

School Exclusions Update

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Cabinet Member: Cllr Frances Nicholson – Cabinet Member for Children and Families;

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Division and Local Member: All

1. Summary

1.1. In May 2020 a Task and Finish Group of the Scrutiny for Policy, Children and Families presented its final report on school exclusions (hereafter, the Exclusions Report). The Group made ten recommendations to respond to the issues raised in the report. Cabinet considered the Exclusions Report and endorsed its recommendations on 23 September 2020. This report provides an update on the progress that has been made in implementing these recommendations.

2. Background

2.1. Rates of exclusion from schools in Somerset are high. Table 1, below, shows that every year for the last five years in which published national data are available, Somerset’s rate of fixed period exclusions has been in the top quartile of all local authorities.

2.2. In 2017/18 Somerset’s rate of permanent exclusions was also in the top quartile, having increased over previous years. However, in 2018/19 there was an improvement in Somerset’s position to be in the second quartile of local authorities.

	Somerset’s ranking – all local authorities (152)	
	Permanent exclusions	Fixed period exclusions
2014-15	88	36
2015-16	64	24
2016-17	51	17
2017-18	24	20
2018-19	40	11

Table 1: Somerset’s national ranking for exclusion rates.

2.3. Fixed period exclusions

In 2018/19 1.05 per cent of primary pupils and 6.33 per cent of secondary pupils in Somerset received at least one fixed period exclusion from school. The rate of fixed period exclusions has increased each year since 2013, as shown in figure 1,

below. This increase has been at a faster rate than most other local authority areas.

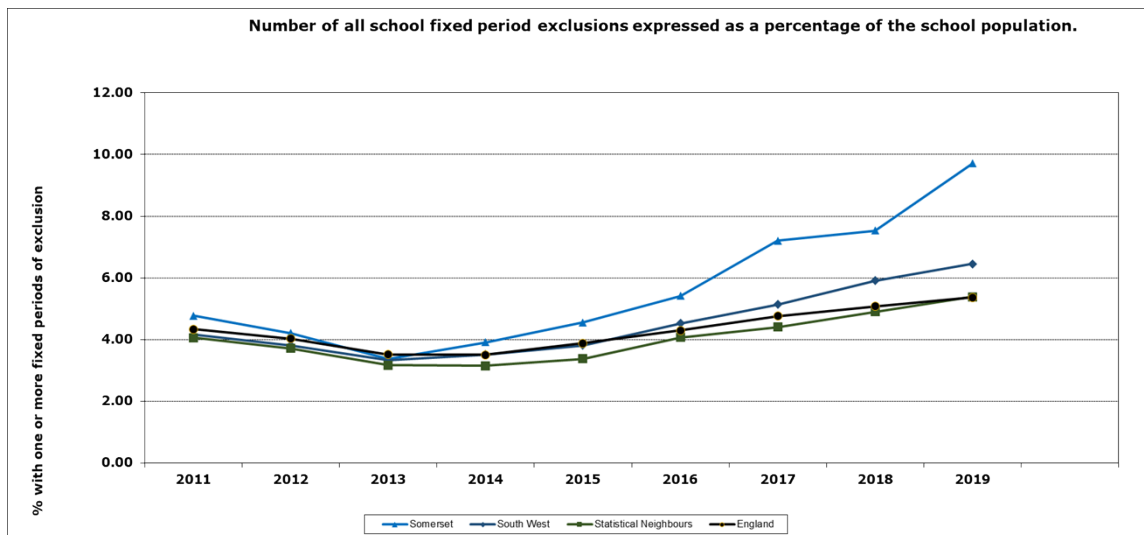


Figure 1: Fixed period exclusion rate for Somerset with regional, national and statistical neighbour comparisons (Somerset = light blue)

2.4. Permanent exclusions

Likewise, between 2012/13 and 2017/18 there was a sharp increase in the rate of permanent exclusions in Somerset, as shown in figure 2, below. The exclusion rate reduced in 2018/19, although it remained higher than for most other local authority areas.

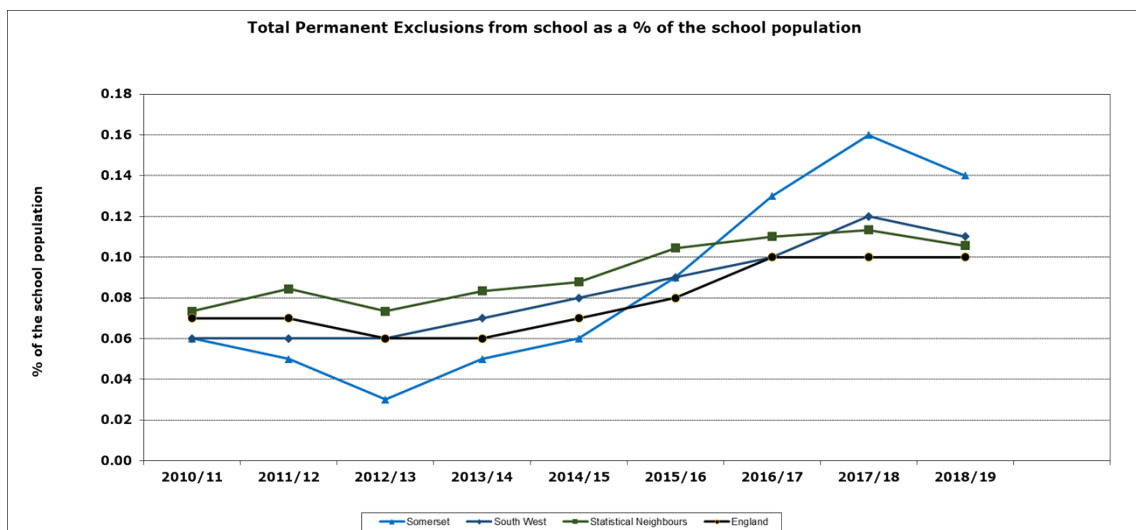


Figure 2: Permanent exclusion rate for Somerset with regional, national and statistical neighbour comparisons (Somerset = light blue)

2.5. The Exclusions Report noted that the Local Authority’s span of influence was limited, with the decision to exclude a pupil resting with the head teacher, and the reasons for exclusion being based on an individual set of circumstances for each pupil. In the case of permanent exclusions, school governors are responsible for reviewing the head teachers decision to exclude and either upholding or overturning this.

- 2.6.** The Group noted that exclusions disproportionately impact vulnerable children, including those with a special educational need and/or a disability. Exclusion occurs across the range of education settings, including both mainstream and specialist provision.
- 2.7.** The joint area inspection of services for special educational needs and disabilities in Somerset undertaken by Ofsted and the Care Quality Commission in 2020 reported:

“Too many children and young people not accessing education because of the disproportionate use of exclusion and poor inclusive practices across the area.”

- 2.8.** In response to this inspection, the County Council and the Clinical Commissioning Group were required to produce a Written Statement of Action (WSOA), which was agreed in December 2020 and sets out the actions that are being taken over a two-year period to address nine improvement priorities. This includes actions to extend inclusive practice across schools and reduce exclusion rates.

3. Progress in implementing Exclusions Report recommendations

- 3.1.** The Exclusions Report made ten recommendations to help address issues identified in relation to exclusions. This section details the recommendations from the Exclusions Report and provides an overview of action taken in response.

3.2. Recommendation 1: We are all in this together

A clear pathway needs to be developed for all children in Somerset Schools that ensures continued support where necessary, particularly during transition between schools/stages, meaning children are appropriately supported across education. If the local authority can facilitate a protocol that centres on the child first and develop better coordination and cooperation between Head teachers who can agree measures and protocols to try avoiding exclusions, for example through negotiated transfers, this will be a great start. This could develop into a forum where representations are made by all schools, and children who are at risk of exclusion are discussed and if a pupil is agreed by all heads as “hard to place” then they have the ability to place pupils at a provision that is appropriate for that child at that time.

3.3. Update

A Managed Transfer Protocol has been co-produced with school leaders which will be implemented in September 2021. A further development will include the ability for schools to use an online notification portal to inform the Council when a managed transfer takes place. There are six behaviour partnership areas covering the county, and there is capacity to discuss managed transfers at partnership meetings so that school leaders and support services can agree the appropriate support and provision for pupils who are at risk of exclusion.

3.4. Recommendation 2: Joint working

Agree a simple, transparent 'Somerset code of responsibilities and rights' that schools, parents and children would benefit from knowing that can be applied firmly and consistently by Somerset Head Teachers.

- 3.5.** A code of responsibilities and rights has not been developed yet. Through the WSoA, schools have been leading an inclusion enquiry which aims to develop a shared, evidence-based understanding of what inclusion should look like across the county. Inclusion Somerset comprises a number of services to support children with SEND and additional needs or vulnerabilities, such as specialist teachers and educational psychologists. Officers from Inclusion Somerset are updating guidance for schools about exclusion, based on and exemplifying statutory guidance.
- 3.6. Recommendation 3: Get in early**
It was clear that the lack of early help support has had an impact on the exclusion rates. SCC needs to ensure that all early help practitioners and resources can be accessed in a timely manner, an up-to-date register, open to everyone would increase supply.
- 3.7. Update**
Through the WSoA, work is underway to better coordinate area-based structures to support inclusion and vulnerable learners. Test and learn pilots will be implemented from September 2021, which are designed to bring a wider range of the early help workforce together in one forum to ensure support to schools is streamlined. Furthermore, a strategic review of the early help arrangements provided by all agencies has been commissioned in relation to pupils with SEND. Learning from this review and from the test and learn pilots will be used to inform future structures.
- 3.8. Recommendation 4: Power for Heads to decide**
We suggest that the Local Authority could coordinate a dedicated team of specialist support staff, time managed by the local heads network, that will allow each school to have appropriate access to Educational Psychologist, Occupational Therapist, Speech Assisted Learning, Early Help so schools and children can benefit from improved certainty and continuity of support resources.
- 3.9. Update**
The test and learn pilots mentioned above will include advisory professionals, such as educational psychologists, and the wider early help workforce. The pilots are being designed around school pyramid structures and will satisfy the appetite for local, dedicated expertise. Work is underway with the CCG to develop joint commissioning arrangements for therapy services, to improve access routes into these services.
- 3.10. Recommendation 5: Ability to act**
The SENCO is key to a solution, but often they are not given the profile or priority within a school to get their job done. We recommend Heads give SENCO the time and support to lead and the LA/ academies encourage and value SENCOs to

enable them to meet and share best practice. Another useful resource would be a phone helpline to offer support or answer questions.

3.11. Update

The Learning Support Team tracks the number of SENCOs that have completed the SEN Award and the number that are on schools' senior leadership teams. The team offer schools Strategic SEND Inclusion Discussion meetings, which include working with the head teacher and SENCO to review and strengthen SEND provision throughout the academic year. Joint Pyramids for Inclusion have been developed to bring local SENCOs together on a regular basis, providing joint supervision, peer networking and opportunities to share good practice using solution circles. These are also attended by a range of advisory professionals.

3.12. Recommendation 6: You get back what you put in

The funds available from all partners need to be managed in a meaningful manner that will offer opportunities. We heard how for example non-school provision would work for some children. Consideration needs to be given for the development of vocational centres that offer a completely different curriculum, which are not left to the free market to provide; and to allow for the development of and support for schools to set up specialist units that can support the whole school population-not simply isolation spaces, with highly trained relational workers that understand elements of trauma and anxiety within schools. It would be helpful if the Local Authority could commission a pilot?

3.13. Update

The role of Behaviour Partnership Boards continues to develop with a primary focus of understanding local need and designing appropriate programmes of targeted interventions to avoid exclusion and improve engagement.

As part of a set of proposals that are under consultation, the role of Partnership Boards will be formalised through the requirement for each of the six areas to develop and publish a Partnership Inclusion Plan.

3.14. This will clearly set out what needs are driving exclusion and non-engagement in local areas and how the partnerships, using their resource allocation will develop programmes of support, therapeutic intervention and alternative provision to address this need.

3.15. The proposals will also ensure an element of each areas partnership funding allocation is set aside to provide a capacity building advisory function to develop inclusive practices in mainstream schools.

3.16. Recent capital investment at PRUs specifically, has resulted in the addition of vocational facilities which can be used for preventative, rolling programmes of intervention.

3.17. Recommendation 7: Give heads the tools to succeed

Schools and academies should ensure there is well-evidenced, meaningful and accessible training and support for new and existing schoolteachers and leaders

to develop, embed and maintain, positive behaviour cultures.

3.18. Work is underway with the Research School to develop a county-wide consistent training offer focusing on promoting effective learning behaviours

3.19. Officers have reviewed the induction programme for new teachers and headteachers and incorporated continued professional development. This includes the ongoing development of an accessible resource directory of services and support for teachers and headteachers.

3.20. Updates on the impact of the implementation of Local Authority approaches and strategies, supported by statistical data and other evidence are provided at regular Headteacher Briefings.

3.21. Recommendation 8: Inclusion not exclusion – Children first, change the outlook

Recognition that the impact on the young person and their family of being excluded is huge and a support mechanism should be set up to reintegrate the child back into school at the earliest opportunity. Although PRU capacity is currently inadequate, care needs to be taken to ensure that an enhanced PRU capacity and availability does not make schools more ready to exclude into a PRU. Part of the solution will be for schools to create innovative types of intervention that obviate the need for exclusion.

3.22. Update

The role of PRU Partnership Boards / Behaviour Partnerships continues to develop with a primary focus of understanding local need and designing appropriate programmes of targeted interventions to avoid exclusion and improve engagement. Partnership Boards have already been strengthened through the addition of the Mental Health Support Teams (CAMHS & Young Somerset), the Violence Reduction Unit (Public Health & Police) and Somerset Works (Transition to Post-16 provision).

3.23. The introduction of Partnership Inclusion Plans will clearly set out what needs are driving exclusion and non-engagement in local areas and how the partnerships, using their resource allocation will develop programmes of support, therapeutic intervention and alternative provision to address this need.

3.24. Recommendation 9: Education Health and Care Plans

The process for applying for a statutory assessment needs to be reviewed with SENCOs and families to ensure this is easily accessible. The supporting documentation for the EHCP process needs to be reviewed and redesigned to improve its effectiveness in supporting positive outcomes for the child or young person.

3.25. Update

As part of the improvements arising from the WSoA, there has been significant activity to improve both the quality and the timeliness of education health and

care assessments and plans. The assessment process forms are being reviewed and redesigned and are on track to be completed by the end of this academic year. The review is also considering how the advice that is submitted by statutory partners and the information from families and young people is captured. There has been a small-scale test and learn pilot of co-produced outcomes meetings that enable families to be more involved and work more closely with schools and other professionals as part of the assessment process.

3.26. Recommendation 10: What makes a good policy

We have seen and heard about excellent examples of good practice in Somerset where schools work hard to create environments that are inclusive for pupils and have flexibility to make small adjustments. We also wish to highlight how Bristol schools are encouraged to work collaboratively as they pay a fine (with money going into a secured fund) when they exclude each pupil. That money is then used to make the child's future schooling possible by other means, the benefits were multiple, schools are encouraged to work closer together to prevent exclusion, and good practice would be more readily shared. It would also mean the exclusion would not remove a child from education.

3.27. Update

A key function of the Partnership Boards and Allocation Panels is to create a forum where school leaders can share best practice, something which also takes place between SENCOs at the Joint Pyramids for Inclusion. This best practice will be a key element of the Partnership Inclusion Plans and each local area's response to need.

3.28. Officers also met with counterparts from Bristol to explore its Inclusion Panel model and understand whether it could be replicated in Somerset, given the geographical and demographical differences between the two authority areas. Certain elements of this model are already in place in Somerset (PRU Partnership Boards and Allocation Panels) and others are in the process of implementation (Managed Transfer Protocol). However, there are certain features which upon review were deemed either not possible or not desirable to replicate. In particular there are concerns that the Bristol model was not financially sustainable, due to increasing demand for alternative provision, where the financial contribution from schools would not cover the costs of this provision. Moreover, while the Local Authority can and does recoup and pass on pupil funding following a permanent exclusion, fining schools for permanent exclusions is not enforceable.

4. Conclusion

4.1. It is evident from the information provided in this report that progress is continuing to be made in implementing the recommendations of the Exclusions Report, which has provided an important stimulus for action. In addition, the development and implementation of the WSoA has further galvanised a whole system approach to strengthening inclusion in Somerset.

4.2. Progress in addressing the issues associated with school exclusions is being

supported by three key elements:

- school leaders owning and shaping the county's understanding of and approach to inclusion;
- strengthening the focus of behaviour partnerships and local networks to commission support for vulnerable children and promote inclusion; and
- greater alignment of early help with support for inclusion.

- 4.3.** This work has taken place in the context of continued challenge and uncertainty across the education system arising from the COVID-19 pandemic, and it is important to note the additional difficulties that this has presented for both schools and pupils alike.
- 4.4.** During the year to date the number of permanent exclusions is 50 per cent below the level of previous years, and the number of fixed term exclusions is 24 per cent below last year's level. However, it is important to note that these figures are very likely impacted by COVID, in particular the closure of schools to most pupils between January and March 2021.
- 4.5.** Somerset's progress in implementing its WSoA and delivering the identified improvement, including in relation to exclusions, will continue to be monitored by the SEND improvement board, Department for Education and NHS England.

5. Background papers

- 5.1.** School Exclusions: Task and Finish Group Report (May 2020)
Cabinet Member's Response: Scrutiny for Children and Families – School Exclusions Report (September 2020)

Note For sight of individual background papers please contact the report author.