or 10. The most common age for exclusion is 14.
- 4.5 The number of permanent exclusions in primary schools has fallen over the last three years, from 83 to 66 pupils.
- 4.6 The use of permanent exclusion by Norfolk special schools is very infrequent. In 2017/18 no pupil was permanently excluded from a Norfolk Special School.
- 4.7 National rates of fixed term exclusion (FEX) followed a downward trend from 2007/08 until 2012/13, and like permanent exclusions, the rate has been rising since then.
- 4.8 Since 2009, Norfolk FEX rates have been similar to national rates. Norfolk FEX rates remain in line with national figures in primary and secondary schools. The use of fixed term exclusion in Norfolk special schools is much lower than nationally.
- 4.9 Boys are far more likely to be excluded than girls in Norfolk and nationally. In 2017/18 boys accounted for 73% of all fixed term exclusions and 74% of all permanent exclusions.
- 4.10 The percentage of permanently excluded pupils who are eligible for Free School Meals (FSM) in Norfolk has declined in the last three years. FSM pupils make up a disproportionately large proportion of all exclusions.
- 4.11 The proportion of exclusions of pupils with Special Educational Needs or Disabilities (SEND) has declined significantly. The significant overall increase in exclusion nationally and in Norfolk has been of non-SEND pupils.
- 4.12 The overwhelming majority of exclusions in Norfolk are of white British pupils, who represent around 80% of the Norfolk school population. Looking at data over several years as cohorts in Norfolk are very small - Gypsy/Roma and Traveller of Irish Heritage pupils and Black Caribbean pupils have the highest rates of fixed term exclusion, in line with national trends.

5. Local Authority action to reduce exclusion

- 5.1 In order to reduce the use of exclusion, we need to work in partnership with the school system to bring about an increased confidence to meet the needs of

children and young people inclusively. We need to challenge more where practice is not inclusive and celebrate and share the best practice that exists within the system.

- 5.2 The annual conversation with every Academy Trust focused had a significant focus on exclusion data during the most recent round. The local data has been shared with the Regional Schools Commissioner.
- 5.3 Schools are risk assessed by the LA. A key indicator in the risk assessment is inclusion markers, including exclusion. This information, and the LA risk is shared with school leaders under a confidential agreement.
- 5.4 The most recent LA collated exclusion data, both permanent and fixed term, and our analysis will be sent to all Norfolk schools this month, with an expectation that this is shared and discussed with governors where appropriate. Some schools where permanent and fixed period exclusion data is significant will receive a letter from the Assistant Director Children's Services, Education, to ask for a specific meeting and expressing concern with regard to the volume of exclusions.
- 5.5 The Education Vulnerable Groups Achievement and Access Service (EVGAAS) was created last January to promote the achievement and inclusion of vulnerable pupils. This service established a new Inclusion Helpline from January 2018, for schools, to provide a first line of support to schools when they need help - typically around challenging behaviour with a specific pupil. The helpline has been used well throughout the year and received 18 calls, from 14 different schools in the first 8 days of the 2017/18 autumn term.
- 5.6 EVGAAS have appointed two new Inclusion Challenge Partners whose role is to work with school leaders to understand the inclusion issues facing schools and the school system. They will work in partnership to develop a deeper understanding of the culture within schools and Multi-Academy Trusts in order to target support and challenge appropriately in a timely manner.
- 5.7 Links are being developed between different services to provide a faster and more informed response to concerns when they are raised. These relationships are being developed both within Norfolk County Council teams and with external agencies e.g. Carers' Trust who provide support for young carers.
- 5.8 We are working with the Headteacher Association (Educate Norfolk) and the Norwich Opportunity Area, sharing data to promote peer challenge and support around inclusion. Both the Head of the Education Vulnerable Groups Achievement and Access Service and the primary phase Inclusion Challenge Partner sit on the Inclusion steering group which in turn oversees the Norwich Inclusion Charter. A bid has been submitted for significant funding to work with schools signed up to the Norwich Inclusion Charter to develop more inclusive practice and, in the long term, more inclusive cultures within schools.
- 5.9 We are working with education leaders to find better mechanisms for children to move through the system, to meet more pupils needs locally and return more pupils to a mainstream education.

6. Definition of terms and acronyms used in this report

DfE – Department for Education (national government)

PEX - Permanent exclusion

FEX – Fixed period exclusion (sometimes called fixed term exclusion)

SEND – Special Educational Needs or Disabilities

FSM – Free School Meals – pupils who are eligible for and claiming free school meals

Exclusion rate – number of pupils excluded per 100 pupils on roll at the school as at the January Census day of the relevant academic year.

EVGAAS – Education Vulnerable Groups Achievement and Access Service – an education service in Norfolk County Council children’s services set up in January 2018 to focus on improving outcomes for vulnerable children

Norwich Opportunity Area one of the 12 DfE social mobility and opportunity areas (see <https://www.gov.uk/government/publications/social-mobility-and-opportunity-areas>)

7. Further information

Statutory guidance: <https://www.gov.uk/government/publications/school-exclusion>

National exclusion statistics: <https://www.gov.uk/government/collections/statistics-exclusions>

Officer Contact

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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