

MIDDLESBROUGH COUNCIL

SCRUTINY REPORT

CHILDREN AND YOUNG PEOPLE'S SCRUTINY PANEL

DATE OF MEETING: 18th January 2021

Inclusion, Behaviour and Special Educational Needs

HEAD OF SERVICE: Caroline Cannon: Strategic Lead for Inclusion and Specialist Support Service

Summary

The purpose of this report is to provide information on the causes of pupil exclusions, along with an analysis of the characteristics of pupils who have been excluded from education and the prevalence of special educational needs within the cohort. Consideration is also given to the perspective of pupils on these issues and their reflections on their own experiences.

Introduction

Behaviour in schools and permanent exclusions has been on the Government agenda recently due to concern around a rise in exclusions nationally since 2013/14. Edward Timpson (previous children's minister) was asked to conduct a review of school exclusions nationally in March 2018; he published his report in March 2019 and the Government published its response in May 2019. Mr Timpson highlighted the importance of effective behaviour management in schools and the need to understand and respond to individual children's needs. He noted the poor outcomes for those who are excluded (in the short and longer term) and that exclusion rates vary between schools and by different student characteristics. Children with some types of SEN, boys, children supported by social care, or are disadvantaged are all more likely to be excluded from schools. Ethnicity also impacts upon exclusion rates. He made a range of recommendations involving: leadership in schools, capacity, incentivising to create the best conditions, and safeguarding. In the Government's response, they prioritised: making schools accountable for outcomes of permanently excluded students; partnership working; and extending AP.

The approach taken in Middlesbrough over recent years is in line with many of the recommendations from the Timpson report and Government response, in particular, collaborative working with school leaders, focussed work to support pupils at risk of exclusion, oversight of permanent exclusions and ensuring high-quality local alternative provision.

Mirroring the rise in exclusion rates nationally, permanent exclusions in Middlesbrough reached a peak during the 2015-16 academic year. In 2016, the Local Authority worked collaboratively with schools to establish a local Behaviour Partnership. Alongside this, there was an investment in staff within the Local Authority to lead on the development of a strategy to address the high levels of permanent exclusion, and ensure appropriate provision and support is available to pupils at risk of exclusion.

From 2017-18 onwards, the number of pupils who have been permanently excluded from schools has slowly decreased, however remains high. This decrease is likely as a result of the investment in staffing and resources alongside the partnership work between the Local Authority and secondary schools to explore alternatives to exclusion for pupils in Middlesbrough as well as the development of an assessment centre for primary age children.

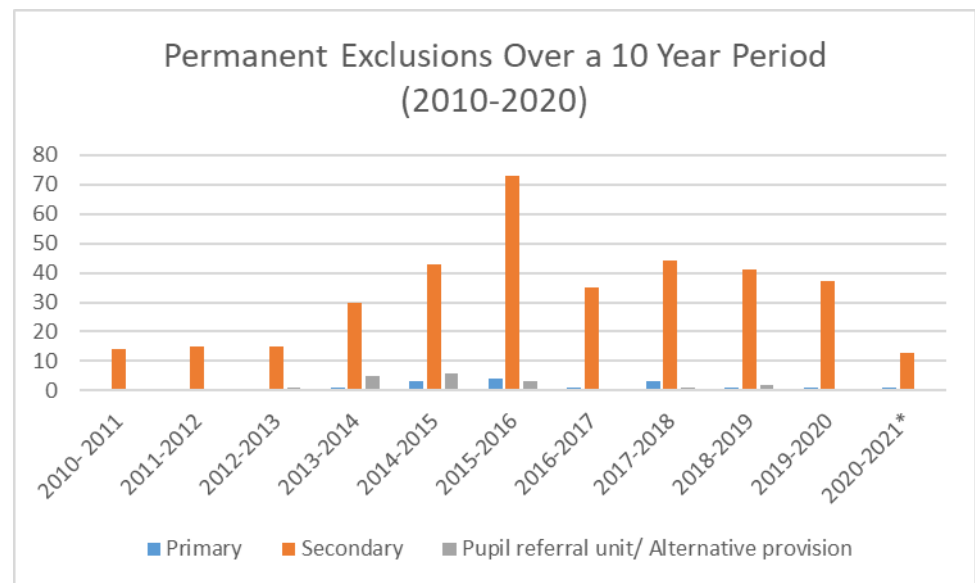
More recently, additional investment and the creation of a new Inclusion, Assessment and Review service in July 2020 is intended to further this work by increasing the capacity and resources available to support early intervention in schools, further develop the quality and range of alternative provision options, develop a comprehensive multi-agency inclusion model and identify special educational needs and support at the earliest point.

Using data to illustrate the local context, this report highlights some of this work, alongside the areas for future focus.

Evidence / Discussion

Permanent Exclusions in Secondary Schools

The chart below shows the number of exclusions by academic year over a ten-year period between 2010 and 2020.



*Data reported for the 20-21 academic year is for the period Sept 2020 – Dec 2020 (1/3 of the academic year)

Pupils can be excluded from schools from a variety of reasons, which are categorised broadly under the headings included in the table below. The categories included below are set by the Department for Education and used to ensure that exclusions are monitored in a consistent way nationally. The table includes data for the period Sept 2019 – Dec 20 and allows for greater analysis of the reasons why pupils are excluded from school. The data shows that during the period, the majority of exclusions arose because of disruptive behaviour or physical and verbal abuse directed towards school staff.

Reason for Permanent Exclusion (PEX)	Number of exclusions from Sept 2019- Dec 20
Physical assault on pupil	Less than 5
Verbal abuse to an adult	8
Other	Less than 5*
Disruptive behaviour	22
Physical assault on an adult	5
Drug abuse	Less than 5
Sexual misconduct	Less than 5
Damage	Less than 5
Verbal abuse to a pupil	Less than 5
Racism	0
Theft	0

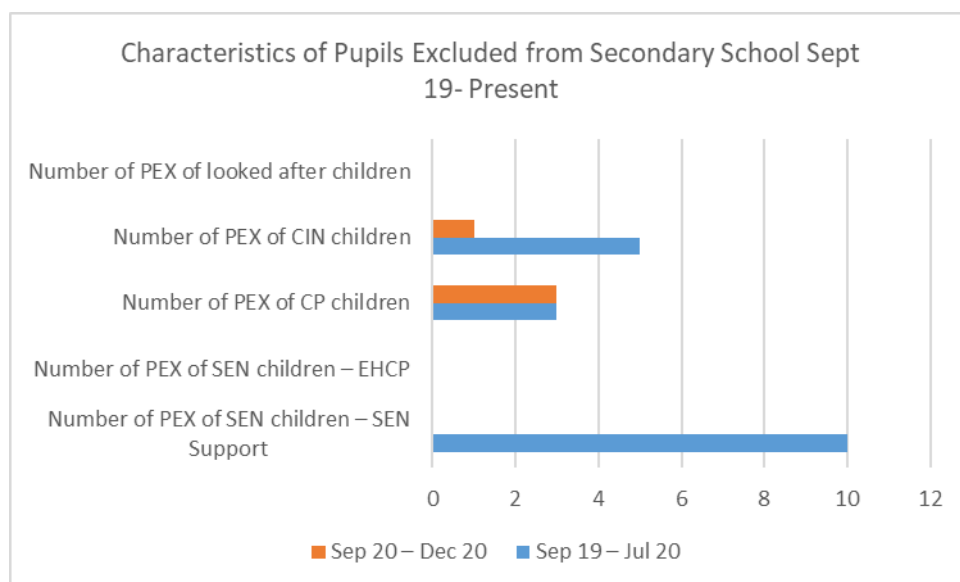
*Where the figure is less than 5 pupils, actual numbers have been removed to prevent identification of individual pupils

Some children who are permanently excluded also have additional characteristics (for example, they have special educational needs or are looked after to the Local Authority).

Of the 45 children excluded since Sept 2019:

Additional Characteristic	Number of excluded pupils Sept 2019 – Dec 20
Children registered at SEN Support Level	10
Children with an EHCP	0
Children Looked after	0
Children open to social care (Child in Need [CIN])	5
Children open to social care (Child Protection [CP])	Less than 5

The chart below shows the breakdown of this data for the 2019-20 and the 2020-21 academic year so far. This is not a direct year on year comparison as there is only Autumn Term data available for the 2020-21 academic year. However, it is useful in assessing the rate of exclusions in the current academic year to help predict the likely number of exclusions over the course of the year. Generally, the rate of exclusions has slowed; there have been no exclusions for children registered at SEN Support level since July 20.



Of the pupils registered at SEN Support level, less than 5 children have subsequently been issued with an Education, Health and Care Plan and have moved to longer-term specialist provision to meet their needs.

It is too early to draw conclusions on the reasons why rates have slowed this year but it is likely a result of a mix of factors including the new Local Authority model, the development of internal inclusion provision with secondary settings and the changes within schools to manage Covid-19 that have had an impact.

Fixed Term Exclusions

It is important to note that not all schools return fixed term exclusion data to the local authority and therefore, the figures used below are only a representative sample. Fixed term exclusions are managed at school level and form part of a schools overall response to behaviour management.

Of the data available, in the 2019-20 academic year there was a total of 1229-fixed term exclusions from Middlesbrough Schools, this accounts for 3188 days lost.

Unfortunately, data is not available for fixed term exclusions during the 2018-19 academic year and therefore it is not possible to analyse trends.

Break down of the available 2019-20 fixed term exclusion data shows:

Primary	Number of fixed term exclusions in Primary Schools	40
	Number of days lost to fixed term exclusions in Primary Schools	103
	Number of Individual Pupils receiving a fixed term exclusion in Primary Schools	23
Secondary	Number of fixed term exclusions in Secondary Schools	1180
	Number of days lost to fixed term exclusions in Secondary Schools	3067
	Number of Individual Pupils receiving a fixed term exclusion in Secondary Schools	567
Special	Number of fixed term exclusions in Special Schools	9
	Number of days lost to fixed term exclusions in Special Schools	18
	Number of Individual Pupils receiving a fixed term exclusion in Special Schools	6

There were a number of pupils across all types of provision who received multiple fixed term exclusions during the 2019-20 academic year.

As fixed term exclusions from mainstream secondary schools account for the significant majority of exclusions, the analysis below focuses solely on fixed term exclusions in secondary school.

So far, during the 2020-21 academic year there have been 359 fixed term exclusions, amounting to 627 days lost to fixed term exclusions in secondary schools in Middlesbrough.

Similarly, to permanent exclusions, a significant number of fixed term exclusions in secondary schools are for disruptive behaviour, or physical assault on pupils and staff and verbal abuse towards staff. A large portion of the fixed term exclusions are registered for 'other' reasons. As fixed term exclusions are managed at school level, any further analysis of this category would need to be completed in partnership with schools.

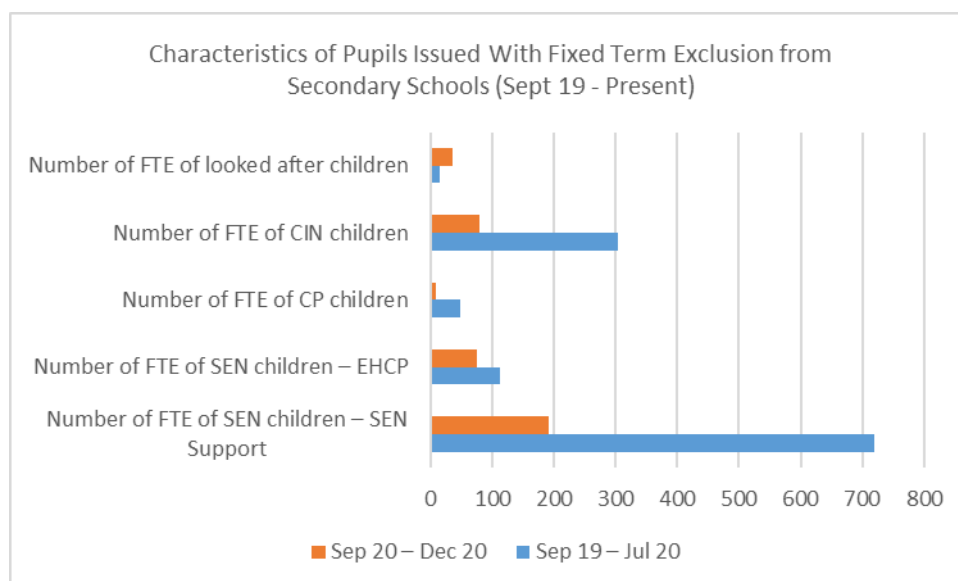
The table below shows the number of fixed term exclusions, and the days lost to fixed term exclusions by the reason for the exclusion across the 2019-20 academic year, and for the Autumn Term 2020.

Reason for Fixed Term Exclusion	Number of fixed term exclusions from Sept 2019- Jul 20	Number of fixed term exclusions from Sep 20 – Dec 20	Number of days lost to fixed term exclusions from Sept 2019- Jul 20	Number of days lost to fixed term exclusions from Sept 2020 – Dec 2020
Physical assault on pupil	80	42	159.5	71.5
Verbal abuse to an adult	166	55	287.5	112
Other	1155	60	1885	76
Disruptive behaviour	348	164	397	289
Physical assault on an adult	28	Less than 5	79.5	5
Drug misuse	17	0	61.5	0
Sexual misconduct	7	0	18.5	0
Damage	27	6	73	19
Verbal abuse to a pupil	32	12	56.5	15.5
Racism	13	Less than 5	23	5
Theft	15	0	26	0

Of the 2239 fixed term exclusions issued in mainstream secondary schools between Sept 2019 and Dec 20:

Additional Characteristic	Number of excluded pupils Sept 2019 – Dec 20
Children registered at SEN Support Level	910 (41%)
Children with an EHCP	187 (8%)
Children Looked after	50 (2%)
Children open to social care (Child in Need [CIN])	383 (17%)
Children open to social care (Child Protection [CP])	57 (3%)

It is important to note that the data in the table above does not represent individual numbers of children exclude. Some children may also possess more than one of the above characteristics. However, from the data it is possible to draw the conclusion that almost half of the fixed term exclusions issued between Sept 19 and Dec 20 were issued to pupils with special educational needs or an education, health and care plan.



The chart above shows the breakdown of this data for the 2019-20 and the 2020-21 academic year so far. This is not a direct year on year comparison as there is only Autumn Term data available for the 2020-21 academic year. However, it is useful in assessing the rate of exclusions in the current academic year of children with particular characteristics. With the exception of Looked After Children, it appears that the rates at which schools are issuing fixed term exclusions has slowed since September 2020. As with permanent exclusions, this is likely due to a mix of factors including Covid-19.

Work is already underway, via the new Inclusion, Assessment and Review service to better understand the needs of this cohort in more detail and work in partnership with schools to support behaviour management in schools alongside developing appropriate provision and support mechanisms to identify and address unmet special educational needs.

Pupil Inclusion Panels

As part of the aforementioned Behaviour Partnership work, a Secondary Pupil Inclusion Panel has been operational since December 2017. The multi-agency panel, led by secondary schools and local authority officers, meets monthly to work collaboratively to ensure:

- Pupils receive appropriate full time education suitable to their age, ability and aspirations within school, colleges and other alternative providers. This will be delivered through high quality learning and teaching experiences, so all students are able to achieve and fulfil their potential.
- The holistic needs of pupils and their families can be identified and supported by relevant agencies.
- Early intervention counteracts the need for exclusion in all but the most extreme of cases

Below is a table, which shows the number of referrals to Pupil Inclusion Panel since it was established in 2017. Generally, referrals to the panel have decreased. However, the proportion of children referred who are moved into alternative education in another setting has increased. As panel referrals have decreased, and permanent exclusions have not increased over the same period, this is a good indicator of the quality of school referrals, and the positive impact that the panel and behaviour partnership is having.

Year	Total number of referrals	Total number of children for whom alternative education was agreed
2017-18	120	75
2018-19	51	38
2019-20	38	32
2020 so far	11	7

Following the success of the secondary inclusion panel and after the creation of the new Inclusion, Assessment and Review Service in July 2020, a new Primary Pupil Inclusion Panel has also been created. Similarly to the secondary panel, the purpose of the group is to bring together a multi-agency network of providers and supporting agencies who can work together to promote greater pupil inclusion and avoid exclusion for primary age pupils.

So far, in total there have been 8 referrals to the primary inclusion panel. All of the pupils referred to the panel have been registered as having special educational needs; predominantly social, emotional and mental health needs. A small number of the referrals were also open to Children's Social Care Services.

Of the referrals made to the panel, less than 5 have since been referred to the Local Authority for an Education, Health and Care Plan. This could be an early indication of where more work or additional resource is required in Primary Schools to support pupils with challenging behaviour. However, as the panel is still in its infancy, it is not possible to confidently draw these conclusions yet and further work and analysis is required as the model develops. As several of the children referred to the panel have only just made the transition to primary school, it is also possible that the lockdown period had a negative impact on the identification of special educational needs in the early year's cohort.

Development of Alternative Provision

Alongside the Pupil Inclusion Panels, there has also been development work with alternative provision providers to increase the number and scope of alternative provision available within Middlesbrough. This has included investment from the Local Authority to develop a ten place assessment centre at one of our maintained special schools. Alongside this, there has been an increase in commissioned alternative provision places for pupils at Key Stage 3 and 4 to offer a wider range of vocational pathways for pupils. All providers are also part of a regular quality assurance cycle which ensures a quality offer of education for all pupils who attend.

Case studies and The Voice of the Child

Below are two case studies which demonstrate the experiences of children at risk of permanent exclusion, and provide a snapshot of the types of multi-agency solutions that schools and the Local Authority are working collaboratively to achieve.

Case study 1

A child in year 4 with autism was at risk of exclusion due to a range of verbally and physically aggressive behaviour towards adults. A Local Authority Educational Psychologist worked with the school and attended a couple of exclusion meetings to help school make 'reasonable adjustments' for the child and identify autism friendly support within school. A member of school staff attended autism training. The Educational Psychologist also supported the school and family through an Education, Health and Care [EHCP] needs assessment. The child now has an EHCP and is much more settled at school and no longer at risk of exclusion.

Case Study 2

A year 7 student's behaviour deteriorated, and was characterised by refusal to attend lessons and verbal aggression towards adults. She received several fixed term exclusions. After a range of strategies in school failed to improve the situation a managed transfer to another school was attempted. This transfer failed and was followed by further failed placements in several alternative provisions. A referral to Pupil Inclusion Panel was made, leading to a supported transfer to another alternative provision and involvement from an Education Psychologist to help to identify the student's needs. Through collaboration between the Education Psychologist, the inclusion support worker, the alternative provision and a new mainstream school a phased transfer back into mainstream was successful. She is now in year 10.

Voice of the Child

Appendix A provides an overview of the experience of 4 learners. Their feedback was obtained during a consultation exercise that was completed in Oct 2019.

From a pupil perspective, the main themes highlighted during the consultation exercise that could make a difference to improving inclusion in schools are:

- Positive staff and pupil relationships,
- The development of mutual respect and trust,
- Regular communication and feedback regarding individual pupil behaviour
- For pupils to get the right support to develop self-confidence and resilience

Conclusions

Whilst the number of permanent exclusions is declining in Middlesbrough, there is evidence within the data and in feedback from schools and young people that there is still work to do to meet the needs of young people who are at risk of exclusion and further promote inclusion in schools and education settings.

A significant portion of children receiving fixed term exclusions are also registered as having special education needs. The issuing of fixed term exclusions is a school level decision. However, the practice, alongside wider behaviour management in schools, will be a focus for the new Inclusion, Assessment and Review service over the coming year.

Further analysis is also required, in partnership with secondary schools, to understand the makeup of their pupil population to ensure that any conclusions drawn about use of exclusions as part of a schools behaviour management response reflect the context of the school, and that any subsequent improvement work takes account of this.

There are already strong foundations and inclusion partnerships to build on in Middlesbrough and the planned multi-agency development work to meet the needs of pupils at risk of exclusion is a progressive extension of this which will hopefully allow for a greater understanding of the needs of this cohort and lead to the development of appropriate provision to meet these needs in the longer term.

It is also important to note the impact that Covid-19, and school closures during the 2019-20 academic year, will inevitably have on all exclusion rates from March 2019 onwards. Higher numbers of pupils self-isolating, changes to the structure of the school day and the introduction of 'bubbles' to manage groups of children will have

all had an impact on pupil behaviour. This in turn may have affected the rates and numbers of fixed term and permanent exclusions.

It is too early to draw these conclusions at present, but it will be important to reflect on practices during this period to consider whether any of the changes within schools and education settings that have had a positive impact on behaviour can remain beyond Covid-19 to become 'business as usual' practices.

Appendix A – Inclusion, Behaviour and SEND: Pupil Voice

This consultation exercise was undertaken by Council Officers in October 2019 at the Middlesbrough Community Learning Centre. This setting is the base for the Alternative Provision Assessment Team. This is a team of two qualified teachers and a teaching assistant alongside an Assessment and QA Manager. This team was set up in December 2016 as a result of the increase in the number of permanent exclusions combined with the LA Pupil Referral Unit becoming acadamised. The role and focus of this team is to ensure that all students who are permanently excluded from school are in receipt of appropriate education from the sixth day of their exclusion. The students continue to be educated by the team whilst their academic attainment is assessed and staff are able to address any identified gaps in knowledge and ensure that the level of work is appropriate to each individual students needs. In addition to this the team work closely with the students and their families to better understand any underlying issues that may have impacted on the student’s behavior which led to the exclusion. This often involves collaborative work with several external agencies such as Social Care, CAMHS, Educational Psychologists etc . This way of working ensures that the team have a holistic view of each student and are better placed to assess and identify the most appropriate longer term educational placement for the student. For many this may involve a return to another mainstream setting, for others it may involve a referral to a specialist setting. This whole process is done in partnership with the student and their family and the success of this process has been in the positive relationships the team has built with individual families.

The consultation involved 4 pupils who were excluded from mainstream settings.

The session was ran as an informal group discussion based around a series of questions, the answers that the pupils provided are detailed below.

What is inclusion/what does it feel like?

The discussion here was to gain young people’s views on what they think inclusion means, what it feels for them to be included and what inclusion looks like, all of the answers given have positive connotations and were incredibly well thought out. The answers given are listed below:

- “Included”
- “Accepted”
- “Feels good”
- “Same chances as everyone”
- “Achieving the same as everyone in different ways”

Favourite subjects:

Here, we were gaining insight from young people about their favourite subjects, as well as subjects that interest them; this includes vocational skills as well as academic subjects. Business and finance, as well as engineering courses were popular in this cohort. The answers are listed below:

- “Business and finance you need to be proper ambitious to do it”
- “We are ambitious people”
- “Like to look at finances and money”
- “Motor vehicle engineering and mechanical engineering”

How do you feel about moving on to a new school?

This question was to gauge if there were any anxieties that are felt by young people or if they were looking forward to it, the response was positive here, and is below:

- "Relieved: don't want to be behind everybody, want to be the same as everyone"

How do you feel when you are escorted to places?

This question arose when the young people mentioned they get escorted by teachers to places, schools etc. One comment was positive, however most of the others were negative, claiming that they would like more independence. Comments are listed below:

- "Makes you feel okay"
- "Makes you feel like oh my god"
- "Should trust us to do things on our own"
- "They say we are young adults they should let us do things on our own"

Current experiences:

The comments below capture the experiences of the pupils who have moved to a new school. Most of the comments were positive, pupils cited great support networks and a culture of mutual respect between pupils and staff in their new settings.

- "They [staff] treat you in a way that you want to crack on and do things and not mess about."
- "When moving you got asked about what you wanted to do"
- "They show you the school and give you access to all areas which is good"
- "It's better that they talk through stuff to show us the consequences"
- "It helps you to reflect on what you are doing and stop"
- "Allows you to apologise for actions, say sorry and recognize what I had done"
- "You have discussions about the consequences and have a chance to sort yourself"
- "If you do something wrong then they will pull you out of lessons to speak to you properly"
- "You can use the red card if you've had enough so you can go outside and calm down"
- "All have mentors that can be SLT"

Experiences of alternative provision

Here the young people spoke about their experiences in their Alternative provision (CLC) and how it is preparing them for mainstream school. Again comments here were very positive, speaking about how they are taught resilience and mentally strong because of their experiences. This was an extremely important thing to them. Comments are below:

- "Less hours here"
- "Less stress"
- "More respect from staff"
- "1 to 1 support"
- "Get work to do"
- "You can find yourself again, get your head screwed on and go back to school"
- "You can reflect on what happened in school"
- "Smaller classes"
- "You learn more, it's better- lots better"
- "School makes contact with the families to make young people feel more secure and comfortable"
- "CLC speak to pupils as they arrive to see how they are, if they're having a bad time then they talk about it"

- “They focus on building a relationship first”
- “Relationships are good here because you can be yourself, they treat us with respect”
- “They prepare you mentally it’s just as important as preparing them for education”
- “I was negative before I came here”

Is there anyone you can speak to if you don’t get treated properly or you have a concern?

Here, the young people spoke about their experiences in their previous school. The comments were extremely negative and portrayed very poor relationships between staff and pupils. Comments are below:

- “No because the teacher’s always right and you’re always wrong”
- “The teacher makes you the problem”

How does it feel having teachers go to your house?

This came about due to CLC staff mentioning that they sometimes go round to pupils’ houses to speak to their family. All were on board only if the teacher was trusted and they had a good relationship with them. Comments are below:

- “Depends on the teacher”
- “If you have a good relationship it’s fine”

Does your relationship with staff affect your attitude and willingness to learn?

It was clear from the young people that they really appreciated and believed it was vital to have good relationships with staff. This included having banter with them and being treated more like an equal. Comments are below:

- “Yes because now we have mentors to go to (members of staff)”
- “Good relationship when you have banter”
- “Treat them as your friends, don’t have to say ‘yes sir’ ‘no sir’”

Do you know what you did that got you excluded/ what happened in periods of exclusion?

We spoke about their experiences with exclusion as a whole, how it was at the time, and after the process.

- “I don’t know why I’m excluded”
- “There’s no reasoning when you’re excluded”
- “I was excluded for two weeks, then they rang me and told me not to come back”
- “I’ve got no explanation and there’s been no meeting, my parents don’t even know why I’m excluded”
- “They didn’t exclude me until my Nanna went to the governors meeting, she felt proper intimidated and no one spoke to her about the evidence they had against me”
- “You don’t get any work”
- “I had coursework I did and it was put in the bin. So when I started at Acklam Grange I had to start all over again”
- “I missed out on a residential opportunity because I was excluded”

How does it feel when someone’s (including teachers) put you down/say you can’t achieve your goals?

This came from experiences they were speaking about in their previous school, and how teachers would tell them they wouldn’t pass certain subjects, when asking them how that made them feel the comments showed great resilience.

- "I don't listen to them"
- "Determined to prove them wrong"
- "Control your own destiny (one of the pupils gives motivational speeches to others in his new school) you can do anything if you put your mind in the right place"

What advice would you give to young people being excluded?

We asked the group about the advice they would give to others based on their experiences, all responses focused on reflection, accepting mistakes and moving on.

- "Accept responsibility"
- "Reflect and build your mentality up"
- "Start a fresh, you'll be fine"

Why is it important to feel included in decisions?

Here, we spoke about the importance of being included in decisions. The group placed great emphasis on being in charge of your own future and taking ownership of this.

- "It's your education"
- "It's your life isn't it?"
- "It's like putting a fish in a boxing ring, it'll live it's life thinking it's stupid, support needs to be individual"

Are you aware you can appeal the decision to exclude you?

It was clear that appealing the decision was unfavourable to the group, due to the fact it would be on their records. 2 out of 4 were unaware they could appeal at all.

- "2 are unaware they can appeal their decision"
- "We were told that if you move on a managed move it won't go on your record, but if you appeal it will"

What should discipline look like?

When they were speaking about their alleged mistreatment in their previous school, we asked them what discipline would be more appropriate. They spoke about giving work to do when in seclusion and to have the consequences clearly explained.

- "Have more work when you get a detention so you don't get left behind your other class mates"
- "If there's a chance you haven't done anything wrong you shouldn't be punished straight away"
- "Teachers take you through the consequences"

What do you think about university/your future?

In our talk about future plans, all but one of the young people were aware of university and had heard about it. Most of the young people had plans to do vocational work in the short term, like mechanical engineering, then completing a course in business/finance.

- "Student loans"
- "Mechanical engineering"
- "You need to be mentally prepared to go to uni"
- "That much freedom you don't want to rebel (about college)"
- "Found out about it through internet, word of mouth, conversations"
- "Important to go for your career and focus on your career"

Have you visited any colleges/unis?

All spoke positively about visiting prospective colleges/unis.

- “Good to visit college because you can see what it’s like and get a chance to see the place”

Have you had any work experience? What do you think of it?

Most of the young people had never had work experience before, but all agreed it would be beneficial to them.

- “Schools only teach you to a certain extent”
- “Work experience would be a good thing”

What’s important to you in your education?

Here we spoke about things that improve their education, a good balance of fun and play was key here, as well as having a good social relationship with their peers and teachers.

- “You have a shared experience with peers”
- “Trips out to places, not stuck inside all the time”
- “Having time to talk before school starts” (playing cards in CLC was helpful to discuss any problems that may have occurred over the weekend)

Main themes important to young people in this consultation:

From speaking to the young people, there were a few themes that were extremely important to them, they are as follows:

- **Positive staff and pupil relationships-** emphasis was placed on mutual respect and being able to raise concerns/ be supported by staff who were there for them.
- **Independence and trust-** freedom and trust were important to young people too, they are young adults and wish to be treated as such.
- **Lack of information from teachers-** the pupils were adamant that teachers explain things to them in detail. This was relevant to the reasons for exclusion, and even explaining consequences.
- **Reflection/mental resilience-** this was a huge part of the consultation, with the young people claiming that the CLC has helped them get into the right mind set to continue with school. They have learned more about themselves and have developed a self confidence that has turned them into intelligent, motivated young men.