

# CHILDREN AND EDUCATION SCRUTINY SUB-COMMITTEE

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Tuesday, 8 October 2019 at 6.30 p.m.

MP702 - Town Hall Mulberry Place

## SUPPLEMENTAL AGENDA

**This meeting is open to the public to attend.**

**Contact for further enquiries:**

Democratic Services

1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG

Tel: 020 7364 0842

E-mail: [farhana.zia@towerhamlets.gov.uk](mailto:farhana.zia@towerhamlets.gov.uk)

Web: <http://www.towerhamlets.gov.uk>

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For further information including the Membership of this body and public information, see the main agenda.

**4 .2 EXCLUSION IN SECONDARY SCHOOL - SCRUTINY REVIEW  
REPORT**

**3 - 32**

<p>Non-Executive Report of the:</p> <p><b>Children and Education Scrutiny Sub-Committee</b></p> <p>Tuesday, 8 October 2019</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Corporate Director, Children and Culture</p>	<p><b>Classification:</b> Open (Unrestricted)</p>
<p><b>Exclusion in Secondary Schools</b></p>	

<b>Originating Officer(s)</b>	Sharon Godman
<b>Wards affected</b>	(All Wards);

### Reason for urgency

Owing to amendments to the report being received later than expected, there was a delay in getting finance and legal clearance in the appropriate time. As such this report could not be published five clear days of the meeting. The Chair is keen for the Sub-Committee to approve the report as the review occurred in the last municipal year, otherwise it will be delayed until December 17th, the next scheduled meeting.

### Executive Summary

This paper submits the report and recommendations of the Overview and Scrutiny Committee's review of exclusions in secondary schools for consideration by the Children and Education Scrutiny sub-Committee.

### Recommendations:

The Children and Education sub-committee is recommended to agree the following recommendations:

- **Recommendation 1:** Review the information held on school websites to ensure that clear information on behaviour management processes and sanctions are published and made available in community languages. This information should include a glossary explaining the terminology, which parents and pupils will be signposted to at the start of every disciplinary process.
- **Recommendation 2:** Ensure that information around support for parents, including parental rights, is up-to-date, available on both the Council and individual school websites, and parents are signposted to the Transitions Service at the start of any disciplinary process.

- **Recommendation 3:** Ensure that statistics on managed moves are included in LBTH's annual Exclusions Report and monitored accordingly
- **Recommendation 4:** Review training offer for governors and ensure information/training is provided to governing bodies around effective scrutiny of exclusions and managed moves.
- **Recommendation 5:** The Council should continue to review school organisation and place planning to ensure there is adequate provision for all children, where there is a demand for places. This should include consideration of developing AP provision to extend and increase access for younger children, girls and post-16 pupils and should include a review of empty buildings which could be used for specialist provision, working alongside schools.
- **Recommendation 6:** Provide schools with examples of best practice for data recording and behaviour management practice, brokering support between schools if possible
- **Recommendation 7:** Use the local research undertaken by the Institute of Education in 2015 to produce an updated action plan to help close the attainment gap for White British children.
- **Recommendation 8:** Review the information held on the Local Offer to ensure that schools are able to signpost parents/pupils to support services and extra-curricular activities, and to find accurate, up-to-date information themselves. A) encourage said services to attend schools (parent evenings and assemblies were popular suggestions)
- **Recommendation 9:** THEP should consider whether to review their NQT programme and incorporate training on restorative practice, information about ACEs, and interaction with LEAP.
- **Recommendation 10:** The scrutiny function in LBTH should consider undertaking further scrutiny into this subject by expanding the age range and parameters of the review.

## **1. REASONS FOR THE DECISIONS**

- 1.1 Following the scrutiny review completed in last municipal year, the committee is asked to approve the attached report in order for an action plan to be developed.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The committee have the right not to approve the report. However, this will affect the development of actions against suggested recommendations.

## **3. DETAILS OF THE REPORT**

- 3.1 The Overview and Scrutiny Committee identified the subject of exclusions in school as an area of possible concern, following an increase in media and government attention around the topic. This was compounded by the introduction of a new Ofsted education inspection framework. A school that is

unable to demonstrate inclusive behaviour management process could receive a less favourable judgment from Ofsted.

- 3.2 Recognising the national and local context, the aim of this review was to explore the work of the council, schools and other partners to ensure there was inclusive practice in schools and education, to understand the reasons behind pupil exclusions, and to seek best practice examples wherever possible.
- 3.3 Although the London Borough of Tower Hamlets has a low rate of permanent exclusions, the number of fixed term exclusions is increasing, as are the requests from schools to undertake a “managed move”. A managed move is a voluntary agreement between schools, parents/carers and a pupil, when the pupil changes school or educational programme under controlled circumstances. A managed move can be set up if a child has been identified as being at risk of permanent exclusion and other support strategies have not been successful.
- 3.4 The review was underpinned by three core questions:
  - a. Is there an exclusion issue in LBTH? This explored the impact of exclusion on pupils and their families, as well as the benefits and drawbacks of managed moves.
  - b. Who is most at risk of exclusion? This looked at whether enough is being done to mitigate this risk whilst in school; whether managed moves mitigate this risk and followed the route of a pupil once excluded.
  - c. Finally, the review looked at whether existing metrics/indicators/measurements were sufficient to allow a deeper understanding of exclusion – trends and patterns across LBTH, including what the underlying causes of persistent disruptive behaviour are.
- 3.5 Although the London Borough of Tower Hamlets has a low rate of permanent exclusions, the number of fixed term exclusions is increasing, as are the requests from schools to undertake a “managed move”. The panel wanted to explore whether the low number of permanent exclusions masks the fact that there is a rising rate of fixed term exclusions and an increase in the amount of referrals to the Fair Access Panel (which are made in order to facilitate a managed move or transfer to AP).

#### **4. EQUALITIES IMPLICATIONS**

- 4.1.1 The review aimed to establish whether certain groups of children in Tower Hamlets are more likely to be excluded from school, both for a fixed period and permanently. This includes: boys, children with SEN, those who have been supported by social care or come from disadvantaged backgrounds, and children from certain ethnic groups, such as White British and Black

Caribbean pupils. If this was the case, recommendations have been put in place to address this and improve parity.

## **5. OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 There are no financial implications resulting in the recommendations detailed in this report relating to the review of exclusions in secondary schools.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 The statutory framework around exclusions is set out in the Education Act 2002, the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 and the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007. The associated statutory guidance, “Exclusion from maintained schools, academies and pupil referral units in England”, published in September 2017 sets out that the decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.

7.2 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council’s Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for the Children and Education Scrutiny Sub-committee to give consideration to the recommendations made by Overview and Scrutiny.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- List any linked reports
- **NONE**

### **Appendices**

- Appendix 1 Scrutiny Review Report

#### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- These must be sent to Democratic Services with the report
- State NONE if none.

#### **Officer contact details for documents:**

Elizabeth Freer x2988

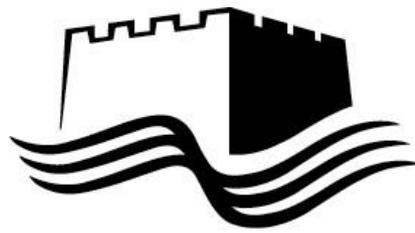
Elizabeth.Freer@towerhamlets.gov.uk

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**Appendix 1**

**Exclusions in Secondary Schools**

**Scrutiny Review Report**



**TOWER HAMLETS**

**June 2019**

## Chair's Foreword

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**As a former pupil of Tower Hamlets, I have continued to take a strong interest in the progress of schools and education in the borough. Over the last two years, increased awareness and publicity around knife crime and school exclusions has led me to consider whether there is an issue in Tower Hamlets, and how inclusive our schools are.**

**Therefore, for my first scrutiny review as Scrutiny Lead for Children and Culture, I chose to explore the topic of exclusions in secondary schools, looking at: whether there is an exclusion issue in Tower Hamlets; how schools maintain an inclusive approach to behaviour management; and what more could be done?**

**I would like to extend my gratitude to those who attended, especially officers and expert witnesses who gave up their evenings and time to support the review. It became clear that the subject matter was far bigger than a two session scrutiny review, so I would encourage the newly inaugurated Children and Education Scrutiny sub-committee, which I Chair, to continue to explore the subject in greater depth.**

**I look forward to seeing the subsequent action plan that will be produced in response to this review, and am committed to ensuring there is continued robust support and challenge to education providers in the borough.**

**Cllr Sufia Alam, Poplar Ward  
Scrutiny Lead Children & Culture**

## Summary of Recommendations

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- **Recommendation 1:** Review the information held on school websites to ensure that clear information on behaviour management processes and sanctions are published and made available in community languages. This information should include a glossary explaining the terminology, which parents and pupils will be signposted to at the start of every disciplinary process.
- **Recommendation 2:** Ensure that information around support for parents, including parental rights, is up-to-date, available on both the Council and individual school websites, and parents are signposted to the Transitions Service at the start of any disciplinary process.
- **Recommendation 3:** Ensure that statistics on managed moves are included in LBTH's annual Exclusions Report and monitored accordingly
- **Recommendation 4:** Review training offer for governors and ensure information/training is provided to governing bodies around effective scrutiny of exclusions and managed moves.
- **Recommendation 5:** The Council should continue to review school organisation and place planning to ensure there is adequate provision for all children, where there is a demand for places. This should include consideration of developing AP provision to extend and increase access for younger children, girls and post-16 pupils. This should include a review of empty buildings which could be used for specialist provision, working alongside schools.
- **Recommendation 6:** Provide schools with examples of best practice for data recording and behaviour management practice, brokering support between schools if possible
- **Recommendation 7:** Use the local research undertaken by the Institute of Education in 2015 to produce an updated action plan to help close the attainment gap for White British children.
- **Recommendation 8:** Review the information held on the Local Offer to ensure that schools are able to signpost parents/pupils to support services and extra-curricular activities, and to find accurate, up-to-date information themselves. A) encourage said services to attend schools (parent evenings and assemblies were popular suggestions)
- **Recommendation 9:** THEP should consider whether to review their NQT programme and incorporate training on restorative practice, information about ACEs, and interaction with LEAP.
- **Recommendation 10:** The scrutiny function in LBTH should consider undertaking further scrutiny into this subject by expanding the age range and parameters of the review.

## **1. Introduction**

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- 1.1 The topic of exclusion from school is currently a high profile issue, both nationally and regionally. School exclusion is when head teachers exclude pupils, either for a fixed period or permanently, for disciplinary reasons.
- 1.2 Following many years of declining use, rates of both fixed period and permanent exclusion have risen across the UK since 2013/14, (although the rate and number of permanent exclusions are still lower than in 2006/07 when comparable records began).
- 1.3 Longstanding national trends show that certain groups of children are more likely to be excluded from school, both for a fixed period and permanently. This includes: boys, children with SEN, those who have been supported by social care or come from disadvantaged backgrounds, and children from certain ethnic groups, such as White British and Black Caribbean pupils.
- 1.4 In 2018, the government asked Edward Timpson to undertake a review of School Exclusions, starting with a call for evidence. His landmark review with 30 recommendations, published in May 2019, has been complemented by a number of additional reports and reviews on the topic of exclusion.
- 1.5 Although the London Borough of Tower Hamlets has a low rate of permanent exclusions, the number of fixed term exclusions is increasing, as are the requests from schools to undertake a “managed move”.
- 1.6 A managed move is a voluntary agreement between schools, parents/carers and a pupil, when the pupil changes school or educational programme under controlled circumstances. A managed move can be set up if a child has been identified as being at risk of permanent exclusion and other support strategies have not been successful.
- 1.7 In addition, Ofsted has launched a new inspection framework for schools, to be implemented from September 2019. Moving away from a more traditional data-heavy inspection, the new framework contains revised judgement categories which cover: Quality of Education, Behaviour and Attitudes, Personal Development, Leadership and Management.
- 1.8 Key themes which have emerged from the framework include an emphasis on good character and resilience among pupils, as well as tackling off-rolling. Off-rolling is the practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best

interests of the pupil. This includes pressuring a parent to remove their child from the school roll.

- 1.9 Under the new “Behaviour and Attitudes” judgment, in addition to focusing on policies and approaches to minimise or eliminate bullying and discrimination, Ofsted will evaluate the effectiveness of exclusion, and alternative strategies to exclusion, in each school they inspect.
- 1.10 Recognising the national and local context, the aim of this review was to explore the work of the council, schools and other partners to ensure there was inclusive practice in schools and education, to understand the reasons behind pupil exclusions, and to seek best practice examples wherever possible.
- 1.11 The review was underpinned by three core questions:
  - a. Is there an exclusion issue in LBTH? This explored the impact of exclusion on pupils and their families, as well as the benefits and drawbacks of managed moves.
  - b. Who is most at risk of exclusion? This looked at whether enough is being done to mitigate this risk whilst in school; whether managed moves mitigate this risk and followed the route of a pupil once excluded.
  - c. Finally, the review looked at whether existing metrics/indicators/measurements were sufficient to allow a deeper understanding of exclusion – trends and patterns across LBTH, including what the underlying causes of persistent disruptive behaviour are.
- 1.12 The review was chaired by Cllr Sufia Alam, Scrutiny Lead for Children and Culture over two sessions held in April and May 2019. Both sessions were held at the Town Hall. An additional evidence gathering session with Tracy Smith, Executive Director of the Tower Hamlets’ Education Partnership, was also held in May.
- 1.13 At the scrutiny review, Members heard from expert witnesses from various education establishments who spoke about the challenges they face in a time of continuous budgets cuts with pupils presenting increasing vulnerabilities and needs:
  - 1) Central Foundation School – the headteacher reported that, in the last few years, the impact of social media has presented increasing challenges when trying to manage behaviour effectively. However, examples were given as to which initiatives and processes worked well in that school.
  - 2) London East Alternative Provision spoke about the positive impact managed moves and alternative provision in this borough can make on a young person’s life. Notably, the executive

headteacher felt that the link between knife crime, gangs and AP in Tower Hamlets was not as prevalent as the media present.

- 3) George Green's School explained the importance of fostering good relationships with pupils and parents alike, and what methods are employed at the school to encourage this. The headteacher also spoke about the role the physical environment at a school can play in behaviour management; namely, that her school building can have a negative impact on the children, with tiny corridors, a lack of visibility for staff and many nooks and crannies.

1.14 Members were invited to ask questions and express any concerns heard from residents, including through case work. As a result, one member brought a parent witness with him who gave his perspective to the panel.

1.15 Members that attended the scrutiny review were:

<b>Name</b>	<b>Ward</b>
<b>Cllr Sufia Alam (Chair)</b>	Poplar Ward
<b>Cllr Marc Francis</b>	Bow East Ward
<b>Cllr Tarik Khan</b>	St Peter's Ward
<b>Cllr Mohammed Papu</b>	Blackwall & Cubitt Town
<b>Cllr Danny Hassell</b>	Bromley South

1.14 The scrutiny review was supported by;

<b>Elizabeth Freer</b>	Strategy and Policy Manager, Children & Culture
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1.15 The panel received evidence from members of the Executive, a range of officers and experts including;

**London Borough of Tower Hamlets:**

<b>Debbie Jones</b>	Corporate Director, Children & Culture
<b>Terry Bryan</b>	Head of Pupil Services and School Sufficiency
<b>John O'Shea</b>	Head of SEND and Educational Psychology
<b>Kerrigen Marriner</b>	Head of Behaviour and Attendance Support Service/Chair of FAPP
<b>Stuart Young</b>	
<b>Jill McGinley</b>	Head of Parent and Family Support

**External Speakers:**

<b>John Bradshaw</b>	London East Alternative Provision
<b>Esther Holland</b>	Central Foundation School
<b>Jill Baker</b>	George Green's School

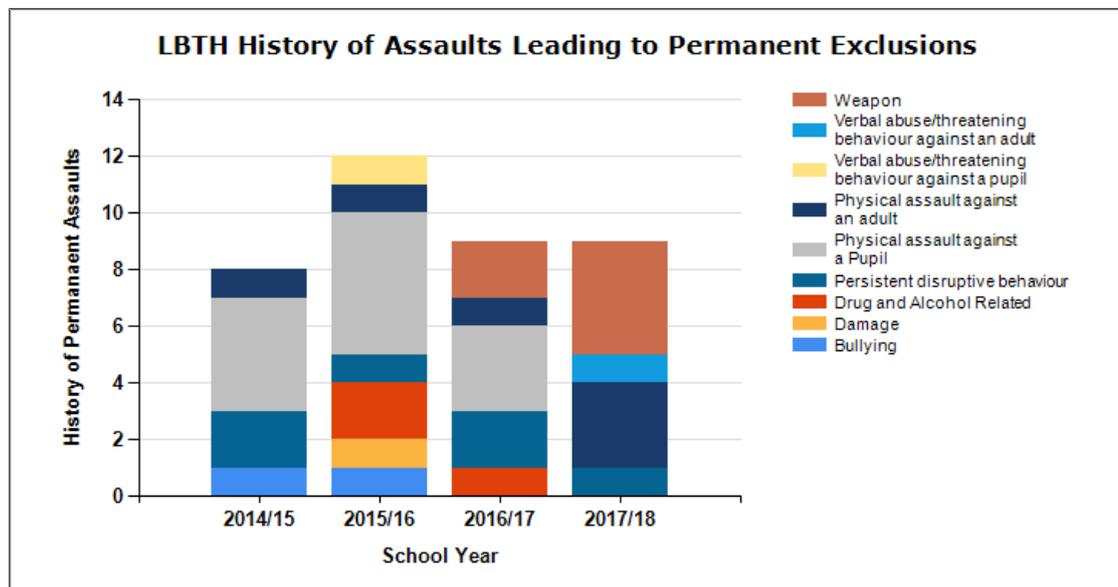
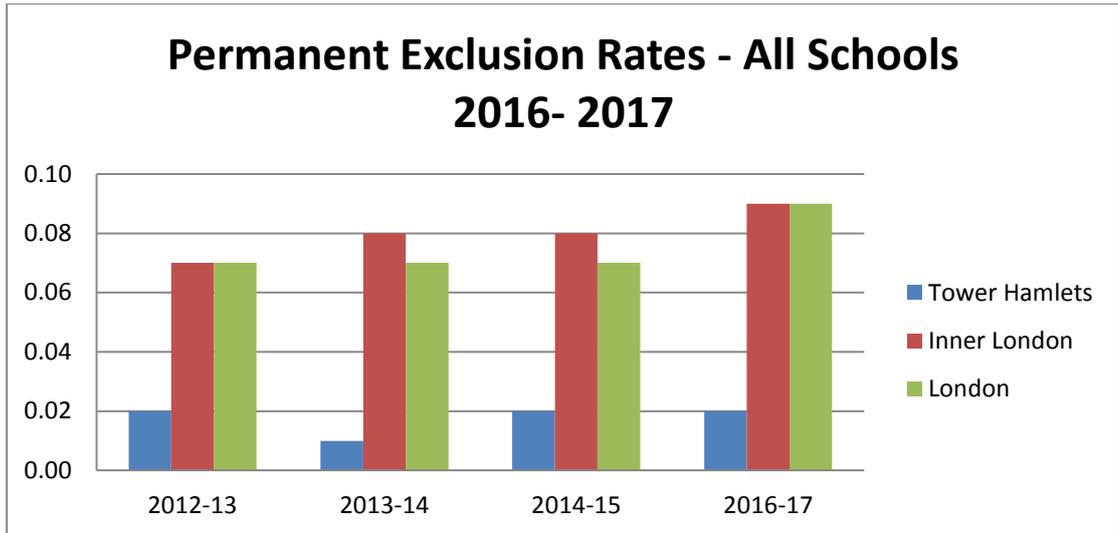
**Young Executive**

<b>Jaami Barry</b>	Young Mayor
<b>Nadia Hussein</b>	Deputy Young Mayor

## **2. National and Regional Context**

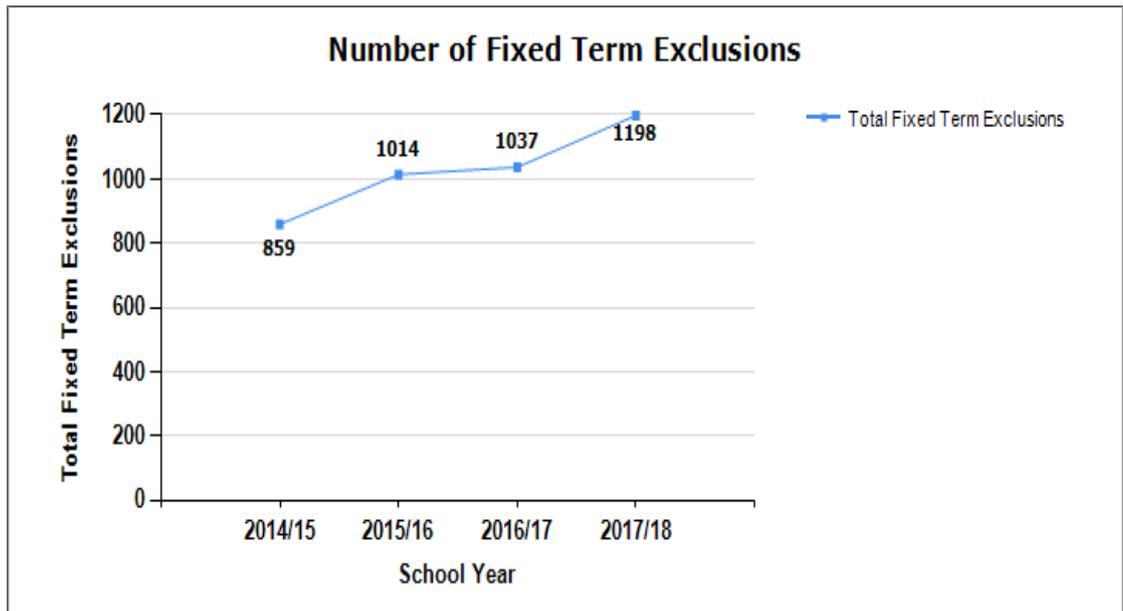
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- 2.1 Although the Timpson review identified excellent practice across the school system in England, it also found a great variation in exclusion practice, thereby suggesting there is more work to be done to ensure that every exclusion is “lawful, reasonable and fair”. Timpson stressed the need for permanent exclusion to be a last resort, “used only where nothing else will do”.
- 2.2 Nationally, in 2016/16, 85% of all mainstream schools in England issued no permanent exclusions, whereas 0.2% of schools (all secondary) issued more than 10. Of these permanent exclusions, over half were in the Local Authorities (LAs) who were in the top 25% of excluding LAs.
- 2.3 Pupils are 24 times less likely to be excluded from alternative provision (AP) but almost twice as likely to incur fixed term exclusions.
- 2.4 78% of permanent exclusions were issued to people who had either identified SEN, were classified as “in need”, or were eligible for free school meals. Children with English as an additional language are approximately 33% less likely to be permanently excluded than those with English as a first language.
- 2.5 Longstanding trends demonstrate that boys and older pupils are more likely to be excluded. However, the rate of permanent exclusions for five-year-olds, whilst still low, has more than doubled in the last three years, with over 5,000 five to ten year olds receiving some (or all) of their education in Alternative Provision (AP), as of January 2018.
- 2.6 The latest Annual Exclusions Report (2017/8), produced by the Behaviour and Attendance Service at LBTH, demonstrates similar trends:
  - 2.6.1 Permanent exclusions remain low (9 in the past two years) and the rate of permanent exclusions is low when compared to Inner London and London as a whole.



2.6.2 The rate of fixed term exclusions in Tower Hamlets is lower than London and inner London.

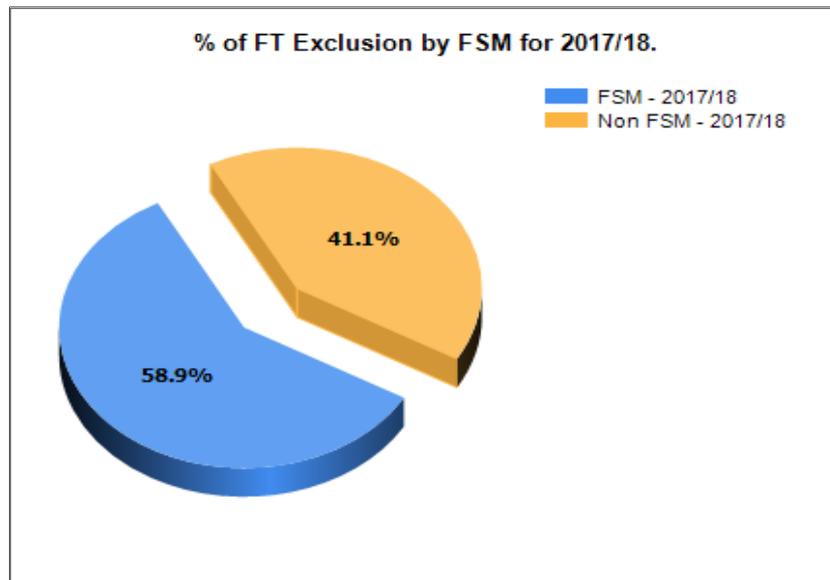
2.6.3 Fixed term exclusions are rising – 39% since 2014, which is more than five times the rate of population increase.



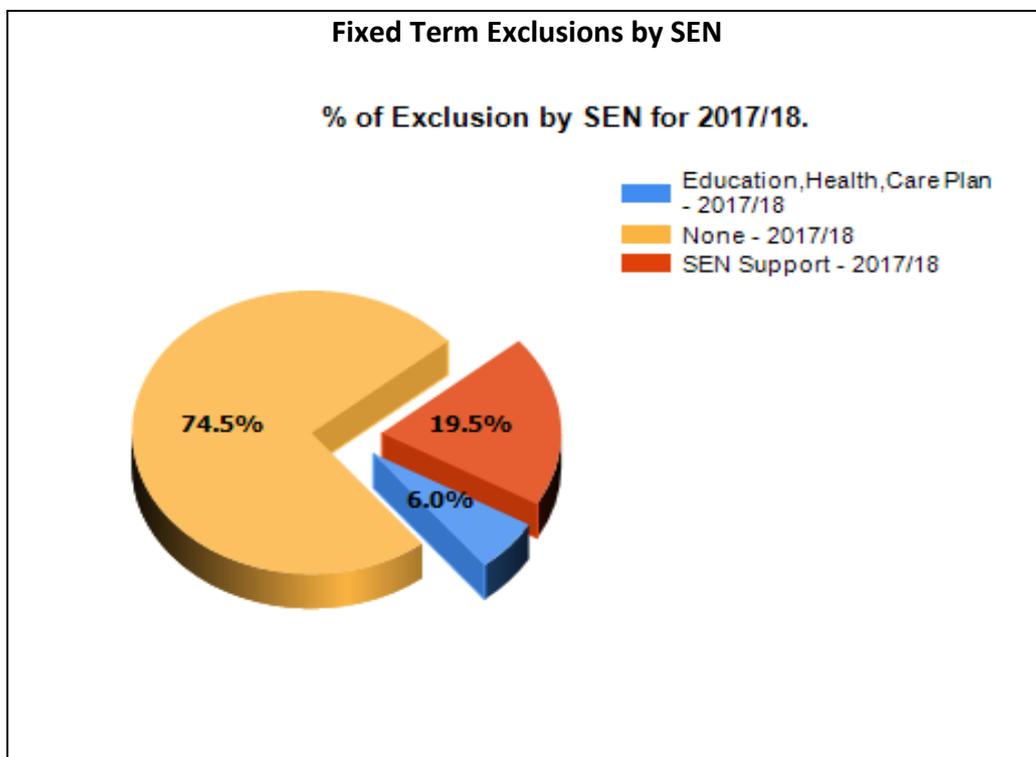
- 2.6.4 Managed moves and alternative provision (AP) referrals are rising – 17% since 2014.
- 2.6.5 Overall, Fair Access Protocol (FAP) referrals have risen by 52% since 2014. As well as managed move and AP referrals these include hard to place referrals, individual tuition referrals and referrals for reintegration programmes. The majority of these cases involve pupils who have Social, Emotional and Mental Health (SEMH) needs, behavioural needs or other vulnerabilities.
- 2.6.6 There is a large variation in the number of fixed term exclusions between Tower Hamlets schools, ranging from 6 to 167. This is not accounted for by school size.
- 2.6.7 There is a rise in weapon related permanent exclusions.
- 2.6.8 There has been a significant rise in the fixed term exclusion of girls – 129 more than in 2016/17, a rise of 45.6%.

	2015/16	2016/17	2017/18
Gender	Count	Count	Count
Boys	706	752	786
Girls	308	283	412
<b>Total</b>	<b>1014</b>	<b>1035</b>	<b>1198</b>

2.6.9 Free School Meal pupils account for 58.9% of all fixed term exclusions, and five of the nine permanent exclusions.



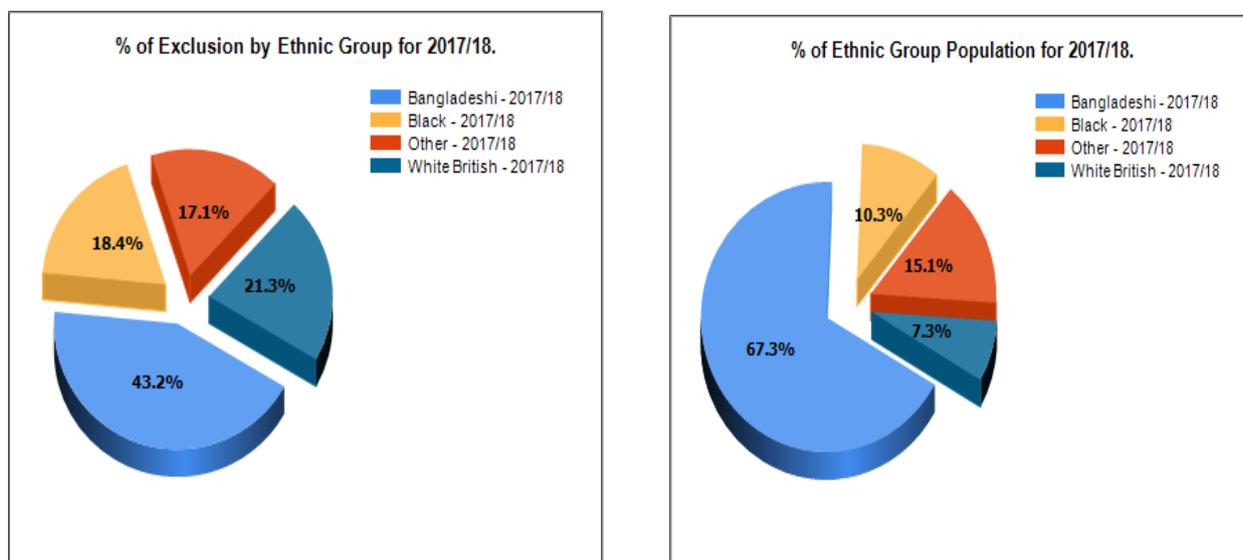
2.6.10 Two of the nine permanently excluded pupils had Education, Health and Care Plans (EHCPs), and there is an over representation of SEN pupils in fixed term exclusions. A quarter of full time exclusions are SEN pupils (although this is significantly less than national rate of 44.9%).



2.6.11 There has been a reduction in the average length of fixed term exclusions and the overall length of fixed term exclusion.

2.6.12 There is an over representation of white British pupils (particularly boys) in fixed term exclusions.

### Fixed Term Exclusions by Ethnicity



## 3. Understanding the issue

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**'Exclusion is the first step on a dangerous road'** Kiran Gill, Times Educational Supplement

- 3.1 Both sessions began with the question, "Is there an exclusion issue in LBTH?", being posed to the experts. The panel wanted to explore whether the low number of permanent exclusions masks the fact that there is a rising rate of fixed term exclusions and an increase in the amount of referrals to the Fair Access Panel (which are made in order to facilitate a managed move or transfer to AP).
- 3.2 The question garnered a variety of responses. The Young Mayor and Deputies spoke of their frustration at the use of in-house exclusions by schools, feeling they were used too frequently, and often unwarranted. They believed low level disruption and incidences of defiance should not incur time away from the classroom, in an "Exclusion Room", thereby causing the pupil to miss education.
- 3.3 This was challenged by current and ex-headteachers who felt that pupils needed to acknowledge the effect one poorly behaved child could have on the rest of their class. They felt pupils should be able to feel safe at school, free from abuse, thereby creating a tension around whether the needs of many outweigh the needs of an individual. They

felt internal exclusions allowed the pupil time to reflect and learn from the experience, if managed well.

- 3.4 The Young Mayor and his team also explained that their peers do not always view fixed term exclusions as punitive, but instead as “a break from school”. Headteachers explained that those children, who see school as a punishment, often need the most interventions, and their faith in school restored.
- 3.5 Parent A spoke of his experience with his son’s internal exclusion whilst awaiting a managed move, calling it a “form of mental health abuse”, and expressed his frustration at how the school had presented options to him. He believed the school had jumped to a managed move without exploring other options and were pressuring him to agree to it.
- 3.6 John Bradshaw, Executive Headteacher at LEAP, acknowledged that he meets parents at LEAP who do not understand the managed move/exclusions process and felt “railroaded” into it by the schools their children attended. Such an emotionally charged process can lead to a breakdown in communication.
- 3.7 In addition, the panel heard that the terminology used during behaviour management processes can be foreign to many parents, especially those with English as an additional language, such as Parent A, Schools need to consider whether differences between types of exclusion are clearly articulated.
- 3.8 The Young Mayor and his team confirmed they were also unaware of what certain terms meant. This raised concerns for the panel as those young people are in education. They should therefore should be following the behaviour management policy at their school and be aware of repercussions and what those sanctions meant. Although schools have a statutory duty to publish on their websites their Behaviour Policy, it is not clear how accessible and user friendly they are.

**RECOMMENDATION 1:** Review the information held on school websites to ensure that clear information on behaviour management processes and sanctions are published and made available in community languages. This information should include a glossary explaining the terminology, which parents and pupils will be signposted to at the start of every disciplinary process.

reinstating 100 Members at the scrutiny challenge session were pleased to support the intention to retain

## 4. Relationships

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- 4.1 Jill Baker, headteacher at George Green’s School, emphasised how critical the relationship between schools and parents is, believing managed moves were more likely to be initiated if the relationship breaks down. However, if handled well, parents often acknowledge the support at the end of the managed move process.
- 4.2 The panel heard details of the tremendous amount of work that goes on into building these relationships: an open door policy with an individualised approach for each parent; allowing parents to vent; dealing with complaints effectively; and admitting when the school makes a mistake.
- 4.3 All experts agreed it was crucial that parents felt listened to by headteachers, and provided with a “safe place” when discussing their child’s future; parents and pupils were provided with clear information at the beginning of any discussions around sanctions and exclusions; that managed moves were spoken about as an option from the beginning; and that pastoral support was in place for the family.
- 4.4 The panel heard that the Transitions Service at LBTH provides support for parents, acting as independent advocates to ensure parents get clear information they are able to understand and digest. They ensure any confusion or uncertainty about the process is clarified. They are also able to work with schools around parental relationships, encouraging them to work closely in partnership. Staff are trained and skilled in having conversations with parents in challenging circumstances. It was mentioned that the work this team provides is instrumental in reducing the number of managed moves and permanent exclusions – early intervention is key.
- 4.5 In addition, The Behaviour and Attendance Service can intervene if the relationship is fractured, using a restorative justice approach. This service was praised, but its availability was thought to be not widely known.

**RECOMMENDATION 2:** Ensure that information around support for parents, including parental rights, is up-to-date, available on both the Council and individual school websites, and parents are signposted to the Transitions Service at the start of any disciplinary process.

## 5. Managed Moves

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- 5.1 Head teachers and officers agreed that managed moves were in effect, if not in name, a form of transfer/exclusion and should only come at the end of a journey of intervention. At a cost of £6,000 to the school, the decision is not taken lightly. Head teachers reiterated their commitment to keeping children at their school.
- 5.2 The panel heard high praise for LBTH's managed move process, which has a 90% success report. It forms part of the Fair Access Protocol (FAP), which schools in Tower Hamlets are heavily invested in. It is signed up to by all head teachers, who are typically committed to dealing with problems across Tower Hamlets schools in "a collegiate way". All schools in Tower Hamlets follow the Fair Access Protocol. The protocol sets standards for dealing with applications that are made when families move into the borough or want to transfer their child from one school to another. The protocol also provides the early admission to school or access to alternative education for children whose circumstances make them 'difficult to place'.
- 5.3 Contrary to references in the media of English schools "gaming the system" by off-rolling pupils, the managed move process in Tower Hamlets is considered to be transparent, and not designed to suppress figures. Data is reported to schools on an individual basis, and available to all head teachers half-termly. However, it is not included in the annual Exclusions Report, making it difficult to establish a robust picture of how inclusive individual schools truly are.
- 5.4 Ofsted noted in their report on Knife Crime:
- 'Clarity is needed on 'managed moves'. As an alternative to exclusion, pupils who carry knives are sometimes moved to other mainstream schools or PRUs. But no single body has a clear picture of the number of children who are moved, where they go, or for what reason. It is difficult to know what happens to these children, whether they are kept safe or what their educational outcomes are'.*
- 5.5 Reassurance was provided by experts that ,in Tower Hamlets, this is not the case. Children are tracked and data is recorded and provided to schools. As per the Timpson report, it is essential that LAs know how and when children move around the school system, ideally, with oversight provided by the DfE.

**RECOMMENDATION 3:** Ensure that statistics on managed moves are included in LBTH's annual Exclusions Report and monitored accordingly.

- 5.6 Experts felt the majority of schools do not rush to managed moves. Headteachers can hold each other to account as part of the FAP, and have given the panel powers to refuse managed moves. Schools also put forth suggestions regarding the process at the Behaviour and Attendance forums, held twice a term.
- 5.7 As this left the suggestion that a minority of schools may rush to a managed move, the panel asked why there are notable variations in the amount of fixed term exclusions in LBTH schools. The panel heard that schools with zero tolerance policies, as well as new headteachers, are more likely to jump to a managed move.
- 5.8 Supporting schools to have a more contextualised behaviour management policy and response forms part of the offer from the Behaviour and Attendance Service. Officers from said service stated they challenge headteachers if the evidence suggests referring to the FAP is a kneejerk response. However, if there wasn't the opportunity of a managed move, symbolising a fresh start, the amount of permanent exclusions could increase. Managed moves mitigate this risk.
- 5.9 The role of a governing body of a school is to hold its leaders to account, and it was suggested that there is a training need for governing bodies to support them to do so effectively. Data on Fixed Term and Permanent Exclusions is currently reviewed by governors, but whether they look at managed moves in the same way is unknown. Ideally, governing bodies should regularly review processes and check the demographics of excluded pupils to ensure there are no equalities issues.

**RECOMMENDATION 4:** Review training offer for governors and ensure information/training is provided to governing bodies around effective scrutiny of exclusions and managed moves.

## **6. Who is most at risk of exclusion?**

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- 6.1 As John Bradshaw stated during the first session, exclusion is an inevitable part of a continuum of any behaviour management policy, and this should be clear and transparent to pupils and parents. The review did not intend to suggest any limitations on the powers of head teachers to exclude, but rather to ensure that exclusions were proportionate, considerate and not adversely affecting particular groups of children, based on the Protected Characteristics.
- 6.2 The panel heard that that it would not be prudent to issue a standard policy across Tower Hamlets. Different schools have different cultures

and approaches. Policy development support is offered by the Behaviour and Attendance Service.

- 6.3 The panel reviewed data that demonstrated, despite the consistent work undertaken in schools to meet the needs of all its pupils, certain demographics are still more likely to be excluded than others.
- 6.4 Debbie Jones, Corporate Director of Children's Services, spoke about the huge challenges faced in Tower Hamlets, with high levels of poverty – it is a challenging environment for young people who are unable to self-regulate. Despite this, LBTH have heavily invested in the FAP and managed moves process, providing excellent resources that, although stretched, are deployed effectively – “every minute matters, every second counts” - in order to give every chance to every child.
- 6.5 Despite this, not every child will respond to a behaviour system. In addition, central government funding cuts mean that thresholds for support from services have risen and waiting times are longer, so children are reaching crisis point.
- 6.6 Headteachers spoke of the impact of cuts to their schools: increased class sizes, putting teachers under more pressure; pastoral support staff have been cut; training budgets for staff are tight and overall there is much less funding to bring in additional support for those pupils in need. Schools are being increasingly creative with money, or the lack thereof, and examples of innovative practice were heard.
- 6.7 SEND**
  - 6.7.1 Pupils with special educational needs, including Social, Emotional and Mental Health (SEMH) needs are over represented in exclusion data (although, as previously stated, far below the national average). John O'Shea stressed that, for these children, poor behaviour can be symptomatic of the child's needs not being met. Invariably, some children will require additional support that cannot be provided in mainstream schools.
  - 6.7.2 The panel heard that there is not any specialist SEMH provision for girls in either Tower Hamlets or East London. Therefore, those pupils will most likely be attending mainstream school. Autistic Spectrum Disorder (ASD) diagnoses in children are also increasing, with insufficient places available to meet that need.
  - 6.7.3 Recently, a review of SEMH has been carried out, which links to the SEND strategy, launched in 2018. Both documents are being used to identify how best to support children and where there are gaps. The Mental Health trailblazer scheme in schools is currently training staff and putting them in placements from September 2019 to provide additional support.

## **6.8 Girls**

- 6.8.1 The headteacher of Central Foundation School, a girl's school, spoke to the panel about the increasing number of fixed term exclusions for girls. She gave an example of one pupil who was waiting for 18 months to move to SEND provision, during which the pupil experienced more than one fixed term exclusion. A lack of provision at Key Stage 3 for behaviour support was identified, meaning pupils were not supported until they entered year 10.

**RECOMMENDATION 5:** The Council should continue to review school organisation and place planning to ensure there is adequate provision for all children, where there is a demand for places. This should include consideration of developing AP provision to extend and increase access for younger children, girls and post-16 pupils. This should include a review of empty buildings which could be used for specialist provision, working alongside schools.

- 6.8.2 The panel were eloquently reminded that, although they had all been teenagers, they were not teenagers in 2019. Examples of the increased pressures on young girls owing to social media, and the extent to which social media is used to stir up emotions and arrange gang and group related activity, was presented.
- 6.8.3 Despite the increasing issues girls face, Central Foundation has one of the lowest exclusion rates in the borough. The headteacher stressed there has been no magic answer or quick fixes, but a long journey of hard work, incorporating many differing elements. Parents, pupils and staff all take responsibility, with education being of paramount importance.
- 6.8.4 Central Foundation's use of data stood out as an example of good practice. Every single incident in the school is recorded, including information on the year group, subject, teacher, tutor and location, with a forensic attention to detail. The information is published for all staff weekly, so issues can be immediately addressed.

**RECOMMENDATION 6:** Provide schools with examples of best practice for data recording and behaviour management practice, brokering support between schools if possible.

- 6.8.4 The physical environment is of particular issue to schools that have not been recently built or renovated, such as George Green's. The archaic design and layout of the school only serve to increase the likelihood of issues occurring. For example, narrow corridors mean that a pupil's ability to safely transition between lessons is inhibited.

## **6.9 White British**

- 6.9.1 George Green's School has a large number of White British children. This cohort are statistically more likely to be excluded, according to both national and local data. The panel heard from headteacher, Jill Baker, who explained the complexity of the issue. In her experience, these children are often from complex families, often with parents who were/are vulnerable too.
- 6.9.2 Jill stated that a fundamental lack of belief that school is important and that education is key and a turning point for improvement, is inherent in many of those parents. They often had negative experiences of education themselves, and so poor behaviour, or non-attendance, is sanctioned. Exclusion is perceived as another form of rejection, thereby isolating the child further.
- 6.9.3 Both parents and children have often had numerous Adverse Childhood Experiences (ACEs). Therefore, an understanding of the underlying factors is needed, with an acceptance that the problem can't just be managed – an ingrained cycle needs to be broken. In these incidences, exclusion has a counter-effect and is seen as rejection, causing the pupil to further withdraw from education.

**RECOMMENDATION 7:** Use the local research undertaken by the Institute of Education in 2015 to produce an updated action plan to help close the attainment gap for White British children.

- 6.9.4 A discussion followed on how best to support White British children and their parents. A popular suggestion was making schools the focal point of communities, as per the Leeds model, where schools are hubs. The panel were told there are numerous projects and support services available across London and in Tower Hamlets, but it isn't cohesive, and not all schools are aware.
- 6.9.5 It was suggested that the LA and schools have a collective responsibility to know what children are doing outside school in the "missing hours". Although logistically this seems unfeasible, if collectively we ensure that there are extra-curricular activities available at school and elsewhere (for example in Youth Hubs) and pupils are signposted to those activities, it would be more realistic to track this.

**RECOMMENDATION 8:** Review the information held on the Local Offer to ensure that schools are able to signpost parents/pupils to support services and extra-curricular activities, and to find accurate, up-to-date information themselves. A) encourage said services to attend schools (parent evenings and assemblies were popular suggestions)

## 7. Alternative Provision

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- 7.1 LEAP is the only maintained provider of Alternative Provision in Tower Hamlets. It aims to find increasingly better ways of supporting, motivating and inspiring students to be as successful as possible in the future.
- 7.2 Students go to LEAP at various points during their secondary schooling. This is usually as a result of their previous school placement having broken down, whether through ill-health, behaviour issues or other difficulties. LEAP's mission is to help get them back on track, either through a return to regular schooling, or by completing Year 11 at LEAP. The aim is for the student to emerge prepared to make a positive contribution wherever they go next.
- 7.3 LEAP are consistently cited as an example of outstanding AP practice, most notably by Nick Gibb MP (Minister of State for School Standards), *'There are some excellent examples of alternative provision (AP) that not only have high standards for behaviour, progress and attainment, but have strong interventions in place to support their pupils...For example, **London East AP-LEAP**, has an ethos of high expectations on pupils' results, outcomes and behaviour. It does not accept an excuse culture among staff and pupils...we are determined to make sure that every AP setting is as good as the best in the country...'*
- 7.4 Government guidance around exclusions states that a pupil may be excluded for one or more fixed periods, up to a maximum of 45 school days in a single academic year – the equivalent of missing 9 weeks of schooling. For each individual fixed period exclusion, schools have to provide education when the length of the exclusion is over five days, and can choose to send the pupil to AP until the exclusion is over.
- 7.2 Pupils may spend a period of time at AP whilst undergoing a managed move, or if they have been permanently excluded.
- 7.3 LEAP offers various options for excluded pupils:
- **Reintegration (RIG) Placements** – a short term placement between 8-12 weeks before pupils return to their mainstream school
  - **Managed Moved Transfer** – students in Key Stages 3-4, where a managed move has been agreed, are supported to prepare to return to another mainstream school or an alternative provision
  - **Long-Stay programme** – mainly for students in KS4, who have agreed to a managed move, but will remain on roll at LEAP until the end of year 11 to avoid disruption to their exams.
  - **Short-Stay programme** – students on long fixed term exclusions from Tower Hamlets schools are accommodated at

the Short Stay unit, usually completing work set by the home school.

- 7.4 Historically, the perception of Pupil Referral Units and AP provision is unfavourable, feeding into the belief that “Exclusion is the first step on a dangerous road’. However, the panel heard evidence, supplemented with data and written information, as to how LEAP challenge and

<b>Outcome</b>	<b>Most recent National*</b>	<b>LEAP 2016-17</b>	<b>LEAP Current (2017-18)</b>
Attendance	65%	73%	<b>75%</b>
Persistent Absence	74%	66%	<b>62%</b>
Authorised Absence	19.2%	9%	<b>7%</b>
Permanent Exclusion	0.14%	0%	<b>0%</b>
1 or more Fixed Term Exclusion	59%	20%	<b>11%</b>

disprove this belief.

- 7.5 Nationally published data from 2017 shows that the national AP average for leavers not in education, employment or training is around 44%. At LEAP, destination data shows this is currently 25%, and remains at 26% over a three year period.
- 7.6 Attendance and exclusion figures at LEAP also compare favourably to AP nationally, as per 2017 DfE statistical data.
- 7.7 Attainment data also demonstrates that pupils at LEAP achieve better grades than the national average for AP.

<b>Based on GCSE entries</b>	<b>National % entered</b>	<b>National % achieved</b>	<b>LEAP % entered</b>	<b>LEAP % achieved</b>
English and Maths	46%	4.3%	90%	10.3%
English		20%		53%
Maths		12.%		14.6%
Core Science		15%		50%

<b>DfE 2017/2018</b>	<b>Entered for GCSE Eng &amp; maths</b>	<b>9-4 Eng &amp; maths</b>	<b>9-1 Eng</b>	<b>9-1 maths</b>
Camden	52%	9.3%	n/a	n/a
Islington	41%	0%	n/a	n/a
Haringey	39%	9.4%	n/a	n/a
Hackney	40%	3.3%	n/a	n/a
Lambeth	8.8%	2.9%	n/a	n/a
Newham	29.9%	6.5%	n/a	n/a

Waltham Forest	31.1%	10.8%	n/a	n/a
<b>Inner London</b>	<b>42%</b>	<b>7%</b>		
<b>Outer London</b>	<b>42%</b>	<b>8%</b>		
<b>LEAP</b>	<b>92%</b>	<b>10.3%</b>	88%	98%

7.8 Therefore, in LBTH, AP can have a positive effect on a young person's life. With a qualified, permanent workforce, embedded restorative practice, smaller class sizes and a contextualised approach to behaviour, the outcomes for those children who attend are considered to be far higher than if they had remained in mainstream, or been permanently excluded. An unexpected outcome of the Scrutiny Review was the swift resolution of the situation with Parent A's child. He was attending LEAP and preparing for a move back into a new mainstream school at the time of writing this report.

7.9 It became apparent that there is excellent practice across both AP and mainstream provision. Teachers are committed to ensuring the best possible outcomes for the children who attend their school. However, there is practice that should be shared across the sector, beginning with equipping teachers in mainstream with the skills held by teachers in AP provision who are experience in dealing with highly charged situations.

**RECOMMENDATION 9:** THEP should consider whether to review their NQT programme and incorporate training on restorative practice, information about ACEs, and interaction with LEAP.

7.1

0 The review's scope was limited to secondary schools only, owing to time constraints and officer availability. The Scrutiny Lead and panel became aware of the complexity of the issue, and the need for more research and exploration with a wider scope, including primary schools and early years, BAME and FSM, and the link between exclusion and violence, vulnerability and exploitation.

**RECOMMENDATION 10:** The scrutiny function in LBTH should consider undertaking further scrutiny into this subject by expanding the age range and parameters of the review.

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