

DfE Call for Evidence on Exclusions

Stockton-on-Tees Borough Council Submission

1. The Children and Young People Select Committee of Stockton –on –Tees Borough Council has been conducting a scrutiny review into inclusion in the Borough.
2. The local background to the review is as follows:
 - there had been unprecedented high levels of FTEs including significant numbers approaching 45 days.
 - there have been unprecedented high levels of permanent exclusions
 - there are now limited spaces at the Pupil Referral Unit (PRU)
 - there is now limited access locally to alternative provision, particularly any that contributes to accredited courses
 - there are increased challenges with the process in relation to Fair Access and Managed Moves
 - there are very high numbers of in-year transfers
 - there are concerning numbers of pupils on EHE which are on a steep upward trajectory including pupils in Key Stage 4.
3. The work of the Scrutiny Committee has called for questioning several senior leaders from academies and maintained schools in Stockton and has involved visits to a variety of provisions and services. The report will be presented soon to the Council’s Cabinet, local MPs, the Regional School Commissioner and all providers in Stockton.
4. The Children and Young People Select Committee would wish to make the following points to inform this call for evidence:

Levels of exclusions

5. Levels of fixed term and permanent exclusions are rising at an unprecedented level and causing grave concern about the outcomes for excluded pupils. Vulnerable pupils, including those with SEN and those with CIN and CP status, are particularly at risk. The tables below show the three year trends.

Fixed term exclusions:

2014/15								
	All Pupils		Non-SEN		K*		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	302980	3.9%	148170	2.3%	121260	12.3%	33540	15.1%
<i>All Schools Stockton</i>	902	3.0%	471	1.8%	384	10.0%	47	5.7%
2015/16								
	All Pupils		Non-SEN		K		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	339360	4.3%	181010	2.7%	125090	13.7%	33265	15.0%
<i>All Schools Stockton</i>	983	3.2%	574	2.2%	350	9.2%	59	7.5%
2016/17								
	All Pupils		Non-SEN		K		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	***	***	***	***	***	***	***	***
<i>All Schools Stockton</i>	3133	10.0%	1819	6.9%	1051	27.1%	263	31.7%

Permanent exclusions:

2014/15								
	All Pupils		Non-SEN		K*		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	5800	0.1%	2580	0.0%	2870	0.3%	350	0.2%
<i>All Schools Stockton</i>	15	0.0%	10	0.0%	5	0.1%	0	0.0%
2015/16								
	All Pupils		Non-SEN		K		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	6685	0.1%	3405	0.1%	2915	0.3%	370	0.2%
<i>All Schools Stockton</i>	17	0.1%	12	0.0%	5	0.1%	0	0.0%
2016/17								
	All Pupils		Non-SEN		K		E**	
	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR	No. of Exclusions	% of NOR
<i>All Schools National</i>	***	***	***	***	***	***	***	***
<i>All Schools Stockton</i>	34	0.2%	24	0.1%	10	0.3%	0	0.0%

(K- Pupils with SEN Support, E – Pupils with Education Health and Care Plans)

- The majority of schools and academies in Stockton work very hard to maintain low levels of exclusions. The rate of exclusions has remained static for many years but has increased significantly in 2016/2017 and is continuing in this academic year 2017/2018. Most notably, the number of permanent exclusions between 2015/16 – 2016/17 almost doubled and up to Autumn 2017 the number of permanent exclusions to date was higher than the total number of permanent exclusions in academic year 2012/13.
- The rise has been largely due to the introduction of new behaviour management policies adopted by Academy converter schools. In particular, the 'Consequences' behaviour policy. The Trusts responsible for implementing this policy are Outwood

Grange Academy Trust where exclusions have risen sharply and Northern Education Trust. The Free School in the Borough, under Delta Academy Trust, has also just adopted the same policy. For Bishopsgarth Outwood, Fixed Term Exclusions since 2012/13 to 2016/17 have increased by 3815%, this means on average, per pupil on roll, each pupil received 3.4 exclusions in 2016/17. The number of permanent exclusions has also increased with 9 in 2016/2017 and 10 already in 2017/2018. The school has a cohort size of 475.

8. Northern Education Trust has also very high fixed term exclusions but these are not yet translating into particularly high rates of permanent exclusions.
9. Notwithstanding the Trusts' belief that this approach is necessary to improve standards, we have found that there is significant variation amongst local schools. The table below gives the rates for individual schools over the last year:

SCHOOL (Secondary)	2012/13		2013/14		2014/15		2015/16		2016/17		2017/18 (to 28.11.17)		2017/18 (to Feb HT 2018)		2017/18 (to 9th Mar 2018)		NOR**	Conversion to Academy	Academy Trust
	FTE	PEX	FTE	PEX	FTE	PEX	FTE	PEX	FTE	PEX	FTE	PEX	FTE	PEX	FTE	PEX			
All Saints	27	0	43	0	40	0	39	1	70	1	1	0	7	0	16	0	728	1st May 2013	Stand-alone; ongoing negotiations to become part of Dales Academies Trust
Conyers	52	0	33	2	31	2	43	2	60	3	17	1	52	1	61	2	1056	1st Feb 2013	Formerly stand-alone; in Nov 2016 became Conyers Multi-Academy Trust
Egglescliffe	23	0	11	0	20	0	24	0	53	0	12	0	18	0	20	0	1510	1st Sept 2016	Vision Academy Learning Trust
Ian Ramsey	61	0	51	1	29	0	58	2	80	0	34	1	66	1	71	1	1175	1st Sept 2014	Dayspring Trust
Ingleby Manor Free School	0	0	0	0	0	1	0	0	0	0	0	0	25	0	39	0	465	N/A (opened 1st Sept 2014)	Delta Academies Trust
Northfield	140	1	144	3	111	1	60	2	145	4	28	3	99	3	107	4	1371	N/A	N/A
North Shore Academy	52	3	71	3	96	5	210	2	426	5	757	3	1203	4	1340	4	670	1st Sept 2010	Northern Education Trust
Our Lady & St Bede	41	0	54	0	98	2	69	1	112	2	3	1	10	1	11	2	821	1st Sept 2014	Carmel Education Trust
Outwood Academy Bishopsgarth	40	1	83	3	105	0	412	1	1566	9	728	4	1273	7	1378	9	475	1st Nov 2016	Outwood Grange Academies Trust
St Michael's	90	2	60	3	68	3	101	1	71	2	37	0	63	0	68	0	904	1st Sept 2013	Carmel Education Trust
St Patrick's Catholic College	62	2	60	1	43	0	67	2	74	2	87	0	152	1	161	2	514	1st Sept 2015	Our Lady of Light Catholic Academy Trust
The Grangefield	104	2	0	1	26	1	20	2	57	3	47	0	96	1	107	1	624	1st Jan 2014	Northern Education Trust
Thornaby Academy	163	1	84	1	84	2	56	2	253	4	35	0	87	0	99	0	361	1st Sept 2010	Formerly Teesside University; in Sept 2016 became Teesside Learning Trust
Bishopton Centre PRU	58	0	113	0	112	0	33	0	35	0	35	1	46	1	49	1		N/A	
TOTAL	913	12	807	18	863	17	1192	18	3002	35	1821	14	3197	20	3527	26			

10. Whilst the Local Authority maintains close working with these academy trusts, there is only influence and partnership working that can be deployed. We believe there is a need to further develop the accountability arrangements for Trusts. The will and ability of the Regional School Commissioner's Office to exert due accountability to these Trusts to modify these exclusions has not yet been demonstrated to the Committee throughout its evidence gathering. Are there sufficient safeguards and governance around Trusts to ensure the interests of vulnerable children are championed?
11. Reassurances have been given that Ofsted is scrutinising the exclusions in schools they inspect and that it will begin to impact on the judgements made. This has yet to be demonstrated and the Scrutiny Committee would like to request of this Call for Evidence that the Ofsted framework has sufficient rigour to call schools to account

about the impact of their behaviour management policies on vulnerable young people and that it impacts significantly on the inspection grades they are awarded.

Local Authority resource

12. The Local Authority has a provision for excluded pupils which is now so full that it is impairing the quality of the support that can be offered children who are permanently excluded. Educational attainment for permanently excluded pupils at GCSE level is already of concern, with young people not making the progress that would be expected given their KS2 attainment.
13. Due to the lack of capacity, additional places need to be found to place children and the extent of alternative provision of quality that offers appropriate accreditation for children is very limited. We are concerned to be in a position where some of these children are required to be placed out of the Borough; this can have a further negative impact on them through loss of connection with the local area, for example. The costs associated with sourcing this provision are also very high. The budget for these costs is the High Needs Budget which is already under strain as the numbers of children with special needs in the borough are increasing and their needs are more and more complex. This means that the exclusions are impacting negatively on the availability of support for children with special needs across every school.
14. There is also less resource to spend on preventing exclusions. The Pupil Referral Unit in Stockton used to be able to offer 'Partnership Places' which were short stay therapeutic places that were proactive in addressing the needs of children at risk of exclusion. These places help to prevent exclusions but are no longer available due to the high numbers of excluded children needing their statutory entitlement.
15. The Local Authority is investing money to mitigate against the high numbers of exclusions through commissioning more places and deploying staff to work proactively with schools. This, however, comes at a high cost.
16. Policies have been rewritten and new forums and structures have been created. For example, the Stockton Partnership Pupil Inclusion Panel (PIP) established in Autumn 2017, focuses efforts on early identification, intervention and support for children who are experiencing challenges that are having a negative impact on their ability to access their education. Working collaboratively the Panel develops and agrees strategies to support the child and their families, minimise disruption, support each other and secure the best outcomes for individual children at risk of exclusion.
17. The Panel meets fortnightly, is peer led and includes senior leaders from every secondary school in Stockton, including support services of the council - SEN Team, Early Help, Preventions, behavioural support.
18. The Pupil Inclusion Panel will determine an appropriate way forward which could include:
 - Recommendations for the referring school to implement further strategies or access support from Local Authority services
 - Collaborative approaches between local schools to provide a full time education programme

- Referral to other agencies
 - Managed move to another identified school
 - Longer term co-ordinated Alternative Provision Placement between the school and alternative providers.
19. The sustainability of the new services and commissioned places via the Local Authority is in doubt due to the funding constraints: the Educational Support Fund has been lost; the High Needs Budget is over spent; council budgets are drastically reduced.
20. Many Stockton schools operate internal provision for children at risk of exclusion. Such provision enables children to receive support and be re-integrated into the mainstream curriculum. For example, Northfield School has instituted a Learning Zone to enable support for pupils with a range of needs including SEND and behavioural, and an Inclusion Base in a dedicated, purpose-built building. The Base is accessed by pupils who would otherwise have been excluded; it enables different strategies to be applied whilst keeping the students within the school environment. Good outcomes can be demonstrated. Such provision comes at a cost and schools need financial incentives and support to administer such schemes.

Elective Home Education

21. There is concern that children are leaving education to avoid exclusion and families are opting instead for elective home education.
22. The Committee has identified a number of concerns in relation to Elective Home Education (EHE). Numbers of EHE pupils have significantly increased. Ten years ago there were c. 30 EHE pupils, half of whom would be from the Traveller community. During 2017-18, as of March, there were 134 EHE pupils, of which 15 are from the Traveller community. During this period school rolls have remained relatively stable.
23. There is a correlation between these numbers and the numbers of exclusions and there is evidence that this may be an alternative to exclusion. Indeed, the Fair Access Policy was amended in September so that if a parent wishes for their child to return to mainstream school from EHE, the child would return to the school they had originally been removed from the roll of (unless there was a special circumstance). Early indications show that this amendment may have had some effect on numbers of children remaining in school and not becoming EHE.
24. Concerns remain regarding the powers of Local Authorities to monitor the quality of home education (monitoring visits for 19 current pupils has been refused) and there is currently no requirement on pupils who have never attended a school to be registered with, or be seen, by the Local Authority. We regard this as a significant safeguarding risk that needs to be addressed through legislation providing Local Authorities with the powers they need.
25. Whilst the Committee appreciate there is an ongoing review of the current legislative framework and a call for evidence on EHE, it implores the connection with exclusions to be made wisely. We plan to make a separate response to the Call for Evidence on EHE.

High numbers of in year transfers and managed moves

26. There are very high numbers of in-year transfers in Stockton and high numbers of managed moves. Given the requirements of the new GCSEs - with linear examinations, high knowledge content and many schools opting for different examination boards - moving schools presents students with high challenge in adapting to a different syllabuses and can put them at risk of underperformance. Many in-year transfers are linked to the threat of exclusions and managed moves are increasing as students find it hard to succeed with some behaviour management systems.
27. Since 2013, there has been an escalating use of managed moves in Stockton-On-Tees secondary schools. Between 2013/14 and 2015/16 the number of managed moves recorded more than doubled from 41 to 93. For the many students who experienced a managed move, the process was unsuccessful. By 2016/17, 20% of these students were being successfully retained by the receiving school, a decline from 44% in 2014. Just over one-quarter were returned to their host school in 2015/16, about the same as two years previously, albeit lower than the 40% in 2014/15.
28. Can there be some incentives / penalties to encourage schools to engage positively with the local protocols and partnership workings and retain students on their own roll? Without some financial sanctions, it is too easy for schools to look for opportunities to off-roll students who demonstrate challenge and complex needs.
29. In summary, the Council's Children and Young People Select Committee therefore request of this Call for Evidence:
 - ✓ Pressure from Ofsted and RSC to bring to account the MATs that have high rates of exclusion.
 - ✓ Additional financial support for Local Authorities to cope with the numbers so that individual children outcomes are not put at risk.
 - ✓ Incentives and funding for the provision of more, high quality alternative provision.
 - ✓ Financial support for schools and incentives to enable them to operate their own support for children at risk of exclusion.
 - ✓ More powers for Local Authorities to intervene in elective home education to safeguard children and ensure these are not exclusions 'by the back door'.
 - ✓ Penalties for schools who off-roll students and incentives for schools who are able to enable students to succeed on Managed Moves and Fair Access placements.
30. This approach is supported by the Council's Cabinet Member for Children and Young People.