

## Government review of pupil exclusion, and a statement on alternative provision – briefing note for Children’s Services Scrutiny Committee

- 1.1 In September 2017 the House of Commons Education Committee began an enquiry into the national increase in use of Alternative Provision (AP) and exclusion from school.
- 1.2 In a written statement to the House of Commons on 16 March 2018 the Secretary of State for Education announced a programme of work to improve understanding of the educational experiences and outcomes for children and young people with additional needs as follows:

The publication of ‘Creating Opportunities for All: Our vision for Alternative Provision (AP)’ [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/713665/Creating\\_opportunity\\_for\\_all\\_-\\_AP\\_roadmap.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/713665/Creating_opportunity_for_all_-_AP_roadmap.pdf) setting out the case for change and vision for reform so that:

- The right children are placed in alternative provision;
- Every child in alternative provision receives a good education;
- Every child can make a successful transition out of alternative provision;
- Alternative provision becomes, and is recognised as, an integral part of the education system; and
- The system is designed to achieve high quality outcomes for children and value for money for the taxpayer.

One of the foundations for further reform was seen as an external review of school exclusion practice.

At the same time, the Secretary of State therefore also confirmed that Edward Timpson would be asked to lead a review of school exclusion, which would report by the end of 2018 – The Timpson Review.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691005/A\\_Review\\_of\\_School\\_Exclusion-terms\\_of\\_reference.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691005/A_Review_of_School_Exclusion-terms_of_reference.pdf)

This review will include a focus on:

- Practice in schools in relation to behaviour management, including effective approaches which improve outcomes,
- Practice in schools in relation to directing pupils to AP without exclusion
- The drivers behind the variation in exclusion rates e.g. disproportionately represented groups, geographic variation
- Best practice in managing exclusions and interventions
- Parent and pupil experience of exclusion varies and best practice in engaging parents and pupils effectively in the exclusions process.

- 1.3 On 25 July 2018, the House of Commons Education Committee (see 1.1 above) published its report: ‘Forgotten children: alternative provision and the scandal of ever increasing exclusions’. <https://publications.parliament.uk/pa/cm201719/cmselect/cmeduc/342/342.pdf>

## A Bill of Rights for pupils facing exclusion

1.4 The report suggests that its conclusions and recommendations should be read as a Bill of Rights for pupils and their parents, as follows:

- **Schools should not rush to exclude pupils:** (i.e. schools should be inclusive).
- **Parents and pupils have a right to know how often schools resort to exclusion:** (i.e. schools should publish their exclusion rates termly)
- **Parents deserve more information when their children are excluded:** (i.e. the process currently parents and pupils fighting a system that should be supporting them).
- **Pupils and their parents should have someone in their corner:** (i.e. access to independent advocacy).
- **Parents and pupils should be given accurate information about the range and type alternative provision that is available locally:** (i.e. all AP providers should be required to inform the local authority in which they are based - the local authority should then make the list available to schools and parents).
- **Independent Review Panels should be able to direct a school to reinstate pupils:** legislation should be amended at the next opportunity so that this can happen.

1.5 The report also includes a number of recommendations for The Timpson Review and the Government to consider, including:

- *The Timpson Exclusions Review should ensure that it looks at the trends in exclusion by school type, location and pupil demographics.*
- *The Timpson Exclusions Review should examine whether financial pressures and accountability measures in schools are preventing schools from providing early intervention support and contributing to the exclusion crisis.*
- *The evidence we have seen suggests that the rise in so called 'zero-tolerance' behaviour policies is creating school environments where pupils are punished and ultimately excluded for incidents that could and should be managed within the mainstream school environment. The Government should issue guidance to all schools reminding them of their responsibilities to children under treaty obligations and ensure that their behaviour policies are in line with these responsibilities.*
- *The Government and Ofsted should introduce an inclusion measure or criteria that sits within schools to incentivise schools to be more inclusive.*
- *The Timpson Exclusions Review needs to clarify whose responsibility it is to ensure that excluded or off-rolled pupils are being properly educated. This could be the local authority or it could be local school partnerships, but at the moment too many pupils are falling through the net.*

1.5 Peter Gray (Consultant to national and local government), who will be presenting to Children's Services Scrutiny Committee in October 2018, provided written evidence to the House of Commons Education Committee, which can be found at the following link. <http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Education/Alternative%20provision/written/70622.html>

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