

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

Originating Officer(s)	Sharon Godman
Wards affected	(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 As such this report could not be published five clear days of the meeting.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.

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