

Exclusions and Suspensions

Presentation to Overview and Scrutiny Committee

Friday 10th March 2023

Suspensions – what are they?

- A suspension is where a pupil is temporarily removed from the school, is a behaviour management tool that should be set out within a school's behaviour policy.
- A child may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year and this could include lunchtime suspensions
- Schools are responsible for providing ongoing education for a suspended child ensuring it is marked
- The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.
- Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.
- If a school sends a child home due to a behavioural issue but does not log this as a suspension this is unlawful
- Where suspensions are becoming a regular occurrence for a child schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour

Permanent Exclusion

- A permanent exclusion is when a child is no longer allowed to attend a school (unless the pupil is reinstated).
- The decision to exclude a child permanently should only be taken:
 - in response to a serious breach or persistent breaches of the school's behaviour policy; and
 - where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.
- Schools should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.
- The local authority has the duty to provide full time education from Day 6 of a permanent exclusion

Exclusions and Discrimination

- If a school unfairly excludes a pupil with a disability, this could be disability discrimination.
- A pupil is disabled if they have a long-term physical or mental impairment which has a substantial adverse effect on their ability to carry out day-to-day activities (this is the definition in the Equality Act 2010).
- A school might discriminate against a disabled child if they were aware of the child's disability, and the exclusion was because the child is disabled or because of something which happened because of their disability. This could be because of a school policy which is discriminatory towards pupils with disabilities.

Context in North Yorkshire



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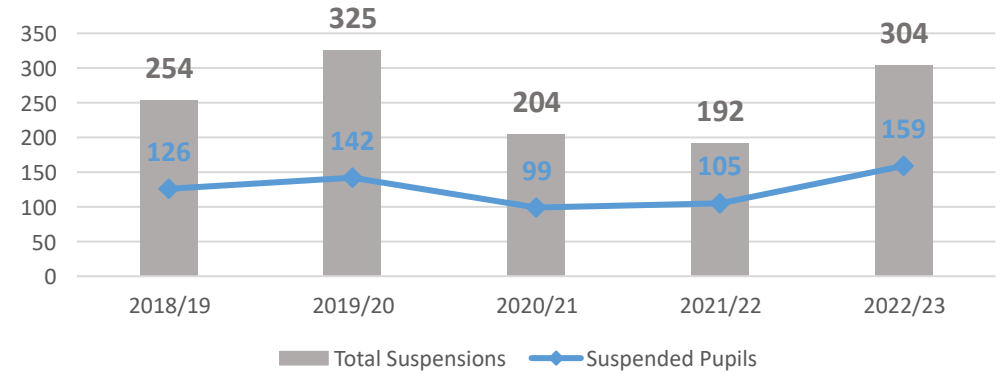
Headlines

- Historically, North Yorkshire Permanent Exclusion rate has sat below the national average
- 2022/23 to date, however, has seen a considerable increase in the permanent exclusion rate
 - This is particularly pronounced in Primary Schools, but is being seen across both Primary and Secondary
- Suspensions are also increasing across both Primary and Secondary schools.
 - Year to date figures for suspensions in Secondary Schools are higher in 2022/23 than they have been over the same period in any of the preceding 4 years
- The equivalent to 1 pupils in every class of 30 in secondary schools will have been suspended at least once.

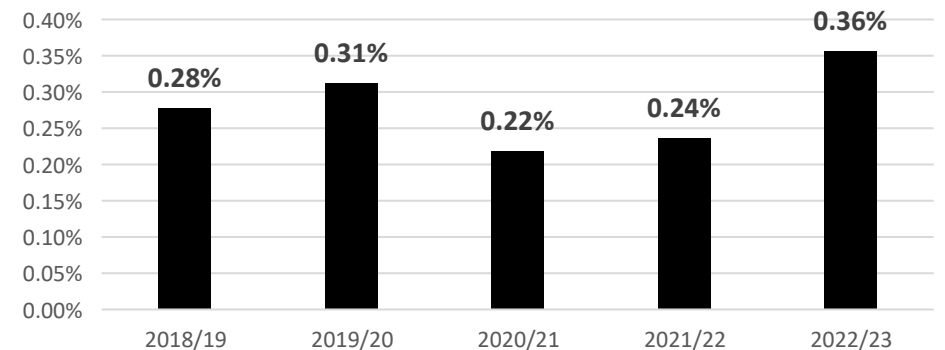
Suspensions in North Yorkshire Primary Schools – Year-to-date

- Reflective of the trend for Permanent Exclusions, suspensions for primary school pupils in North Yorkshire have seen a considerable increase this year.
- During 2022/23, 159 pupils have received a total of 304 suspensions
 - This is up from 192 suspensions received by 105 pupils in 2021/22
- Looking at the year-to-date suspension rate in Primary School, 0.36% of pupils have been suspended at least once.
 - Highest figure in the past 5 years
- Scarborough & Ryedale also stands out in terms of the volume of suspensions, at 1.2 suspensions per 100 pupils, compared to 0.7 county wide.

Primary Suspensions
Suspended Pupils (Line) and Total Suspensions (Bar)



% Primary School Pupils suspended at least once

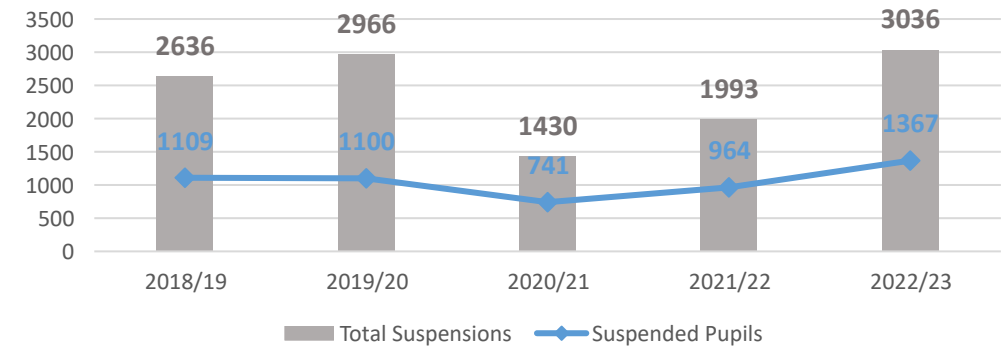


Primary	Suspended Pupils	% Suspended	Total Suspensions	Suspensions per 100 pupils	Perm. Ex
Craven	13	0.31%	20		2
Hambleton and Richmondshire	25	0.25%	42		1
Harrogate	27	0.23%	47		1
Scarborough and Ryedale	63	0.54%	135		3
Selby	28	0.36%	57		1

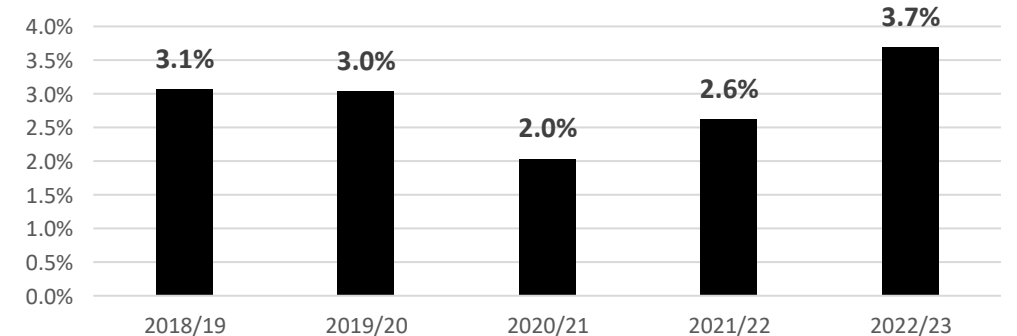
Suspensions in North Yorkshire Secondary Schools – Year-to-date

- Aligning with the trends seen across Primary schools, 2022/23 is showing the highest number of Secondary suspensions in the past 5 years
 - 1,367 pupils received 3,036 suspensions so far in 2022/23
 - Up from 964 pupils receiving 1,993 suspensions in 2021/22
- This is the highest number seen in the past 5 years, across both the number of suspensions and the number of suspended pupils
- 3.7% of secondary pupils suspended at least once
 - This is equivalent to 1 pupil in every class of 30 pupils.
- At 12.2 suspensions per 100 pupils, the volume of suspensions in Ham/Rich is considerably higher than the county average of 9.5 per 100 pupils.

Secondary Suspensions
Suspended Pupils (Line) and Total Suspensions (Bar)



% Secondary School Pupils suspended at least once

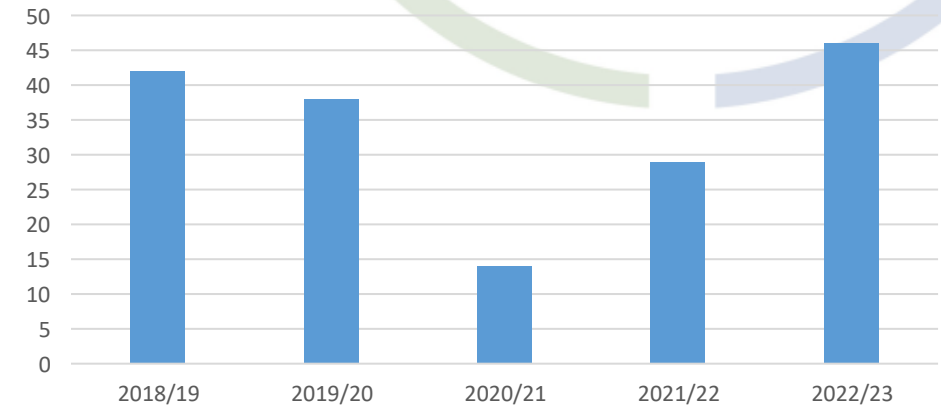


Secondary	Suspended Pupils	% Suspended	Total Suspensions	Suspensions per 100 pupils	Perm. Ex
Craven	123	2.49%	163	3.3	2
Hambleton and Richmondshire	368	5.15%	860	12.2	14
Harrogate	316	2.74%	717	6.2	8
Scarborough and Ryedale	372	4.41%	850	10.1	9
Selby	190	3.68%	446	8.6	3

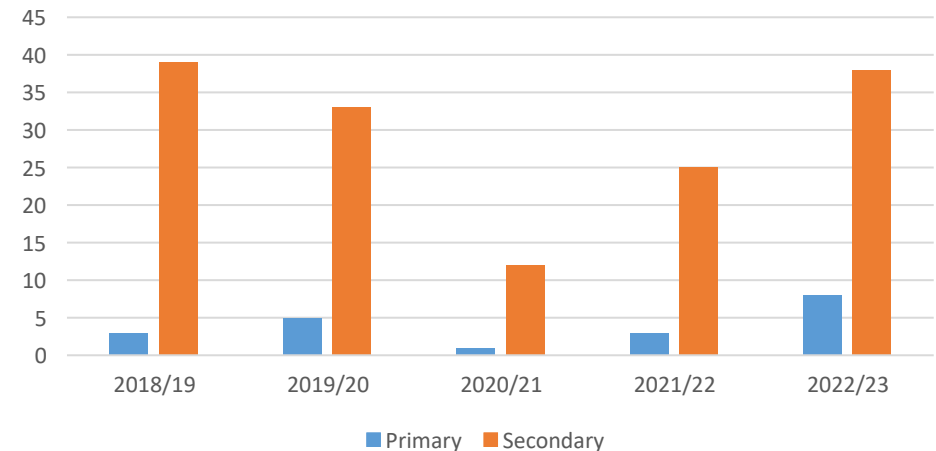
Permanent Exclusions in North Yorkshire

- 2022/23 has seen a sharp rise in Permanent Exclusions
- This academic year to February half-term, there have been 46 permanent exclusions
 - Up from 29 at the same point of 2021/22 (+59%).
 - This is the highest figure seen in at least the last 5 years.
 - If this rate continues we are likely to see between 80 and 90 permanent exclusions
- Whilst this rise is being seen across the board, it is worth noting that the rise in Primary Permanent Exclusions has been particularly pronounced.
 - 8 Primary Permanent Exclusions in 2022/23 to Feb. Half-term.
 - More than the entirety of the 2021/22 academic year (n=5)

Total Permanent Exclusions - Academic Year to February half-term



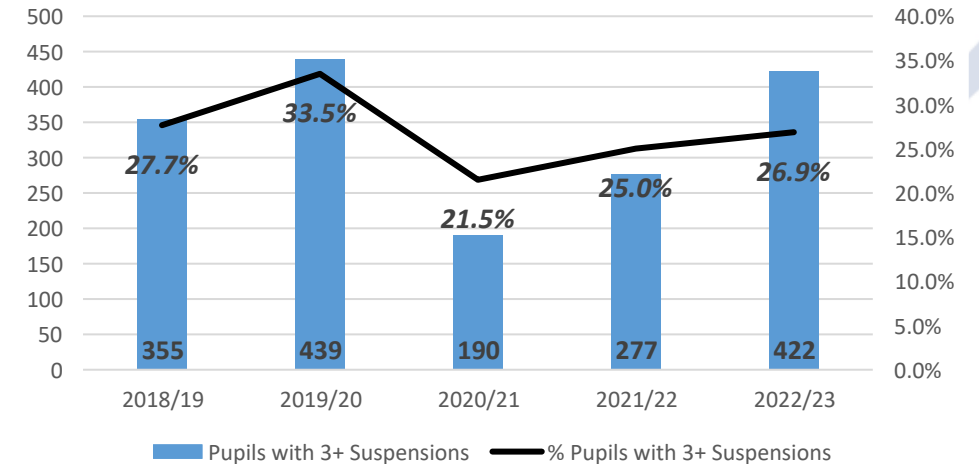
Primary & Secondary Permanent Exclusions
Academic Year to February half-term



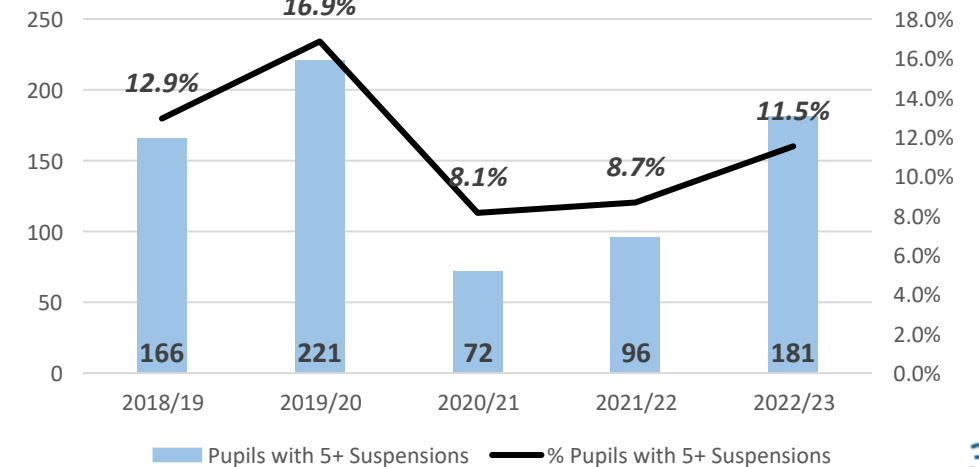
Repeat Suspensions

- Emerging from 2 pandemic impacted years, 2022/23 to the February Half-term has seen an upward trend in terms of the number & proportion of suspended pupils receiving 3 or more suspensions.
- Whilst there is a profound upward trend, children are still less likely to receive 3 or more suspensions than in 2018/19 (27.7%), and 2019/20 (33.5%)
- This trend is replicated across the number and proportion of suspended pupils receiving 5 or more suspensions.

Repeat Suspensions



5+ Suspensions



Why is exclusion such an important issue?



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Exclusion and Vulnerability

- National educational data reveal that exclusion occurs disproportionately in certain groups, including boys, some ethnic minorities, those eligible for Free School Meals (FSM) and children who have Special Educational Need and Disability (SEND)
- Indicators that may increase the risk of certain children and young people include lesser developed social skills, SEND, mental health, children in need, issues at home impacting on the child

Children's Society (2021) study of the voice of excluded children revealed:

- Children worried about the impact on their future
- They didn't feel valued or cared for
- Exclusion damaged relationships in and out of school
- Some could not access the curriculum, keep up with the pace of learning
- Behaviour policies in schools were too rigid

Comparison of strengths, difficulties and support

Figure 1. Reported difficulties, strengths and support by excluded and not excluded children. All differences are statistically significant apart from *emotional difficulties*.

Key ■ Average (mean) score of **excluded** children out of around 500 pupils

■ Average (mean) score of **not excluded** children out of around 28,000 pupils

Excursions and difficulties (higher score = more difficulties)

Emotional difficulties (out of 10)



Difficulties with peers (out of 10)



Perceived stress (out of 16)



Behavioural difficulties (out of 10)



Attention difficulties (out of 10)



Total difficulties (out of 40)



Excursions and strengths (higher score = more positive)

Managing emotions (out of 42)



Positive wellbeing (out of 35)



Empathy (out of 10)



Problem solving (out of 15)



Goal setting (out of 10)



Helping others (out of 10)



Exclusions and networks (higher score = more support)

Family support (out of 20)



School support (out of 20)



Participation in community (out of 20)



Community support (out of 20)



Peer support (out of 65)



Participation in home and school (out of 20)



Impact on Children

- High economic price to exclusion, costing the public purse money in terms of education, benefits, healthcare and criminal justice estimated as £370K per person
- Impact on parent and children's mental health
- Only 1% of young people achieve 5 good GCSEs
- Only 4.5% of pupils in PRUs achieve a good pass in GCSE English and Maths
- Attainment 8 achievement only 7.8% (England average 48.5%)
- Increased vulnerability of children and young people in terms of safeguarding risk, sexual exploitation, criminal exploitation
- Children in gangs are 5.5 x more likely to have been excluded
- 40% end up Not in Education, Employment or Training
- 85% of children in YOIs have been excluded

Source : Children's Commissioner report 2021
Timpson Review 2019

Double Permanent Exclusion

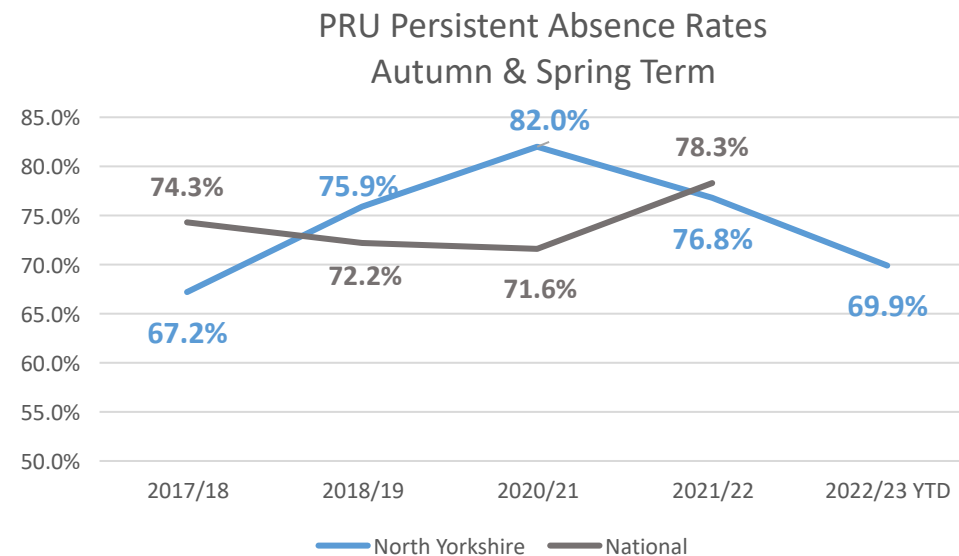
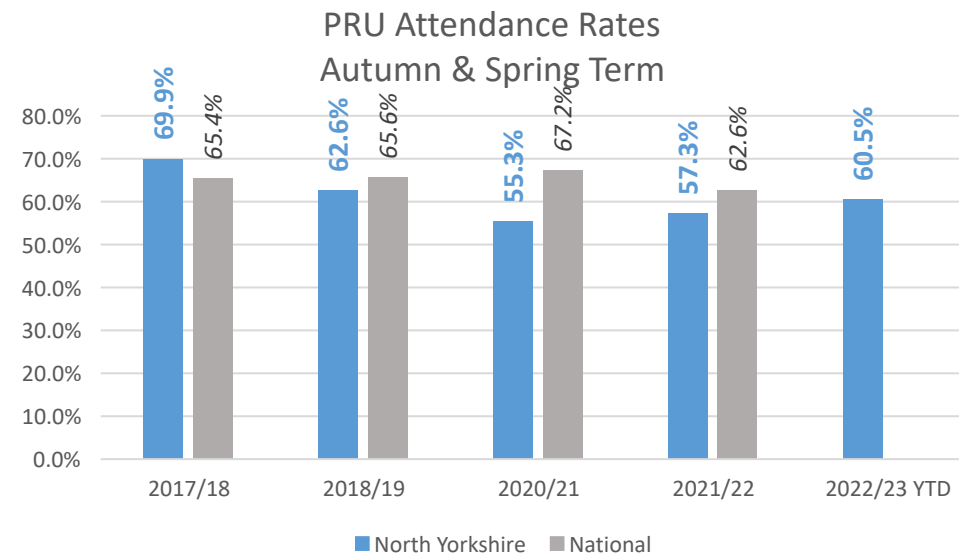
Where a child has been permanently excluded from two or more schools, **a parent can still express a preference for a school place**, but the requirement to comply with that preference is removed for a period of 2 years from the date on which the latest exclusion took place (Section 87 School Standards and Framework Act 1998).

- Impacts on quality of education
- Sense of self
- Academic Achievement
- Correlates with poor mental health in adulthood
- Increased chance of becoming involved in the criminal justice system
- Creates social isolation
- Can encourage negative behaviour
- Can increase lack of respect for authority

School exclusion 'linked to long-term mental health problems' - study
Research shows that exclusions can amplify pupils' psychological distress and encourage behaviour it intends to punish

Pupil Referral Units - Attendance

- Since 2017/18, North Yorkshire PRUs have seen a downward trend in attendance rates
 - Falling from 69.9% in 2017/18 to 57.3% in 2021/22
- This trend opposes the rising national average for PRU attendance.
- North Yorkshire's attendance trend is reflected in the Persistent Absence rate, rising from 67.2% in 2017/18 to 82% in 2020/21
 - Persistent absence is just as the proportion of pupils missing 10% or more of possible sessions
- Over 2022/23 to date, attendance at PRUs has improved:
 - Attendance Rate: 60.5% (+3.2 percentage points on 2021/22)
 - Persistent Absence Rate: 69.9% (-6.9 percentage points on 2021/22)



Pupil Referral Unit Attainment

- Attainment of pupils at PRUs is lower compared to overall attainment.
- The table to the right shows the breakdown of attainment at Key Stage 4 in 2022 across the 3 main indicators
 - No pupils in PRUs achieving grade 4-9 in the basics (English & Maths) at GCSE
 - Across all PRUs, progress compared to those with similar prior attainment (Progress 8) was low (ranging from -2.1 to -3.71), compared to +0.04 for all NYCC pupils
 - Attainment of pupils in PRUs compared to those with similar prior attainment (Attainment 8) was also low (ranging from 4 to 13.5), compared to 50.2 for all NYCC Pupils.
- *Due to the nature of PRUs – it is worth noting that a relatively small number of Pupils supported through PRUs take examinations at the setting, many return to their previous school to take exams.*

DFE	Sch Name	Att 8	P8	Basics
1100	Scarborough Pupil Referral Unit	4	-3.71	0%
1101	Springwell Harrogate	4	-3.36	0%
1102	Northallerton	4.3	-2.49	0%
1103	Craven Pupil Referral Service	13.5	-2.1	0%
1104	Selby Pupil Referral Service	11.5	-3.84	0%
		NY Overall = 50.2	NY Overall = +0.04	NY Overall = 53.6%



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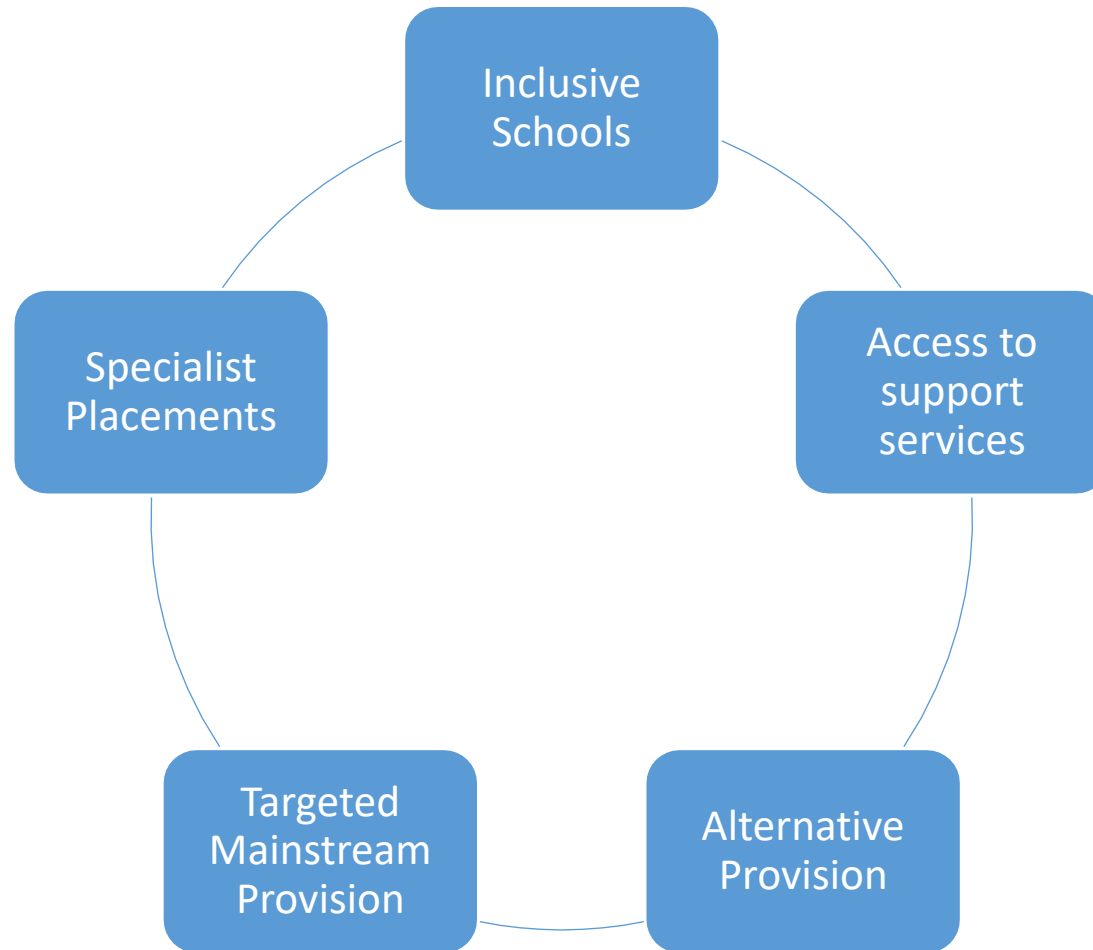


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Right Support at the Right Time

Continuum of Provision



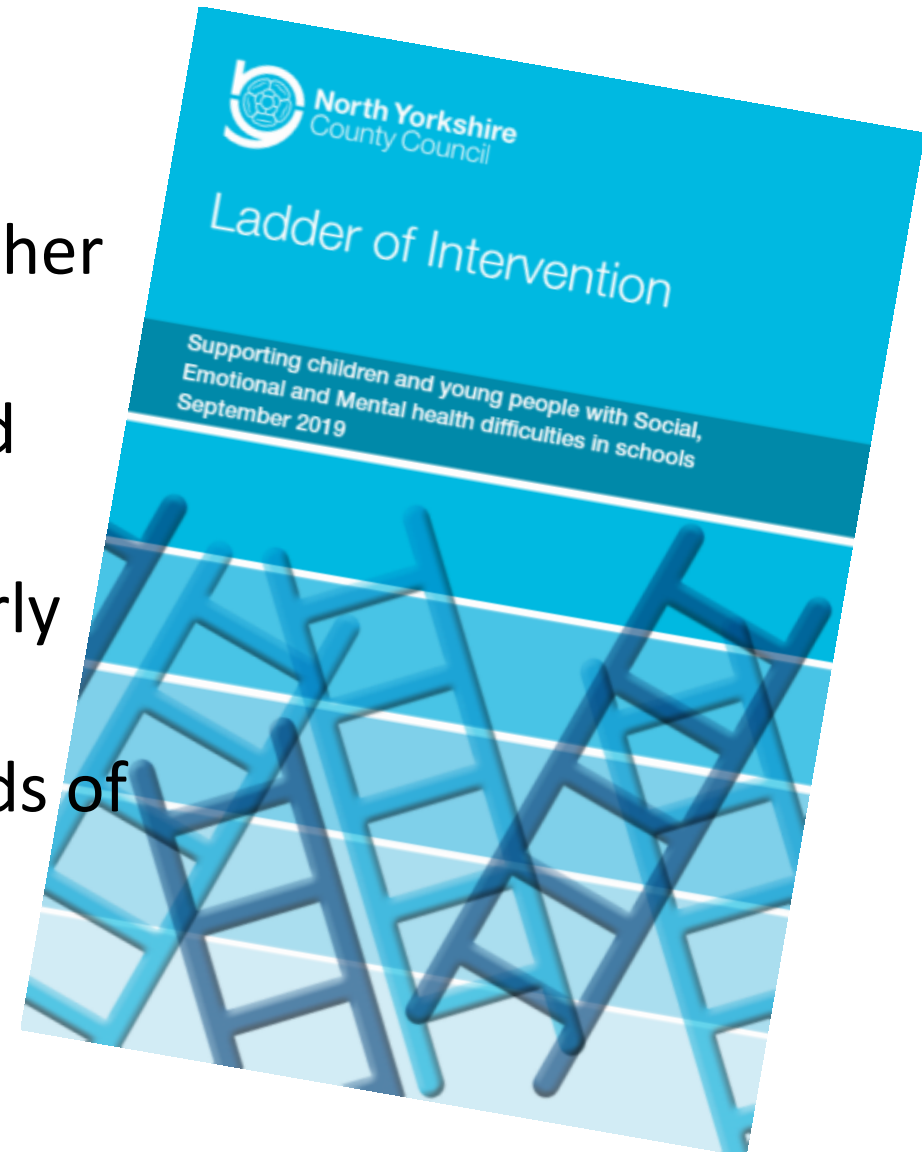
Promoting an Inclusive Ethos Relational training



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Nurturing Best Practice

- In September 2019, we published the *Ladder of Intervention* to support schools and settings in adopting the requirements within Working Together to Safeguard Children (2018), the DfE Exclusion Guidance (2018), the Code of Practice (2016) and the North Yorkshire Early Help Strategy (2019).
- The *Ladder of Intervention* is aligned with the Early Help Strategy and is designed to increase the capacity of mainstream schools to meet the needs of their pupils locally, promote inclusion and understanding



Early identification of need

SEN Support

- Children with multiple exclusions should be identified as SEN Support recognising they need additional and different provision/support
- SEN Support Plan reviewed 3 times per year

Education, health and care assessment

After 2 cycles of SEN Support consideration can be given to statutory assessment for an EHC Plan if evidence that the needs of the child cannot be met at SEN Support

Early Help






Inclusion (Pupil Support) Pathway

- The appropriate **Children and Families/Social Worker/YJ Education Liaison Officer** will receive an alert via the LCS/EHM/Careworks system and will determine whether to make contact with:
 - School
 - School Improvement Adviser/Locality Hub
 - Family
 - Partners in Children and Families/Children's Social Care/Youth Justice
- **Worker** will incorporate the risk of exclusion in future meetings and – if not already involved – will invite an **Inclusion Keyworker** to contribute to plans
- **Worker Line Manager** will also receive an alert


CFW/SW/YJW and Inclusion Keyworker should liaise on case

- The assigned **Inclusion Keyworker** within each **Locality Hub** will support the **worker** and **school** to consider appropriate interventions within the **Ladder of Intervention** and any additional expertise of services within the **Locality Hub**
- **Contact details:**
 - IES: inclusiveeducation@northyorks.gov.uk
 - SEN Team (SENadmin@northyorks.gov.uk) – for SEN/EHCP
 - Virtual School (virtualschool@northyorks.gov.uk) – for LAC

- The detrimental impact of exclusions must be highlighted at every meeting
- A professional from the SEN team (for pupils with an EHCP) and/or the Virtual School (for pupils who are LAC) should always be invited to attend and make representation

Early Help Strategy



Inclusion Service support

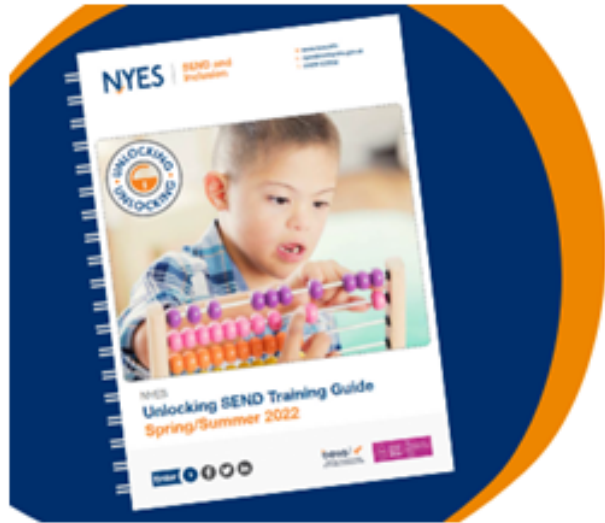
- Core offer from SEND locality hubs
- Training offer
- Comprehensive training offer across C&I, SEMH and Cognition and Learning including our 'Unlocking' portfolio
- Intervention packages
- Partnership bundles



Our Additional Support is divided into three strands:

- ✓ Standalone Sessions
- ✓ Intervention Packages
- ✓ Partnership Bundles

Spring/Summer Term 2022 | SEND and Inclusion



Unlocking SEND Training Guide

Now Live!



The “Unlocking” range of specialist courses from the NYES SEND and Inclusion team has been developed to enable children and young people to reach their full potential.

We have a wide range of courses to suit all audiences, age ranges and needs, from Early Years to Secondary and Autism to Dyslexia, with some exciting new courses coming soon! Could you benefit from our training?

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Language

New

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SEMH Annual Conference
Mental Health and Wellbeing
in Schools

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Preventative model of Alternative Provision

Secondary

- 5 Pupil Referral Services and 2 school managed AP provide access to early support for those at risk of permanent exclusion as well as Day 6 provision.
- Work currently underway to refine the model and ensure capacity is sufficient in the locality
- Schools are able to use unregistered AP providers directly to personalise learning to individual needs

Primary

Intensive support team within the SEND Hubs provide preventative support and day 6 provision

Strategy to reduce primary suspension and exclusion under review in response to growing trends

Targeted Provision

Targeted Mainstream Provision

8 place provision for either SEMH/C&I – 6 for children with Education, Health and Care Plans and 2 flexible places

10 developed so far and further 6 in discussion

School	Locality	Designation	Opening
Wensleydale	Hamb/Rich	C+I Secondary	01/09/2021
East Whitby Academy	Whitby	C+I Primary	01/01/2021
Grove Road Prim	Harrogate	C+I Primary	01/01/2021
Holy Family Catholic High	Selby	C+I Secondary	01/01/2021
West Cliff Primary	Whitby	SEMH Primary	01/11/2021
Alverton Community Primary	Hamb/Rich	C+I Primary	01/11/2021
Stokesley Primary	Hamb/Rich	SEMH Primary	01/03/2022
Thirsk (with Sunbeck PRU)	Hamb/Rich	SEMH Secondary	01/09/2022
Skipton Academy	Craven	C&I Secondary	01/12/2022
Caedmon College	Whitby	C&I Secondary	01/01/2023

Specialist Provision

- 2 SEMH Special Schools
 - Forestmoor - 80 children (8-16 years)
 - Brompton Hall – from late 2023 will change to a co educational school for girls and boys and increase capacity to 80 (8-16 years)
- New free special school for SEMH in Northallerton – just announced by DfE for 120 children
- Capital Plan enhances the range of specialist provision particularly for Autism and SEMH