

**Committee: Education and Learning Scrutiny Committee**

Date of meeting: **Monday 26<sup>th</sup> November 2018**

Report Subject: **Pupil Exclusions**

Portfolio Holder: **Cllr Clive Meredith, Executive Member for Education**

Report Submitted by: **Lynette Jones, Corporate Director for Education**

Report Written by: **Gavin Metheringham, Lead Officer for Inclusion**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
24/10/18	06/11/18	14.11.18			26/11/18	19.12.18		

**1. Purpose of the Report**

1.1 The purpose of the report is to provide opportunity for members to scrutinise exclusion data for Blaenau Gwent at Primary and Secondary school level for the academic year 2017-18 noting areas of strength and where further improvement is required, and to seek assurance from officers that areas requiring improvement will be addressed.

**2 Scope and Background**

2.1 *Historically attendance and exclusions have been reported in the same report. However, given the need to provide a full picture in both areas the Attendance & Exclusion Report has been split into two reports and in future, separate reports will be provided to Scrutiny on attendance and exclusions.*

2.2 This report relates only to exclusions and will provide:

- The context in terms of legal requirements and responsibilities relating to exclusions
- National data
- Local data
- Evaluation and what we are doing

**2.3 Context**

2.4 The key Exclusion Guidance is the Welsh Government Guidance entitled: 'Exclusion from Schools and Pupil Referral Units' (April 2015).

2.5 By law (section 52(4) of the Education Act 2002), head teachers, governing bodies, LAs and independent appeal panels must have regard to this guidance when making decisions on exclusion and administering the exclusion procedures and appeals. There is a strong expectation that the guidance will be followed unless there is good reason to depart from it.

- 2.6 The guidance is very helpful and very prescriptive which means that the Education Directorate's guidance to schools, and the practice in place in schools, entirely reflects the processes set out in the WG guidance.
- 2.7 For example, the guidance includes the extracts below, mentioned because they are elements of the exclusion guidance worth noting and are examples of the practical nature of the guidance.

Only the headteacher or teacher in charge of a PRU can exclude a learner. If they are absent from school, then the most senior teacher may exercise the power of exclusion, though they should make clear that they are acting in the headteacher's absence. The headteacher or teacher in charge cannot routinely, or on an ad hoc basis, delegate the power to exclude to another teacher.

Unlawful exclusions, more commonly referred to as informal or unofficial exclusions, are unlawful regardless of whether they are done with the agreement of parents or carers. Unlawful, unofficial or informal exclusion refers to sending learners home for disciplinary reasons, but not following the procedures required for formal exclusion.

Exclusions may not be given for an unspecified period, e.g. until a meeting can be arranged. Such a practice amounts to an unlawful exclusion, for which no legal arrangements exist.

Discipline committees must convene when a learner exceeds 15 days fixed-term exclusion within a term. If a learner's total number of days of fixed-term exclusion exceeds 15 school days in one term, any subsequent fixed-term exclusion(s) of the learner in the same term would again trigger the discipline committee's duty.

- 2.8 The WG guidance even includes template letters for informing parents following an exclusion, and at every stage of the exclusion disciplinary process.
- 2.9 The Council's Exclusion Guidance for schools, as well as including much of the WG guidance, provides additional local information such as process flowcharts, a standardised reporting format and a checklist for head teachers to ensure that the decision to exclude has been carefully considered and is being used as a last resort. The checklist can be found as Appendix 1.
- 2.10 Schools have adopted the Council's Guidance.
- 2.11 Section 6.1 of this report provides the performance information data relating to exclusions.

## 2.12 Evaluation

2.13 In terms of evaluating the data set out in section 6.1 and the approach taken by the Inclusion team, a number of things are clear:

- Exclusions are too high and need to reduce.
- Monitoring of pupil level exclusion data by all Inclusion teams has improved and is effective, informing Officer work and dialogue with schools.
- A regional approach to exclusions is under developed.
- Joint working with the EAS has improved but requires further development, specifically relating to challenging schools on the use of exclusions.
- There is excellent behaviour management practice in some schools however this is not proactively shared.
- There is inconsistent use of exclusions across schools, illustrated by the varying rate of exclusions.
- Appropriate provision is available for those permanently excluded in the River Centre although schools are integrating pupils back into a mainstream environment is difficult.
- Clearer focus is needed on exclusions of year 7 pupils particularly pupils with Special Educational Needs.

## 2.14 What We Are Doing

- Developing closer working with the Principal Challenge Advisor and Challenge Advisors through the Monitoring, Evaluation and Reporting Group and Wider Group regarding exclusion concerns in identified schools.
- Sharing data and best practice and including actions to reduce exclusions in School Support Plan.
- Using resources flexibly to support initiatives that help early intervention or reduce exclusions e.g. Positive Futures School Provision.
- Developing regional working as part of the SEWC ALN/Inclusion Action Plan to share good practice and facilitate regional school to school working.
- Review the exclusion guidance in the light of a more pupil focused approach.
- Supporting school to school work to improve the management of behaviour across all schools and share good practice in the appropriate use of exclusions.
- Working with the River Centre to develop the revolving door approach to support reintegration back into mainstream provision.

### 3. **Options for Recommendation**

3.1 The options for Scrutiny to consider are:

**Option 1:** Consider the information contained in the report and provide challenge and/or further action for consideration to make improvements.

**Option 2:** Accept the information in the report.

### 4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

#### 4.1 **Corporate Plan Priorities**

A reduction in exclusions sits under Priority 1 for Education: to improve pupil outcomes, progress and wellbeing, for all our pupils particularly for our more able and our most vulnerable learners. It will also contribute to priority 3 regarding supporting school leaders to help our pupils achieve their ambitions.

#### 4.2 **Strategic Responsibilities**

A reduction in exclusions supports our strategic responsibilities with regard to Objective 2: to progress our Vision for Education (school led, self-improving system based on effective school to school collaboration), as well Objective 4: the securing of effective, efficient and economical high quality provision for our vulnerable learners.

#### 4.3 **Blaenau Gwent Well-being Plan**

A reduction in exclusions will support the Well-Being Plan, particularly with regard to:

4.3.1 Objective 4: Blaenau Gwent wants to forge new pathways to prosperity. A focus on the reduction of exclusions will support this objective which sets out to help support children and young people to have confidence and aspiration to develop their full potential and places a high value on education and development.

### 5. **Implications Against Each Option**

#### 5.1 ***Impact on Budget (short and long term impact)***

5.1.1 The Council is required by the Education Act 1996 to ensure that pupils who have been permanently excluded are in receipt of an appropriate education after fifteen days. If an alternative mainstream school is not appropriate then it becomes necessary to arrange a placement in either an out of county special school or our SEBD (social, emotional and behaviour difficulties) school.

There are of course significant cost implications with placing a pupil out of county. In terms of in county placement, which is always the preferred option, tuition costs may be incurred whilst placement is being facilitated.

- 5.1.2 There are no budgetary implications in terms of fixed term exclusions although we know schools make provision to meet pupil need from within their own budgets.
- 5.1.3 Meeting the needs of pupils with social, emotional and behaviour difficulties is part of the Inclusive agenda central to the education directorate. The establishment and ongoing funding of the River Centre, not only to meet the needs of pupils placed permanently but those in short term 'revolving door' placement is crucial to ensuring that the needs of pupils with SEBD are met.

## 5.2 ***Risk including Mitigating Actions***

- 5.2.1 There is an ongoing need to reduce exclusions so that pupils are attending school on a regular basis and are able to maximise their potential.
- 5.2.2 Failure to ensure that there is robust monitoring of exclusions in schools and of the quality of Council services to support school improvement carries with it a number of significant risks:

- Undetected and unaddressed decline in school performance and the quality of provision
- Students do not achieve to acceptable levels
- Lack of overall improvement in schools' performance
- Negative impact on the reputation of the Council.

- 5.2.3 Similarly, ineffective monitoring of Council Services also poses a range of risks including:

- Reducing standards and quality of provision in schools
- Poor value for money
- Ineffective support for schools which hinders their improvement
- Negative impact on the reputation of the Council.

## 5.3 ***Legal***

There are no legal implications arising directly from this report.

## 5.4 ***Human Resources***

There are no human resources implications arising from this report.

## 6. **Supporting Evidence**

### 6.01 **Performance Information and Data**

### 6.02 **2017-18 Exclusion Data**

Exclusion data is presented in two different ways: raw numbers e.g. 27 incidents of exclusion, and rate e.g. 2.4 pupils per thousand. The latter enables a 'level playing field' to be established between large and small schools.

### 6.03 The National Picture

Welsh Government no longer publishes Council comparison exclusion data. The last data published by Welsh Government, published in October 2017, reported on 2015/16 exclusions. At that time Blaenau Gwent was 13/22 for rates of 5 day exclusions or less, 4/5 in our family of LAs and 2/5 in SEWC. (NB 1/22 would be least excluding). For rate of 6 days or more we were joint 6/22, 2/5 in our family of LAs and 2/5 in SEWC.

6.04 Welsh Government do still publish national data and this is as follows:

#### Fixed Term Exclusions (5 days or less)

2012/13	12,917	
2013/14	12,375	
2014/15	13,914	(12.5% increase on previous year)
2015/16	14,424	(3.6% increase on previous year)
2016/17	16,044	(11.2% increase on previous year)

#### Permanent Exclusions

2012/13	102	
2013/14	89	
2014/15	89	
2015/16	109	(22% increase on previous year)
2016/17	165	(51% increase on previous year)

6.05 Welsh Government presented the following conclusions:

The rate of <b>permanent exclusions</b> from maintained schools and PRUs has increased for the first time since 2011/12. (0.4 exclusions per 1,000 pupils in 2016/17)
The rates of <b>fixed term exclusions (5 days or less)</b> have increased over the last three years. (34.4 fixed-term exclusions (5 days or less) per 1,000 pupils in 2016/17)  In 2016/17 there were 1.9 <b>fixed-term exclusions (over 5 days)</b> per 1,000 pupils.
<b>Special Educational Needs (SEN) provision</b> <ul style="list-style-type: none"><li>• School Action Plus had the highest rate of exclusions out of those pupils with SEN for every year and every type of exclusion.</li><li>• Pupils with special educational needs have higher rates of exclusions than those without.</li></ul>

6.06 What is clear when the national data is looked at closely is that the rate of permanent exclusions in Wales has roughly doubled between 2014/15 and 2016/17 and fixed term exclusions of 5 days or less have increased by a third between 2013/14 and 2016/17.

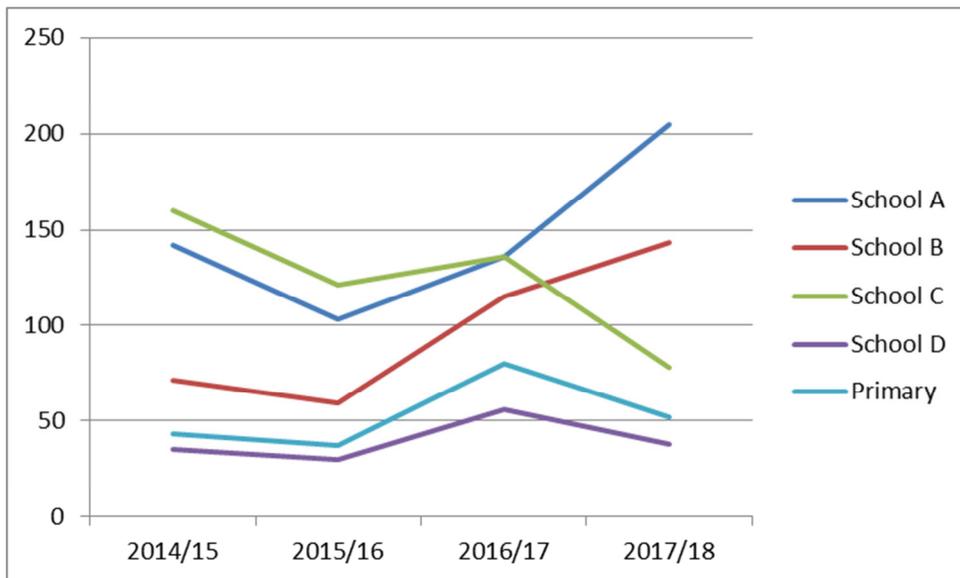
6.07 This is mirrored across the UK where this is a similar percentage rise in fixed term exclusions. In England the rate of permanent exclusions is significantly higher.

6.08 The Local Picture

**Exclusion Number of INCIDENTS – 4 year trend**

	2014/15	2015/16	2016/17	2017/18
<b>KS3 &amp; KS4</b>	<b>408</b>	<b>313</b>	<b>443</b>	<b>464</b>
School A	142	103	136	205
School B	71	59	115	143
School C	160	121	136	78
School D	35	30	56	38
5 days or less	394	305	439	450
6 days or more	14	8	4	14
<b>FP &amp; KS2</b>	<b>43</b>	<b>37</b>	<b>80</b>	<b>52</b>
5 days or less	41	36	74	52
6 days or more	2	1	6	0
<b>Total</b>	<b>451</b>	<b>350</b>	<b>523</b>	<b>516</b>

**Incidents by school – 4 year trend**



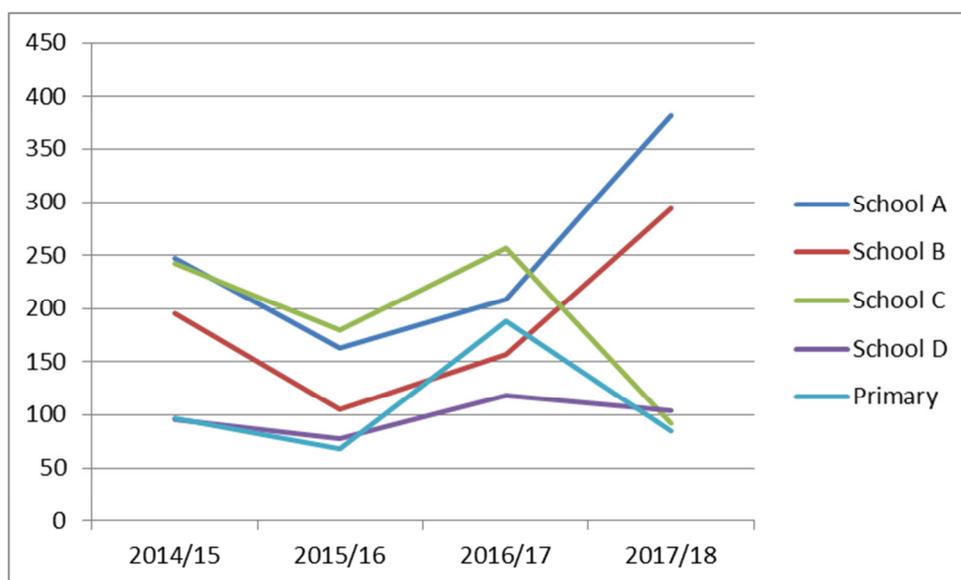
6.09 Two secondary provisions have seen a marked increase in incidents of exclusions compared to the same period last year and two a decrease, one of which is a marked decrease. At Primary the number of incidents has seen a significant reduction although has not returned to pre 2016-17 levels.

6.10 Overall, secondary has recorded a 4.7% increase in incidents of exclusion, and primaries a 35% reduction.

## Exclusion DAYS LOST TO EXCLUSION – 4 year trend

	2014/15	2015/16	2016/17	2017/18
<b>KS3 &amp; KS4</b>	<b>781.5</b>	<b>525</b>	<b>742.5</b>	<b>872</b>
School A	247	163	209	381.5
School B	196	105	157.5	294.5
School C	242.5	179.5	257	92
School D	96	77.5	119	104
5 days or less	669.5	457	705.5	766.5
6 days or more	112	68	37	105.5
<b>FP &amp; KS2</b>	<b>97</b>	<b>68</b>	<b>188.5</b>	<b>84.5</b>
5 days or less	78	61	139.5	84.5
6 days or more	19	7	49	0
<b>Total</b>	<b>878.5</b>	<b>593</b>	<b>931</b>	<b>956.5</b>

## Days by school – 4 year trend



- 6.12 Two secondary provisions have seen a marked increase in the number of days of exclusions compared to the same period last year and two a decrease, one significant. At Primary the number of days lost has seen a significant reduction although has not returned to pre 2016-17 levels.
- 6.13 Overall, secondary has recorded a 17.5% increase in days lost to exclusion compared to the same period last year, and primaries a 55% decrease.
- 6.14 It is worth noting that School C recorded its lowest number of incidents and lowest number of days lost in four years.

- 6.15 Further, it is worth noting School D's success in maintaining a low level of exclusions, both in terms of incidents and days, over the last four years.
- 6.16 When taking account of pupil population we find that whilst School C is the highest excluding school both by incidents and days, the rate per pupil population shows School A with a significantly higher exclusion rate than the other schools:

**Secondary Exclusion Rates per pupil**

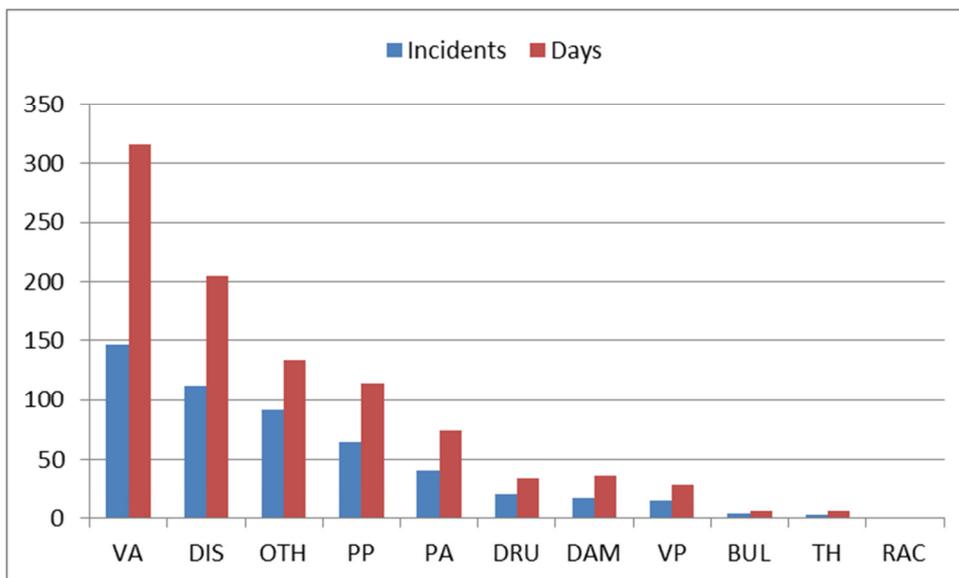
	Rate Per Pupil (Number of Incidents)	Rate Per Pupil (Days)
School A	0.35 (0.23 16/17)	0.66 (0.37 16/17)
School B	0.21 (0.16 16/17)	0.42 (0.21 16/17)
School C	0.07 (0.13 16/17)	0.07 (0.24 16/17)
School D	0.06 (0.09 16/17)	0.06 (0.18 16/17)

**2017/18 Whole Year Targets vs Actual**

	2017/18 Targets		2017/18	
	Incidents	Days	Incidents	Days
School A	100	160	205	381.5
School B	75	100	143	294.5
School C	100	180	78	92
School D	40	85	38	104

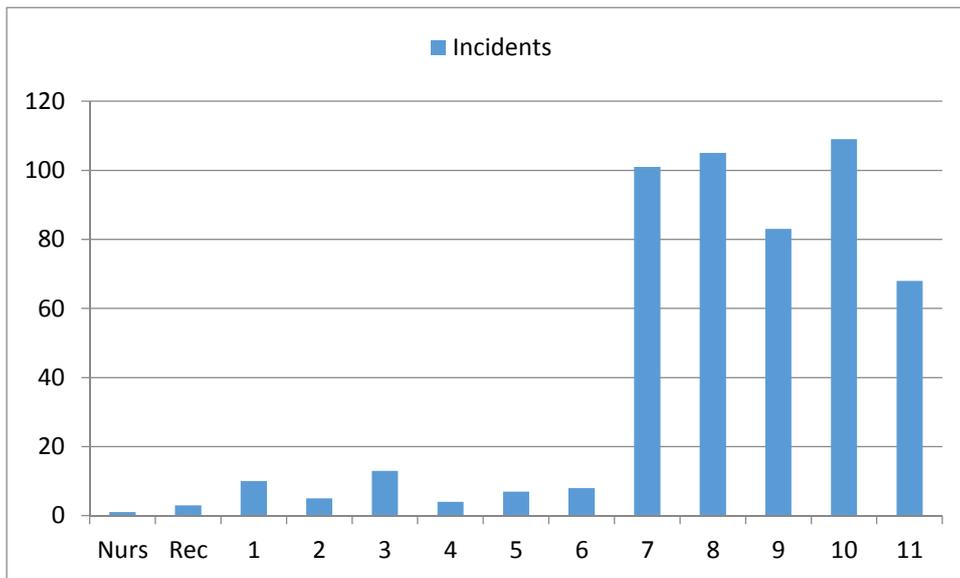
- 6.17 It can be seen that School A and School B exceeded their exclusion targets whilst School C and School D did not exceed their exclusion target for the number of incidents and School C also their days lost target.

**Number of Incidents and Days by Reason**



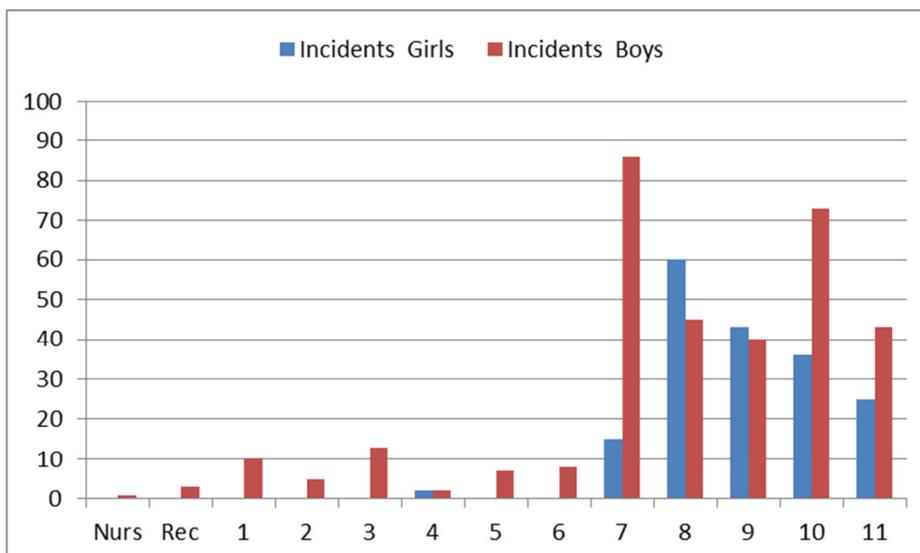
KEY	
VA	- Verbal abuse / threatening behaviour against an adult
DIS	- Persistent disruptive behaviour
OTH	- Other
PP	- Physical Assault against pupil
PA	- Physical assault against adult
DRU	- Drugs/Alcohol
DAM	- Damage
VP	- Verbal abuse/threatening behaviour against a pupil
TH	- Theft
RA	- Racial abuse

### Number of incidents by year group

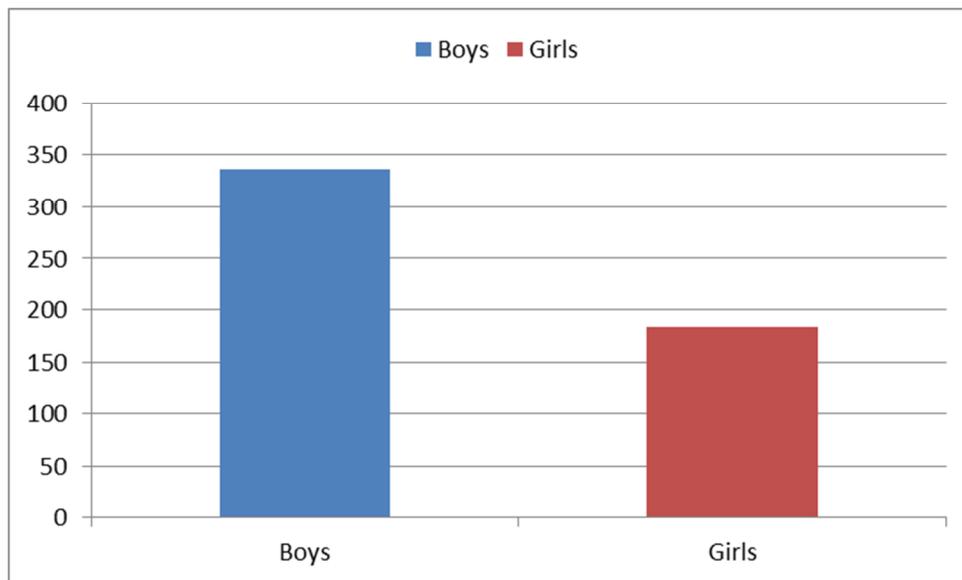


6.18 Then looking at exclusions there is no real pattern in primary schools, given the low number and the likelihood of multiple exclusions to individual pupils. With secondary schools however, there is a clear concern in year 7 (compared to year 6).

### Exclusion Incidents by year group and gender

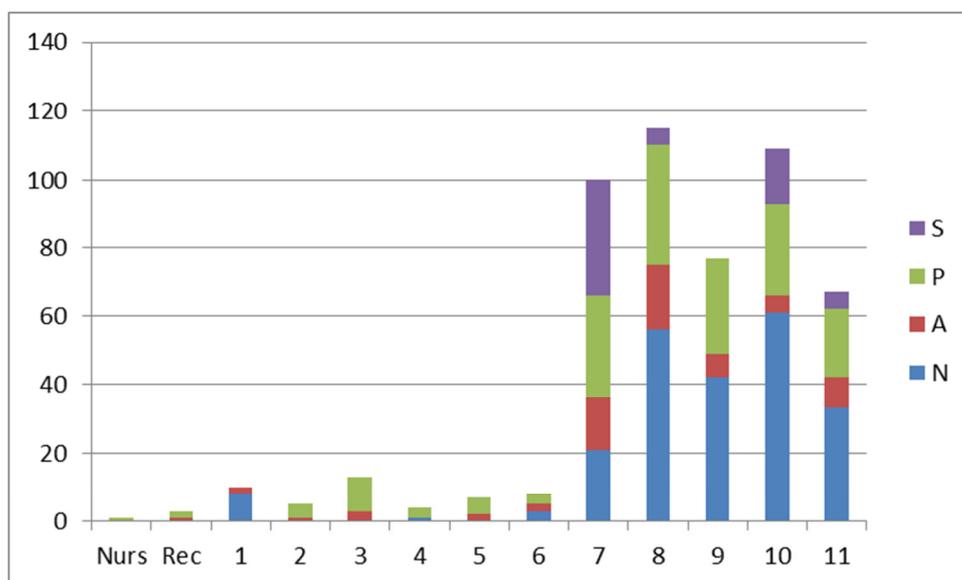


Again, year 7 boys are a concern with more boys excluded in year 7 compared to year 6 and fewer girls excluded in year 7 compared to other KS3/4 years. In years 8 and 9 girls account for a greater number of exclusions than boys.



6.19 When looking at the number of exclusions by gender there is a huge difference between boys and girls.

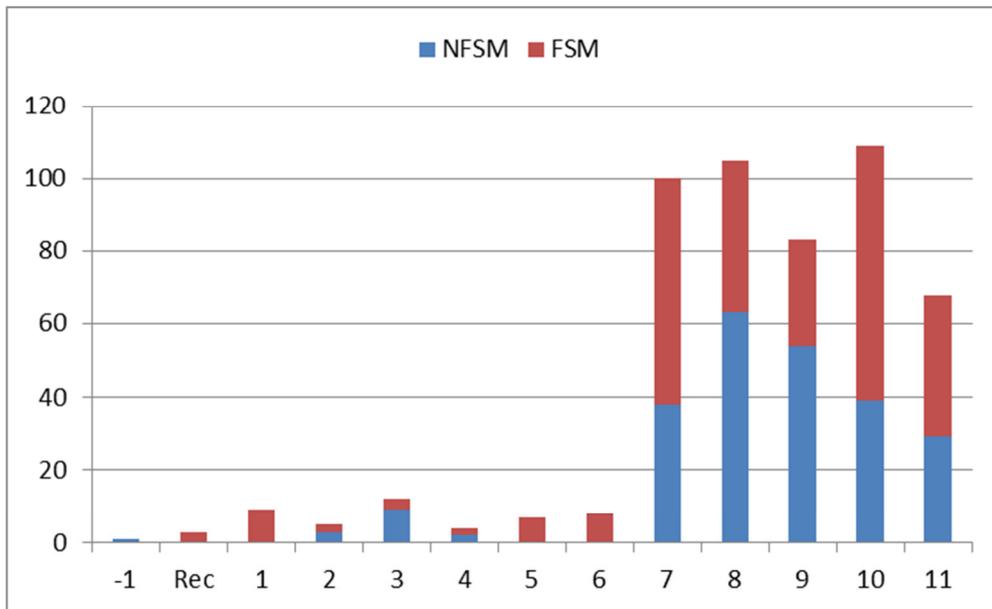
### Exclusion Incidents by year group and SEN register



6.20 The primary focus based on this data concerns Statemented (S) pupils in year 7, most likely to be Statemented boys based on the data of boy/girl split in year 7.

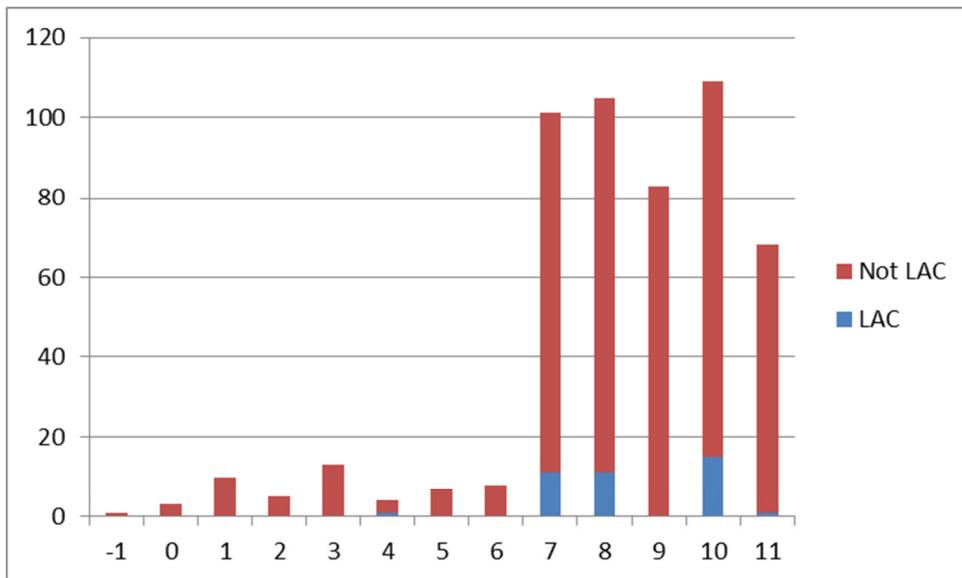
6.21 Over a third of all year 7 exclusions relate to Statemented pupils. At Primary, whilst numbers are low they largely follow an expected pattern.

### Exclusion Incidents by year group and FSM



6.22 Number of incidents of exclusion shows that in years 7, 10 and 11 there is a greater likelihood for a FSM pupil to be excluded than a non-FSM.

### Exclusion Incidents by year group and LAC



6.23 The number of pupils who are looked after and excluded is small. It relates to ten pupils, nine of which were in secondary.

### 6.24 Permanent Exclusions

6.25 It should be noted that because of the limited number of pupils care needs to be taken when drawing any statistical conclusions from the following tables.

- 6.26 In addition, a more detailed breakdown is not included due to the limited number and the potential for identification.
- 6.27 There were a total of nine permanent exclusions in 2017/18 from secondary schools. This is a reduction from 12 in 2016/17. Of these:
- No LAC pupils were permanently excluded
  - 55% of permanent exclusions were for disruptive behaviour
  - 55% were boys, 45% girls
  - 78% were FSM
  - 78% were on the SEN register (55% at School Action Plus)

## 6.2 ***Expected outcome for the public***

Knowing that the Council is working to ensure that the use of exclusions is appropriate and proportionate, that there is work underway to bring about a reduction in exclusions and that where exclusion is used there are clear and followed processes relating to it should provide a level of reassurance to the public.

## 6.3 ***Involvement (consultation, engagement, participation)***

Work is ongoing with a range of partners (other South East Wales Councils, the EAS as well as Health) to ensure that we are doing all we can in this area.

In October, an Inclusion Day was held which included Health and Families First representation, as well as contributions from schools, the Inclusion teams and the Youth Service. Exclusions were a key part of discussions.

## 6.4 ***Thinking for the Long term (forward planning)***

Exclusions, and the use of exclusions, fit very much within the wider context of education including curriculum change, the focus on wellbeing as well as school to school and regional working.

We know that there is expertise in our schools and we know that there are areas where further focus is required. We are working closely with the EAS regarding a range of Inclusion issues but specifically regarding exclusions.

The Gwent Attachment Service (GAS) has undertaken work with the River Centre (as part of a regional plan) and GAS are currently planning stage two of their work.

We are also working very closely with Health regarding a transformation programme designed to ensure that all staff receive appropriate training and that Health specialisms are more localised and proactive.

A reduction in exclusions will ensure that young people attend school more often, improving their attainment which in the long term will improve their life chances.

## 6.5 ***Preventative focus***

As outlined in the evaluation and 'what we are doing' sections, work is ongoing to ensure that the use of exclusions is appropriate and proportionate, that support and challenge is provided as required, that learning from other regional partners is maximised, that appropriate processes are followed and that schools are benefiting from good practice here and more widely.

## 6.6 ***Collaboration / partnership working***

Education works closely with Health and Social Services, with the EAS and with other regional councils. Where alignment and further collaboration is possible these are being pursued.

## 6.7 ***Integration (across service areas)***

Education are working with other agencies and services, taking a multi-service, multi-agency and regional approach.

## 6.8 ***EqlA (screening and identifying if full impact assessment is needed)***

There are no adverse impacts in relation to this.

## 7. **Monitoring Arrangements**

- 7.1 Suitable monitoring is in place. Exclusions are monitored fortnightly with appropriate challenge provided to schools as necessary. Exclusions are also discussed at DMT, the Inclusion Monitoring group and Wider group in terms of the involvement of the EAS.

## 8. **Background Documents / Electronic Links**

### *Appendix 1*



PE.165 Appendix  
1.docx

REF: PE.165