

# **Review of School Permanent Exclusions**

**Derbyshire County Council  
Improvement and Scrutiny Committee – People**

## **Final Report of the Review Working Group**

**4 July 2018**

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## Contents

1. Introduction	3
2. Review findings	4
3. Recommendations	10
4. Context	11
5. Scope of the review	11
6. Methodology	12
7. Background Information	13
8. Evidence from Contributors	19

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## 1. Introduction

“This review came from a desire to understand better the issues surrounding school permanent exclusions. Members of the working group wanted to meet with officers from the authority and partner organisations as well as teachers and school support staff to gain their perspectives.

There has been a worrying rise in the number and rate of school permanent exclusions both nationally and in Derbyshire in recent years. The review was designed to gain a better understand of why this is happening and what might be done in response.

This report presents our findings of how the authority, schools and partners are working together to support students at risk of permanent exclusion. Evidence has been gathered from a broad range of witnesses including Cabinet Members, officers, partners and teachers and support staff to bring this report to a conclusion and I would like to thank all those involved for their assistance and contributions.”



**Councillor Judith Twigg**

**Chairman, Improvement and Scrutiny Committee -  
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## 2. Review Findings

Nationally and in Derbyshire the rate of permanent exclusions is on an upward trajectory. This is concerning because the outcomes for excluded pupils are poor both academically and socially. Being excluded from school can have a long lasting and negative impact on the life chances of a young person, with implications for their future employment, income, health and living standards.

The Council has a clear strategic framework and a range of initiatives in place to promote inclusion. It also offers a suite of support services that work in partnership with schools and external agencies to assess the needs of young people and support those most at risk of exclusion. Despite this however, the rate of permanent exclusions in Derbyshire has risen over the last two years.

School leaders and Council officers spoke with passion about their desire to drive down the number of permanent exclusions. The decision to permanently exclude a child is not taken lightly and many head teachers spoke of their concerns about the impact that permanent exclusion can have on the life chances of a young person.

Persistent disruptive behaviour is the most commonly recorded reason for permanent exclusion. There is not a universal definition of what constitutes persistent disruption. Individual schools determine where “the line is drawn” based on the school’s behaviour policy, intervention approaches and staff expectations.

The fact that most students are excluded as a consequence of their behaviour over time indicates that there is a window of opportunity to put in place interventions to turn their behaviour around. Many contributors to the review however spoke of factors contributing to an escalation in the number of students exhibiting challenging behaviour. Therefore in addition to supporting individuals currently exhibiting challenging behaviour, they emphasised the importance of being proactive and addressing the root causes.

The key contributing factors suggested to the working group were:

- The pressures associated with the schools accountability framework and in particular the Progress 8 measure and the narrowing of the curriculum;
- Difficulties in accessing “alternative provision” for young people who are disengaged with the mainstream learning process and feel “shut out” from the more academic curriculum.

- The rising and unmet mental health and emotional wellbeing needs of young people coupled with the reduction in school budgets restricting the number of students that can receive effective pastoral support in school.

These contributing factors are described below.

**The pressures associated with the schools accountability framework and in particular the Progress 8 measure and the narrowing of the curriculum.**

Schools are under considerable pressure to meet the accountability standards set by the Department for Education. The view amongst most schools is that Progress 8 (a measure that is explained on page 17 of this report) is definitely a factor in the increase in permanent exclusions. An unintended consequence of this measure is that in secondary schools the less academic students are becoming frustrated and disengaged with the learning process. Even when extra support is provided some young people find Progress 8 compliant subjects difficult, and struggle to keep up with their peers. Previously the interest of less academic students was maintained by providing a broader curriculum and offering vocational courses keeping them engaged with the learning process and offering them an opportunity to experience success.

The pressure on schools to meet specific attainment measures has led to a push to ensure that all students are “Progress 8 compliant”. Some of the approaches and strategies that schools used in the past, such as offering a wide range of vocational courses, can now be perceived as working against the school’s best interest. Generally vocational type activities are not compliant with the Progress 8 curriculum. Therefore any child involved in these activities would receive a zero against their individual score for that particular activity. Furthermore the impact of this can be significant in a small school, just one student who is not Progress 8 compliant can cause the schools overall score to drop resulting in the school being labelled a coasting school and being subject to the scrutiny of Ofsted.

The Progress 8 measure has unintentionally created a situation where head teachers are having to juggle what is best for the school as a whole and what is best for individual students. Some vocational type activities may well be better for a small number of students but in deciding whether to provide vocational activities the school has to weigh up the impact on how the school will be judged. It is a complex balancing act: Delivering progress is a driving factor but meeting the individual needs of students is also crucial.

During the review the working group spoke to two schools that were addressing this situation differently.

Outwood Academy Newbold have adopted a curriculum model that they feel allows them more flexibility. With a strong and well-resourced science department the academy is able to support a large proportion (73%) of their students to study triple science. This means that the majority of their students are Progress 8 compliant because they are studying three separate science qualifications (which will fill the “middle bucket” of the Progress 8 measure) . In addition, students typically take a couple of GCSE subjects at the end of year 10 (which can go in the “open bucket” of the Progress 8 measure) and this has the effect of reducing the pressure on the summer term in Year 11.

The ethos of New Mills School is to prioritise what is best for individual students. Therefore the curriculum is selected to meet the profile of the learners within the school. Instead of compelling Year 10 and Year 11 students to take the requisite subjects that will fill all three buckets (used in the Progress 8 calculations) students are offered courses that are more likely to motivate them and consequently they are more likely to succeed. The student will not have the necessary subjects to fill all the buckets but their individual score will still be better than if they totally disengaged with the learning process.

**Difficulties in accessing “alternative provision” for young people who are disengaged with the more academic curriculum.**

Accessing affordable, effective, safe and learning focused alternative provision is an option out of reach for the majority of schools. It is time consuming to identify and assess alternative provision placements and often a critical mass of students is required to make it financially viable.

**The rising and unmet mental health and emotional wellbeing needs of young people coupled with the reduction in school budgets restricting the number of students that can receive effective pastoral support at school.**

As is the case nationwide the resources available to provide mental health support to school students in Derbyshire are not sufficient to meet demand.

Schools reported that parents frequently express frustration that their child is not receiving the support they need. A study conducted by Healthwatch Derbyshire in 2018 about the Child and Mental Health Service (CAMHS) found that *“in the first instance, young people talked to either a parent/carer, a professional at school or a GP about how they were feeling. Experiences of talking to staff at school were overwhelming positive, but were mixed for GPs with a mixture of positive and negative experiences”*. Whilst it is encouraging that schools are seen as being supportive, the perceived shortfalls in the awareness of GP's regarding appropriate mental health provision in their area is of concern and places greater pressure on the already stretched pastoral care arrangements in schools.

The Healthwatch report also highlighted that parents need more help, information and support. It is understood from the response to the report given by service commissioners that from 2019 the intention is to have an awareness raising campaign for Derbyshire parents about recognising the early signs of mental health problems, steps to prevent problems escalating and how to access additional support.

Budget pressure on social care, and services supporting mental health needs, means early help for children and families who struggle to cope emotionally and socially is not as readily available as it was. This potentially could be contributing to escalation in the factors that contribute to the development of challenging behaviour in young people.

### **Current Provision and best practice**

The working group also canvassed opinion on the current best practice in managing exclusions and interventions and asked contributors to raise any concerns they had regarding current provision and practice.

### **Clear and consistent approach to behaviour management**

It is considered important that individual schools have the autonomy to set their own behaviour policies and determine appropriate sanctions. Schools face different community circumstances and the characteristics of the local intake can vary considerably. Consequently expectations and associated behaviour codes may vary and develop overtime.

The crucial factor is consistency. The behaviour management policy in place needs to be clearly communicated to students, parents and staff and when the behaviour code is breached sanctions need to be consistently applied (in accordance with the approach stated in the behaviour management policy).

## **Flexible Curriculum**

Many contributors expressed the view that schools need to maintain breadth in the curriculum so that the more practical but less academic students remain engaged in learning.

## **Parental engagement**

There is evidence that engaging and working in partnership with parents can play an effective part in reducing permanent exclusions. The Council's "Exclusion Research Project" adds further weight to this view. In a cohort of 23 schools it was found that the behavioural policies of low excluding schools placed more emphasis on working in partnership with parents and had an "inclusive ethos". There is little information about the parent experience of permanent exclusions in Derbyshire. Gathering such information is difficult during a period of heightened family stress. There may, however, be value in conducting retrospective research to learn how engagement with parents could be improved.

## **Pastoral care**

Investing in good pastoral systems has shown to be key in preventing permanent exclusions particularly when the emphasis is placed on pre-empting problems and providing ongoing pupil support.

Frequently schools have onsite provision offering emotional and learning support to pupils experiencing difficulties at home or in school. These facilities are staffed by specialist teaching assistants who work to build trust and encourage students to remain engaged with the learning processes. The demand for pastoral support such as this is high but, because school budgets have been stretched or in some cases reduced, schools are limited in terms of the support they can provide.

When a school develops a reputation for offering high quality pastoral support they can receive a disproportionate number of in year admissions from students with mental health and emotional wellbeing needs. These students may, or may not, also exhibit challenging behaviour. The desire to provide effective support to all students within the school who have specific needs puts strain on the in-house pastoral care system. It requires considerable staff time and the associated costs can put the school at risk of returning a budget deficit.



## **Managed moves**

Managed moves, whereby a pupil at risk of exclusion is transferred to another school have, on occasions, proved to be successful. However these are voluntary arrangements and increasingly receiving schools are less likely to agree to the move and enrol a student with a history of challenging behaviour as it may impact on the progress measures of the year group.

## **Gap in provision**

A clear message emerging from the school representatives that contributed to the review is that there is a lack of appropriate intervention services to support schools before a student reaches the point of being permanently excluded. Dual registration at a Support Centre provides a partial solution but because places are limited it is hard for Support Centres to act as a reliable buffer before a student gets excluded from their mainstream school. Therefore a student has to be excluded before there is any provision to support them. It was suggested that there needs to be a bigger resource that can be accessed earlier so that there is provision to fill the space between what a school can do in terms of behavioural management and the last resort of permanent exclusion

## **Cost recovery and pressures associated with in-year admission**

Regulations are set out on how the school budgets and cost recovery are implemented. When a permanent exclusion takes place before the school census in October, an adjustment is made to take back the costs based on the Aged Weighted Pupil Unit (AWPU) for the rest of the school year (based on number of school weeks). However, if the permanent exclusion occurs after the school census, no adjustment is made and the school retains the money for that school year.

The school receiving an in-year admission does not receive any funding to support the pupil until the start of the next academic year even though they may need to implement a range of measures to support the pupil.

A number of authorities in the country have established agreements through the School Forum ensuring that schools contribute towards the cost of alternative provision when a pupil is excluded. Derbyshire considered such an approach in 2015 but the proposal for schools to be charged £6000 for each excluded pupil was not supported by the School Forum. This is an issue that the working group feel should be revisited.

## **Concerns regarding Off-rolling.**

Poor academic progress generally made by students with challenging behaviour can have a negative impact on a school's position in the academic "league tables". Potentially, therefore, this could be a factor taken into account during the permanent exclusion decision making process. There were inferences made to this effect during the course of the review but there was no quantitative evidence identified to support this supposition.

Illegal exclusions have been a concern nationally for some time. This is where students are "off-rolled" into home education or alternative provision in an attempt to improve the schools overall exam results. By their very nature it is not possible to quantify the extent of illegal exclusions in Derbyshire, but mention was made of this unlawful practice during the course of the review and this highlights the need for all services working with families to ensure that parents receive accurate information about the best outcomes for their child and the support available to them.

## **3. Recommendations**

The working group makes the following recommendations:

1. The Authority makes representations to the National government regarding the unintended consequences created by the schools accountability system, Progress 8, and the associated narrowing of the curriculum that impact on less academic students.
2. The Authority explores the feasibility of a policy that ensures that when a pupil is excluded and transferred to another school, funding is made available to the receiving school in the same term as the transfer occurs.
3. The Authority reviews how the Higher Needs Block is allocated and explores the feasibility of some of the funding being transferred to schools so that more support is available within schools before a young person is permanently excluded.
4. The Authority explores the feasibility of a proportion of Support Centre funding being ring-fenced so that the service can plan and provide preventative support throughout the academic year and an outreach service to schools.

5. The Authority (through the mechanism of the Future in Mind Programme and associated commissioning activities) ensures that the expectations placed on schools to support the mental health needs of young people are not overly reliant on schools filling the gap in community provision to the detriment of the time available to teachers to fulfil their primary role of educating children.

## 4. Context

Permanent exclusion is the most serious punishment a school can impose if a pupil breaches the school's behaviour policy.

Department for education guidance on exclusions states:

*“Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by an education. The government supports head teachers using exclusions as a sanction where it is warranted. However, permanent exclusions should only be used as a last resort, in response to a serious breach , or persistent breaches, of the schools behaviour policy ;and where allowing the people to remain in the school would seriously harm the education or welfare of the pupil or others in the school “.*

Nationally, the number of permanent exclusions has increased. Government figures show that 35 young people are expelled every school day and that the rate of exclusions has risen each year since 2012/13. In 2015/16 it was recorded that 6,700 young people were permanently excluded from a primary, secondary or special schools. Of those, 1,185 were primary age children, including 475 children who were seven or under, and 50 four-year-olds.

In the year 2016/17 Derbyshire had the second highest number of permanently excluded students in the East Midlands, far higher than neighbouring County Councils such as Nottinghamshire and Leicestershire.

The national data also shows that the number of exclusions rises with age and affects boys three times more than girls. Pupils with special educational needs and disabilities, certain ethnic groups and those from lower socio-economic groups are overly represented in the exclusion figures. These findings are reflected in the Derbyshire figures.

## 5. Scope of the review

The rationale for conducting this review was to develop a better understanding of the factors contributing to this rise of permanent exclusions in Derbyshire and how to mitigate these in order to achieve a reduction in the number of exclusions. The review considered the initiatives and services currently in place to promote inclusion and to support children at risk of being excluded from school and sought to identify opportunities to build on the current approach. In particular the review gathered evidence pertaining to the following areas:

- Statistics about permanent exclusions in Derbyshire
- The role of the Council, its services, strategies and initiatives
- Practice in schools in relation to behavior management and exclusion
- The challenges faced by schools and their experiences of supporting young people.
- Alternative provision for excluded students
- Funding implications
- Interaction and joint working between schools, health services, children's social care

The aim of the review was to build a better understanding of the issues by listening to the views of practitioners. From the outset it was acknowledged that it was beyond the scope of this work to categorically determine the precise reasons for the increase in the number of permanent exclusions. To achieve this aim a more detailed cross-sectional investigation is required and indeed such an investigation, commissioned by the Government, was launched earlier in the year and will be reported on by the end of 2018. The "Review of School Exclusions", Chaired by Edward Timpson, will consider the drivers behind the variation in exclusion rates in different cohorts and geographies, nationally.

## **6. Methodology**

The approach to the review was to hold a series of discussions with representatives from a wide range of organisations and services that promote inclusion, play a part in supporting young people at risk from exclusion and work with young people who have been excluded. Discussions were held with the following position holders and groups:

- Assistant Director – Education Improvement
- Assistant Director - Learning, Access and Inclusion
- Head of Service - Behaviour Support

- Representatives from the Inclusion Strategy Group
- Service Director - Schools and Learning
- Service Director – Countywide Commissioning
- Head of Finance Children's Services
- Acting Assistant Director – Specialist Services
- Deputy Head of Service – Child Protection
- Representatives from the School Cluster Groups
- Head of Provision – Support Centres
- Nottinghamshire County Council

In addition the working group visited the Amber Valley and Erewash Support Centre in Cotmanhay, Fredrick Gent School, Outwood Academy (Newbold) and New Mills School and met with the head teacher at each of these schools.

## **7. Background Information**

### **7.1 Impact of permanent exclusion**

National research has highlighted that exclusion from school can have a damaging long-term impact on the individual student concerned and society in general. For the young person the result is often poor educational attainment, poor job prospects and a lifetime shortfall in earnings. They may lack confidence, have low self-esteem and develop poor mental and physical health. Furthermore, prolonged periods of unemployment may compound their vulnerability and increase the risk of them being drawn into criminal activity or suffering homelessness.

Official attainment data for Derbyshire illustrates that the attainment of permanently excluded students is considerably below the county average. In 2015/16 only 6.7% of pupils permanently excluded from Derbyshire schools attained five or more 5\* to C grade GCSE's (including English and Maths) compared to 54% for all Derbyshire pupils. Alarming, in 2014/15 none, of the 62 pupils that were permanently excluded in Derbyshire obtained English and Maths GCSE's at A\* to C grade.

A report "Not present, Not correct" published by Barnados in 2010 considered the cost to society given the poor outcomes of young people who are excluded from school and, after factoring in the costs of alternative provision and the costs to other support services in the community, estimated them to be considerable. At the time the report was published it was estimated that the cost to the local authority (alone) of providing for a permanently excluded

young person was nearly double that of keeping them in school. In a report published more recently by the Institute for Public Policy Research (Making a difference: Breaking the link between school exclusion and social exclusion, 2017) it was estimated that the current cost to the state of each excluded pupil is £370,000 in terms of lifetime education, benefits, healthcare and criminal justice costs.

## **7.2 Current provision in Derbyshire to reduce permanent exclusions**

Derbyshire has a cross service approach to supporting inclusion and reducing permanent exclusions. The focus is on support being available locally for early intervention to prevent exclusion. When permanent exclusion does occur the aim is successful reintegration into mainstream education. The rationale for establishing a “continuum of provision” ensures that the support provided is appropriate to the circumstances of the individual pupil at risk of exclusion. An overview of the key services, initiatives and networks involved is provided below.

### **Inclusion Strategy Group**

The inclusion strategy group maintains a strategic oversight of exclusions in Derbyshire schools in order to meet the vision of zero permanent exclusion. It monitors, analyses and responds to exclusion data and uses this intelligence to inform strategic decisions about service provision. It also plays a role in sharing best practice about effective ways of reducing exclusions.

### **Behaviour Support Service**

The Behaviour Support Service works with schools to improve pupil behaviour and reduce exclusions.

### **Educational Psychology Service**

The educational psychology service allocates a named Educational Psychologist (EP) for every school in Derbyshire. Twice yearly the EP offers support and planning meetings and provides a core service for children with the most complex needs. In addition, schools can purchase further services for less complex casework and other interventions.

### **Integration Pathways Team**

The Integration Pathways Team works to re-integrate excluded pupils and to find the best possible education for pupils who are unable to attend school as a result of their behaviour.

### **Managed Moves**

A managed move is when a young person, with a history of behaviour difficulties and at risk of exclusion, is transferred to another school. This is a voluntary arrangement and must be with the agreement of both schools and the family.

### **Temporary Additional Pupil Support**

If a student's behaviour places them at risk of exclusion the school can apply for Temporary Additional Pupil Support (TAPS) funding. In their application schools must provide evidence of planning, interventions and service involvement. The TAPS panel meets once a week in term time to consider applications.

### **Support Centres**

Derbyshire's Support Centres fulfil the local authority statutory duty to provide education for young people who have been permanently excluded.

### **Multi Agency Teams**

Multi Agency Teams (MATs) work with children and families, schools and other services. They play a role in drawing together the appropriate support for a young person experiencing emotional, social and behavioural challenges.

### **Future in Mind**

This county wide programme, delivered in partnership with Derbyshire Clinical Commissioning Groups is aimed at improving children and young people's emotional wellbeing and mental health.

### **Derbyshire's Virtual School**

The Virtual School is an innovative team working alongside schools and other settings to ensure they provide the best provision for children and young people in Derbyshire who are in care or are care leavers. All Derbyshire's cared for children, young people and care leavers belong to the Virtual School

### **Nurture Team**

The Nurture Team promotes nurture principles to children who are having difficulty accessing the curriculum. Within a host school a specialist teacher and Nurture Support Worker deliver a structured supportive programme to develop early learning skills ( 3 or 4 afternoons a week for two terms).

### **The Positive Play Support Programme**

This early intervention program delivers one to one sessions to equip young children with the necessary resilience, social and life skills to manage issues

that confront them (for example bereavement, family breakdown, sibling rivalry bullying and loneliness). The individuals receiving the support may be shy, disaffected or the most challenging children with complex needs.

### **Inclusion Team**

The Inclusion Team acts as an administrative hub, providing advice and guidance on the school exclusion process.

## **7.3 School Behaviour Policies and Exclusion Guidance**

Head teachers at maintained schools are required to set and publicise the school's behaviour policy. The measures in the policy should aim to promote good behaviour, self-discipline and respect; prevent bullying; ensure that pupils complete assigned work and regulate the conduct of pupils.

The head teacher must take account of the governing body's statement of behaviour principles but ultimately it is the head teacher who decides the standard of behaviour expected of the pupils at the school. He or she also determines the school rules and any disciplinary penalties for breaking the rules.

Government guidance encourages schools to have a range of options and rewards in place to reinforce and praise good behaviour, and clear sanctions for those who do not comply with the school's behaviour policy. It emphasises that responses need to be proportionate and fair and may vary according to the age of the pupils, and any other special circumstances that affect the pupil. A graduated response to poor behaviour is espoused with the range of disciplinary measures being clearly communicated to school staff, pupils and parents. Sanctions ranging from a verbal reprimand through to ,in the most extreme cases, permanent exclusion should be implemented consistently and fairly in line with the behaviour policy.

The Government supports head teachers in using exclusion as a sanction where it is warranted. Permanent exclusion, however, should only be used as a last resort, 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. The decision to exclude a pupil must be lawful, reasonable and fair.

The legislation covering the exclusion process is comprehensively explained in guidance material produced by the Department for Education (*Exclusion from maintained schools, academies and pupil referral units in England* *Statutory guidance for those with legal responsibilities in relation to exclusion*,



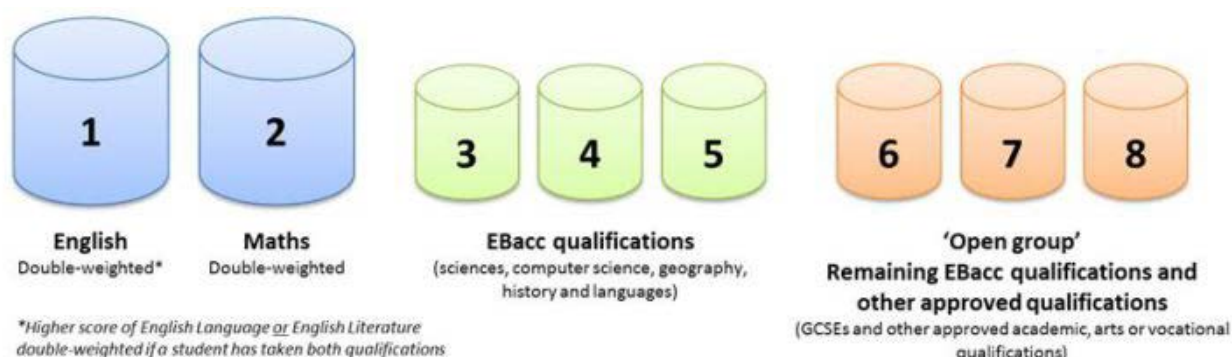
September 2017) and is therefore not reproduced in this report. A key point to note from the Council's perspective is the responsibility placed on local authorities to provide full time education by the sixth day of a pupil being excluded. For this reason schools in Derbyshire are requested to notify the Integration Pathways Team on the first day of the permanent exclusion so that arrangements can be set in motion.

## 7.4 School Accountability Framework

School performance tables sit at the heart of the accountability framework. They contain information that is used to make comparisons about pupil progress and attainment at different schools. They are used alongside wider contextual data including Ofsted judgements, attendance figures, and financial data.

New progress measures were introduced in 2016. In secondary schools the "Progress 8 measure" is based on students' progress measured across eight subjects: English; mathematics; three other English Baccalaureate (EBacc) subjects (sciences, computer science, geography, history and languages); and three further subjects, which can be from the range of EBacc subjects, or can be any other approved, high-value arts, academic, or vocational qualification (see Figure 1 below). When launched the Department of Education stated that the Progress 8 measure was "designed to encourage schools to offer a broad and balanced curriculum at KS4, and reward schools for the teaching of all their pupils".

**Figure 1**  
**Progress 8 Measure**



Under the current system, there is a "floor" standard, based on progress and SATs or GCSE results. Schools are considered to be under-performing if they fall beneath the specified benchmark. There is also a "coasting schools" measure, which looks at results over three years. Once a school has fallen

within the coasting definition, the Regional Schools Commissioner (RSC) acting on behalf of the Secretary of State will engage with the school to consider its wider context, and decide whether additional support is needed. For maintained schools, they may require the school to accept additional support or to change the membership of its governing body. For academies, they may issue the academy trust with a warning notice setting out the improvement action required. Ultimately, if it is deemed necessary, the RSC can use the Secretary of State's powers to direct a coasting maintained school to become an academy or to move a coasting academy to a new trust.

In May 2018 the Education Secretary, Damian Hind, announced that an overhaul of school accountability is proposed. The intention is to undertake consultation to consider how the "floor" standard and the "coasting" measures might be replaced with a single measure to hold schools to account for their performance

## **7.5 Permanent Exclusion Data for Derbyshire**

Over the last two years the number of permanent exclusions has risen in Derbyshire. In 2014/15, 2015/16 and 2016/17 the number of students permanently excluded was 94, 111, and 136 respectively (see Appendix 1, Table 1). In real terms, when expressed as the rate of exclusions per 1000 pupils, the rate has risen from 0.09 to 0.13. Furthermore provisional data for 2017/18 suggests this increase is continuing.

The most recent data available that allows national and regional comparisons is for 2015/16. In 2015/16 the rate of permanent exclusions for Derbyshire was 0.1, higher than both the England and East Midlands rate of 0.08.

The majority of permanent exclusions in Derbyshire are from secondary schools. In 2016/17 secondary schools excluded 109 pupils and primary schools excluded 27 pupils (see Appendix 1, Table 1). Also the majority of pupils permanently excluded in 2016/17 were male (81%) as is typically the case, although there was a 4% increase in the number of females excluded.

Between 2015/16 and 2016/17 the number of exclusions has increased at both academy and community schools. In 2016/17 the number of students excluded from academies (66) was higher than community schools (42), however the average rate of exclusions per 1000 pupils was lower for academies (3.83) than for community schools (3.88) (see Appendix 1, Table 2).

South Derbyshire has consistently had the lowest rate of permanent exclusions, per 1000 pupils, compared to the other localities in Derbyshire. In 2016/17 the rate for South Derbyshire was 0.08 compared to between 0.12 and 0.15 in the rest of the county (see Appendix 1, Table 3).

As is the case nationally, the highest number of exclusions involves Year 9 and Year 10 students. In 2016/17 they accounted for 18% and 29%, of exclusions in Derbyshire, respectively (see Appendix 1, Table 4).

Persistent disruptive behaviour is the most frequent reason given for permanent exclusions (see Appendix 1, Table 5). In 2016/17 it accounted for 50% of all permanent exclusions. The next highest reasons given were physical assault against a pupil (12.5%), physical assault against an adult (11%), verbal abuse or threatening behaviour against an adult (9.6%) and drug and alcohol-related issues (5.8%).

## **8. Evidence from Contributors**

In gathering evidence for this review, the working group held a series of discussions with representatives from a wide range of organisations and services. The headline issues raised during each discussion are presented in this section of the report.

### **8.1 Service Director Childrens Services, Schools and learning (Kathryn Boulton)**

There has been significant work in Derbyshire to reduce permanent exclusions. The Council's strategy "A Journey to Excellence" (launched in 2012) set out a vision to raise educational standards for all children and young people and to close the attainment gap for vulnerable learners. The strategy led to notable improvements but in the last two years, however, there has been a rise in permanent exclusions in Derbyshire which has mirrored the national trend.

The measures being taken to reduce permanent exclusions in Derbyshire are operating in the context of increasing pressures on schools. School budgets are reducing, there have been significant curriculum changes, and more rigorous accountability systems have been introduced by Ofsted. Progress 8 is an example of one such pressure on schools.

An “Exclusions Research Project” was undertaken by Derbyshire County Council’s Educational Psychology Service. Its findings, published in August 2016, provided support for the view that engaging and working in partnership with parents can play an effective part in reducing permanent exclusions. The study looked at 23 participating Derbyshire (infant, junior and secondary) schools that were identified as being among the highest or lowest excluding schools in the county. The purpose of the research was to investigate why some schools are more successful than others at meeting the needs of students at risk of exclusion. The work involved: questionnaires to school teaching and support staff and students, interviews with groups of key staff, interviews with a sample of students at risk of exclusion and analysis of school behaviour policies.

The research found that there were differences in the content of behaviour policies. The behaviour policies of low excluding schools contained the word “parents” more frequently (almost 50 per cent more) than high excluding schools. This frequently cited keyword was deemed to be indicative that a school had an “inclusive ethos”. Conversely, the behaviour policies of high excluding schools placed less emphasis on working in partnership with parents.

## **8.2 Representatives from School Cluster Groups**

Representatives from school cluster groups from across the county highlighted the factors that they feel have contributed to the recent rise in permanent exclusions.

It was stated that schools are under considerable pressure to meet the accountability standards set by the Department for Education. In secondary schools an unintended consequence of the Progress 8 measure is that the less academic students are becoming frustrated and disengaged with the learning process. Some young people find Progress 8 compliant subjects difficult, and struggle to keep up, even when extra support is provided. Previously the interest of less academic students was maintained by providing a broader curriculum and offering vocational courses where they could experience success. The outcomes and life chances of these students are further restricted because college courses are also going down a more academic route, with vocational course curriculums placing a greater emphasis on mathematics, for example.

There are also wider community issues that impact on student behaviour, attendance and well-being, for example drug and alcohol issues. Schools are

seeing families in crisis and the intensive family support provision previously provided by external agencies has been reduced in response to budget pressures. Reductions in community policing have also placed extra pressure on school staff and there are concerns that peer pressure experienced by students and, in some areas, “gang culture” is a factor.

Record numbers of young people are experiencing mental health problems and this is putting pressure particularly on the pastoral support systems in schools and teachers in general. It was acknowledged that some schools have ongoing training for teachers and staff, however the general view was that more resources and support are needed to build up expertise in schools. It was also suggested that more schools should utilise the support and knowledge of the Future in Mind stakeholder group.

The scarcity and high cost of appropriate alternative provision was also put forward as a compounding factor in the rise of permanent exclusion. Where alternative provision is available it can take a long time to access by which time, pupil behaviour has deteriorated to such an extent that a permanent exclusion is needed. Travelling costs to alternative provision locations can also be prohibitively expensive.

The discussions included anecdotal accounts of parents and pupils actively seeking permanent exclusion because, in the view of the parents, their child would receive more targeted assistance at a Support Centre. It was felt that consideration should be given to exploring ways that the Higher Needs Block of the dedicated schools budget could be reallocated so that schools can offer similar provision to support centres, with the focus on prevention.

It was felt that “managed moves” on occasions are successful in alleviating challenges faced by some pupils and that they are an approach that should be considered when trying to prevent a young person from being permanently excluded. However, as community related issues are widespread, it is not always possible to find a school place free from those issues. Furthermore if left unaddressed, the social and emotional issues that the young person is struggling with will follow them to the next placement.

In the past deferred exclusions enabled schools and local authorities to have some “breathing space” to better understand the issues and arrange appropriate provision. Under the new guidance, however, deferred exclusions are no longer permitted.

It was suggested that the lower rates of permanent exclusions in South Derbyshire, compared to the rest of Derbyshire, might be attributable to the

strong and effective collaboration that exists between schools in South Derbyshire

The discussions concluded with the representatives of the School Cluster Groups highlighting that schools require more resources to support the mental health and emotional wellbeing of students. They also stated that they would welcome the local authority making representations to the Department of Education about the impact that Progress 8 and the narrowing of the curriculum is having on permanent exclusions.

### **8.3 Mental Health and the Future in Mind Programme. Service Director – Countywide Commissioning (Dr Isobel Fleming)**

The Future in Mind Programme is a whole system approach. It brings together health partners and two local authorities (Derby City Council and Derbyshire County Council) with the expressed aim of responding better to the emotional, psychological and mental health needs of young people.

The programme is building resilience through specific measures commissioned by local Clinical Commissioning Groups (CCG's). Considerable progress has been made in delivering the programme. A target for Derby City and Derbyshire for 2017/18 is that 6543 individual Children and Young People will be supported. In the first quarter of the year a total of 3137 children and young people were supported (nearly 50% of the annual target), suggesting that the programme is well placed to achieve its annual target.

Another example of success can be drawn from the work of the Youth Offending Service (YOS) in Erewash that was commissioned by Future in Mind to deliver emotional and mental health support for children and young people who are known to the YOS. Caution must be exercised regarding the sustainability of the results but to date the re-offending rate of this cohort has been just 9.52% compared with a Derbyshire average of 34.5%.

A Joint Strategic Needs Assessment has been completed to guide the Future in Mind Programme and this has led to the formulation of five strategic priorities, two of which involve schools directly. Strategic Priority 2 is to develop further a whole-school approach to prevention and early help. Strategic Priority 5 is to develop a place-based approach to interventions and care supporting Primary Care, developing the Voluntary and Community Sector, linking to schools, and offering digital interventions.

Recent local initiatives to enable schools to adopt a more proactive approach to pupil mental health and wellbeing include the delivery of Mindfulness training to over 1000 Derbyshire pupils, the launch of the “Be a mate” anti-stigma campaign and the development of an Emotional Health and Well-Being Resource for Schools: Reducing Barriers to Learning. In addition, 5 new Specialist Community Advisor roles are being piloted. These will offer preventative therapeutic support for children and young people in schools and other community settings and will also promote better partnership working by supporting "place" based services such as GP's and other community organisations.

#### **8.4 Financial Considerations Relating to Permanent Exclusions. Head of Finance for Childrens Services (Chris Allcock)**

Regulations are set out on how school budgets and cost recovery are implemented. If a permanent exclusion takes place before the school census in October, an adjustment is made to recover the funding that was previously allocated to the school for that pupil. The calculation is based on the Aged Weighted Pupil Unit (AWPU) for the rest of the school year (based on number of school weeks). However, if the permanent exclusion occurs after the October school census, no adjustment is made and the school retains the money for that school year.

In 2015 a report proposing a new cost recovery mechanism was submitted to the Derbyshire Schools Forum. The proposal to ‘charge’ schools £6,000 (for each pupil excluded) to cover the costs of alternative provision was not supported by the Forum.

Other local authorities have adopted cost recovery models in order to recoup the cost of alternative provision for excluded pupils. The levels of cost recovery and the strategies adopted differ depending on the agreement between the Schools Forum and the local authority.

The guidance issued by the Department of Education about permanent exclusions states that Academies must, if asked by the local authority, enter into an agreement to fund alternative provision for permanently excluded pupils.

#### **8.5 Role of the Multi-Agency Teams**

Multi Agency Teams (MATs) work with children and families. There are 25 teams in 6 localities across the county. Each team is led by a Team Manager

and is made up of Early Help Practitioners, Senior Family Support Practitioners, Family Support Workers, Community Engagement Workers, Foundation Years Practitioner and Family Support Assistants.

All requests for support are managed by the Starting Point Service. Professionals requesting support for a child or family are required to complete an electronic referral form which is available on the Derbyshire County Council website. It is also possible for families to self-refer to the MAT Service.

A range of communication networks are in place that facilitate the identification of young people with emerging needs and determine how these needs can best be addressed. These include a MAT Link-worker assigned to each school, and meetings of school attendance panels, inclusion panels, local school clusters and the Locality Children Partnership.

Any pupil identified as being at risk of permanent exclusion should be offered support from the Multi-Agency Team. Following referral, the MAT will undertake a holistic assessment of the young person's needs and determine the appropriate support. There are different levels of intervention available to the young person and their family, they include:

- Small targeted youth groups that provide opportunities to address self-esteem issues, social skills and anger management.
- Parenting and behaviour management support delivered in the home by Family Support Workers (FSW)
- Parenting guidance and training delivered via classroom based courses, such as the "Incredible Years Parenting Course".
- Family Support workers, with strong professional connections, advocating for the young person to achieve the best educational outcomes.

Usually at the point at which the Integrated Pathways Team becomes involved with a child at risk of permanent exclusion, the young person is known to Children's Services and preventative work with the child and family has been ongoing. This is not always the case, however, and in these circumstances an assessment would be undertaken to determine the appropriate level of support to be provided by the MAT team.

Where the support for a young person and their family requires the involvement of more than one agency, a Team Around the Family (TAF) is convened and meets regularly to review the progress and monitor outcomes. The TAF includes relevant agencies that contribute to a TAF Plan. Practitioners may be drawn from school pastoral teams, school health,



behaviour support services, education psychology service, police safer neighbourhood teams and the Child and Adolescent Mental Health Service (CAMHS).

A range of different agencies deliver services to schools to support children with mental health and behavioural difficulties who are at risk of permanent exclusion, MAT's being one of these services. CAMHS is in high demand and the waiting time to access the service can be long (typically 3 to 6 months). To receive CAMHS support the emotional, behaviour and mental health difficulties being experienced by the young person have to be above a specified threshold and have a significant impact on their day to day functioning. Generally schools have to buy in services for supporting children with mental health issues or develop their own in-house pastoral framework. There is a need to improve the coordination of these services so that this cohort of vulnerable children (and their families) provide cohesive and effective support.

Looked after Children are vulnerable to school exclusion. From the age of fourteen, every Looked after Child is allocated a Personal Advisor (PA) from the MAT service. Their role is to offer targeted support to guide the young person through Education, Employment or Training (EET). The PA will, for example, attend the young person's Personal Education Planning meetings. An Independent Reviewing Officer (IRO) for Looked after Children, also has oversight of the child in care file and is responsible for reviewing the young person's progress and ensuring that emerging needs are met. Frequently children on the edge of care are at risk of falling behind in their learning outcomes and therefore require robust and well-coordinated support plans. In addition there is the possibility of the young person receiving extensive support through Derbyshire's Virtual School, although there have been occasions when this support has not been available when required.

A specific challenge faced by MAT workers is supporting young people with ADHD and sensory needs prior to a definitive diagnosis being made. The waiting time for diagnosis can be long and the decommissioning of the Aim High Service has left a gap in the skills required to deal with ADHD and sensory needs. The MAT team is often the first line of support and this can be difficult without access to specialist knowledge. To address this issue a multi-agency working group is preparing a resource pack for MAT workers to use, in the interim period, while the young person is waiting for a diagnosis.

The relationship between the MAT service and Schools is generally good. There has been some tension however around the recent reductions in the

Early Help Service and the re-pooling of the schools grant funding to support the provision of Early Help.

Another area of concern is that some parents opt for elective home education when their child is at risk of permanent exclusion. Frequently this is not an appropriate solution because few parents have the requisite skills (or time) to deliver good learning outcomes and the home environment may not be conducive to effective learning. In these circumstances the MAT plays an important role in supporting the young person to remain at school and ensuring that the parents receive accurate information about the support available to them. This is particularly important in situations where the school is under pressure to improve its attendance records and performance figures and could, potentially, benefit from “off-rolling” the student.

## **8.6 Inclusion Strategy Group**

The Inclusion Strategy Group meets on a 6 weekly basis to coordinate and evaluate the effectiveness of inclusion strategies and initiatives to prevent permanent exclusions. In the group’s view the range of preventative strategies that are being delivered by services are working well and the increase in permanent exclusions would have been much higher if they were not in place. Furthermore although the aspiration of having zero permanent exclusions has, not yet been achieved it has sharpened the focus on this issue for Head Teachers and the local authority.

One initiative, the “Attachment Awareness Programme” aims to increase teachers’ understanding of why children behave in the way they do. It has been well received and schools are working together in behaviour clusters to share information and concerns on pupils potentially at risk of permanent exclusions.

The group is of the opinion that managed moves have been reasonably successful and commented that although no longer permitted deferred exclusions transfers have worked well in the past.

There are examples of alternative provision placements being successful in engaging students with behavioural issues, for example, work experience, or a vocational course away from school. However these options are expensive to deliver and time consuming to source given that they need to be safe, of a high standard and meet the needs of the young person concerned.

In 2015/16 and 2016/17 funding was allocated directly to Learning Community Areas to develop alternative provision to meet the needs of the schools in the

locality. The aim was to enhance collaboration between schools to reduce permanent exclusions. There was evidence of good outcomes in South Derbyshire and Peak 11 but in other areas the chosen approach proved unsuccessful and lacked sustainability.

Last year there were 117 placements at Derbyshire Support Centres (formally known as Pupil Referral Units). Out of these, only 10 students went on to be permanently excluded.

In Derbyshire over the last five years no Looked after Child has been permanently excluded. During this time there have been occasions when schools have attempted to exclude a Looked after Child but interventions by the local authority have prevented this.

As identified in previous discussions during the course of the review with other contributors, the Inclusion Strategy Group also expressed concern that the school accountability framework is a key contributing factor to the increase in permanent exclusions. In particular Progress 8 and the narrowing of the school curriculum has meant that at Key Stage 4 some students are struggling to engage in the more 'academic' subjects. The pressure on schools to meet specific attainment measures has led to a push to ensure that all students are "Progress 8 compliant" and a reduction in the availability of vocational courses. It is understood that this has been recognised by Ofsted, the Department of Education and Regional School Commissioners.

Another contributing factor to the rise in exclusions, identified by the group, was the pressure on school budgets that has led to a reduction in support staff, particularly pastoral staff. The ethos of a school is also very important but this is difficult for the local authority and support services to influence.

## **8.7 Nottinghamshire County Council**

All but one of Nottinghamshire's schools are Academies. Therefore the local authority has very little influence over how schools budgets are spent. The County Council does not operate any Pupil Referral Units. In Nottinghamshire's experience they were costly to run and Ofsted judged them as "needing improvement". Consequently the Higher needs Block of the Dedicated Schools Grant is devolved to school families (partnerships). The rationale for this is that those working directly with young people in a particular location are well placed to know how best to allocated the budget to deliver effective provision for young people at risk of being excluded.

Nottinghamshire has established a Cost Recovery Mechanism that requires schools to pay for the education of pupils in an alternative setting when they are excluded.

## **8.8 Visit to Amber Valley and Erewash Support Centre**

### **Head of Provision for Derbyshire Support Centres – Karen Hudson**

The government uses the term Pupil Referral Unit (PRU) to describe a small school for children who have been permanently excluded from mainstream education. In Derbyshire they are referred to as Support Centres as it is felt that this title is more inclusive. The Ofsted ratings for support centres in Derbyshire has been good for the last few years. The support centres are exempt from the Progress 8 performance measure, instead OFSTED looks at GCSE performance.

Derbyshire Support Centres fulfil the local authority statutory duty to provide education for young people who have been permanently excluded. They also offer (when capacity allows) preventative places to young people at risk of permanent exclusion.

Support centre staff have a specialised skill set that equips them with a wide range of strategies for managing disruptive behaviour and supporting young people. The behaviour of children who have been excluded can manifest in a variety of ways. Children, may for example, walk about the classroom, shout, swear, or hit-out. A key role of the Support Centre is to address the reasons for these behaviours and help the young person develop coping strategies that will enable them to get back into mainstream school as quickly as possible. Children in the support centres are taught in much smaller groups than in mainstream schools and this means that staff are better placed to meet the needs of individual pupils.

Support centres have a delegated budget like other local authority schools. They are inspected under Ofsted like all schools and have a management committee that is the governing body. In effect they are exactly the same as other schools.

Derbyshire has three support centres. North East Derbyshire has four sites and is overseen by one head teacher. Amber valley and Erewash has four sites which are also overseen by one head teacher. The South Derbyshire support centre is based on one site. The Head of Provision has oversight of all the support centres.

The children who attend the support centres are in key stage 2 3 and 4. The key stage 2 children are all dual registered. They have a mainstream school and are attending the support centre to try and prevent permanent exclusion.

There are small number of key stage two children that get permanently excluded each year, this is usually in the region of one or two pupils.

Generally in the county permanent exclusions at key stage 1 and 2 are lower than 3 and 4 as is the case nationally.

The provision of preventative places has shown to be effective in Derbyshire. Preventative places are offered when there is capacity to do so. Generally dual registered children do well and support centres manage to prevent a significant number of permanent exclusions. Last year 117 dual registered places were provided through Derbyshire support centres and this prevented the permanent exclusion of 107 children.

If a school has a child they are concerned about, dual registration may be an option. The child attends the support centre 5 mornings a week. The child remains the responsibility of the school and holds the support centre to account to provide attendance and performance information. The school retains the funding for the child. The local authority provides the support centre with funding for dual registered students. It should be noted that the school does not pay the support centre for dual registered students.

The support centre aims to be flexible and on occasions can offer “short sharp shock” placements for a couple of days. However, when the number of exclusions is high the capacity to offer preventative placements is limited. At the beginning of the year it is possible to offer more preventative places.

Permanently excluded students that are still at the support centre at year 11 go on to positive destinations, so the NEET figures are low. At the statutory school leaving date approximately 1% of pupils have no destination. What happens during the summer holidays is out of the control of the support centres, however a follow up conducted in September showed that virtually all leavers had remained in their selected destinations.

There are many factors that influence whether a pupil returns to mainstream school, and many of these factors are outside the control of the support centre. The support centre works hard to get pupils ready to return to mainstream schooling. Some schools are very willing to offer a place and other schools are less so. The head of provision attends the Fair Access Panel. The intention is to use the fair access protocol far more rigorously than it has been used previously in order to get children back into school.

Each local authority must have a Fair Access Panel to consider school admissions. The panel is made up of local authority officers including an educational welfare officer, an inclusion officer and the head of the support centres. If a child enters a county in November they have missed the September admission date and so they are considered by the Fair Access Panel.

In the case of key stage 4 students, schools often contend that they can't enrol them because the student has started the wrong GCSE courses.

When a child is excluded the local authority's inclusion service responds to the child and their family. If exclusion is as a result of a one off incident and is completely out of character the service will immediately try to get the child back into school. The pupils attending the support centres are those that are not likely to go straight back to school.

When a child is permanently excluded the child comes off the school roll and if this occurs before the October census the school returns (to the local authority) some funding it has received for the student. Support centre services are funded through the local authorities High Needs Block.

Currently the service has 262 children. Overall 4% are children in care, 15% of the children have an Education and Health Care Plan (EHCP), 52% qualify for free school meals. Predominately there are more boys than girls in the support centre and the ethnicity reflects the demographics of Derbyshire. So predominantly they are white British.

The support centres work with partners and access as much additional support as possible. Depending on the needs of individual students this may include purchasing services from the Derbyshire Educational Psychologist Service, working closely with the Multi Agency Teams, using the Derbyshire School Health Service and possibly referring young people to CAMHS.

Some of the older pupils have individualised timetables. Key stage three pupils aged between 11 and 14 will follow the national curriculum for English, maths and science etc. In the case of the older children the centre focuses on what will happen post 16. Some will take GCSE's others will be offered vocational time so that they can work towards a vocational qualification. The aim is to prepare them for a college course, at the right level, or lead them towards an apprenticeship.

Some neighbouring authorities no longer have pupil referral units because they were put into special measures. The money that would have gone to the

pupil referral units has been delegated to the schools in the same area. Authorities that have adopted this approach include Nottingham City, Nottinghamshire and Staffordshire. Unfortunately a number of the systems that were set up have proved not to be sustainable and have become fragmented, particularly as new head teachers have taken over schools and changed previous agreements. Where this has happened it is then difficult for the local authority to re-establish provision because resources i.e. staff and buildings have been redeployed.

Nationally the Department for Education is aware that permanent exclusions are increasing and the view amongst schools is that Progress 8 is definitely a factor. The national curriculum has narrowed and while schools can set up alternative provision the regulations require that it has to be rigorously monitored. Schools simply don't have the staff available to check alternative provision settings and furthermore alternative provision is expensive.

Derbyshire support centres have very vigorous quality assurance processes concerning alternative provision. Although potentially an effective preventative measure, alternative provision is not offered to dual registered pupils as this would result in the support centres being inundated with referrals from schools.

There is a Parliamentary Select Committee looking at alternative provision. It will consider the reason why young people are being referred to alternative provision and the quality of the training provided.

Permanent exclusions in North East Derbyshire and Bolsover have increased significantly this year and put a lot of pressure on the support centre in Hasland. If exclusions continue to increase changes will have to be made to accommodate more young people. These changes however cannot be set in motion until the situation arises. Fortunately, through the delegated budgets, there is some flexibility to employ additional staff.

Due to the nature of permanent exclusions at the start of the year there are relatively few students placed fulltime in Derbyshire's support centres but by the end of the year the available places are full. Consequently funding for support centres is allocated according to the anticipated average number of fulltime students over the year. In terms of managing and planning the service it would be beneficial if the number of places was agreed at the start of the year. If more places were funded it would be possible to do outreach work with schools but currently there isn't the capacity to do this

Derbyshire has obtained grant funding to undertake a sustainability review around special educational needs (SEN). This will look at how the High Needs Block Funding is allocated to special schools, support centres and specialist support to schools.

### **8.9 Visit to Frederick Gent School** **Mr Bradshaw, Deputy Head**

The school's behaviour policy is very clear. Students and parents know exactly what behaviour the school will and will not accept. The approach to behaviour management sends a strong message and underpins the attitude to learning that the school is striving to encourage in the area. The aim is to create a safe and purposeful learning environment. Behaviour management includes sanctions and support. The range of strategies include detention, an isolation area, mentoring, non-teaching pastoral support staff and restorative practice.

There is zero tolerance to any activity within school connected to illegal substances. This includes entering the school site whilst under the influence of an illegal substance, the possession of any illegal substances, and the possession of any drug taking paraphernalia. The same is true of knife related incidents. Even if a student had behaved completely out of character and was found to have a penknife in their bag the only option would be to permanently exclude them. The view is that there should be a clear line regarding what is unacceptable behaviour. Leniency would create grey areas that would send the wrong message to the students and the community.

There are a number of students within school who have been identified as having mental ill-health. There is some support available through CAMHS and there is a counsellor on site one day a week. There is a high demand for these services and parents often feel frustrated when children are not getting the support they feel they need. The CAMHS referral process is quite lengthy and the most severe cases have to be prioritised.

As is the case nationwide, the resources available to provide mental health support are not sufficient to meet demand.

For many students it may not be a specific mental health problem that is driving their behaviour. It may, for example, be a family related issue that is the root cause. In these cases CAMHS support would not be appropriate and the school may work with the multiagency team to access additional support for the young person and their family.



The school has an onsite provision known as the Phase Area. This is a building that is located on the school site that provides a supportive area that can be used in a number of different ways. For example it can act as a halfway house for a student wishing to return to school. This onsite provision is not intended to be punitive in any way, the aim is to support students and work alongside them to help them manage their own behaviour.

The primary role of a school is to educate children and prepare them for exams, but frequently other responsibilities filter through to the school. Teachers are trained educators but in addition there is an expectation that they can deal with mental ill-health, family related matters and behavioural issues. There is a finite amount of support that a school can offer. Schools need support and backup from professionals to deal with these other issues. Schools are faced with a lot of competing demands. Some of the approaches and strategies that were used in the past, such as offering a wide range of vocational courses can now be perceived as working against the school's best interest because the performance of each school is now judged against the Progress 8 courses and curriculum.

Generally, vocational type activities are not compliant with the Progress 8 curriculum. Therefore any child involved in an activity that is not "Progress 8 approved" would receive a zero against their score. Furthermore the impact of this can be significant in a small school, just one student who is not Progress 8 compliant can cause the school's overall score to drop resulting in the school being labelled a coasting school and falling under the scrutiny of Ofsted.

This result is schools have to juggle what is best for the school as a whole and what is best for individual students. Some vocational type activities may well be better for a small number of students but in deciding whether to provide vocational activities the school has to weigh up the impact on how the school will be judged. It is a complex balancing act: Delivering progress is a driving factor but meeting the individual needs of students is also extremely important.

Alternative provision refers to the education a pupil receives away from school that the school arranges itself. Alternative provision is very expensive and it is difficult for schools to afford on a prolonged basis, given the limitations of the school budget. Furthermore the alternative provision needs to be suitable and

provide adequate challenge to the student. It is not used by the school for respite purposes. It must deliver something that is beneficial to the student and there needs to be a genuine reason why the student can't access the normal curriculum.

In addition to the cost of alternative provision the school also has to pay for the transport costs for the student. This can be in the region of £40 to £50 each time a student attends the alternative provision.

An example of alternative provision purchased by the school is literacy and numeracy training delivered by the East Midlands Vocational Academy, in Mansfield. Attendance took the students out of the school setting and away from their peer group and provided an opportunity to learn in a small group situation.

A key issue is that there is a lack of appropriate intervention services to support schools before a student reaches the point of being permanently excluded. Dual registration at a Support Centre provides a partial solution but because places are limited it is hard for Support Centres to act as a reliable buffer before a student gets excluded from their mainstream school. Therefore a student has to be excluded before there is any provision to support them. What is needed is a bigger resource that can be accessed earlier. There needs to be more provision to fill the space between what a school can do in terms of behavioural management and the last resort of permanent exclusion.

The support available at a Support Centre for dual registered students is time limited. Generally the support available for each student is two Derbyshire terms. This means that often the decision of whether a student is ready to be integrated back into a mainstream school is based on the length of time they have been at a Support Centre rather than outcome measures that consider how the behaviour of the student has changed.

When a student is permanently excluded there isn't always a full time permanent provision immediately available to them. This has in the past created a situation where the excluded pupil has come on to the school site during school hours and has made permanent exclusion look attractive to some of the other students.

A few years ago and the County Council allocated funding to school clusters so they could develop provision to meet the needs in their area. The funding

was for a 2 year period after which it was the expectation that that provision would be fully established and self-sustaining. There have been a number of drawbacks to this approach one of them is the travelling distances involved. The geographical position of the Frederick Gent School means it can be difficult to access suitable provision.

The school is on the border of Nottinghamshire and therefore not all students fall under the same jurisdiction for health, education or social care services. This adds an extra layer of complexity as the systems at times are incompatible.

To avoid permanent exclusion the school may look to broker a managed move. However because of the school's isolated position (with Alfreton being the nearest big town) parents are reluctant for their children to move to a school too far away. They will consider a move to Alfreton or possibly Swanwick but, because of the cost of travelling and concerns about travelling long distances by public transport, parents will not generally consider any of the other schools in the cluster. The school sits in the Bolsover and Amber Valley cluster but realistically the school has never been able to transfer students to Ripley or Belper.

Increasingly schools are less likely to agree to a managed move and enrol a poorly behaved student as it may impact on the progress of the year group. The admissions policy allows parents to choose which school they would like their child to attend. A school cannot refuse a student on the grounds of their behaviour (unlike a managed move there is no element of choice for the school). So as a child's behaviour problems escalate, a parent can move them to a different school if they are at risk of being excluded. This doesn't address the behaviour issues it just transfers it to another setting.

When the Integrated Pathways Team is looking to place a child that has been at a support centre they don't have the background information from the school from which they were excluded or intelligence relating to pertinent community issues. Sometimes schools have concerns that the students are not ready to re-enter mainstream education, or that insufficient consideration has been given to the factors that will impact on the success of the placement.

When a school excludes a student it receives a certain number of points which are recorded on a table showing the points held by each school. At the moment Frederick Gent is at the top of that table as it has excluded more

students than any other school in the cluster. The points are regardless of how many in-year entries the school has had, and how many schools the student has attended.

#### **8.10 Visit to Outwood Academy (Newbold)**

**Mr Robertson, (Principal of Outwood Academy) and  
Mr Scruby (Vice Principal)**

Newbold School was in “Special Measures” and the Department for Education approached Outwood Grange Academy Trust to be the academy sponsor. The academy has been operating in Newbold for three and a half years. The school has been completely reshaped and 80% of the staff are new.

An Ofsted inspection in November 2017 rated the Academy as overall effectiveness “Good” and effectiveness of leadership and management as “Outstanding”.

Unlike a stand-alone school which establishes its own identity, the Outwood Trust operates a model system referred to as the 80:20 system. Eighty percent of the policies and procedures (including behaviour management, pupil assessment, tracking and intervention) are consistent across all the academies in the trust. The system has been refined over a number of years and can be quickly and efficiently implemented at a new site. Furthermore the Academy conversion process is a gradual one.

The transition process was carefully managed. Bringing in extensive changes to the whole school at once would have generated more behavioural incidents than the staff could have managed at any one time and this would have overloaded the system. Instead the new approach was introduced incrementally. Changes to the behaviour code were introduced to the most challenging year groups first and then cascaded down through the school years. For example initially there were only three breaches of the behaviour code that would lead to a detention: Not wearing the uniform correctly; Internal truancy (Pupils moving about the school during lesson time); Failure to follow a reasonable request. Now there are more than 15 breaches of the code that will lead to a detention.

In the first year of taking over the school the management team had to address entrenched behaviour issues and ineffective behaviour management

measures that had previously been adopted. Therefore rather than continuing with “sticking plaster solutions” it was necessary to “go in hard” to achieve the desired end result of a safe and well performing learning environment.

Consequently there were a high number of permanent exclusions in the first year (9). The behaviour log of the school showed that these nine students should have been permanently excluded long before the school converted to an Academy and that they would have been excluded from any mainstream school.

The number of students who have been permanently excluded has decreased over the 4 years the Academy has been established.( First year: 9 students; Second year: 7 students; Third year: 5 students; and this year one student to date)

One-off incidents can be challenging to manage. In recent years the permanent exclusions at Newbold for one off incidents have outnumbered exclusions due to persistent disruptive behaviour. Under the Trust policy there are certain incidents that automatically result in permanent exclusion. Examples include: Carrying a bladed item at school (Even if for example “a fishing knife gift from Grandad”) and Maliciously setting off the fire alarm (Head teachers from other schools are surprised at this but the Trust has had experience of the alarm being repeatedly set off and this has health and safety implications and disrupts learning)

The Trust uses fixed term exclusion in a different way to the majority of schools, and “it is perhaps an approach that wouldn’t go down well with other school leadership teams”. Only two other Trusts are starting to use fixed term exclusions in this way (Delta Trust and Northern Education Trust). The fixed term exclusion levels are much higher at Newbold than the national average and any other school in Derbyshire. The students know where “the line is drawn in the sand” and if they over step the mark they know they will receive a fixed term exclusion.

The Academy believes that the important thing is what happens after the period of exclusion. Depending on the circumstances and the student’s individual needs a tailored package of care is wrapped around the young person. The Academy works with the student (and their parents) to address the behaviour issue and then focus on learning and meeting their individual targets.

The Trust has a tariff system whereby a student receives points each time they breach the behaviour policy. Students who display persistent disruptive behaviour can receive fixed term exclusions up to a maximum of 45 days per academic year.

When the incident occurs the Academy takes a hard line. The length of the fixed term exclusion will depend on where the student is on the behaviour tariff and the exclusion is applied with minimal debate with the student. On re-integration the student and parents meet with the senior leadership team and the learning manager to review the concern that led to the exclusion. The approach is not to dwell on the behaviour and “not to hold grudges”. The focus is on learning and moving forward. It is about welcoming the student back and identifying the appropriate support. It’s a graduated response and a child that has been excluded for the first time may need a minor intervention to resolve the situation. If the student is excluded a second time there may be need for further interventions. When a child is reaching the 45 day threshold there will be a long list of interventions that have been put in place.

The approach is to work through a hierarchy of interventions referred to as “waves”.

- Wave 1: This might involve working with a learning manager, looking to make the timetable more bespoke, or introducing anger management strategies.
- Wave 2: Focus remains on curriculum and learning but may involve a multi-agency case worker, educational psychologist or PCSO support.
- Wave 3: May begin to consider a “managed move” as the young person is at risk of a permanent exclusion.

At the front of each classroom there is a chart for recording class behaviour. The first occurrence of disruptive behaviour is recorded on the board as a behaviour reminder to the whole class. If another incident occurs a tick is marked alongside the name of the relevant student. If a student receives 3 ticks during one class a learning mentor or a member of the senior leadership team is called to speak with the student and encourage them to focus on learning and to not disrupt the class again. There is no further consequence for 3 ticks but a fourth tick, however, will lead to a detention.

Detentions are held after school and last one hour. Work is not set for detention but students have the option of using the time productively if they wish. Detention data is analysed every week to see who is receiving them and

to identify patterns in pupil or year groups. When students receive a detention they are given a sticker to go in their school planner, the teacher keeps the other half of the sticker. It is the student's responsibility to attend detention. The approach is proving effective. There is 90% of attendance at detention and there has been over 2000 detentions this academic year. There has also been a decline in fixed term exclusions.

Within the context of the Trusts approach to behaviour management it is not anticipated that there will be a reduction in the number of detentions or fixed term exclusions. Each Academy is focused on continuous improvement and so the approach is to "ratchet up" what is expected from the students.

If a student doesn't turn up for detention they are put in the isolation room the following day. The number of students placed in the isolation room has reduced significantly. The immediate sanction of detention has proved to be effective.

At the start of the first academic year the Academy bought every student an Outwood Trust uniform. This meant that the students were no longer labelled as being part of a failing school and it symbolised a fresh start. Every student looks the same as the uniform has the Outwood Trust logo on, and replacement blazers and skirts/trousers have to be purchased from the one outlet. The Trust feels that having a strict policy (whereby failure to wear the uniform correctly, results in a detention) stops any debate and discussion about uniform and allows the staff and pupils to focus on learning.

The Trust buys every student at the beginning of year 11, a calculator and a set of science revision guides. This ensures that all students have and know how to use the same calculator and if a student forgets their calculator for a lesson or exam they will be loaned the same model and will know how to use it. Weekly science homework and a revision plan is based on the revision guides. Not bringing the calculator to a lesson (Maths, Science and Geography) will result in a detention. Failure to do science homework will result in a detention. This approach supports the Academy's philosophy of seeking out marginal gains. Having access and using revision guides might increase a pupils results by 2-3%, as might knowing how to use their calculator, and becoming familiar with the periodic table (contained in their school planner which has to be on their desk every lesson). Sharing this rationale with the students sends a clear message that the policies and procedures in place are for the benefit of the students and are very measured

and thought through. For the same reason, at one assembly the Principal spoke about banning the phrase “Good luck” as he wanted the students to understand that success is planned and not down to luck.

Each year group has a Learning Manager who is a non-teaching member of staff. They are the first point of call for any student in need. There is an Inclusion Manager whose role is to oversee the work undertaken by the learning managers and deal with the more complex cases.

The Bridge is a specialised room which provides nurture care for students who maybe suffering a bereavement, an illness or have a social emotional need. It is a bridge to education that enables the re-integration of young people back into mainstream lessons when they are ready. The Bridge is a calm and reassuring space supported by an exceptionally caring and compassionate member of staff where students are able to work.

The Personalised Learning Centre (PLC) offers opportunities for students following an alternative curriculum pathway. The student may have started mid-year, missed some time or may be pursuing an alternative qualification such as an alternative language. It may also be for someone who has been on a managed move. If these students went straight into a classroom it would be overwhelming for them. In the PLC, students can work in a small group and receive support from a specialist to help them prepare for mainstream classes.

A weekly executive report is prepared for the Principal and shared with the Executive Principal and Chief Executive of the Trust. The report covers headline figures about behaviour, current interventions, attendance, detentions etc. Figures can be broken down by year group and pupil groups (e.g. gender, students with SEN). Reports for all 21 Academies in the Trust are analysed over the weekend to identify trends, to enable good practice to be shared.

The Trust emphasises the importance of “knowing the students” as it means individual needs can be identified quickly. It allows appropriate interventions to be introduced before problems escalate.

Mental health and wellbeing is an extremely important issue and the Academy supports a number of children through mentoring programmes, signposting to health services and other partners. The Academy works closely with



Derbyshire County Council in regard to safeguarding issues and it buys an educational psychology package from the Council.

The Academy recognises the pressures associated with Progress 8, that have been expressed by other schools. However it is felt that the curriculum model they have adopted allows them more flexibility. Students make their first GCSE choices in year 8 and start some of their GCSE courses in year 9. This means they may complete a couple of GCSE's at the end of year 10. At the same time core subjects (Maths, English and Science) run alongside this work. This reduces the pressure on the summer term in Year 11, because students are not taking all their exams at once. In terms of Progress 8, this puts some subjects in to the "open bucket".

In Year 11 students continue with the core subjects, languages and humanities and depending on their academic performance may begin additional courses.

Unlike other schools (where only the top set in each half of the year group takes triple science) a high proportion (73%) of students at year 11 take GCSE triple science. Students do 4 hours of science a week in years 9 and 10, and 6 hours of science in year 11. Triple science is a 1 to 9 qualification and the Academy has a strong science department. This approach ensures that a large proportion of students are Progress 8 compliant (as they are studying 3 separate science qualifications which will go in to the "middle bucket").

Some schools aim to have all their students doing the English Baccalaureate (EBacc). The Academy recognises that for many students languages can be very challenging. Currently only 35% of the students at Newbold are doing the EBacc, although the government expectation is 75%. The Trust feels it is best to tailor the subjects taken to the abilities of the students rather than pushing for all students to do the EBacc. The Trust's target for Newbold is to show a year on year increase in the number of students following the EBacc path.

Enrichment sessions for Year 11 students are held after school (between 2:30 to 3:30). The sessions provide extra lessons in a range of subjects. They are voluntary and are attended by 92% of the year group.

The Trust holds a weekly performance meeting involving all 21 Academies. Student performance of Year 11 students is tracked using a Red, Amber,

Green (RAG) rating system. There is a rolling programme of topics to discuss. Academic progress is discussed every 3 weeks or so. In terms of performance, the Academies strive for grade 5. A green rating indicates that the student is on target to achieve grade 5. Progress is coded as bronze, silver or gold. Amber identifies that interventions have been introduced (and the level of intervention is categorised). Red indicates that the student is not on track for a grade 5 (and this is further categorised to show what support is being provided to ensure that they get a grade 4). The frequency of the meeting means that interventions can be put in place quickly in response to events that may have occurred in a young person's life.

Currently the Academy has no students who are dual registered at a support centre. One of the main reasons for this is that centres rarely have the capacity to take more students. Currently one student receives alternative provision (in the form of vocational training) two days a week. The remaining 3 days the student attends the Academy and is studying core subjects needed for his future life chances.

The school also has an Autism Resource Centre with places for 14 pupils.

#### **8.11 Visit to New Mills School.**

##### **Mrs McGloin Head Teacher)**

New Mills Schools was in "Special Measures" approximately three years ago. The school has since been rated as "Good" by Ofsted (September 2017).

New Mills has a high number of in-year admissions. Between September 2017 and April 2018 there have been 21 admissions. Many of these pupils require additional support for health and wellbeing issues (such as anxiety) although they do not have an Education, Health and Care Plan (EHP). The school is obliged to admit these students as there are places available but the school does not receive any additional funding for the additional pastoral support required. It can be up to 12 months before the school receives any funding relating to these students at all. This means there are high demands on pastoral care and this support requires considerable staff time and associated costs. A high number of students at the school are receiving support from CAHMS. These factors have an impact on the school's attendance figures.

It is important that individual schools continue to have the autonomy to set their own behaviour policies and determine appropriate sanctions. Schools face different community circumstances and the characteristics of the local intake can vary considerably. Consequently, expectations and associated behaviour codes may vary and develop overtime. That said, it is important that there is consistency within a school cluster in terms of all schools setting their own standards and rigorously applying the agreed sanctions when the behaviour code is breached. Schools should not off-roll students and should only permanently exclude students when all avenues of support have been explored.

The most effective strategy for preventing permanent exclusions is to have a good pastoral support and a flexible curriculum, Schools need to maintain breadth in the curriculum so that the more practical but less academic students remain engaged in learning.

At New Mills there is a construction course that has proved popular and successful in engaging students. It is expensive to maintain a broad curriculum and to provide courses like this so this approach puts considerable pressure on the budget.

The Bridge is an on-site facility that offers emotional and learning support to pupils. A High Level Teaching Assistant (HLTA) works with individuals who are experiencing difficulties at home or in school to build trust and encourage them to remain engaged with the learning process.

Generally, pupils are in Year 10/ or Year11 when they are permanently excluded. At New Mills the reason for exclusion is always as a result of a one off incident (for example the possession of a knife or threatening violence) and not because of persistent disruptive behaviour.

In the first year of leading the school the head teacher imposed a high number of fixed term exclusions whilst the new behaviour policy was being implemented and higher expectations were introduced. The approach to turning the school around after it was placed in special measures was to establish clear standards, to apply fixed term exclusions when the behavioural code was breached and to introduce a central detention system. In the first year there was a particular focus on punctuality as students frequently arrived at school late. Being required to stay for an hour's detention after school was an effective means of delivering behavioural change.

The School recognises the pressures associated with Progress 8, that have been expressed by other schools. However the ethos of New Mills School is to prioritise what is best for individual students. Instead of compelling Y10/Y11 students to take the requisite subjects that will fill all three buckets, students are offered courses that are more likely to motivate them and therefore in which they are more likely to succeed. The student will not have the necessary subjects to fill all the buckets but their individual score will still be better than if they totally disengaged with the learning process. Therefore at New Mills the curriculum is selected to meet the profile of the learners within the school.

A drawback with the current approach regarding Support Centres is that if a student attends a support centre on a part-time basis it is difficult for them to re-integrate with the school timetable and access the full curriculum.

A better approach would be for the funding to be transferred to schools so that appropriate support is available within the school.

Alternative provision would be ideal for some students who have disengaged with mainstream learning but it is prohibitively expensive. For colleges to run courses to be financially viable and affordable there needs to be a group of students in the area enrolled on each course.

Work experience placements one or two days a week can provide a useful breathing space “off-timetable” and away from the classroom environment. However employees don’t always have the necessary skills, to support this approach.

## Appendix 1

Table 1: Permanent Exclusions by School Phase – Derbyshire

School Phase	Revised 14/15	2015/16	2016/17	Rate (based on January Census)		
				2014/15	2015/16	2016/17
Secondary Schools	83	94	109	0.19	0.22	0.26
Primary Schools	10	17	27	0.02	0.03	0.04
Special Schools	1	0	0	0.12	0	0
Support Centres	0	0	0	0	0	0
<b>Total</b>	<b>94</b>	<b>111</b>	<b>136</b>	<b>0.09</b>	<b>0.1</b>	<b>0.13</b>

Table 2: Permanent Exclusions by School Type – Derbyshire

	Number of Exclusions	Excl per 1000 pupils (average)	Number of Exclusions	Excl per 1000 pupils (average)
School Type	2015/16		2016/17	
<b>TOTAL</b>	<b>95</b>	<b>2.22</b>	<b>121</b>	<b>2.83</b>
Academy	53	3.14	66	3.83
Community	32	2.82	42	3.88
Foundation	4	1.21	5	1.54
Voluntary Aided	1	2.41	1	2.38
Voluntary Controlled	5	1.50	7	2.51

Table 3: Permanent Exclusions by Locality- Derbyshire

Locality	Revised 14/15	2015/16	2016/17	Rate (based on January Census)		
				2014/15	2015/16	2016/17
Amber Valley	28	23	22	0.16	0.13	0.12
Bolsover & NE Derbyshire	13	28	36	0.06	0.12	0.15
CHESTERFIELD	19	25	19	0.12	0.16	0.12
Erewash	19	17	24	0.12	0.11	0.15
High Peak & North Dales	8	13	23	0.04	0.07	0.12
South Derbyshire & South Dales	7	5	12	0.05	0.03	0.08
<b>Derbyshire</b>	<b>94</b>	<b>111</b>	<b>136</b>	<b>0.09</b>	<b>0.1</b>	<b>0.13</b>

Table 4: Permanent Exclusions by National Curriculum Year- Derbyshire

	2014/15		2015/16		2016/17	
NC Year	Number	%	Number	%	Number	%
Reception	0	0	3	2.7	1	0.74
NC Year 1	0	0	2	1.8	2	1.47
NC Year 2	1	1.06	3	2.7	3	2.21
NC Year 3	1	1.06	3	2.7	5	3.68
NC Year 4	6	6.38	2	1.8	7	5.15
NC Year 5	2	2.13	2	1.8	6	4.41
NC Year 6	0	0	2	1.8	3	2.21
NC Year 7	10	10.64	7	6.31	11	8.09
NC Year 8	16	17.02	16	14.41	14	10.29
NC Year 9	19	20.21	25	22.52	25	18.38
NC Year 10	26	27.66	34	30.63	39	28.68
NC Year 11	11	11.7	12	10.81	20	14.71
NC Year 12	0	0	0	0	0	0
NC Year 13	2	2.13	0	0	0	0
NC Year 14	0	0	0	0	0	0
<b>Total</b>	<b>94</b>	<b>100</b>	<b>111</b>	<b>100</b>	<b>136</b>	<b>100</b>

Table 5: Reason for Permanent Exclusions - Derbyshire

	2014/15		2015/16		2016/17	
Reason for Exclusion	Number	%	Number	%	Number	%
Physical Assault Against An Adult	5	5.32	15	13.51	15	11.03
Verbal Abuse / Threatening Behaviour Against Adult	9	9.57	5	4.5	13	9.56
Persistent Disruptive Behaviour	33	35.11	50	45.05	68	50
Drug and Alcohol Related	5	5.32	6	5.41	8	5.88
Other	23	24.47	15	13.51	7	5.15
Damage	1	1.06	2	1.8	1	0.74
Verbal Abuse / Threatening Behaviour Against A Pupil	5	5.32	1	0.9	6	4.41
Physical Assault Against A Pupil	11	11.7	12	10.81	17	12.5
Sexual Misconduct	1	1.06	1	0.9	1	0.74
Racist Abuse	1	1.06	2	1.8	0	0
Bullying	0	0	2	1.8	0	0
<b>Total</b>	<b>94</b>	<b>100</b>	<b>111</b>	<b>100</b>	<b>136</b>	<b>100</b>