

**Report of the Children and Young People's
Overview and Scrutiny Panel**

Date: June 2010

School Exclusion

Panel Members:

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Councillor David Smart
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Chair's Foreword

This has been an incredibly interesting, fulfilling and, at times, emotive scrutiny panel which it has been my privilege to chair. As with so many things it has raised more questions than it has answered yet has been very informative. I think that as a panel we have gained a good all-round understanding of the complex issues surrounding school exclusions.

A particularly important part of this scrutiny panel was the school visits – we packed an amazing five visits to schools into one day where we met and discussed with staff what they felt the issues were around school exclusion. This was followed by visits to learning centres where we met and spoke with young people who either had been excluded or were at risk of exclusion. We also learnt a lot from evidence given by parents and carers of young people who had been excluded. It is clear teachers face enormous challenges and do a lot to reduce the risk of exclusion. However it also became clear that there is room for communication between schools and other service providers and parents and carers to improve.

You will notice there has been an emphasis on young people with Special Educational Needs (SEN). This is because it became clear immediately that there are a disproportionately high number of young people with SEN who are being excluded. These are often the most vulnerable young people so the negative impact which may result from being excluded – such as feelings of rejection and isolation, as well as disruption to education, are therefore all the more pertinent. We understand the pressures schools are under in balancing meeting these needs with meeting the needs of all other children and young people in a class, particularly as SEN is such a complex area. The Headteacher of ACE described how it is possible to argue that all excluded young people have SEN. I would like to draw your attention to the section on Speech and Language. Many teachers said they believed disruptive behaviour was often caused by young people either trying to cover up or express frustration at their poor communication skills. We hope this report goes some way to setting out structures which will give support to schools to meet the above needs and prevent exclusion.

It should be pointed out that, contrary to popular belief, exclusion should not be used as a punishment. It can teach young people that misbehaving can mean they don't have to go to school – to some this will seem like a reward whilst reinforcing negative impacts discussed earlier. One parent described how the only person an exclusion punishes is the parent and these parents are often already in very demanding and challenging situations.

You will see at the end of the report areas which we think are very important to explore but which we simply did not have the scope for in this limited time. These include addressing issues of exclusion amongst Travellers, correlation with exclusion and domestic violence and issues of bullying including homophobic bullying.

We saw lots of excellent practice, including preventative measures such as clear behaviour policies with an emphasis on rewarding good behaviour and separate learning centres which young people at risk of exclusion attend where they can access more individual support and attention.

I would like to finish by expressing gratitude to my fellow members of the panel: Councillors Kevin Allen, David Smart and Rachel Travers from Amaze, all of who it has been a pleasure to work with. I'm sure they will join me in thanking the many teachers, parents and young people for their time, and at times disclosing personal and sensitive information. I would also like to formally thank Sharmini Williams, our scrutiny officer who organised meetings to fit in with our busy diaries, responded to our many comments and done a great job at pulling together this report and condensing what started as dozens of recommendations into a concise 13.



Rachel Fryer

Councillor Rachel Fryer
Chair of the School Exclusion Scrutiny Panel

List of Recommendations

Special Educational Needs:

Recommendation 1

Whilst the Panel recognises how far schools have developed their understanding of SEN, further training and advice for SENCOs on identifying early signs of problem behaviour is still required. The Headteachers' Steering Group should investigate how schools identify children who may have behavioural needs as early as possible and what practices they are putting into place to support pupils.

Recommendation 2

The CYPT use its influence with schools to encourage schools to research and increase staff awareness in order to support children with all special needs, including Foetal Alcohol Syndrome (FAS).

Recommendation 3

Schools should identify the best and most creative use of their SEN funding in the City and ensure that best practice is shared amongst all schools.

Recommendation 4

The CYPT to encourage schools to provide language and communication and intervention in schools as early as possible to meet the needs of their pupils.

Recommendation 5

The CYPT continue to put into place robust monitoring systems to assess how each school is spending its SEN budget and to intervene and advise if spending is not as effective as it could be.

Recommendation 6

The Council should request changes to the legislation of SEN funding to stipulate that this funding is ring-fenced for schools to use on SEN related matters only (via provision for lobbying central Government introduced in the Sustainable Communities Act).

Child and Adolescent Mental Health Services (CAMHS):

Recommendation 7a

Clinical CAMHS should consider whether it offers the most responsive possible service to families, particularly in terms of being willing to travel to locations where families feel most comfortable, rather than requiring children with complex needs to travel to clinical facilities.

Recommendation 7b

CAMHS need to ensure that, subject to patient confidentiality, it shares all relevant information with schools to best enable them to support all children in their care.

Recommendation 7c

Where possible, CAMHS professionals/clinicians should offer training to parents and schools on techniques to support pupils.

Recommendation 7d

CAMHS to investigate the perceptions that schools and parents have regarding long waiting times and to ensure that requisite changes are made to ensure easier access is made to appropriate CAMHS services.

Building Schools for the Future Project:**Recommendation 8**

The CYPT should continue to seek funding for school buildings, to investigate incorporating additional classroom space within current schools for 'support classes' (similar to Inclusion Centres) to provide pupils at risk of being excluded the flexibility of being taught in smaller classes.

Recommendation 9

The CYPT makes provision through the BSF project, for all schools to have access for some Offsite 'Learning Support Units' (for pupils who have been temporarily excluded), which are linked into mainstream schools (like the Hangleton and Knoll project).

Exclusions Policy:**Recommendation 10**

CYPT to encourage Schools to have simplified School Behaviour Policies:

- with Exclusion protocols that are 'child-friendly'
- to include acknowledging the prohibition of 'Informal Exclusions'
- the restricted use of part-time timetables
- to show clearly the different stages of sanctions that the school has in place

Recommendation 11

Headteachers should ensure that children and young people are not 'informally excluded' or unnecessarily placed on part-time timetables and the LEA should continue robustly to monitor this.

Parents:**Recommendation 12**

The CYPT should encourage schools to improve their communication and support with parents (for pupils who have been excluded); by involving them more in the exclusion- decision making process.

Recommendation 13

Headteachers and Governors should speak with young people who have been excluded and their parents more regularly, to learn from their experiences and seek improvements in exclusions protocols.

Monitoring of these recommendations:

Once the report has been considered by the council's Executive and has been to Full Council for information, the implementation of agreed recommendations will be monitored 6 monthly and 12 monthly for the first year. After the first year, the recommendations will be monitored annually until all the agreed recommendations have been implemented.

A. Introduction

This section explains why a Scrutiny panel was established, as well as providing general background on issues relating to school exclusion.

1. Establishment of the Scrutiny Panel

1.1 At its 17 June 2009 meeting, the Children and Young People's Overview and Scrutiny Committee (CYPOSC) considered Councillor Carden's question on School Exclusion, which posed the following queries:

1. Who is excluded, why and where from?
2. What support do students and parents receive prior to, during and post exclusion, including psychiatric, psychological and educational support?
3. What are the outcomes for students, either temporarily excluded more than twice or permanently excluded or who experience 'managed' moves?

1.2 CYPOSC members agreed to set up an ad hoc panel to investigate the issue of School Exclusion. Councillors Kevin Allen, David Smart and Rachel Fryer agreed to sit on the panel as did Rachel Travers representing the Brighton & Hove Community Voluntary Sector Forum (CVSF). Councillor Fryer was subsequently elected as Chair of the Panel.

The Panel's objectives

- 1.3 The Panel agreed to establish the following objectives, to investigate:
- Informal exclusions made by schools and part-time timetables;
 - Differences in school exclusion figures, (aside from demographic variances), is this due to differences in Behaviour Policies?
 - Is there a link between exclusions and Special Educational Needs (SEN)? (look into autistic pupils and pupils with language and speech difficulties);
 - Is there a link between exclusions and bullying?
 - Is there a link between exclusions and domestic violence?
 - Is there a link between exclusions and health inequalities?
 - Why are pupils being excluded from Special schools?
 - Why are Looked After Children (LAC) being excluded?
 - How do schools prevent Traveller Children from being excluded?
 - What support packages are in place for children who are close to being excluded and children who have been excluded?
 - What is the impact on young people when they are excluded?

- Why girls are excluded less than boys and is there a variation in the impact of exclusion on girls compared with boys?

Witnesses

- 1.4 The Panel held a series of evidence gathering meetings in public and in private. Witnesses included parents whose children had been excluded, officers from the Local Education Authority (LEA), an officer from the council's Youth Offending Service, a professional from Community Child and Adolescent Mental Health Services (CAMHS), and a Councillor (who was also a school Governor).
- 1.5 Panel members carried out visits to schools, ranging from a Church-Aided school, to state Primary, Secondary and Special schools. The Panel also spoke with pupils at Sellaby House, an Inclusion Centre (within a school) and at the Self Managed Learning Centre.
- 1.6 Some of the evidence was also gathered from parents and teachers in the form of private e-mails to the Panel.

Statistics for Brighton & Hove

- 1.7 Permanent exclusions have reduced from 18 in the academic year 2006/07 to 9 in 2007/08 and just 3 in 2008/09. Days lost to fixed period exclusions have reduced from 6977 in 2006/07 to 4704 in 2007/08. The Panel recognise that these figures reflect excellent work from city schools, from the Advisory Centre for Education (ACE) and from the Children and Young People's Trust (CYPT).
- 1.8 The preliminary figures for 2008/2009 Fixed Term Exclusion indicates that out of 29,199 (total number of pupils) there were 2439 incidents, of which 1776 were pupils with SEN; 73% of all exclusions were children with SEN (pupils on School Action, School Action Plus and those with Statements). There are 7,553 pupils with SEN; which is only 26% of the total school population (Number on Roll) being identified as pupils with SEN.

This information was important to the Panel as it showed that the majority of exclusions are pupils with SEN and therefore the Panel decided to focus on pupils with SEN for part of its scrutiny.

1.9 Types of Exclusions¹:

a) Permanent exclusion is used when a pupil has breached the school's behaviour policy to such a degree that s/he can no longer be taught by that school or when that pupil's continuing presence might seriously harm the education and welfare of either the pupil themselves or other pupils in the school.

¹ As set out in the "Improving behavioural and attendance: guidance on exclusion from schools and Pupil Referral Units" Department for Children, Schools and Families

b) Fixed term exclusion is when there has been a breach of the school's behaviour policy, including persistent disruptive behaviour, where this is not serious enough to permanently exclude and other sanctions such as detentions are not appropriate. Ofsted inspections evidence has suggested that 1-3 days is a sufficient number of days to exclude without any detrimental affect to the pupil's education.

1.10 **Alternatives to exclusions**²

Guidance from the Department for Children Schools and Families (DCSF) states that alternatives to exclusions include:

- Restorative Justice - the offender to redress the harm that has been done to a victim
- Mediation – a third party, trained mediator working with the pupils, or with teacher and pupil
- Internal Exclusion – the pupil be removed from the class but not from the school premises with appropriate support
- Managed Moves - to another school to enable the pupil to have a fresh start

1.11 The DCSF's Statistical First Release (SFR) for "Permanent and Fixed Period Exclusions from Schools and Exclusion in England, 2007/8", refers to the:

Characteristics of Excluded of pupils, which are:

a) Age and Gender

- Boys' permanent exclusion rate was nearly 3.5 times higher than that for girls in 2007/8. Boys represented 78% of the total number of permanent exclusions each year.
- In relation to fixed term exclusions a similar pattern arises in 2007/8, with boys accounting for 75% of the total.

b) Special Educational Needs

- Pupils with SEN (both with and without statements) are over 8 times more likely to be permanently excluded than those pupils with no SEN. In 2007/8, 33 in every 10,000 pupils with statements of SEN and 38 in every 10,000 pupils with SEN without statements were permanently excluded from school. This compares with 4 in every 10,000 pupils with no SEN.
- In terms of fixed period exclusions in 2007/8 for those pupils with statements was 30.8%; the rate of those with SEN without statements was 28.9%. In comparison to 5.1% for those pupils with no SEN.

² Source :Improving behaviour and attendance: guidance on exclusion from schools and Pupil referral Units September 2008, Department for Children, Schools and Families

Special Educational Needs (SEN)

- 2.1 Special Educational Needs is a term that describes any learning difficulties that a pupil/child may have. Extra learning provision is made by schools to meet the needs of pupils with SEN.
- 2.2 The Special Educational Needs Co-ordinator (SENCO) Teacher, other teachers or teaching assistants provide support to pupils with SEN. There is a wide range of support offered, dependent on the school and the pupil's needs. Specialised external support is provided by the Advisory Centre for Education (ACE) for pupils with SEN who have Behavioural, Emotional and Social Difficulties (BESD) and also by an extensive range of other providers.
- 2.3 Schools use the term 'School Action' for SEN pupils who have their learning needs met from the school's internal resources. 'School Action Plus' is when the learning needs are met both from within schools *and* by external agencies e.g. educational psychologists, speech and language therapists etc.
- 2.4 SEN covers a range of conditions, including:
- Autistic Spectrum Condition (ASC)
 - Behaviour Emotional & Social Difficulties (BESD)
 - Hearing Impairment (HI)
 - Medical Needs (MED)
 - Moderate Learning Difficulties (MLD)
 - Physical Disabilities (PD)
 - Speech Communication and Language Needs (SCLN)
 - Severe Learning Difficulties (SLD)
 - Speech and Learning Difficulties (Dyslexia/SPLD)
- 2.5 **Statementing**
'Statementing' is a term describing the formal and professional diagnosis/assessment of SEN conditions. Statements are normally initiated by children's families. Historically, many families have believed that attaining a formal statement may mean that their child is more likely to receive the services and support they need. However, this is not necessarily the case, and there is a counter-argument that statementing takes up time and money that might be better spent on actually delivering SEN support services.
- 2.6 **Code of Practice (COP)**
All local authority schools/ educational settings must follow the Code of Practice. The Code of Practice is how the law about education works in practice. The COP provides guidance to Local Education Authorities (LEAs) and schools to on how to identify, assess and make provision for children with SEN.

2.7 **SEN Strategy**

The Local Education Authority's SEN strategy aims to:

- work in collaboration across the city
- build capacity to promote inclusion
- reorganise and rationalise special schools and SEN provision
- optimise funding for SEN and Value for Money (VFM)
- develop quality curriculum and learning

2.8 The SEN and Disability Strategy supports and promotes the Statement of Inclusion, (which schools should be working to) saying:

"We believe that all children and young people, including those with special educational needs, should have access to educational and social opportunities within the mainstream system, alongside high quality appropriate specialist provision".

2.9 For further information on SEN visit the Brighton & Hove website :

<http://www.brighton-hove.gov.uk/index.cfm?request=c1113321#SubTitle2>

3. Acknowledgement of good practice and a thank you to all those involved

3.1 Panel members would like to thank local schools, council officers and other professionals who gave evidence to or otherwise assisted the Panel.

3.2 Panel members would particularly like to express their appreciation for those schools which agreed to host visits from the Panel. Members are aware that schools went out of their way to plan and prepare for these visits, and are very conscious of the effort taken and goodwill shown.

There was so much good practice seen within schools and this commendable work is reflected throughout the report.

3.3 Panel members were also delighted that pupils were given the opportunity to talk about their experiences of exclusion and how they were progressing.

3.4 Lastly, the Panel would like to thank those parents involved in the report for taking the time to attend the meetings/ sending e-mails and bringing forward important issues.

B Recommendations

4. Special Educational Needs (SEN)

- 4.1 This section of the report describes the problems faced by pupils, parents and schools within Brighton & Hove in relation to SEN and school exclusions and makes recommendations in terms of how improvements can be made.
- 4.2 The Panel heard from various witnesses on how SEN provision varied from school to school³. Each school operates differently, with the Headteachers, Deputy Heads and Special Educational Needs Co-ordinators (SENCOs) making decisions for that particular school on how to meet each SEN child's needs. However, all schools follow the SEN Code of Practice⁴.
- 4.3 At the first public meeting the Panel heard that a child with Autistic Spectrum Condition was advised by a Headteacher not to send the child to that school and the Headteacher did not feel the school could provide the appropriate support. The child was then accepted into another school. The child received significant support during class hours. However there was inappropriate behaviour during a lunch hour which led to the child being excluded. The issue this raises is the need for out of class support when inappropriate school behaviour may occur⁵.
- 4.4 If schools had the knowledge and skills to be able to deal with these extremes of behaviour that are often part of SEN conditions, and were able to identify at an early stage potential risks and strategies for mitigating these risks, exclusion and being at risk of exclusion could potentially be reduced.
- 4.5 For obvious reasons, the schools workforce tends to have an academic background, making it relatively easy for teachers to be able to identify at an early stage children who have literacy and numeracy shortfalls. However further skills are required to identify pupils with Behavioural, Emotional and Social Difficulties (BESD) or other conditions that are outside of the normal academic literacy and numeracy field. This means that schools are not always equipped to identify and understand the complexities of all the different types of SEN, and are therefore not always as aware as they could be of how best to deal with their students. Children with BESD whose individual needs are not adequately identified or addressed are likely to prove disruptive, and may well find themselves in danger of being excluded. In general, pupils with SEN who have been excluded or at risk of being excluded

³ Public Minutes 14/10/2009 Cllr. McCaffrey, paragraph 3.6 & Private Minutes 05/11/2009 paragraph 2.2

⁴ See paragraph 2.6 of this report for an explanation of the Code of Practice.

⁵ Private Minutes 02/11/2009 paragraph 2.8

will have been identified as having SEN, although they will not necessarily have been statemented⁶.

- 4.6 Brighton and Hove City Council has a SEN Strategy which was established in 2006. The council spends more money on SEN than many other comparable authorities, and the Strategy has regularly been updated and improved, including reinvesting in mainstream schooling. The next phase of the Strategy will be re-launched in 2010⁷.
- 4.7 The Panel heard about various measures of good practice in this area.
- 4.8 **Good practice** – Some schools have the skills to identify that disruptive behaviour may lead to pupils requiring further support. Some schools have in place interventions for when pupils have been repeatedly excluded.
- 4.9 The Panel heard that some schools showed best practice in terms of ‘inclusion’, by being assiduous in liaising with other services (e.g. Educational Psychologists) in order to assist with supporting and developing the skills of their teachers so that those teachers are able to understand the conditions of individual pupils, to minimise the risk of them being excluded and to improve their school experience⁸.
- 4.10 Schools have in place various plans such as Pastoral Support Plans for pupils with SEN who do not have statements. These plans should meet SEN pupils’ needs by ensuring that they are taught according to their particular requirements.

Alternative Centre for Education (ACE)

- 4.11 ACE is a provision for pupils with BESD which includes:
- a special school for statemented pupils
 - providing provision for pupils who are excluded and at risk of exclusion
 - a behaviour support outreach service to mainstream schools
- 4.12 ACE will shortly be re-commissioned⁹ and some witnesses said that they would have liked to have seen a multi-agency centre formed, which would include services such as Child and Adolescent Mental Health Services (CAMHS), the Youth Offending Service (YOS) and the Substance Misuse team¹⁰. Schools and the YOS felt that this could improve the accessibility into external services for pupils who are at risk of being excluded or have been excluded and for schools who need

⁶ Private Minutes 27/01/2010 paragraph 1.16 & 14/01/2010 paragraphs 1.15 & 1.18

⁷ Public Minutes 14/01/2010, JC paragraph 15.1 and information from the handout

⁸ Private Minutes 02/11/2009 paragraph 4.11, 4.12 & 4.15

⁹ Private Minutes 02/11/2010, paragraph 2.19 - 2.20

¹⁰ Private Minutes 14/01/2010 paragraph 1.12

extra support. However it was uncertain what the conclusion of the re-commissioning would be.

- 4.13 The Panel heard about the good work ACE carried out in very difficult circumstances. ACE currently provide small off-site units such as Dyke Road and Sellaby House which offer pupils an imaginative temporary alternative to a mainstream school environment, with an alternative curriculum and timetable to meet the needs of the pupils. This may well involve part of the curriculum being delivered in a secondary school to work towards re-integration to the pupil's mainstream school.
- 4.14 One of the concerns that parents voiced was that ACE was a 'last resort' for their children and there was consequently some resistance from parents when it was suggested that they send their children to ACE. Indeed, given the concentration of pupils with BESD in one school, there were examples where pupils' behaviour could be even more challenging as a consequence of being placed in the ACE environment. In addition, some parents see ACE as problematic because their children feel that their mainstream school has given up on them, and are consequently not very motivated to working towards their re-integration. It is widely recognised that the city still needs this provision, but perhaps on a smaller scale.
- 4.15 A large majority of pupils attending ACE are boys. Girls typically attend some of the subsidiary sites (e.g. Sellaby House). Given the relatively low numbers of girls in this system, there is a risk that girls will experience isolation, and some Special schools engage in outreach partnership working with mainstream schools, to provide their pupils with more social interaction with other girls. It is important to ensure that girls with BESD and SEN, who are in classes numerically dominated by boys, are provided with the appropriate support to meet their specific needs.

5. Recommendation 1

Early Interventions

- 5.1 The Panel heard about the various interventions that schools have in place to identify SEN. However, from the evidence heard it appears that some interventions are not undertaken early enough, meaning that some pupils are on the cusp of being excluded or have already been excluded before interventions are made¹¹.
- 5.2 Early interventions can be undertaken at different stages of a child's school career. These interventions can take place from entry level-Reception years, through Primary and Secondary schools years. Interventions are ways of identifying special learning needs, at different stages of a child's education. The Panel agreed that early intervention was essential for the further prevention of children being excluded.
- 5.3 The Panel heard evidence to suggest that the current issue of not identifying SEN earlier has major implications for pupils either at risk of being excluded or who have been excluded. Early intervention for SEN children with BESD could help prevent pupils from entering into bad patterns of behaviour. Several of the parents who the panel heard from felt that there was a tendency for schools to let things progress too far before there was a coordinated response. By the time there was a proper response, children had typically settled into patterns of bad behaviour and it could be very difficult to challenge this behaviour. More so than had there been early intervention before bad behaviour had become established. Looking at different methods of earlier intervention and better support could help prevent behavioural problems escalating into exclusions.
- 5.4 The Panel heard that there had been one city SEN advisor, the model for providing SEN advice has now evolved, with School Improvement Partners (SIPs) and all advisors involved in challenging schools on the development of SEN. SENCO and Educational Psychologists taking on broader training responsibilities. Additionally, there are also now two other SEN advisor posts; thus increasing the team and the role.

Transitional periods

- 5.5 The Panel heard evidence that more focus was needed on the transition from primary to secondary schools as this was a particularly difficult settling-in period for some pupils.¹² In particular, there needs to be a well-organised transfer of pupils' records so that SENCOs and teachers have a better understanding of the issues/needs of incoming pupils before they start at secondary school. Schools, if they do not already have initiatives in place, should seriously consider having transitional days - e.g. additional visits and taster days for secondary schools. Some secondary schools have implemented 'primary style

¹¹ Private Minutes 02/11/2009 paragraph 1.6 & paragraph 1.18

¹² Private Minutes 02/11/2009 paragraphs 1.10 & 5.25

classes' whereby the same teacher teaches all the subjects, in the same classroom, for the first year. This nurturing style of transition into secondary schools can help pupils settle in quicker and also helps teachers to plan for individual learning and behavioural needs¹³.

- 5.6 Evidence representing good practice was taken from schools which already had robust systems in place to provide secondary schools with transitional packages for pupils¹⁴.
- 5.7 Some schools said that early intervention was the key to helping deal with children with challenging behaviour¹⁵.
- 5.8 Some schools did take steps to identify the reasons for challenging behaviour and arrange appropriate support¹⁶.
- 5.9 Based on all the above evidence the Panel recommended that:

Whilst the Panel recognises how far Schools have developed their understanding of SEN, further training and advice for SENCOs on identifying early signs of problem behaviour is still required. The Headteachers Steering Group should investigate how schools are identifying children who may have behavioural needs as early as possible and what practices they are putting into place to support the pupil.

¹³ Private minutes 02/11/2009 paragraph 4.31 & 14/01/2010 paragraph 1.4

¹⁴ Private Minutes 02/11/2009 paragraph 4.31 & 5.29

¹⁵ Private Minutes 02/11/2009, paragraph 4.6

¹⁶ Private Minutes 02/11/2009 paragraph 1.17

6. Recommendation 2

Foetal Alcohol Syndrome (FAS)

- 6.1 During the evidence gathering sessions, a number of parents asked to speak privately with the Panel. Some of the parents spoke about their children having an Autistic Syndrome Condition (ASC); others about Foetal Alcohol Syndrome (FAS) and how these conditions had contributed to their children being excluded. The parents felt that there was a lack of support and understanding of their children's conditions and behavioural needs which resulted in repeat exclusions. The exclusions started of at primary school and in some cases continued into secondary school¹⁷.
- 6.2 The Panel took evidence about Foetal Alcohol Syndrome (FAS). FAS is a BESD condition which comes under the SEN umbrella. One of the symptoms of FAS may be that a child has a very low attention span.¹⁸ The child's lack of concentration means that these children may well become bored and disruptive in class.
- 6.3 The Panel heard evidence from parents that schools did not understand their children's conditions fully. Schools can access support from the Local Education Authority, from the CAMHS service and from Special schools on how to help support children with challenging behavioural conditions, including FAS. In instances where schools do not understand all the ramifications of a pupil's condition, it seems obvious that they should routinely take all appropriate steps to develop the necessary expertise.
- 6.4 The Panel heard that relatively few schools had a good understanding of FAS and of how best to support children with the condition. Greater research into training and awareness of FAS is required¹⁹.
- 6.5 Based on the above evidence the Panel recommends that :

The CYPT use its influence with Schools to encourage Schools to research and increase staff awareness, to support children with all special needs, including Foetal Alcohol Syndrome (FAS).

¹⁷ Private Minutes 05/11/2009 paragraph 1.14, 2.10 & Public Minutes 14/10/2009 Cllr. McCaffrey paragraph 3.6 & 05/11/2009 a Parent paragraph 9.2 & 9.16

¹⁸ Private Minutes 05/11/2009, paragraphs 1.1 - 1.4

¹⁹ Private Minutes 05/11/2009 paragraph 1.3 & 1.19

7. Recommendation 3

SEN funding (SEN Formula)

- 7.1 Many parents with children who have SEN appear eager for their child to be 'statemented'. There are pros and cons to this. On the one hand, a statement may conceivably lead to additional school SEN funding, meaning that more support is available for the individual child. On the other hand, the Children and Young People's Trust argued that, if schools are identifying children's needs correctly in the first place and providing the appropriate support, there shouldn't be a requirement for parents to push for a statement, as they will already be accessing all the services and support available²⁰.
- 7.2 The Panel heard how SEN children with statements had regular reviews of their Pastoral Support Plans (PSPs) & Individual Education Plans (IEPs), which was seen as good practice. From this the Panel felt that SEN children without statements would benefit from having PSP and IEPs too²¹. The Panel decided that such plans would help these pupils to focus more regularly on their education and also to monitor their progress. The LEA could monitor the development of these IEPs. These IEPs should be prepared in conjunction with parents, as per the SEN Code of Practice.
- 7.3 Schools also need to be more creative in how they spend their SEN funding. Although 1:1 teaching assistant support can be very effective, a situation where several SEN pupils in one class are each supported by their own teaching assistant threatens to be a waste of resources and to impinge upon the education of other pupils. Schools need to think holistically: concentrating both on the needs of individual SEN pupils *and* the dynamics of the whole class environment. Schools also need to think about how best to access the skills of other partners such as social workers and mental health professionals²².
- 7.4 The Panel heard evidence about how 1:1 teaching/counselling was not always a good use of money (as some pupils are resistant to this) and that it is often more effective to work with smaller groups as working in peer groups have a good influence on teenagers. The Panel were also made aware by the witness that mainstream schools had inflexible times, curriculums were not person-centred enough, communication is limited due to the large classes and it would be beneficial if schools reorganised their resources to get the most out of their pupils²³.
- 7.5 Further evidence was heard how sometimes the traditional school curriculum isn't suitable for all children; schools may need to move towards a more creative approach and flexible curriculums for some SEN pupils (e.g. vehicle maintenance), especially for those children who are not

²⁰ Private Minutes 05/11/2009 paragraph 2.5 & 14/01/2010, paragraph 1.19 and Public Minutes 14/01/2010 J. Coe, paragraphs 15.2 - 15.4

²¹ Public Minutes 14/01/2010, J. Coe, paragraph 15.10 – 15.11

²² Public Minutes 14/01/2010, J. Coe, paragraph 15.5 – 15.8

²³ Public Minutes 05/11/2010, Professor I. Cunningham, paragraph 9.24

as 'academic'²⁴. Teachers need to be supported to provide this change of curriculum.

- 7.6 Other types of creative learning classes for children with SEN in mainstream schools should be considered. Special schools routinely provide Play and Art therapy in order to facilitate more pupil-centred learning, less emphasis on exam results and league tables and more emphasis on preparing pupils for adult life²⁵.
- 7.7 Supportive environments for learning should be investigated more for children with SEN. Schools with a strong sense of community and an emphasis on nurturing seem best placed to provide an appropriate environment for pupils with SEN²⁶.
- 7.8 Pupils should also be able to discuss their future choices freely with teachers. This should include having pragmatic conversations about where they could end up if their behaviour doesn't improve²⁷.
- 7.9 The Panel felt that more support was required for pupils struggling with Social and Emotional Aspects of Learning (SEAL). These are children with difficulties in understanding and managing their feelings, working co-operatively in groups and motivating themselves²⁸.

ACE

- 7.10 Schools have reportedly said how it seems difficult for them to access services to support pupils' needs, whether these are services from CAMHS or from other external agencies. ACE has good links with various services e.g. YOS, the substance misuse team and Youth Workers.
- 7.11 Through the re-commissioning of ACE, schools should benefit from having better access to these services. In any system where generalists are supported by specialist services it is vital that the pathway of referral into specialist services is clear and rapid: if the system is over-complicated or there are unacceptable waiting times, then generalists will not refer to specialist services as often as they should and the system will not function properly.
- 7.12 **Good practice**
The Panel was already aware that children with SEN often experienced problems with the transition from primary to secondary school, and was encouraged by the adoption of the model of having one teacher teach all subjects in the first year of secondary school, in order to smooth over the transition.

²⁴ Private Minutes 14/01/2010, paragraph 1.5

²⁵ Private Minutes 02/11/2009, paragraphs 5.6, 5.21 – 5.22, 5.27

²⁶ Sellaby House and some Special schools provided community environments and Public Minutes 05/11/2009 paragraph 9.15

²⁷ Public Minutes 05/11/2009 Professor I. Cunningham, paragraph 9.21

²⁸ Private Minutes 02/11/2009, paragraph 3.13

- 7.13 The Panel also heard how the Key Stage 4 Engagement programmes were already having a positive impact on pupils as the practical work experiences were giving pupils a further opportunity to plan for the future²⁹.
- 7.14 The Panel was made aware that the SEN Strategy is to educate more SEN children into mainstream schools, (rather than Special schools) whenever practicable. The SEN complex needs project is in operation, via which mainstream city schools are partnered with the city's special schools, so that the SEN specialists can share their expertise/knowledge on how to meet the needs of SEN pupils more effectively. These current partnership arrangements should be praised, and more of this type of co-working encouraged.
- 7.15 The council has provided extra permanent funding for 2009/10 and 2010/11 to provide more expert support for mainstream schools; the Panel welcome this decision.
- 7.16 Based on the above evidence the Panel recommends that :

Schools should identify the best and most creative use of their SEN funding in the City and ensure that best practice is shared amongst all schools.

²⁹ Private Minutes 14/01/2010, paragraph 1.3 – 1.4

8 Recommendation 4

Speech and Language interventions

- 8.1 The Panel heard that the 2006-10 SEN strategic aim was to review the provision of speech and language therapy to meet the needs of pupils. However, evidence the Panel received suggested that there was still a gap in service provision³⁰.
- 8.2 Schools are aware that there is a need to train up teaching assistants to have some speech and language skills to help identify and to provide additional further support where needed. Many SEN pupils struggle with literacy and with expressing themselves³¹.
- 8.3 Schools spoke about how a lack of speech and language skills can be linked to problem behaviour as children who are unable to express themselves verbally may end up evincing challenging behaviour³².
- 8.4 Schools should, wherever practicable, also ask parents to be involved in training, so that they can provide their children with additional language and communication support.
- 8.5 It was felt that more support was required for mainstream schools to increase their skills and understanding of children with BESD. As part of the LEA's Service Level Agreement (SLA) with ACE, ACE was to provide outreach support and training to mainstream schools so that more speech and language, other specialist skills and advice can be shared. The teaching staff at ACE should continue to pass on their relevant skills to mainstream schools.
- 8.6 **Good practice**
The Panel heard how some schools had arranged and received support with speech and language from outside agencies³³.
- 8.7 Based on the above evidence the Panel recommends that:

The CYPT encourage schools to provide language and communication and intervention in schools as early as possible to meet the needs of their pupils.

³⁰ Private Minutes 14/01/2010 , paragraph 1.15

³¹ Private Minutes 02/11/2009, paragraph 4.5

³² Private Minutes 02/11/2009, paragraphs 3.10 & 4.3

³³ Private Minutes, 02/11/2009, paragraph 4.4

9 Recommendation 5

Monitoring systems

- 9.1 The LEA allocates delegated SEN funding (called 'formula' money) to schools and the LEA already monitors how schools are spending their SEN funding. The Panel heard evidence about how schools are encouraged to spend this funding in creative ways for children with SEN³⁴.
- 9.2 Evidence was taken regarding the need for better use of SEN funding in utilising speech therapists, literacy support, youth workers, social workers and mental health services to support SEN children and reduce exclusions³⁵.
- 9.3 Government guidance does not stipulate how the formula money should be spent. Even though schools have a responsibility to ensure that they support all children with SEN by meeting their needs appropriately, with no ring fencing in place for this formula money, schools have a free reign on how this money is spent. The LEA needs to carry on reviewing and using robust systems to assess how schools are utilising the formula money on SEN pupils³⁶. The LEA could provide support and advice by utilising the expertise of teachers at Special schools to ensure mainstream schools utilise their formula money in the most creative and effective ways.
- 9.4 **Good practice**
The Panel heard evidence that some schools match funded their formula money to provide further support for pupils with statements³⁷.
- 9.5 Based on the above evidence the Panel recommends that:

The CYPT continue to put into place robust monitoring systems to assess how each school is spending its SEN budget and to intervene and advise if spending is not as effective as it could be.

³⁴ Public Minutes, 14/01/2010, J. Coe, paragraph 15.5

³⁵ Public Minutes, 14/01/2010, J. Coe paragraph 15.6

³⁶ Public Minutes, 14/01/2010, J. Coe paragraph 15.9

³⁷ Private Minutes, 02/11/2010, paragraph 1.5

10 Recommendation 6

- 10.1 As previously noted, the Panel heard evidence that the SEN money (also called 'formula' money) that was allocated to schools from the LEA did not necessarily have to be spent on children with SEN – i.e. it was not 'ring-fenced' for SEN³⁸. The Panel had concerns that some schools might not spend their allocated formula money on children with SEN – instead using it to invest in general services etc.
- 10.2 Schools may need further support and training to broaden their skills to spend the SEN funding more flexibly and appropriately. By utilising the expertise of Special schools teams and by continuing to use the Audit Commissions' SEN Value for Money Tool mainstream schools can determine how they can best use their SEN resource. Mainstream schools should consider what role social workers, literacy support, youth workers, relationship and group therapy work, anger management support and mental health services can play in providing more holistic outcomes³⁹.
- 10.3 By broadening and being more creative in supporting children with SEN, the formula budget that is allocated to schools would be used to its full potential, particularly in terms of utilising the full range of support services enumerated above.
- 10.4 The Panel concluded that it was very important and beneficial to SEN children that the formula money that schools received was ring-fenced for SEN children only, whether it is in the form of home to school transport, activities, group therapies, anger management support or any other areas of creative assistance to meet the needs of these children.
- 10.5 Based on these concerns the Panel recommends that :

The Council should request changes to the legislation of SEN funding to stipulate that this funding is ring-fenced for schools to use on SEN related matters only (through the provision to 'lobby' central Government which was introduced by the Sustainable Communities Act).

³⁸ Public Minutes 14/01/2010, J. Coe paragraph 15.9

³⁹ Public Minutes 14/01/2010, J. Coe paragraph 15.6

11. Recommendation 7

Child and Adolescent Mental Health Services (CAMHS)

- 11.1 The Panel heard how the Child Mental Health Services has two tiers:
- 11.2 Community CAMHS (Tier 2) is managed by the council and has been in operation for 5 years. For the last 3 years it has been part of the Schools and Community Support (SCS) teams, based within the East, Central and West teams. SCS works in an integrated way and includes educational psychologists, school nurses, educational welfare officers and community mental health workers.
- 11.3 Clinical CAMHS (Tier 3) is managed by the Sussex Partnership NHS Foundation Trust and is clinic based⁴⁰.
- 11.4 CAMHS have a single point of referral to Community and Clinical CAMHS. All new referrals have to be seen within 4 weeks and this target is generally met. Weekly review meetings are undertaken to allocate referrals to ensure that the child/young person receives the most clinically appropriate service and professional.
- 11.5 Due to time pressures, the Panel were unable to consider all the possible evidence on the subject of school exclusions, and consideration of clinical CAMHS services was one of the areas which received relatively little attention. However, the Panel did receive a good deal of evidence about clinical CAMHS services, and it would seem remiss to omit this testimony; it is therefore included, with the caveat that the review had no formal input from clinical CAMHS professionals (although clinical CAMHS did respond in writing to some of the issues raised).
- 11.6 The Panel agreed that in order to reduce the number of fixed term exclusions across the city that there needed to be easier access to appropriate CAMHS services.

⁴⁰ Private Minutes, 27/01/2010, paragraph 1.1

12. Recommendation 7a

Clinical CAMHS- Tier 3 to investigate visiting families

- 12.1 The Panel heard how community CAMHS would carry out visits in a family's choice of location. Parents and children sometimes found that schools were a comfortable arena to meet CAMHS, as families find these settings familiar and teachers can provide further support if required⁴¹.
- 12.2 The Panel was made aware that clinical CAMHS were sometimes not as responsive as community CAMHS. Clinical CAMHS generally required families to attend clinical settings, rather than providing a home-visiting service.
- 12.3 Clinical CAMHS responded to the Panel by stating that:
- *"Clinicians would indeed visit families in their preferred location, if appropriate*
 - *feedback is that CAMHS locations are central to the local community*
 - *...involved with the community discussing with all partners around a project, looking at providing services within the heart of the local community as in Brighton's largest housing estate and are keen to ensure CAMHS are identified within the family preferred site*
 - *We already provide a similar response in another hard to reach area of the city to improve accessibility for families⁴²"*
- 12.4 The Panel agreed that clinical CAMHS was working towards meeting the needs of their patients by operating from more community based locations. However the Panel wanted to know more about how clinical CAMHS was looking at offering further outreach services in different areas of the city to help families access their services. If the service doesn't continue to increase its accessibility, there is a risk that it will not reach those who need it most.
- 12.5 Subsequently, CAMHS informed the Panel that a trial would be undertaken in the summer term of 2010, where a clinic would be held within Patcham House School, with a visiting psychiatrist from Clinical CAMHS. This would give the school the opportunity to be kept informed of any changes in the child's condition/ medication and to participate in any consultations too. CAMHS said that they intend to support children in this way where children may otherwise find it hard to attend traditional CAMHS locations.

The Panel noted that this was a trial, and providing it was successful, would expect this type of outreach service to be rolled out to mainstream schools in the future too; especially as mainstream schools reported issues with accessing CAMHS.

⁴¹ Private minutes 27/01/2010, paragraph 1.1

⁴² Private e-mail 17/02/2010

12.6 Based on this the Panel recommends that:

Clinical CAMHS should consider whether it offers the most responsive possible service to families, particularly in terms of being willing to travel to locations where families feel most comfortable, rather than requiring children with complex needs to travel to clinical facilities.

13. Recommendation 7b

CAMHS Feedback to Schools

- 13.1 Evidence from one school concluded that feedback from CAMHS was varied⁴³. In some instances schools may have been involved in the initial referral, but then had no contact from CAMHS after that referral. This could be frustrating for schools, as it was hard to see how pupils can effectively be supported without teachers being made aware of the issues that their pupils may have. Whilst recognising that they had to respect patient confidentiality and only act with the approval of families, schools wanted and needed feedback on whether a pupil had attended the arranged session, how the school could improve their education delivery to that pupil and what progress the pupil had made.
- 13.2 The Panel heard how community CAMHS worked closely and had a good relationship with some mainstream schools but that it was difficult to get appointments with clinical CAMHS⁴⁴.
- 13.3 In response to this clinical CAMHS stated:
- *“All carers would be treated individually and confidentiality observed where appropriate, however there is no reason why the information requested should and is not shared with teaching staff when required and in the child’s interests*
 - *We will re-establish lines of communication with all teams in relation to clinical feedback to schools around pupils’ involvement with CAMHS where appropriate⁴⁵.”*
- 13.4 **Good practice:** The Panel heard how most pupils at a Special school had intervention from CAMHS (60%-70% had required mental health support). Professionals such as speech therapists, occupational therapists, educational psychologists and counsellors were on site⁴⁶.
- 13.5 Based on above the evidence the Panel recommends that:
- CAMHS need to ensure that, subject to patient confidentiality, it shares all relevant information with schools to best enable them to support all children in their care.**

⁴³ Private Minutes, 02/11/2009, paragraph 1.28

⁴⁴ Private Minutes, 02/11/2009, paragraph 4.10

⁴⁵ Private e-mail 17/02/2010

⁴⁶ Private Minutes, 02/11/2009, paragraph 5.31 & 5.32

14. Recommendation 7c

Offering training

- 14.1 Whilst there are obvious benefits to the expert diagnostic and therapeutic input provided by the clinical CAMHS team, direct CAMHS intervention will necessarily tend to be of limited scope. It is therefore important that CAMHS supports parents in themselves supporting their children. This may be particularly important in situations where there is a lengthy wait for formal clinical treatment. Schools could also clearly benefit from this type of training were it to be on offer.
- 14.2 Parents are often unaware of what their children have a right to expect in terms of therapy provision. If there was more clarity on what provision should be available, parents would be in a stronger position to ask and discuss their options with a professional (as per the recommendations of the Lamb Inquiry⁴⁷).
- 14.3 When the Panel spoke to pupils who had been excluded, one of the pupils had received anger management support. The pupil said that the support had helped him control his behaviour and that he was continuing to attend the sessions.
- 14.4 A Special school had told the Panel that it would benefit from CAMHS doing work on relationship building, improving learning skills and CAMHS having more interaction with their pupils⁴⁸.
- 14.5 Based on the above evidence the Panel recommends that:

Where possible, CAMHS professionals/clinicians should offer training to parents and schools on techniques to support pupils.

⁴⁷ 16 Dec. 2009 – Brian Lamb – Lamb Inquiry, Special Educational Needs and Parental Confidence about improving parental confidence and children’s life chances see <http://www.dcsf.gov.uk/lambinquiry/downloads/8553-lamb-inquiry.pdf>

⁴⁸ Private Minutes, 02/11/2009, paragraph 5.33

15. Recommendation 7d

Long waiting lists

- 15.1 The Panel heard how on one occasion, prior to an exclusion which occurred, due to the pupil's level of behaviour the Parent had requested psychological and mental health support, but had not received this⁴⁹.
- 15.2 The national target for waiting times is up to 4 weeks for an intervention with CAMHS. An intervention can vary from advice given over the phone to meeting the family. Some of the area teams can have a backlog of cases⁵⁰. Waiting too long for services can clearly have a negative impact upon children and their families and may discourage schools from referring to that service in the future.
- 15.3 The Panel heard how on one occasion, Councillor McCaffrey spoke about an exclusion which occurred, due to the pupil's level of behaviour. The Parent had requested psychological and mental health support, but there were long waiting lists for these⁵¹.

The Panel heard how one school had 23 pupils on the waiting list for the Educational Psychologists⁵².

- 15.4 However on hearing the evidence from parents and schools about the long waiting lists, CAMHS insist that in the vast majority of cases that they are meeting their 4 week target for an intervention and any breaches are reported and investigated.
- 15.5 The SEN Code of Practice advises that the waiting times to have a statutory assessment to be statemented is 26 weeks⁵³. The service should look at speeding up the statementing process by having shorter timescales than the statutory requirements.

One Parent said it took 6 months for their child to be statemented⁵⁴.

- 15.6 It is important to note that it is uncertain which CAMHS services i.e. Clinical or Community, or both, that parents and schools are making reference to in terms of long waiting lists and whether parents and schools are referring to the time taken for a pupil/child to be statemented.
- 15.7 Feedback from CAMHS was that there was an expectation that schools complete a Common Assessment Framework (CAF) when referring to

⁴⁹ Private Minutes , 02/11/2009 paragraph 1.28, 3.5 & 4.10-4.11 and 05/11/2009 paragraph 1.14

⁵⁰ Private Minutes, 27/01/2010, paragraph 1.2

⁵¹ Public Minutes, 14/10/2009, Cllr. McCaffrey paragraph 3.5

⁵² Private Minutes, 02/11/2009 paragraph 4.11

⁵³ Public Minutes, 14/01/2010, J. Coe paragraph 15.3

⁵⁴ Private Minutes, 05/11/2009 paragraph 2.5

CAMHS, which schools can perceive as an onerous exercise. It is uncertain whether issues relating to accessing CAMHS were difficult for schools and parents due to the referral process and the introduction of the CAF.

Additionally, CAMHS informed the Panel that schools were encouraged to contact the area teams or commissioner if they were experiencing difficulties in a specific pupil accessing CAMHS.

15.8 Good practice

The Panel heard about good practices such as the 'Team Around Child' meetings. These involve health professionals, teachers and parents working together to agree on plans to help pupils with challenging behaviour or learning problems⁵⁵.

15.9 Currently primary schools have Planning and Review Meetings (PARMS) in which professionals, teachers and parents review and prioritise large numbers of pupil cases. These meetings are held at the primary school. Secondary schools should consider using this procedure for the same purpose which would help prioritise the number of pupils with special educational needs.

15.10 The Panel heard from a Parent how her child was statemented and the process was fast and took between 12-16 weeks, which included the assessments and observations⁵⁶.

15.11 Scrutiny Panels operate to a deadline, and it was only towards the end of this review that the Panel realised that there were important CAMHS-related issues to be addressed. Although there was not time for a thorough examination of these issues, contact was made with CAMHS, and the Panel decided to make the following recommendation:

CAMHS to investigate the perceptions that schools and parents have regarding long waiting times and to ensure that requisite changes are made to ensure easier access is made to appropriate CAMHS services.

⁵⁶ Public Minutes, 05/11/2009, a Parent, paragraph 9.14

16. Building Schools for the Future Project

16.1 Recommendations 8

16.2 The Panel noted several areas of good practice at an Inclusion Centre they visited. The centre had relatively small classrooms supported by the SENCO and teaching staff for pupils who:

- had been excluded and were being re-integrated back into their class,
- were on the cusp of being excluded,
- needed support to catch up with the curriculum

16.3 The pupils within the Inclusion Centre spoke about how these smaller classrooms gave them time to catch up with the curriculum which they found difficult to do within their normal larger size classes. These smaller units allowed some pupils to develop 'Life Learning Skills' to help focus on their future, build up their self esteem and to give them a chance to talk about any issues they needed support with.

16.4 Additionally, pupils with behavioural issues were encouraged to use the unit if they were getting frustrated about something and needed to go somewhere to calm down. (The teaching staff at the Inclusion Centre would be able to support the pupil during this time by discussing their issues and by teaching them coping mechanisms). This could in turn help prevent the occurrence of incidents which might have escalated into an exclusion. These units have a positive impact on pupils as it gives them the ability to learn skills to cope with difficult situations and to help them integrate back into their regular classroom.

16.5 The Panel heard evidence that children with behavioural problems often couldn't cope with large classrooms and needed to be taught in a more flexible way that is appropriate to their learning needs⁵⁷. In some circumstances (e.g. when dealing with youth offenders) young people did want to receive an education but needed 1:1 teaching⁵⁸.

16.6 Based on the above evidence the Panel recommends that:

The CYPT should continue to seek funding for school buildings, to investigate incorporating additional classroom space within current schools for 'support classes' (similar to Inclusion Centres) to provide pupils at risk of being excluded the flexibility of being taught in smaller classes.

⁵⁷ Private Minutes 05/11/2009 paragraph 1.19 & Public Minutes 05/11/2009, Professor I. Cunningham paragraph 9.24 & 9.26

⁵⁸ Private Minutes 14/01/2010 paragraph 1.8

17. Recommendation 9

Exclusion Units/Offsite- Learning Support Units

- 17.1 The Panel heard that excluded pupils tended to do better in Exclusion Units rather than studying at home, whether supervised or not. Excluded children at home found it difficult to motivate themselves to do their work⁵⁹ and there were generally very limited resources available to help them. Some excluded children may have chaotic lives and home environments which are unsuitable for studying in⁶⁰.
- 17.2 The Panel felt that it wasn't the primary responsibility of parents to supervise their child during an exclusion, but rather the school's responsibility to do this whilst the child was of school attending age⁶¹. Parents often cannot supervise their children during an exclusion due to work or other commitments. In addition relatively few parents are likely to be equipped with the teaching skills required to effectively support their children's learning throughout the exclusion period.
- 17.3 Parents gave evidence as to how they had been required to leave work at very short notice because their child had been excluded⁶². The Panel felt that these children should have been attending an Exclusion Centre rather than being sent home with the parents' permission, especially when the exclusion was for more than a couple of days.
- 17.4 The Panel received confidential evidence that it was generally best that the school Exclusion Centres were based *off site*, rather than on-site. Some incidents were very sensitive and it was best that the perpetrator wasn't seen for a short while, so that the emotions of all involved could settle⁶³.
- 17.5 The LEA told the Panel that all city secondary schools have access to off-site Learning Support Units shared with neighbouring schools, meaning that pupils who have been excluded shouldn't be sent home. The Panel heard from one school, which confirmed that the centre did provide intensive support to referred pupils, with further support provided when the pupils were ready to return back to their classes⁶⁴.
- 17.6 **Good Practice**
ACE has several sites within the city that provide varied learning environments. The Panel visited Sellaby House and was most impressed with its nurturing style of teaching provision for pupils who

⁵⁹ Evidence was heard where some pupils did complete their work during the exclusion period and others didn't but played with their computer games for the whole exclusion period.

⁶⁰ Private Minutes 14/01/2010, paragraph 1.7

⁶¹ Private Minutes 05/11/2009, paragraph 1.11

⁶² Public Minutes 05/11/2009, a Parent paragraph 9.9

⁶³ Private e-mail 26/01/2010

⁶⁴ Private Minutes 02/11/2009, paragraph 3.8

had been excluded. These pupils were taught in small classes and had flexible curriculums to suit their needs - including life and cooking skills.

17.7 The Panel also heard evidence that the Village Centre, Portslade and Hove Learning Centre in Hangleton worked well, as these schools worked on the principle of keeping the pupil within the community⁶⁵.

17.8 Based on the above evidence the Panel recommends that:

The CYPT makes provision through the BSF project, for all schools to have access for some Offsite 'Learning Support Units' (for pupils who have been temporarily excluded), which are linked into mainstream schools (like the Hangleton and Knoll project).

⁶⁵ Private Minutes 14/01/2010, paragraph 1.7

18. Exclusions Policy

- 18.1 The Panel acknowledged the good work undertaken by schools and council officers which had led to a significant reduction in the number of permanent exclusions.
- 18.2 Schools told the Panel that they used exclusion as a last resort and had prevention measures in place which included:
- involving parents
 - pastoral support (having a mentor)
 - personal support plans
 - support involving CAMHS
 - using the Triple P (Parenting Programme)⁶⁶
 - in extreme cases meeting with the Local Authority
- 18.3 A parent said that exclusions should never be a punishment no matter how serious the incident⁶⁷.
- 18.4 A school commented that 2-3 day exclusions could be effective in helping pupils understand that their behaviour was unacceptable⁶⁸.
- 18.5 The Panel were told that all schools have a Behaviour Policy which set out the schools' standards to the pupils and parents of that school. The Panel requested behaviour policies from the schools that they were visiting and other schools which had been flagged up by Local Authority exclusion statistics as having high exclusion rates.
- 18.6 Whilst the Panel sympathised with the issues facing schools and teachers, it is clear that exclusion is seldom effective and often counter-productive, so alternatives must be sought.
- 18.7 The Panel heard of good practice where there were exclusion exchanges with schools in the same area e.g. Carlton Hill and St. Luke's Primary School.

Restorative Justice

- 18.8 Evidence was heard that Restorative Justice can be used to support schools in the reduction of exclusions. The perpetrator listens, understands how their actions had a negative impact on another pupil/teacher, and apologies for their behaviour. Victims have to be willing to engage for restorative justice to take place. In situations when its use is sanctioned, restorative justice will typically be used as an alternative to exclusion.
- 18.9 However, schools need to ensure that they carry out restorative justice and that it is embedded in the school's working culture. For restorative

⁶⁶ Private Minutes 02/11/2010, paragraph 4.13 - 4.15

⁶⁷ Public Minutes 14/11/2009, a Parent, paragraph 9.16

⁶⁸ Private Minutes, 02/11/2009, paragraph 3.11

justice to work successfully it needs to be championed by Headteachers and be practised and promoted by staff with pupil and parental engagement. It may be particularly important to ensure that school staff are supportive of the concept of restorative justice, as in many instances a staff member will be the 'victim' of an incident and therefore be required to play an active role in restorative justice. Where there is broad agreement on its use, restorative justice should be written into the Behaviour Policies⁶⁹.

- 18.10 The Panel was told how the YOS was promoting restorative justice and how a variety of schools and teachers were going through the training programme which resulted in them becoming trained facilitators for restorative justice sessions.
- 18.11 The Panel heard how a school already had restorative justice sessions in place for pupils on the cusp of being excluded or for pupils who had been the victim of a situation to talk about what happened and explore their feelings⁷⁰.
- 18.12 A report from the International Institute for Restorative Practices Graduate School – “Improving School Climate, Findings from Schools Implementing Restorative Practices” was presented to the Panel by a witness. The report gave examples of schools within Pennsylvania and Canada which had adopted restorative justice programmes, with significantly positive results.

Some quotes from the report:

“West Philadelphia High School.. ...We didn't really believe that we could get our kids to the point where they could express remorse, sympathy and respect. Now the kids have embraced restorative practices even more than the adults- the Principal “

“Palisades Middle School...I used to get in a lot of trouble, but teachers talk to students and help you make the right decisions - an Eighth-grade student”

“Springfield Township High School ...restorative practices to be part of a culture building, including treating kids with respect and having a team of teachers and parents identify the school's core values- a Teacher”

⁶⁹ Private minutes, 14/01/2010, paragraph 1.11

⁷⁰ Private Minutes 02/11/2010, paragraph 3.10

19. Recommendation 10

- 19.1 The Panel heard that parents were often not aware that schools should not be excluding pupils informally and felt that the only way of communicating this to parents was through the individual school Behaviour Policies.
- 19.2 All schools should have an exclusion policy, and this should form part of their Behaviour Policy. This should, where possible, include the reasons for exclusion being used – i.e. to protect:
- a) the child being excluded;
 - b) other children or teachers in the schools.
- 19.3 Schools should identify more creative strategies to manage behaviour as alternatives to excluding a child and schools should look at using these more prior to an exclusion process being initiated. These strategies should also be clearly defined in the schools' behaviour policies.
- 19.4 The Panel felt that in some instances schools might be best advised to think about how an individual pupil might be supported to continue in school rather than by focusing on how best to avoid exclusion. This more positive way of thinking might help in particular cases.
- 19.5 The Panel agreed that to reduce the number of fixed term exclusions across the city, there should be easier access to appropriate external services, whether speech and language therapists, educational psychologists etc.
- 19.6 The Panel felt that exclusions should be used as a last resort and should only be for the most serious cases.
- 19.7 Parents told the Panel that exclusions were often ineffective, as, rather than modifying their behaviour following an exclusion, some children would seek to repeat a particular pattern of behaviour in order to be again excluded⁷¹.
- 19.8 As previously mentioned, much damage can be done to a pupil when they have been excluded from school, as their life chances may be significantly reduced. Statistically, young people excluded from school are significantly less likely than the average to find employment and are more likely to come into contact with the criminal justice system. Whilst it may not be the case that exclusion is necessarily a primary cause of these problems, its association is such that it surely makes sense to use exclusion as a last resort.

⁷¹ Public Minutes 05/11/2009, a parent paragraph 9.8

- 19.9 In particular, exclusions at primary school should be avoided at all costs. Children excluded at this stage in their lives are very likely to repeat the type of behaviour that got them excluded in the first place.⁷².
- 19.10 When schools are developing behavioural policies, pupils should be involved more to help define class rules. The Panel had requested Behavioural Policies from schools and it was found that some policies were very teacher-led, and could be more parent and pupil friendly. Peer group discussions on behaviour would be a good way for pupils to collectively decide what behaviour is acceptable.
- 19.11 The Panel heard evidence that there were sometimes discrepancies in the school standards when dealing with discipline⁷³. When an incident occurred and there had been more than one pupil involved, the Panel heard how different pupils might be given different exclusion periods for the same 'offence'. (In one reported incident, pupils found this out by phoning each other at home.) This type of behaviour risks parents and pupils feeling that exclusion is not objective: if there are reasons for excluding one pupil for longer than another, then these should be clearly communicated to pupils and their parents. Consistent and fair discipline strategies are needed to ensure that no pupil or parent feels they have been treated unfairly.
- 19.12 During the evidence gathering sessions from parents, the Panel were told that schools sometimes seemed unaware of the background of their children - particularly if they had behavioural and/or home issues. Parents felt that more understanding was needed by schools when disciplining their children. Several parents commented that, prior to an exclusion, they were not asked for their opinion on the action proposed or asked about any circumstances at home or details of their child's SEN etc⁷⁴.

Lunch times/Breaks

- 19.13 The Panel heard how break and lunch times have to be organised so that pupils can play co-operatively and that it was important that lunchtime supervisors are trained to manage behaviour. The Panel also heard that late lunches could mean that some pupils would get irritable and start to misbehave. Pupils also need sufficient time to run around/play and eat lunch otherwise they may become unsettled in the classroom⁷⁵.

Drinks and healthy eating

- 19.14 There was evidence from all schools that high energy drinks caused pupils to be disruptive in class. One school had spoken to their local convenience store, which supported the school with this issue, declining to sell these drinks to children in school uniforms. Due to the

⁷² Public Minutes 05/11/2009, a parent paragraph 9.2 & 9.16

⁷³ Private Minutes 14/01/2010, paragraph 1.6

⁷⁴ Private Minutes 05/11/2009, paragraph 1.3 & 1.6

⁷⁵ Private Minutes 02/11/2009, paragraph 4.28 – 4.30

disruptive behaviour in classes after the consumption of energy drinks at break times the school has banned any of these types of drinks on its premises⁷⁶.

- 19.15 All schools are promoting healthy eating through cookery classes and in terms of what is made available for sale in the school canteens. This will assist in improving behaviour and concentration.

Boys

- 19.16 Most excluded pupils are boys who have been disruptive in class. It was felt that to address this, schools needed to find out the root causes of their disruptive behaviour and use the curriculum to combat this. By adding flexibility into the curriculum, and having more suitable and creative classes which pupils with shorter attention spans can be more involved with, it should be possible to reduce disruption caused by boredom and frustration.
- 19.17 These changes to the curriculum and teaching styles will take time to implement and appropriate training for teachers will need to be delivered, but this would be effective in the long run for the school and most importantly for the pupil.

Part-time timetables

- 19.18 There was evidence heard from the Local Authority that showed much good practice was already in place in the monitoring of part-time timetables.⁷⁷
- 19.19 Schools made the Panel aware that in some cases part-time timetables were unavoidable – particularly in situations where the only realistic alternative was exclusion. The Panel understood the potential benefit of part-time timetables, but thought they should only be implemented with the support of the parent and pupil. Part-time timetables should be reviewed weekly by the parent and teacher to ensure they are for a time-limited period only and they need to be focused on building back to integrated learning.
- 19.20 Once again, to prevent pupils being sent home, the pupil should go to the Learning Support Unit to be with the teaching staff there when on a part-time timetable. However if there are no other viable options than to send the pupil home when on a part-time timetable, it should be with the agreement of the pupil and parent.

19.21 Good practice

The Panel heard how one school dealt with disruptive behaviour in class by having the pupil removed from their class and made to study

⁷⁶ Private Minutes 02/11/2009, paragraph 1.25, 5.34 – 5.37

⁷⁷ The LA have Education Welfare Officer's in place to monitor school attendance

in the Headteacher's office. This approach was effective as the pupil's behaviour improved in class after this.

- 19.22 Displaying of school rules is an effective way of reminding pupils of the standards of behaviour that are acceptable within that school. The Panel visited some schools that did this and would recommend this approach to any other schools that have not already adopted it.
- 19.23 Other preventative strategies presented to the Panel included having teachers on the buses that pupils used and setting up pupils to be bus monitors to encourage good behaviour on public transport⁷⁸.
- 19.24 Some schools said that when an incident occurred in class and before a disciplinary decision was taken by the school they would consult with the parent to check whether there were any underlying issues. However evidence from parents was generally that they were not consulted in the decision making process prior to their child's exclusion. The Panel felt that this type of parental involvement was probably the exception rather than the norm.
- 19.25 A Special school described that they had Police Community Support Officers who patrolled the school as part of their 'beat'. This promoted good behaviour and also respect for the police. There were also plans to have youth workers within schools too, to help promote community cohesion⁷⁹.
- 19.26 Schools and parents spoke about how some schools would swap pupils who had been excluded. This was generally viewed as effective, as it gave the pupil another chance to start again, with no adverse history and the opportunity to perform better.
- 19.27 There was evidence for and against 'managed moves'. A managed move is when a pupil on the cusp of being excluded is moved to another school. Schools and parents felt that this could be a new start for the child giving them the opportunity to improve their behaviour⁸⁰. However, some witnesses thought that these could sometimes reflect the needs of schools rather than the needs of excluded pupils⁸¹.
- 19.28 The Panel commented on a clear and well thought of Behaviour Policy which had pupil involvement, and was written for pupils rather than teachers. The Policy also displayed various rewards e.g. certificates and a scheme called 'Golden Time'. The scheme was successful as it was embedded into the school's culture and all pupils had a right to take part in the chosen weekly activity, rather than earning it. Pupils only lost time on the activity through bad behaviour⁸².

⁷⁸ Private Minutes 02/11/2009, paragraph 1.26

⁷⁹ Private minutes 02/11/2009, paragraph 5.14 & 5.17 – 5.18

⁸⁰ Private Minutes 02/11/2009, paragraph 4.15 & 05/11/2009, paragraph 2.6

⁸¹ Private Minutes 14/01/2010, paragraph 1.9

⁸² Private minutes 02/11/2009, paragraph 4.21 - 4.22

19.29 Another scheme was called 'Bubble Time' which gave pupils the opportunity to write their name on a bubble (which was displayed in each class), if a pupil needed to talk to a teacher about something. The teacher would then find the pupil during that school day and discuss and support the pupil with whatever was troubling them⁸³.

19.30 Both, Golden Time and Bubble Time were successful schemes and the Panel were most impressed at how this school was being creative in use of such schemes. Schools that do not have such rewards schemes in place should look at implementing them or something similar.

19.31 A pupil who had been excluded spoke about how , while he was in the Learning Support Unit, he was rewarded for good behaviour by being given time at the end of lessons to undertake activities that he enjoyed; the pupil saw this as a positive and it encouraged him to improve his behaviour⁸⁴.

19.32 Based on the above evidence the Panel recommends that:

CYPT to encourage Schools to have simplified School Behaviour Policies:

- **with Exclusion protocols that are 'child-friendly'**
- **to include acknowledging the prohibition of 'Informal Exclusions'**
- **the restricted use of part-time timetables**
- **to show clearly the different stages of sanctions that the school has in place**

⁸³ Private Minutes 02/11/2009, paragraph 4.27

⁸⁴ Private meeting with a pupil

20. Recommendation 11

Youth Offenders

- 20.1 If young people are attending school or college they are less likely to be involved in crime, as they have an alternative focus. Where school attendees do come in contact with the criminal justice system, it is important that schools continue to provide support. This could be in the form of external services being brought into the school e.g. the Youth Offending Service and youth workers. It is vital that these young people remain regular school goers, even if this means schools have to be flexible in terms of the curriculum that they are taught.
- 20.2 The Panel was told that when a pupil is involved in a criminal offence, the combination of excluding the child and the police charging the child could seriously damage that pupil's life chances. Evidence from the YOS recommended that schools should normally not exclude when a child has been criminally charged. It was important to provide the appropriate support during this time, for both the pupil and the parents⁸⁵.
- 20.3 Youth offenders who have been excluded typically come from homes where they may not have access to facilities such as IT and a suitable area to complete their school work⁸⁶. Exclusion for this group of pupils may therefore have a greater negative impact than for other groups.

Looked After Children

- 20.4 The Panel examined the issue of Looked After Children (LAC) and whether these children were being excluded from schools. Some evidence was heard that a number of Looked After Children had been excluded due to behavioural issues, often linked to SEN conditions⁸⁷. The Panel felt that schools should not exclude any LAC as these children have typically been through very unsettling experiences and need schooling to help stabilise their lives.
- 20.5 The LEA should look at improving their monitoring processes to ensure that LAC are not excluded and to check that excluded children have not been criminally charged for the same incident that have been excluded for.

Special Schools

- 20.6 The Panel heard how Special schools were cautious about excluding children as the pupils who attended special schools had typically been moved there to support their specific needs and it was important to give these pupils security and confidence. However, in extreme circumstances where the safety of other children is imperilled, with parental involvement and when all other options have been exhausted,

⁸⁵ Private Minutes 14/01/2010 paragraph 1.10

⁸⁶ Private Minutes 14/01/2010 paragraph 1.7

⁸⁷ Private Minutes 05/11/2009 paragraph 1.11

the most appropriate option left may be to either move or exclude the pupil⁸⁸.

Exclusion

20.7 The Panel heard from some parents who said that they felt punished when their child had been excluded⁸⁹.

20.8 The Panel wanted to ensure that schools were not excluding children because they were unable to access appropriate services to meet the child's special needs. The Local Authority, if it does not do so already, should check that there are processes in place to monitor the reasons why schools are excluding children.

20.9 Where an exclusion does take place, the pupil should be provided with a suitable timetable (covering a whole school day) of alternative activities/lessons to be carried out during the exclusion period. The pupil should not be educated at home, but preferably at a separate on/off site Learning Support Unit. Provision should be made for the pupil to keep up with the curriculum, be supported by staff and to submit the work after for it to be marked.

20.10 The Local Authority, if it does not do so already, should monitor :

- what support classes excluded pupils attend
- where they attend this (i.e. at an offsite/onsite location)
- whether parents were involved in the decision
- the degree of teaching support provided during school hours

20.11 The Panel heard evidence from pupils who had been repeatedly excluded and were sent home to the effect that some pupils did not carry out any school work, but filled their time up by playing with their computer games for the whole period of the exclusion⁹⁰.

20.12 Managed Moves

Where a pupil is on the cusp of being excluded or has been excluded, one option is to move the pupil to another school. This could give the pupil the opportunity for a fresh start. However, some pupils with SEN may have conditions which would be exacerbated by a managed move. A managed move is only likely to be beneficial to the pupil if the parent and pupil are involved in the decision to go ahead with this⁹¹.

20.13 Bullying

The Panel was presented with data from Amaze which showed that 66% of children on the Compass database who had been excluded had also been bullied⁹². It is unclear from these figures whether the

⁸⁸ Private Minutes 02/11/2009 paragraph 5.37

⁸⁹ Public Minutes 05/11/2009, a Parent paragraph. 9.16

⁹⁰ Private meeting with a pupil on the 01/02/2010

⁹¹ Private Minutes 14/01/2010 paragraph 1.19 & 05/11/2009 paragraph 2.6, 02/11/2009 paragraph 4.15, 5.8, 5.10

⁹² Private meeting – 14-10-2009 , (Amaze) handout statistics

bullying was directly related to the exclusion or not, but the correlation between the two figures is striking. Schools, if they do not already do so, should be investigating whether bullying is one of the causes of school exclusion.

20.14 The Panel did ask some of the schools whether children being bullied had led to the child being excluded; however schools didn't provide evidence that there was a definite link between bullying and exclusions.

20.15 **Informal exclusions**

The Local Authority continues to work with schools to eliminate informal exclusions with the support of Government guidance which stipulates that it is illegal for schools to informally exclude a pupil. In reality informal exclusion is still happening, as parents confirmed to the Panel. The Local Authority has Education Welfare Officers who monitor and investigate informal exclusions in schools.

20.16 Schools use this method of informally excluding a pupil to prevent fixed term exclusions appearing on the school and the pupil's record, in the hope that the pupil will not repeat the incident or cause further issues that may lead to a fixed term exclusion. Additionally, informal exclusions are used to give time for the pupil to calm down⁹³.

20.17 A parent spoke to the Panel about a discrepancy between their school's records and their personal records with regard to the number of times their child had been excluded⁹⁴. The Local Authority is already aware of the inaccurate recording of exclusions and is utilising its Education Welfare Officers to work with schools to improve the data accuracy⁹⁵.

Not in Education, Employment or Training (NEET)

20.18 One of the areas that the Panel investigated was to determine how many school leavers who had been excluded ended up as NEETs. The Panel was informed that this information was not collated by schools. However, one school had collected this data purposely for the Panel's visit: 6 pupils out of 340 in the 2008-2009 year group had ended up as NEET, and only one of these had been excluded⁹⁶. The Panel felt that the Local Authority should ask schools to maintain records of NEETs for pupils who have been excluded, so that schools can monitor the impact of exclusion on pupils' job and life prospects.

20.19 The Local Authority should also continue to monitor the educational achievement of pupils with BESD to see how schools are coping and being supported with these pupils. Any good practice could then be cascaded to other schools in the area.

⁹³ Private Minutes 14/01/2010, paragraph 1.6

⁹⁴ Private Minutes, 05/11/2009, paragraph 2.8

⁹⁵ Private Minutes, 14/10/2009, paragraph 1.2-1.9

⁹⁶ Private information, 02/11/2009, paragraph 1.24

20.20 Based on the above evidence the Panel recommends that:

Headteachers should ensure that children and young people are not 'informally excluded' or unnecessarily placed on part-time timetables and the LEA should continue robustly to monitor this.

21. Recommendation 12

Parents

- 21.1 Good communication with parents throughout all parts of the exclusion process is essential. Parents can help schools understand their child as fully as possible and help determine the most effective way for their child to learn from an incident they have been involved in.
- 21.2 However, the Panel heard evidence from parents who were not involved in the decision-making process to exclude their child: the first time they heard of the exclusion may have been via a formal phone call or a letter from the school⁹⁷. In other schools the situation seems very different, with parents involved at every stage of the process.
- 21.3 Parents should be valued more and made to feel more welcome in schools, whether their children are challenging or performing well. Parents should be involved more in improving their child's behaviour (as per the Behavioural Emotional Social strategy) and supported more by all services.
- 21.4 Parents should to be invited more into school at the start of and end of an exclusion period in order to contribute to the future strategy for their child.
- 21.5 The Panel heard from single parents who wanted extra support from schools, regarding techniques and advice for improving behaviour and addressing the learning needs of their children. Schools might be well advised to have special policies for single parents, in recognition of the fact that some single parents have a particularly difficult job to do and may sometimes require more support than two parent families.
- 21.6 Schools should continue to review how they could improve their communications with parents and ensure they have up to date information on how best to contact parents as the Panel heard evidence that answerphone messages were left on parents' phones, advising them of an incident/exclusion, where the parents could have been contacted via other means – e.g. mobile phone⁹⁸. However, the Panel also heard from parents who had been contacted directly by schools. It would therefore seem that there is both good and bad practice in this area⁹⁹.
- 21.7 The Panel heard that parents do not always understand the reasons that schools give for an exclusion¹⁰⁰. It is very important that parents

⁹⁷ Private minutes 05/11/2009, paragraph 1.5 -1.8, 1.14 & Public Minutes 05/11/2009, a parent paragraph 9.2 & 9.9

⁹⁸ Private Minutes, 14/01/2010, paragraph 1.6

⁹⁹ Public Minutes 05/11/2009, paragraph 9.4 & Private Minutes 02/11/2009 paragraph 1.13, paragraph 3.9, paragraphs 4.18-4.20, 5.15-5.16

¹⁰⁰ Private Minutes 05/11/2009, paragraph 2.10 & paragraph 1.14 & 1.18

are absolutely clear why their child has been excluded, and schools must make every effort to communicate these vital facts as transparently as possible.

- 21.8 More provision needs to be looked at for pupils who have been immediately excluded following a serious incident. In such situations, it may be that it has not been possible to contact the parents in advance, and that when contacted, parents are unable to pick the pupil up. In such situations, Offsite/On-site accommodation should be used in these cases rather than the pupil being sent home. Learning Support Units should be used for the remaining duration of the exclusion with the parent's permission.
- 21.9 The Panel heard how some parents had their social workers or a representative from the Youth Offending Service attend school meetings, as some parents felt that they needed support to talk with schools¹⁰¹.

Good practice

- 21.10 The Panel heard from all the schools visited during the evidence gathering sessions how schools did work with the parents to support their families during the exclusion process and in some cases how Schools worked with Social Services to provide respite care and support during the school holidays¹⁰² and managed moves with parental and multi-agency involvement¹⁰³.
- 21.11 Based on the above evidence the Panel recommends that:

The CYPT should encourage schools to improve their communication and support with parents (for pupils who have been excluded); by involving them more in the exclusion-decision making process.

¹⁰¹ Private Minutes 05/11/2009, paragraph 1.16

¹⁰² Private Minutes 02/11/2009, paragraphs 4.15 & 5..23

¹⁰³ Private Minutes 02/11/2009, paragraph 5.8

22. Recommendation 13

- 22.1 A requirement of any Scrutiny Panel is to consider evidence from all parties concerned on the subject matter. The evidence heard from parents and pupils in relation to their experiences on school exclusions was of paramount importance. Without this evidence the Panel would not have been able to formulate meaningful recommendations.
- 22.2 With this in mind, the Panel felt that if the Headteachers Steering Group does not do so already, it should speak with pupils who have been excluded and their parents to find out what improvements can be made to school exclusion protocols.
- 22.3 Some parents provided testimony alleging that schools had could make improvements to their behaviour monitoring arrangements¹⁰⁴ and that schools could have made much more effort to prevent exclusions than they in fact did¹⁰⁵.
- 22.4 Based on the above evidence the Panel recommends that:

Headteachers and Governors should speak with young people who have been excluded and their parents more regularly, to learn from their experiences and seek improvements in exclusions protocols.

¹⁰⁴ Private Minutes, 05/11/2009 paragraphs 1.3, 1.8, 1.12, 2.2 & 2.8

¹⁰⁵ Private Minutes, 05/11/2009 paragraph 1.19 & 05/11/2009 paragraphs 9.3, 9.8, 9.15 & 9.16

23. Domestic Violence and Traveller Children

- 23.1 The Panel reviewed their objectives during the investigation process. Evidence gathered from schools focused on the main challenges schools faced in relation to exclusion. These areas were around SEN and CAMHS.
- 23.2 Evidence collated from parents focused on schools giving more flexible support to children with SEN, particularly with regard to children with BSED conditions.
- 23.3 The Panel did not receive any evidence relating to domestic violence and traveller children, although these were topics identified as important during the scoping process. Scrutiny Panels are time-limited, and it is not always possible to pursue every avenue of enquiry. In this instance, the Panel chose not to request expert testimony on these topics. This is by no means intended as a reflection on the importance of these issues, and the Panel does recommend that any future scrutiny panels examining aspects of domestic violence or traveller issues should consider whether to look at exclusion-related matters as part of their enquiries.

24. Lesbian, Gay, Bisexual and Transgender (LGBT)

- 24.1 The Panel heard evidence that Stonewall (with support from the DCSF and teaching Unions) was producing an interactive DVD to tackle homophobic bullying. It gives further support to teachers working to tackle homophobic bullying in their schools. These DVDs will be sent out to all secondary schools.

Further information is available on the Stonewall website:

http://www.stonewall.org.uk/education_for_all/default.asp

- 24.2 A teacher gave evidence as to how LGBT teachers were not always given the freedom to be open about their sexuality. The witness felt that this could help foster an environment where pupils felt discouraged about displaying or talking about their sexuality. Consequent frustrations might be manifested as unmanageable behaviour, which could be misconstrued as BSED.
- 24.3 The Panel agreed that LGBT contact numbers should be included in the school planners for additional support¹⁰⁶.

¹⁰⁶ Private Minutes 27/01/2010 paragraph 2.1- 2.11

25 APPENDIX 1

Glossary

ASC – Autism Syndrome Condition

BESD – Behavioural, Emotional and Social Difficulties

CAF- Common Assessment Framework

CAMHS – Child and Adolescent Mental Health Services

COP – Code of Practice

DCSF – Department for Children, Schools and Families

FAS – Foetal Alcohol Syndrome

IEP – Individual Educational Plans

LAC- Looked After Children

LEAs –Local Education Authorities (also referred to as the Local Authority)

PARM – Planning and Review Meetings

PLP- Personal Learning Programmes

PSP- Pastoral Support Plans

SEAL – Social and Emotional Aspects of Learning

SEN- Special Educational Needs

SCLN- Specific Learning Difficulties

SIP – Schools Improvement Partners

YOS – Youth Offending Service

APPENDIX 2

Witnesses who gave evidence (in order of appearance)

Name	Title	Private /Public meeting	Date of appearance
Jo Lyons	AD Learning, Schools and Skills	Private- Scoping meeting	09.09.2009
Linda Ellis	Senior Secondary and Special Schools Advisor	Private- Scoping meeting	09.09.2009
Linda Ellis	Senior Secondary and Special Schools Advisor	Private meeting	14.10.2009
Janet Swingle	Behaviour Strategy Manager	Private meeting	14.10.2009
Ros Cook	Assistant Director of Amaze	Private meeting	14.10.2009
Juliet McCaffrey	Councillor	Public meeting	14.10.2009
Anonymous	Parent	Private meeting	05.11.2009
Anonymous	Parent	Private meeting	05.11.2009
Anonymous	Parent	Public meeting	05.11.2009
Professor Ian Cunningham	Self Managed Learning Centre	Public meeting	05.11.2009
Mary Hinton	Youth Offending Team	Private meeting	14.01.2010
Jacqueline Coe	Head of Learning Support Service	Public meeting	14.01.2010
Hass Yilmaz	Principal Educational Psychologist from CAMHS	Private meeting	27.01.2010
Nigel Tart	Teacher at Patcham House	Private meeting	27.01.2010

School visits – Private meetings

Name of school	Title of Teachers	Date visited
Cardinal Newman Catholic School	Headteacher - Malvina Sanders Paul Miller – Acting Deputy Head, responsible for Behaviour Suzanne Harmer – Assistant Headteacher - Special Needs Coordinator Lesley Torn – Coordinator for Inclusion	02.11.2009
Alternative Centre for	Headteacher – Mark Whitby	02.11.2009

Education- Queensdown School Road		
Hove Park Secondary School - Neville Campus	Ken Leonard - Deputy Headteacher - Based at Nevill Campus (Hove Park Upper School), Jim Roberts - Deputy Headteacher - Based at Valley Campus Sue Jupp – SENCO – Based at Valley Campus.	02.11.2009
Carton Hill Primary School	Headteacher – Louise Williard	02.11.2009
Patcham House School	Head of School – Gayle Fagen Headteacher – Kim Bolton	02.11.2009
ACE- Sellaby House Tuition Centre	Spoke with Pupils and Vicky Scale - Teacher	15.01.2010
Self Managed Learning Centre	Professor Ian Cunningham	15.01.2010
Cardinal Newman – Inclusion Centre	Spoke with Pupils and Lesley Torn – Teacher- Coordinator for Inclusion Centre	01.02.2010

APPENDIX 3

Bibliography

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Improving behaviour and attendance: guidance on exclusion from schools and Pupil referral Units September 2008

National Parent Partnership Network – Ofsted report – the exclusion from school of children aged four to seven – June 2009

Statistical First Release (July 2009) – Permanent and Fixed Period Exclusions from Schools and the Exclusions Appeals in England, 2007/8- Department for Children and Schools and Families

Where Next for Pupils Excluded from Special Schools and Pupil Referral Units – Research Report No. DCSF-RR163 for the Department for Children and Schools and Families (September 2009)