

**Scrutiny Review
of school exclusions
in Croydon**

September 2016

Contents

| | |
|---|-----------|
| Section 1 Glossary | 3 |
| Section 2 Background, key findings and milestones of the review | 4 |
| Section 3 What the legislation and statutory guidance say about school exclusions | 8 |
| Section 4 Trends in school exclusions | 12 |
| Section 5 The future prospects of excluded pupils | 18 |
| Section 6 Preventing school exclusions | 22 |
| Section 7 Resources | 31 |
| Section 8 Conclusions and recommendations | 34 |
| Appendix 1 Findings of the survey conducted with SENCOs | 38 |
| Appendix 2 Findings of the survey conducted with parents of children with Special Educational Needs | 40 |
| Appendix 3 Findings of the survey conducted with school governors | 42 |
| Appendix 4 Bibliography | 43 |
| Acknowledgements | 44 |

SECTION 1

GLOSSARY

| | |
|---|---|
| ADHD | Attention deficit hyperactivity disorder (ADHD) is a group of behavioural symptoms that include inattentiveness, hyperactivity and impulsiveness. |
| AP | Alternative Provision (AP) establishments are voluntary or private sector schools which provide an education to pupils who cannot get a place in any other establishment, as well as short-term placements as a result of police investigations or bail conditions. |
| ASD | Autism spectrum disorders (ASD) are conditions that affect social interaction, communication, interests and behaviour. It is estimated that about 1 in every 100 people in the UK has ASD. More boys are diagnosed with the condition than girls. |
| Fixed term or fixed period exclusion | The pupil is excluded from school for a set period of time - a pupil may be excluded from school for one or more fixed periods (up to a maximum of 45 school days in a single school year) |
| DfE | The Department for Education |
| EHCP | Education Health and Care Plans (EHCPs) cater for children and young people who need significant support to manage their special educational needs and disabilities From September 2014, EHCPs started to replace Statements of special educational needs and Learning Difficulty Assessments. |
| FAP | Croydon's Fair Access Panels (FAPs) are convened by Croydon Council to agree managed moves to new schools for the following cases: - Young people without a school place who have a complex educational history. - Pupils who have been permanently excluded or who are at risk of permanent exclusion. - Pupils who have a school place but the school feels the pupil needs a new school or an alternative education placement, because the school feels they cannot meet their needs. |
| PRU | In the UK, a Pupil Referral Unit (PRU) is an establishment maintained by a local authority which is specifically organised to provide education for children who are excluded, unwell, or otherwise unable to attend a mainstream or special maintained school. |
| SENCO | A Special Educational Needs Coordinator (SENCO) is responsible for the day-to-day operation of a school's Special Educational Needs policy. All mainstream schools must appoint a teacher to be their SENCO. The SENCO will co-ordinate additional support for pupils with special educational needs and liaise with their parents, teachers and other professionals who are involved with them. |
| SEND | Children and young people with special educational needs and disabilities (SEND) have learning difficulties or disabilities that make it harder for them to learn than most children and young people of the same age. These children and young people may need additional or different help from others. |
| YOS | A council's Youth Offending Service (YOS) works with young people that get into trouble with the law, takes them through the court process and works to keep them from reoffending. |

SECTION 2

Background, key findings and milestones of the review

Historically, pupil exclusions had been high in number in the London Borough of Croydon. Concerns about the situation had led to a Freedom of Information Request to the Council regarding the number of permanent exclusions for secondary educational institutions from 2006 to 2012. The emerging worrying trend in exclusions had been highlighted in the local media, with headlines such as “Kicked out - Borough has highest rate of pupils expelled from school” (31 July 2013 issue of the Croydon Advertiser).

More recently, statistics received by the Children and Young People Scrutiny Sub-Committee have shown a reduction in exclusion numbers. Councillor Matthew Kyeremeh expressed his keenness to the sub-committee, of which he was a member, to investigate current trends in Croydon and the factors which had brought about these reductions in greater depth, to ascertain what good practice there was in dealing with challenging behaviour and to understand the impacts of exclusions on young people. The objective of the review was to make recommendations to schools and council staff leading to improvements to local practice, with a view to reducing the number of school exclusions further.

The proposal to carry out a review of school exclusions in Croydon was approved at the 22 September 2015 meeting of the Children and Young People Scrutiny Sub-Committee and a working group was formed, comprising Cllr Matthew Kyeremeh, Dave Clark, former head teacher of Archbishop Lanfranc secondary school, Mohan S Dhamrait OBE, governor at St Mary’s secondary school and member and chair of the Independent Exclusion Panel, Mary McCauley, retired head teacher at Croydon’s Alternative Education School (ALTE) and Nero Ughwujabo, Chief Executive Officer of the BME Forum.

Key findings of the review

This section summarises the key findings of the review.

- The number of permanent exclusions in Croydon fell from 80 in 2008-2009 to 24 in 2014-2015
- The survey carried out with SENCOs shows that many schools in the borough have put a wide range of services and support in place to support children who are struggling at school and to help them avoid exclusion
- The Borough has used “Fair Access Panels”, which are well attended by head teachers or their deputies and representatives of various agencies involved in children’s wellbeing, to discuss the cases of pupils on the verge of exclusion and agree alternative provision, which may include a move to another school
- The number of cases brought to secondary Fair Access Panel meetings has risen considerably in the last two years. Questions have been raised as to the adequacy of preventative measures taken prior to this stage, the robustness of challenge on the appropriateness of referrals and the effectiveness of

tackling very high numbers of cases at each panel meeting

- The working party welcomes the falling trend in fixed rate exclusions in view of the evidence that they may not be effective at resolving behaviour issues and pose child safeguarding risks as pupils may be left unsupervised during such absences from school
- The group has received reports of unofficial exclusions from a number of different contributors, with some schools contacting parents to ask them to take their children home, some establishments sending challenging pupils home during OFSTED inspections or operating “part-time schooling” for pupils with challenging behaviour, and some schools losing significant numbers of pupils in the run-up to GCSE examinations
- Special Educational Needs Co-ordinators (SENCOs) do not all sit on the senior leadership team, despite government guidance that they should, and are not always given the opportunity to provide an input on pupils with Special Educational Needs and Disabilities (SEND) who are on the verge of exclusion
- The ethos of a school will determine whether a pupil’s personal development will be nurtured in addition to his or her academic development and success in the former is likely to determine success in the latter for pupils with special educational needs
- Many teachers need more training on understanding the challenges facing pupils with SEND and challenging behaviour, and methods for tackling them effectively
- Large mainstream secondary schools with an academic curriculum can be very daunting to vulnerable pupils from a disadvantaged or chaotic background and educational models with a greater emphasis on nurture may help provide a more productive environment and lead to better educational outcomes
- While the findings of the survey carried out with SENCOs show that a number of schools understood parents’ need for advice and information, a more systematic framework of support for parents of pupils who display challenging behaviour in mainstream schools needs to be established, to ensure that they are empowered to help their child or children overcome their difficulties
- At a time when funding for public services is shrinking, increasing outreach work, networking among educational professionals and the services of the voluntary sector can help disseminate good practice and provide value for money
- While most school governors are aware of the school exclusion and Fair Access Panel processes, only 33% stated that they had received effective training on these areas. In addition, a school governor who participated in this review stated that a very small part of the training was set aside to explain the Fair Access Panel process. Governors need to have a better understanding of these matters to monitor the management of challenging pupil behaviour and the use of the Fair Access Panel in their schools in an effective manner.

- Many responses to the councillors’ survey showed that school exclusions featured infrequently in their casework. Yet they have an important role to play as community leaders in investigating or challenging the excessive use of exclusions or managed moves within their ward and borough

Key milestones of the review

The table below sets out the milestones of the review.

| DATE | ACTIVITY |
|--|---|
| 9 October, 27 November 2015 and 24 June 2016 | Attendances at secondary Fair Access Panel meetings |
| Mid-November 2015 | Survey with councillors to ascertain their views regarding school exclusions |
| 20 November 2015 | Meeting with council managers to examine statistics and processes regarding school exclusions |
| 4 December 2015 | Visit to Moving On Pupil Referral Unit |
| 9 December 2015 | Attendance at primary Fair Access Panel meeting |
| 8 January 2016 | Meeting with SENCOs |
| Friday 15 January and 2 March 2016 | Visit to Chaffinch Brook School and meeting with the school’s head teacher Juliet Azzopardi |
| 29 January 2016 | Meeting with parents and Special Educational Needs and Disabilities Independent Advisors |
| January 2016 | Survey with Special Educational Need Co-ordinators |
| February 2016 | Survey with parents of pupils at risk of exclusions with “Parents in Partnership” group |
| 23 February 2016, 22 March 2016, 26 April 2016 and 24 May 2016 | Attendance at meeting of parents of autistic children |
| 4 March 2016 | Meeting with Cllr Margaret Bird and Nero Ughwujabo, CEO of the BME Forum |
| March 2016 | Survey with head teachers |
| 14 June 2016 | Meeting with Cllr Andrew Rendle, the council’s Autism Champion |
| 20 June 2016 | Visit to Beckmead school for pupils with special educational needs |
| 27 June 2016 | Meeting with Gordon Smith, chair of the secondary Fair Access Panel |
| 30 June 2016 | Visit to Educational Excellence and Wellbeing (Alternative Provision) |
| July 2016 | Survey of school governors |
| 6 July 2016 | Visit to CACFO (Alternative Provision) |
| 14 July 2016 | Working party meeting to finalise the findings and recommendations report |

| | |
|------------------|--|
| 31 August 2016 | Working party meeting with council managers to discuss the findings, conclusions and recommendations of the review |
| 8 September 2016 | Meeting with two head teachers |

Responses to surveys

This section provides information on the responses received to the five surveys conducted regarding school exclusions.

➤ **Survey with Croydon's 70 councillors**

There were 13 responses to the councillors' survey (a 18.5% response rate). All but two had very limited experience of school exclusions in their casework. One respondent had been a member and chair of Independent Exclusion Panels and followed up her response with further information at a working group meeting. Another member, as the Council's Autism champion, highlighted the problems faced by pupils with Autistic Spectrum Disorders at a working group meeting. A third member highlighted the links between this review and the work of Croydon's Opportunity and Fairness Commission, which have been taken into account in this report.

➤ **Survey with Croydon's Special Educational Needs Coordinators (SENCOs)**

16 SENCOs responded to this survey, one from an infant school, ten from primary schools and five from secondary schools. A summary of the information provided is to be found in **Appendix 1**.

➤ **Survey with parents of children with Special Educational Needs**

Dissemination of this survey was coordinated by the Parents in Partnership (PIP) group. 14 responses were returned. A summary of the information provided is to be found in **Appendix 2**.

➤ **Survey with head teachers**

22 head teachers were e-mailed a short questionnaire on 24 March 2016. No responses have been received. However, a useful contribution was made from a head teacher perspective by the heads of the Chaffinch Brook and Beckmead schools for pupils with special educational needs, the head teachers of Educational Excellence and Wellbeing and CACFO (both Alternative Provision) and the Moving On Pupil Referral Unit during visits to these schools. Gordon Smith, chair of the secondary FAP and chief executive of Riddlesdown Collegiate, also made a useful contribution on issues relating to school exclusions and managed moves at a meeting with a member of the working group, highlighting steps being taken to improve the effectiveness of the secondary FAP (see p.16 of this report). A meeting with two head teachers has also been agreed, to discuss the findings and recommendations of the review.

➤ **Survey with school governors**

Croydon's school governors were all invited to take part in an online survey using Croydon Council's "Get Involved" platform. 143 responses were received, 78% from primary school governors and 22% from secondary school governors. A summary of the responses received is to be found in **Appendix 3**.

SECTION 3

WHAT THE LEGISLATION AND STATUTORY GUIDANCE SAY ABOUT SCHOOL EXCLUSIONS

This section gives a brief overview of the comprehensive guidance produced for schools by central government that relates to school exclusions. It also includes an overview of other guidance which aim to regulate the approach of schools to children and young people with particularly challenging needs or circumstances:

- Working Together to Safeguard Children (2015)
- The School Admissions Code (2014)
- The SEND reforms which came into effect in September 2014
- the DfE's special educational needs and disability code of practice: 0 to 25 years (2015)
- The DfE guidance on mental health and behaviour in schools (2015)
- The Education (Pupil Registration) (England) (Amendment) Regulations (2016)

Department for Education's 2012 guidance on school exclusions

Regulations on school exclusions are enshrined in the Department for Education's 2012 guidance on '*Exclusion from maintained schools, academies and pupil referral units in England - A guide for those with legal responsibilities in relation to exclusions*'. 4

This 2012 Guidance sets out the responsibilities of head teachers, governing bodies, local authorities and independent review panels with regard to the implementation of school exclusions and appeals and relevant communications with parents, pupils and the local authority.

Key items of legislation the 2012 guidance is based on include:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupils Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils (England) Regulations 2007

Some of the key points of this guidance are set out below:

- *Only the **head teacher** of a school can exclude a pupil and this must be on **disciplinary** grounds.*
- *'Permanent exclusion should only be used as a **last resort**'*
- *It would be **unlawful** to exclude, or to increase the severity of an exclusion for a **non-disciplinary reason**, such as academic attainment / ability, the actions of a pupil's parent or the failure of a pupil to meet specific conditions before they are reinstated. Pupils who repeatedly disobey their teachers' academic instructions could, however, be subject to exclusion.*
- *'While an exclusion may be an appropriate sanction, head teachers should take account of any **contributing factors**. For example, if it comes to light*

that a pupil has suffered bereavement, has mental health issues or has been subject to bullying'

- *'Disruptive behaviour can be **an indication of unmet need**. Where a school has concerns about a pupil's behaviour, it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. '*
- *A pupil may be excluded for one or more **fixed periods** (up to a maximum of 45 school days in a single school year), **or permanently**. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.*
- *Pupils whose **behaviour at lunchtime** is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legislative requirements in relation to exclusion, such as the head teacher's duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes*

The guidance also acknowledges the greater vulnerability of certain groups of pupils in the UK to exclusion:

- pupils with SEN
- pupils eligible for free school meals
- looked after children
- pupils from certain ethnic groups, e.g. Black Caribbean, Gipsy/Roma, and travellers of Irish heritage

The guidance specifies arrangements to educate excluded pupils. It stipulates that:

*'For a fixed period exclusion of **more than five school days**, the governing body (or local authority in relation to a pupil excluded from a pupil referral unit) must arrange **suitable full-time education** for any pupil of compulsory age. This provision must begin no later than the sixth day of the exclusion.'*

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion.

The guidance also stresses the need to minimise disruption to the child's education by requiring schools to provide full-time education as soon as possible, or a work programme at home, during the period of a fixed exclusion.

The School Admissions Code 2014

The School Admissions Code 2014, which has the force of law, also has a bearing on school exclusions as its purpose is to ensure that all school places for maintained schools and Academies are allocated and offered in an open and fair way, and that places for children with challenging behaviour are allocated in an equitable way borough-wide:

'Admission authorities must not refuse to admit children in the normal admissions round on the basis of their poor behaviour elsewhere'

'Each local authority must have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that – outside the normal admissions round - unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the local authority must ensure that no school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour'.

Guidance relating to special educational needs, mental health, safeguarding and missing children

DfE statistics* show that as at January 2016, 14.56% of Croydon's school pupils had special educational needs. As OFSTED's Special Educational Needs and Disabilities Review (2010) acknowledge that pupils with such needs are disproportionately vulnerable to exclusion, this mini-review also needs to make reference to the following:

- **the SEND reforms which came into effect in September 2014** and changed the old special needs designation BESD (Behavioural, Emotional and Social Difficulties) to SEMH (Social Emotional and Mental Health). They removed the 'behaviour' tag from the title and focused greater attention on any emotional, social or mental health need which might *underlie* challenging behaviour, thus requiring staff to gain an understanding of the needs and tackle these in order to bring about an improvement in behaviour and educational outcomes.

- **the DfE's special educational needs and disability code of practice: 0 to 25 years (January 2015)**, which provides statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities. In particular, this new code stipulates that Special Educational Need Co-ordinators (SENCOs) should *be* part of a school's senior leadership team. It does not make this obligatory, although schools have to give a good reason for not doing so. Those which do not do so potentially weaken communications between SENCOs and head teachers, who have responsibility for behaviour and exclusions.

- **The DfE guidance on mental health and behaviour in schools (March 2015).**

This guidance highlights:

- the need for a committed senior management team that sets a culture that values all pupils and allows them to feel a sense of belonging
- an effective strategic role for the qualified teacher who acts as the special educational needs co-ordinator (SENCO)
- clear systems and processes to support staff who identify children and young people with possible mental health problems and to provide interventions for pupils with mental health problems

- **Working Together to Safeguard Children:** a guide to inter-agency working to safeguard and promote the welfare of children (March 2015). This guidance has particular relevance for excluded pupils who may find themselves without adult supervision for a number of days if on a fixed exclusion or more indefinitely if permanently excluded. The guide covers:

- the legislative requirements and expectations on individual services to safeguard and promote the welfare of children

- a framework for Local Safeguarding Children Boards (LSCBs) to monitor the effectiveness of local services, including maintained schools and Academy Trusts.

- The Education (Pupil Registration) (England) (Amendment) Regulations 2016

These proposed regulations, which are due to come into force on 1 September 2016, relate to all non-standard moves, that is whenever a child of compulsory school age leaves a school *before* completing the school's final year or joins the school *after* the start of the first year. Under these regulations, schools - including independent establishments - would have to:

- Inform their local authority when they are about to delete a pupil's name from the admission register
- record details of the pupil's residence and the name of the destination school
- inform their local authority of the pupil's destination school and home address
- provide information to their local authority when registering new pupils within five days, including the pupil's address and previous school

In addition, it is proposed that 'reasonable enquiries' to find a pupil's whereabouts should be carried out collaboratively between the school and the local authority when there is continuous absence after a grant of leave.

This guidance is relevant to this review of school exclusions as four local authorities consulted about these forthcoming regulations commented that

' the new duties would be helpful in challenging a minority of schools in cases where children might have been taken off the school roll unlawfully. '

SECTION 4

TRENDS IN SCHOOL EXCLUSIONS

Who are the excluded pupils?

A study commissioned by the Inclusion Trust and written by Loic Menzies and Sam Baars (“What now for pushed out children?”, February 2015) states that nationally, the following groups are disproportionately likely to be excluded from school:

- Boys
- Pupils receiving Free School Meals
- Pupils with a statement of Special Educational Need or an EHCP
- Children who are diagnosed with mental health problems
- Children in the most deprived secondary schools
- Some ethnic groups e.g. Black Caribbean and travellers

Trends in school exclusions in Croydon

Permanent exclusions

In 2014-2015, permanent exclusions from schools have fallen sharply since 2008-2009 and stood at 24 out of a total school population of 55483 (October 2014 Croydon School Census), giving a borough exclusion rate of 0.04%.

| | 2008/09 | 2009/10 | 2010/11 | 2011/12 | 2012/13 | 2013/14* | 2014/15 |
|-----------------------------------|---------|---------|---------|---------|---------|----------|---------|
| Number of permanent exclusions | 80 | 70 | 77 | 64 | 65 | 13 | 24 |
| Croydon % of permanent exclusions | 0.16 | 0.15 | 0.15 | 0.12 | 0.12 | 0.02 | 0.04 |
| National | 0.09 | 0.08 | 0.07 | 0.07 | 0.07 | 0.06 | * |
| London | 0.11 | 0.1 | 0.08 | 0.08 | 0.08 | 0.07 | * |
| SN Average* | 0.07 | 0.07 | 0.06 | 0.08 | 0.08 | 0.09 | * |

** S/N Average is the figure based on average of averages.

Source DfE published data and local data

In 2014-15, a quarter of permanently excluded pupils (6) had been assessed as having special educational needs, or had an EHCP. This was down from 42 in 2010/2011, which had been over half of all cases. DfE statistics* show that as at January 2016, 9485 (14.56%) of Croydon’s 65092 school pupils had special educational needs. Of these, 7646 (11.7% of the total number of pupil in Croydon) received SEN support and 1839 (2.8% of the total number of pupils in Croydon) had a statement of SEN or an EHCP.

In 2014-15, 25% of permanent exclusions were Black Caribbean pupils, who made up 11% of the school age population. No information is available about any special educational needs this group of pupils may have.

* DfE Special educational needs and disability (SEND) and Data collection and statistical returns - January 2016

Fixed-term exclusions

The table below sets out the numbers of fixed-term exclusions from 2010-2011 to 2014-2015.

| 2010-2011 | 2011-2012 | 2012-2013 | 2013-2014 | 2014-2015 |
|-----------|-----------|-----------|-----------|-----------|
| 1876 | 1895 | 1503 | 1254 | 1617 |

Source DFE published data

The numbers for the 2015-2016 academic year are still to be finalised but currently stand at 1315.

In 2014-2015, 71% of fixed term exclusions were for boys and 29% for girls, and 28% were eligible for free school meals. From 2013-2014 to 2014-2015, the two largest increases were among white British pupils, (a 23% increase) and among Black Caribbean pupils, (a 38% increase). Numbers more than doubled from one year to the next for pupils with a statement of special educational needs or an EHCP (a 249% rise to 292 pupils in 2014-2015).

During this review, the working group heard from a number of stakeholders that not all schools reported fixed-term exclusions to the local authority despite the fact that head teachers were obliged to notify their governing body and the local authority of these once a term, in line with Section 51A of the Education Act 2002 and regulations made under that section. As a result, the above report figures may be an underestimate of the scale of fixed exclusions.

Causes of exclusions

The main causes of exclusions in Croydon have been as follows:

1. Persistent disruptive behaviour (399 fixed exclusions and 4 permanent exclusions in 2014-2015)
2. Physical assault against pupil (leading to 316 fixed exclusions and 3 permanent exclusions in 2014-2015)
3. Verbal abuse / threatening behaviour towards an adult (leading to 247 fixed exclusions and 5 permanent exclusions in 2014-2015)
4. Physical assault against an adult (leading to 145 fixed exclusions and 1 permanent exclusion in 2014-2015)

Drug and alcohol related incidents have led to 65 fixed exclusions and one permanent exclusion in 2014-2015, and offensive weapons offences have led to 29 fixed exclusions and 5 permanent exclusions during that period. An offensive weapons steering group has been established at the instigation of the secondary Fair Access panel in response to this trend, leading to the production of a guidance document and a training event by the police in Croydon's schools.

* DfE *Special educational needs and disability (SEND) and Data collection and statistical returns - January 2016*

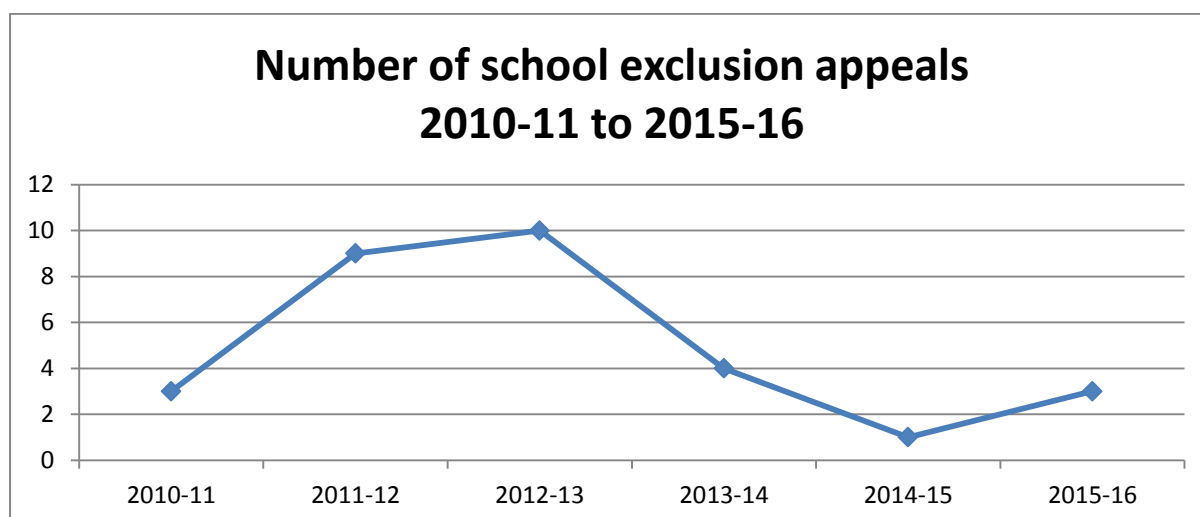
Preventing permanent exclusions through Fair Access Panels

Croydon's Fair Access Panels are held to consider the following types of cases:

- Young people without a school place who have a complex educational history.
- Pupils who have been permanently excluded or who are at risk of permanent exclusion.
- Pupils who have a school place but the school feels the pupil needs a new school or an alternative education placement, because the school feels they cannot meet his/her needs.

Fair Access Panel meetings bring together head teachers or their representatives to discuss the needs of children in the above circumstances and secure an alternative educational placement that will meet the child's needs; this may be another school, a PRU or alternative provision. The secondary FAP meetings are also attended by council staff in the learning access team, Strategic School Improvement Manager, Early Help, Youth Offending Service, School Admissions, Social Care and Safer Schools Police team.

The establishment of Croydon's Fair Access Panel may have been a factor in the fall in numbers of school exclusion appeals after their peak in 2012-2013, as shown in the table below. All but two in 2010-11 and 2011-12 respectively have been secondary school cases.



Members of the working group attended a meeting of the **Primary Fair Access Panel** on 9 December 2015, bringing together a small number of head teachers or their deputies and representatives of a number of supporting agencies. A small number of cases was presented in great detail by representatives of the schools concerned, in support of extensive background documentation provided to panel members. Presentations were followed by extensive and in-depth challenge and advice to the schools on measures to take in order to address the pupils' issues, although some cases seemed to be beyond the scope of schools to resolve despite everyone's best efforts.

Overall, the working group felt that the primary FAP process was a positive one where every effort was made to resolve a pupil's problems and to support a school in doing so.

A total of 36 cases were considered at each of the 9 October 2015 and the 27 November 2015 meetings of the three weekly **Secondary Fair Access Panel**, and a total of 54 cases were considered at the 24 June meeting. This would represent a projected yearly total of 520 cases at a rate of about 40 cases per meeting every three weeks during term time. This shows a significant rise from statistics for 2013-2014, when 349 pupil referrals had been presented to the Panel.

The working group members who observed meetings of the secondary Fair Access Panel expressed concerns about the high number of cases presented, which made in-depth discussion impossible due to lack of time. The difficulty in achieving clear discussion of cases was exacerbated by the lack of a sound system at these meetings, which brought together well over 50 participants, a point highlighted by participating head teachers and working party members.

The working party came to the view that many secondary schools appeared to have brought cases of challenging pupils to the Panel rather than look to internal resources to address the issues of their pupils. They felt that schools needed to be challenged more robustly both by other schools attending the Fair Access Panel and *prior to referral* to the FAP, by the council team which manages the Fair Access process and compiles the data disseminated to participants at panel meetings. The working group also noted that only one out of the five secondary schools represented in the SENCO survey findings stated that the SENCO was consulted prior to a decision to exclude a pupil.

SENCOs who contributed to this review stated that some schools receiving pupils through managed moves were not fully informed of the issues experienced or perpetrated by their new pupil. The head teacher of CACFO also stated that the paperwork presented to the FAP often lacked detail on measures taken to improve pupils' behaviour and issues. As a result, schools could not prepare in advance to support pupils coming to them through managed moves and might be faced with a recurrence of the problems leading to the move. Council staff managing the FAP attested to the fact that some managed move were not successful. The 24 June FAP meeting included discussion on four unsuccessful managed moves.

The working group came to the view that the Local Authority seemed to have little power or influence to challenge the appropriateness of referrals or the lack of information provided on support provided so far. They felt that some schools had recognized this to be the case and taken advantage in their interpretation of legal requirements on exclusions and admissions to free themselves from dealing with the causes of pupils' challenging behaviour.

Council officers have recognised that some schools have somewhat hastily referred cases of challenging pupils who present signs of special educational needs to the FAP. To tackle this trend, the education sub-group of the Croydon Safeguarding Children Board (CSCB) has embarked on an initiative of scrutinising challenging schools which have a record of high levels of FAP referrals and low levels of Early Help assessments, and prompting them to provide significantly better support to such pupils rather than earmarking them for a managed move.

The working group expressed concerns about the fact that there was no process in place at the moment to evaluate the success of managed moves agreed through the Fair Access Panel process. It was suggested that the team which manages this

panel should produce a yearly report on the work of the panel, setting out information such as the educational progress of the pupils referred in the course of the year, post-16 outcomes, numbers of failed managed moves, and any good practice that may have been developed in the course of the year, to be shared with head teachers and other stakeholders involved in the FAP process.

A useful meeting took place on 27 June 2016 with the Chair of the secondary Fair Access Panel. He acknowledged the fact that too many cases were allowed to reach panel meetings and that some schools were not operating in accordance with the spirit of the FAP. He stated that such schools had been confronted regarding this and that the Croydon Head Teachers' association had agreed in spring 2016 that two head teachers would peer review the pre-FAP process to improve the scrutiny of cases presented by schools and to challenge establishments making inappropriate referrals. In addition, he recognised that training needed to be improved at various levels to provide adequate support to pupils in need and share good practice.

However, he stressed that the FAP prevented the labelling of children as having been "excluded" and gave them an opportunity to make a fresh start and, to that extent, the FAP was fulfilling a useful role. This view has been echoed by a number of contributors to this review.

Illegal exclusions

The working group became aware of a number of practices being used by schools in the borough to exclude challenging pupils outside the formal permanent exclusion of Fair Access Panel routes.

They were made aware of a report by Ofqual, 'Assessment Practices in Schools', which had been highlighted in an article in the national Guardian newspaper (27 June 2015). Based on anonymous information provided by more than 500 teachers, the Ofqual report suggested that dubious behaviour among teachers seeking the best exam results was relatively widespread. In particular, consultants hired by Ofqual reported that 25% of teachers said they had experience of pupils being removed from the roll to boost exam results.

As stated in section 3 of this report, the DfE's 2012 guidance on exclusion from maintained schools, academies and pupil referral units in England clearly states that '*exclusion must only take place on disciplinary grounds.*'

At Harris Academy South Norwood, in South London, it was noted that 26 pupils dropped off its school roll between January 2012 and May 2013. 24 of these had their subsequent education destination registered as "unknown" by the council. Sylvia McNamara, the then director for learning, school improvement and inclusion wrote to the chief executive of the Education Funding Agency, which funds academies, to ask what action was being taken regarding the disappearance of so many pupils from its schools and was advised that the falls in numbers had been put down to "natural in-year movement", or pupil turnover.

The working party found that unofficial exclusions could also take place on an adhoc basis. Discussions with mothers of pupils with special educational needs at the 29 January 2016 meeting of the working group revealed that some schools, when faced with challenging behaviour, contacted parents to demand that their child be

taken home immediately, thus disrupting the child's education and working parents' employment records. Parents remarked that this was not an uncommon trend in their experience.

A third example of unofficial exclusion reported by a parent governor in the course of this review was the practice of allowing children with special educational needs to attend school on a "part-time basis", with no clarity on the impact of such a system on the children's educational outcomes. He suggested that this might be acceptable in rare cases when a pupil with acute special educational needs was waiting for a time-limited period to enter a special school, but stated that this was not always the case.

The 2012 DfE makes specific reference to "informal exclusions" and states that

*' "Informal" or "unofficial" exclusions, such as sending pupils home to "cool off" are **unlawful**, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded. '*

A fourth type of "unofficial exclusion" mentioned by a number of contributors including heads of schools visited by the working group, was the practice of segregating pupils with challenging behaviour into special units in their original school with no contact with other children, while remaining on school rolls and thus not showing up as being "excluded". Discussions with staff at alternative provision establishments suggested that the behaviour of pupils previously taught in such units had not been resolved through seclusion in such facilities. There was also lack of clarity regarding the accountability of schools regarding the educational outcomes of such pupils.

SECTION 5

THE FUTURE PROSPECTS OF EXCLUDED PUPILS

It might be said that pupils should accept the consequences of their actions and learn from these. However, partly due to the fact that an exclusion from school can spring from a challenging background of disadvantage and deprivation, and partly because failure does not usually generate success, the lives of excluded pupils tend to deteriorate rather than improve as a result of exclusion from school, with impacts not only on them but on society as a whole.

Some of the costs of school exclusion can be expressed in monetary terms but others cannot, such as the impact of the anti-social behaviour perpetrated by unsupervised excluded pupils on their communities. These high costs point to the need for prevention, as expressed in the conclusions of the study conducted by Brookes et al in, *Misspent youth: the costs of truancy and exclusion – a guide for donors and funders* (2007):

‘Preventing exclusions in a sustainable way requires society to tackle the underlying behaviour that causes problems and leads to exclusions’

The usefulness of fixed-term exclusions

Members of the working group expressed serious concerns regarding the usefulness of **fixed-term exclusions**. During the course of the review, reports were even received of the overuse of fixed-term exclusions by some establishments for minor misdemeanours such as not wearing the full school uniform on very hot days. While the working group acknowledged the need for classes to be able to focus on learning and be free of the disruption caused by many challenging pupils, they stressed the need for the school to make judicious use of all the tools at their disposal *‘in loco parentis’* to discourage inappropriate behaviour and address the needs of challenging pupils.

The working party questioned the efficacy of fixed-term exclusions in improving a child’s behaviour when more appropriate and effective measures might have been applied, such as the withholding of extra-curricular activities enjoyed by pupils. Restorative Justice was also mentioned during this review as a method of motivating pupils to improve their behaviour. The working party noted the fact that some disaffected pupils sought opportunities for fixed exclusions to go truanting as they were unlikely to be supervised during the period of the fixed exclusion, thus presenting a safeguarding concern and a public safety risk. Such risks are acknowledged in the 2012 DfE guidance on exclusions, which stipulates that:

*Where an excluded pupil is of compulsory school age the head teacher must also notify the parents in writing without delay that ... for the first five days of an exclusion (or until the start date of any alternative provision where this is earlier) the parent is legally required to ensure that their child **is not present in a public place during school hours without reasonable justification** and that the parent may be prosecuted or given a fixed penalty notice if they fail to do so*

Members of the working group stressed that any fixed-term exclusion should be followed up by a constructive “return to school” process or ‘reintegration interview’ to tackle the issues that led to the exclusion. They noted with disappointment that this

step, which might lead to understanding the child's problems and to agreeing practical solutions, was no longer a mandatory requirement. The DfE guidance merely states that

*'head teachers should **consider** whether one 'reintegration interview' would be appropriate as part of their strategy for managing an excluded pupil's future behaviour'.*

The working group's qualms about the effectiveness of fixed exclusions are echoed in a study by Barnardo's on excluded children "*Not present and not correct: understanding and preventing school exclusions*" (2010), which found that frequently repeated fixed exclusions did little to improve behaviour. Young people who had been excluded, even for only a few days, were often left to their own devices with token educational provision. This research concurs with Cooper (2002) who found that work sent home was ad hoc and often minimal. Pupils consequently fall behind and find the return to school socially awkward after a few days of exclusion. In addition, old problems which might have caused the offending behaviour are still there on their return to school.

The impact of permanent exclusion

Limited information on the lives of young people with a history of school exclusion could be obtained locally during this review, although Croydon's Youth Crime Prevention Action Plan 2015-2016 states that

Over 50% (of young people assessed by the YOS in 2013-14) had history or were at risk of school failure through truancy, school refusal or exclusion.

In addition, the interim report of the Croydon Opportunity and Fairness commission completed in 2015 reported that

'the future life of children who are excluded is often desperate and can involve long-term drug and alcohol problems, significant mental health issues and involvement in crime'.

Studies such as Barnardo's "*Not present and not correct: understanding and preventing school exclusions*" (2010) and "*No excuses: a review of educational exclusion*", a study carried out for the Centre for Social Justice (2011) provide disturbing information on the impacts of exclusions on the person, the community and the public purse, as set out below

Cost to the pupil

The first consequence of an exclusion is the impact straight after exclusion. Evidence suggests that many excluded young people do not benefit from good parental supervision and are often left to their own devices. When a young person has been excluded from school and has a chaotic family environment, the absence of concerned adults in the lives of children can leave them demotivated and unable to resolve their issues and complete their education.

If a young person is not excluded but moved to a pupil referral unit or in alternative education, the establishment - which is often far smaller than a mainstream secondary school - will only be able to offer a limited curriculum, limiting the young person's options for the future.

A study by The House of Commons Education Select Committee (*Behaviour and discipline in schools - 26 January 2011*) concluded that:

'There is a wealth of evidence linking exclusion from school with academic underachievement, offending behaviour, limited ambition, homelessness and mental ill-health. For example, the Department for Education and Skills 2004 Youth Cohort Study showed that only 20% of pupils with a fixed or permanent exclusion from school in years 10 and 11 achieved 5 or more GCSEs at A-C (or equivalent), compared to 58% of children not excluded.'*

The Barnardo's report quotes research by Brookes et al (2007), which calculated that permanently excluded children were three times more likely than their peers to leave school with no qualifications, and 37% more likely to be unemployed with very poor prospects for the future.

Cost to the family

The working party obtained information from Croydon parents of children with special educational needs on the impact of school exclusions on family incomes. At the 29 January 2016 meeting, they heard that parents' employment opportunities could be put into jeopardy as a result of additional childcare duties resulting from an exclusion, as well as time spent finding suitable support for the child and liaising with school staff.

This was a particularly difficult challenge for parents of pupils with SEND that mainstream schools sent home halfway through the day as staff did not know how to manage their behaviour. Little regard seemed to have been given to the impact of such unforeseen requests on the employment security of working parents.

Cost to the community and to the purse

A survey conducted by HM Inspectorate of Prisons and the Youth Justice Board of 15-18 olds held in custody * revealed that 90% of the young men and 75% of the young women had been excluded from school.

In the late 1990s Castle and Parsons estimated the various costs associated with permanently excluding a young person from school, including costs to education services, social services, the criminal justice system, the NHS, etc. They calculated that work to prevent permanent exclusions could result in a net saving per child of £35,297. In some police areas, up to two thirds of excluded pupils are known to the police, with one third going to court. A later study conducted by Brookes et al in 2007 estimated the cost, in 2005 prices, of permanently excluding a student to amount to £63,851 *per year* to society.

Is exclusion unavoidable?

The challenge of dealing with difficult behaviour is very taxing on teachers who are under pressure to attain good educational outcomes in large classes while providing additional support to a number of pupils with SEND.

* *Children in Custody 2014-2015: an analysis of 12-18 year olds' perceptions of their experience in secure training centres and young offender institutions (2015)*

Evidence from the surveys conducted with parents and SENCOs shows that many teachers were felt to be ill equipped to understand and tackle the underlying causes of poor behaviour at school. A head teacher observed that there were significant disparities from one mainstream school to another in their ability and commitment to tackling challenging behaviour and its underlying causes.

However, the working group heard from various stakeholders that proven cost-effective solutions did exist in Croydon, both in mainstream schools and special schools in the borough. The working group came to the view that challenging behaviour could be overcome as long as a school's senior leadership team was *committed* to understanding and tackling the needs of its pupils through a variety of interventions, and to providing all young people with a worthwhile education.

Members of the working group also noted with interest that special schools such as Chaffinch Brook and Beckmead had expressed their keenness to share their expertise with mainstream schools in order to enable them to manage special educational needs more effectively, but had met with disappointing lack of interest from many establishments. Similar offers to share good practice in resolving special educational needs were made by the two alternative provision establishments visited during the review.

SECTION 6

PREVENTING SCHOOL EXCLUSION

Behaviour policies

A school's behaviour policy serves to inform staff, pupils and parents of expected standards of good behaviour and the consequences of breaking the school's regulations.

The way the behaviour policy is interpreted and used will depend on the ethos and priorities of a school's senior leadership team, and its head teacher in particular. As stated in the DfE's 2012 guidance (see section 3), '*only the head teacher of a school can exclude a pupil, and this must be on disciplinary grounds*'. While a school's governing body may have some influence in the matter, the decision is still down to the head teacher.

There was much agreement among contributors to this review that poor behaviour needed to be resolved and the learning needs of the majority of a class needed to be safeguarded from disruptive behaviour. However, statements made by teaching staff, SENCOs and parents led the working group to the view that some schools' behaviour policies and ethos were rigid and could lead to exclusion without seeking an understanding of the underlying circumstances, ascertaining that the true 'culprit' was being disciplined (e.g. if a child had been caught carrying a knife after being bullied into doing so) or ensuring that the pupil learnt from the incident and moved on from that point to better behaviour.

SENCOs' contributions to this review and working party members' observations of FAP meetings suggested that there was insufficient consideration of special needs prior to exclusions from some secondary schools: only one out of five respondents felt he had an effective voice in the senior leadership team and only one was consulted prior to a decision to permanently exclude a pupil. However, the situation was far more positive in primary schools (see Appendix 1).

Working group members questioned the practice of excluding a pupil after only one offence attested to in the survey responses of SENCOS from three primary schools and three secondary schools. While the working group acknowledged they did not have full details of the circumstances of these exclusions, they did question the decision to jeopardise the whole future of children's education at such an early stage. As stated in section 3, the DfE's 2012 guidance stresses that *exclusion should only be used as a last resort* and urges schools to '*identify (...) any causal factors*' that might underlie the behaviour.

In contrast to the above findings, the SENCO survey findings showed that some schools did make significant efforts to ensure that pupils with very challenging behaviour were not excluded and were helped over the long term to improve their behaviour and educational outcomes. A number of schools used comprehensive packages of measures to reduce the likelihood of poor behaviour (see Appendix 1). Indeed, some schools adopted a "no exclusion approach" or ethos, with behaviour policies which included taking steps to create a nurturing environment and thus help

pupils to focus on learning in a supportive atmosphere in line with the 2012 DfE guidance.

Early identification of issues

As has been stated above, and was highlighted through the work of Croydon's Opportunity and Fairness Commission, the development of challenging behaviour in a vast number of cases is triggered by underlying issues, whether they be family upheaval such as divorce, bereavement or other experiences of loss, physical need such as hunger or lack of sleep, undeveloped social skills, or special educational needs such as Autistic Spectrum Disorders or disabilities.

In addition, in order for children to be well enough to focus on learning, more "basic" needs have to be met, e.g. being well fed, well rested and not suffering from stress, depression or other overwhelming emotional issues. Families are expected to provide for such needs but evidence from SENCOs and literature on excluded children shows that many children underperforming at school have not had these needs met, hence the provision of support such as breakfast clubs to help children become better prepared to engage in education.

Evidence obtained in the course of the review shows that a key challenge for school staff is the successful identification of a problem as it begins to emerge. The SENCO survey revealed that some teachers who had little experience of dealing with children with SEND expected the same level of good understanding and appropriate responses from all of their pupils and failed to understand that the same approach might not result in settled behaviour and cooperation from all.

Many contributors to this review felt strongly that secondary Fair Access Panel paperwork often showed insufficient evidence of support given to pupils earmarked for a managed move, suggesting limited efforts to help resolve their problems. They added that head teachers should be challenged more robustly when referring a pupil to the FAP for a managed move to demonstrate what measures the school had taken to identify any special need the pupil might have, and to meet this need in a timely fashion to help him or her to focus on their learning.

It has been acknowledged that secondary school teachers who only see a particular child for a limited number of hours a week and have responsibility for teaching a large number of other pupils may not have the resources to spend much time on identifying and tackling individual needs. In order to establish a picture of a child's needs in a secondary school setting, communication and monitoring among all the staff involved in the child's schooling as well as with parents will be essential, and liaison with the school SENCO at an early stage, in order to nip a problem in the bud and eventually help the child focus on his/her education.

The Early Help Assessment framework

A key tool for identifying a child's needs and putting together an action plan is the **Early Help Assessment** framework, which is the successor of the "Common Assessment Framework" and implements central government guidance, "Working Together to Safeguard Children" (2015). The framework aims to help practitioners to gather and understand information about the needs and strengths of children and the family through discussions with children, their family and relevant practitioners and to

find solutions focusing on prevention and developing resilience. It can be initiated by parents or a variety of professionals including school staff. The Croydon Safeguarding Children Board's Education Sub-Group leads on work to embed this process throughout the schools in the borough and a team of early help advisors is on hand to help schools through the process. In addition, training is given to school staff on the process through in service training as well as conferences.

While the use of such assessments is growing, a large number of cases come to the Fair Access Panel without recourse to an Early Help Assessment to tackle the problems underlying their behaviour. Discussions during the course of this review have revealed that some Early Help Assessments have not been undertaken due to parental refusal. In contrast, the survey responses sent in by some parents have shown that some schools have been reluctant to dedicate resources to this process despite a pupil's special needs and parents' requests.

The working group felt that applications to submit cases to the Fair Access Panel should be challenged more robustly, particularly when *no* Early Help Assessment of the child's and their parents' needs had been made prior to the FAP referral. They were pleased to hear of measures being taken to tackle this issue: the education sub-group of the Croydon Safeguarding Children Board (CSCB) has now embarked on an initiative of scrutinising challenging schools which have a record of high levels of FAP referrals and low levels of Early Help assessments, and prompting them to provide significantly better support to such pupils rather than earmarking them for a managed move. Visits to schools with this profile followed by careful monitoring are also being carried out by council managers to reinforce the message and ensure that these establishments provide better support to pupils with special needs and avert the disruption of a managed move.

The working group also felt that steps should be taken to improve communications with parents on the benefits of Early Help Assessments. In recognition of this, the council are now offering training to school staff on Early Help Assessments and Working Together to Safeguard Children (2015) statutory guidance. The training offers tools, tips and guidance on building relationships, asking difficult questions and breaking down barriers to undertaking Early Help Assessments.

The transition from primary to secondary school

One key period of risk in children's education is the transition from primary to secondary schools. Many vulnerable children who have coped well in a nurturing primary school environment with attention given to them by a more limited number of staff, find it very difficult to adjust confidently to a far larger establishment, with staff and pupils they do not know, and unfamiliar learning environments.

There was widespread agreement among school staff and council officers consulted in the course of this review regarding the need for effective liaison between primary and secondary schools to share information about pupils about to make the transition to the latter. It was noted that the practice of organising visits by pupils to their future secondary schools could also help children familiarise themselves with this new environment, make a good start at their new school and prevent the problems and stress arising from starting out in an unfamiliar environment and being aware that they are the youngest and most vulnerable members of this community.

Council officers are proactively working with schools to ensure information is shared between feeder schools and secondary establishments on the background and needs of children who may find this transition particularly difficult. A greater challenge is for secondary schools to be informed of pupils who may have special educational needs, which have not been identified by primary schools as these establishments provide a more nurturing and less stressful environment than secondary establishments. One measure council officers have introduced is to urge schools which have referred a pupil to the Primary FAP to carry out an Early Help assessment in time for these pupils' arrival in secondary school so that they may receive the support they need in this new environment without delay.

The SENCO survey results also showed that some Croydon schools provided "transition nurture groups" to help children prepare for the move. The Chaffinch Brook primary school also prepares its pupils for this step through visits to the Beckmead secondary school, to familiarise pupils with this new learning environment.

Pastoral care

There is widespread agreement that the education of pupils should be underpinned by good pastoral care, developing the identities, relationships and resilience of pupils. Some children and young people do not have a supportive family, significant periods of quality time with the parents, or a role model who can encourage them, explore and instil aspirations, follow their progress and provide support through difficulties. In such circumstances, the school will have a critical role in providing this sustenance '*in loco parentis*'. In the absence of such support, the child may end up lacking a strong motive to succeed, thus undermining his or her own future as well as the school's academic results.

The need for nurturing support from school staff was echoed by the following quotations from YouGov:

87% of people polled agreed that schools should be measured against the development of pupils, not just the grades.
(YouGov polling, April 2011)

The final report of the Croydon Opportunity and Fairness Commission echoed this belief:

"A greater priority should be given to emotional wellbeing in schools, with more focus on pastoral care and therapeutic interventions as early as possible".

The 2012 DfE guidance on school exclusions and research such as the above mentioned study by Barnardo's all acknowledge that pupils who have problems such as emotional or mental health issues, a background of family breakdown or bereavement, etc, are particularly at risk of exclusion and thus of poorer educational outcomes. They are in particular need of nurturing support, which must be seen by schools as a **foundation** for a child's academic success. This in turn can help schools achieve a creditable position in league tables.

Special educational needs and disabilities (SEND)

Statistical evidence shows that the percentage of pupils with significant special educational needs is on the rise. In Croydon, the percentage of school pupils with a statement of special educational needs or an education and health care plan (EHCP) has risen from 2.2% in 2010 to 2.8% in 2015, a 27% rise (source: DfE school census data published January 2016). For autism, speech, language and communication needs and for profound and multiple learning difficulty the increases have been significant.

There is also anecdotal evidence, from discussions with parents and SENCOs, that there is much undiagnosed need in the pupil population. In addition, responses to the parents' survey showed that *multiple* special needs, such as autism and synaesthesia were particularly difficult to recognise, understand and manage.

For pupils with special educational needs, there will be a particularly pressing need for the teacher to have a good understanding of the child's condition and needs, and to provide clarity, structure, predictability, safety and care in the learning environment as well as interventions to help these pupils to manage their issues and make good progress with their learning.

The findings of the survey of SENCOs show that a number of schools provide a wide range of services to pupils with SEND and will work very hard to prevent an exclusion or referral to the FAP and the trauma and disruption it brings about for the child and parents (see Appendix 1). Interventions include:

- Access to a wide range of specialised services e.g. educational psychologists, speech therapist, mental health services, children's centres, etc.
- Counselling and mentoring services
- Various forms of learning support such as learning mentors, modified timetables with reduced subjects, one to one teaching, additional teaching assistants
- Various forms of social support for vulnerable children such as breakfast clubs, friendship groups, social skills development work, etc.

However, responses to the parents' survey suggest that many teachers do not identify or understand the special needs of their children and are not able to manage them, leading to episodes of extreme behaviour and to stress for the child, family and teacher. Eight out of thirteen parent respondents expressed the view that there was a need for properly trained staff to recognise and manage their child's needs. Head teachers, SENCOs and Croydon's behaviour consultant consulted during this review acknowledged the existence of significant variations from school to school in teacher ability to detect and understand special needs.

An article in the Times Educational Supplement of 9 October 2015 highlights the fact that teacher pressure to deliver academic results leaves staff with little time to reflect on pupils' special needs and help them to manage them better. Unfortunately, the strong emphasis on results may prevent educationalists from helping children to manage their weaknesses and maximise their strengths and thus to succeed.

Mental health needs

It was highlighted in section 3 of this report that the SEN reform agenda which came into effect in September 2014 had included changing the old designation "BESD"

(Behavioural, Emotional and Social Difficulties) needs to “SEMH”(Social, Emotional and Mental Health) needs. One of the SENCOs who contributed to this review highlighted the need to recognise and help to tackle such issues as each average class in a mainstream school probably had two or three pupils with mental health issues, some of which manifest themselves through challenging behaviour, thus putting the pupil at risk of exclusion.

Croydon’s CCG mental health commissioner gave an overview of local need and stated that there were great disparities among schools in the borough on how mental health issues were addressed. There was an overwhelming feeling among staff and parents consulted during this review that many teachers were unable to recognise mental health needs and therefore to take initial steps in helping to address them. In contrast, training on dealing with mental health needs is gradually being taken up by some teachers in mainstream schools and some establishments are employing psychologists to equip teachers to improve pupils’ resilience.

The CCG mental health commissioner highlighted the fact that many young people were wary of the stigma of being seen to use mental health services and preferred to self-refer to their GP, as a result of which Croydon CCG was planning to set up mental health services in GP surgeries in the vicinity of schools to maximise the take-up of the services.

Good practice: nurture groups

In some schools, the elements of clarity, structure, predictability, safety and caring have been brought together in “nurture groups” * offered to pupils with vulnerabilities or SEND. These groups aim to replace missing or distorted early nurturing experiences by immersing them in an accepting and warm environment, to help develop positive relationships with both teachers and peers.

Nurture groups are now in over 1500 schools in the UK and have a thorough evidence base with over 62 academic studies in the last two decades. In Croydon, the Education Authority has commissioned the borough’s educational traded services company, “Octavo”, to draw up guidance on the use of Nurture Groups to disseminate good practice.

The SENCO survey results show that many schools in Croydon are also using this approach - five out of sixteen respondents stated that their schools were using nurture groups for pupils with SEN - a worthwhile approach for schools with a particular focus on educational attainment, as it not only leads to long-term mental health improvements but also to improved academic outcomes. However, a word of caution was sounded by a contributor to this review: classes called “nurture groups” should never be used to keep pupils with challenging issues out of mainstream teaching to do away with the need to tackle the troubles underlying their behaviour.

** Nurture groups were originally developed in 1969 in London by educational psychologist Marjorie Boxall, who saw that a large number of children entering school arrived with severe social, emotional and behavioural needs and were unable to form trusting relationships with adults or to respond appropriately to other children.*

Good practice: developing a safer secondary school environment

Mention has already been made that the secondary school environment could be daunting for vulnerable school children arriving from primary school, with large number of older and stronger pupils, new teachers, and surroundings which were unfamiliar and threatening. This sense of isolation could in turn trigger aggressive behaviour as a protective strategy. In recognition of this, some schools in the borough had resorted to dividing up their establishment into smaller units, where everyone got to know each other quickly and staff offered a safe, welcoming and nurturing learning environment.

Achieving potential

OFSTED stresses the importance of combining measures to support pupils with special educational needs with ambitious educational objectives. In its 2010 review of special educational needs and disabilities, it recommends that

‘the first priority for all children should be good teaching and learning and good pastoral support.’

What can be done to help pupils struggling with emotional or mental health issues or a difficult background to achieve and obtain good qualifications?

In discussions with the head teacher of the Chaffinch Brook primary school for children with ASD disorders, it was observed that good discipline and an environment conducive to effective learning, whether in special schools or any mainstream establishment, needed to be underpinned by the following:

- Teachers having detailed knowledge and understanding of the needs of the child
- Teachers taking effective control of difficult behavioural situations, working through them with the relevant pupils and finding solutions that worked
- The teaching environment offering consistency, clear structure and a nurturing approach, making pupils feel secure

If a pupil falls behind at school and if the factors that lead him or her to struggle are identified early, additional support can often ensure they succeed. Many schools in Croydon use Pupil Premium funding to provide additional support. For instance, one school's provision of breakfast club and homework club places to two siblings enabled their parents to take them to school early and thus resolve their punctuality issues, prevent the need for disciplinary action and resolve the parents' employment issues. In addition, a catch-up premium has been introduced to fund additional support in literacy and numeracy for year seven pupils who have not achieved at least a level 4 in reading and/or maths at the end of key stage 2.

A fundamental ingredient for encouraging commitment to learning and academic success is good quality, attractive teaching coupled with a good approach to the needs of individual pupils. This was acknowledged by a number of SENCOs in their survey response. In particular, one school's SENCO stressed the fact that pupils were keen on the curriculum their establishment offered, which acted as a strong motivator to keep in line with its rules.

➤ **Recognising talent**

Both research and the findings of the parents' survey highlight the need to look beyond a child's special educational needs and to capitalise on their potential. In particular, one parent reported that teachers, who were struggling to manage her autistic child's behaviour, were unaware of the child's outstanding memory and talent for music.

Information produced by the National Autistic Society for the Department for Work and Pensions (Untapped Talent: a guide to employing people with Autism) indicates that there are currently just 15% of adults with autism in full time employment despite widespread knowledge that many people with such a condition have very good problem-solving skills and attention to detail, high levels of concentration, technical ability and detailed factual knowledge as well as an excellent memory. Teachers need to be able to recognise and help develop the skills and potential of pupils with ASD, and to point them to support which can help them develop the social skills they will need to get on with others in their school or work environment and make full use of their talents.

➤ **Vocational training**

Evidence obtained from SENCOs and research on school exclusions show that many pupils become disengaged from the school curriculum because it does not cater for their learning needs. A study by Loic Menzies and Sam Baars, "What now for pushed out learners?" (February 2015) advocates offering vocational choices for young people struggling with the mainstream school curriculum, remarking that vocational choices should not exclude young people from doing other more formal education e.g. maths and English qualifications alongside. The advantage of such a model is that it starts to merge the boundaries between real working life and schoolwork and helps to prepare young people to make a successful entry into the world of work.

Research by Barnardos has also recommended that alternative, vocational and work-based learning needs to be made available as a positive alternative for the many young people whose potential is not unlocked by the mainstream academic curriculum. However, Barnardos have also pointed out that many vocational qualifications could not be counted towards school league table data, a key yardstick for parents and for government.

The working group ascertained that PRUs and alternative provision in Croydon did offer some vocational training to their pupils. However, this is unavailable at most mainstream secondary schools in view of the practical difficulties of combining such training with the rest of the curriculum.

Working with parents

Working with parents is critical to ensuring that any plans to help a child are adhered to, not only by teaching staff but also by families, so that the child hears that all are "singing from the same song sheet". PRUs, alternative provision and many mainstream schools work hard to establish good working relationships with parents and develop "whole family approaches" to resolving their pupils' issues.

However, effective joint work can be difficult to achieve when a pupil's behaviour has become very challenging, leading to a situation which can be stressful to parents, teachers and to pupils, and where strong emotions can get in the way of good communications and decision-making.

Both SENCOs and governors have observed that many parents refuse to accept that their child has behaved badly and that serious action needs to be taken as a result. They have also observed that some parents' refusal to take up help on offer such as early help assessments closes that door for the child. One approach suggested by the working group was to hold informal briefing sessions for parents on support systems such as 'early help assessments', presented in such a way as to attract a large number of parents rather than only those who feel directly concerned.

The survey with SENCOs revealed that many schools had established a range of measures to ensure good communications with parents, from regular proactive contacts at the very start of a child's education and good school family partnerships, to using approaches such as family support workers, "Families First" support, the council's "team around the family", parenting classes, etc. A range of measures and services is provided through outside agencies. For instance, parents of children aged up to five years of age could attend a course run by SLAM called "Empowering parents empowering communities". Parents of children showing signs of social and communication difficulties or potentially on the ASD spectrum can attend a ten-week course on managing ASD, although a possible hurdle to getting a place on this programme could be access to a clinical assessment.

However, attendance at FAP meetings showed that many parents did not access such support for their children and appeared unable to resolve their harmful conduct. The working group came to the view that there was a need for a structured and easily accessed programme of parenting support to help parents of children with challenging behaviour to manage these problems effectively. They felt that responsibility should not be left to individual institutions making ad hoc arrangements.

Discussions with parents and survey responses by parents of pupils with SEND shows that their children's needs were not being met at school: this was the view of 8 out of 13 respondents. Many of the respondents' children had had some experience of exclusion: four stated that they had been asked to take their child home on a number of occasions, six had had fixed exclusions, and one child had been permanently excluded. While the responses may not provide a representative picture of the borough-wide situation, they demonstrate that children with SEND and their parents can have a very traumatic experience of schooling.

SECTION 7

RESOURCES

This section outlines issues relating to the resources available to tackle behavioural issues, e.g. funding and services available to support pupils, parents and staff.

Budgets

The key funding sources used to provide support for special educational needs are:

- local schools' own funding, the **Dedicated Schools Grant** - each establishment has a great deal of freedom over the use of this funding
- the **Pupil Premium** paid to schools to provide additional support for pupils on free school meals - again each school will be free to decide how the above funding is to be used, whether on teaching or on psychological support, training, etc. The ethos of a school's senior leadership team will determine what support is prioritised.

- the **High Needs block** funding, which provides targeted funding for **individual pupils with SEN** in mainstream schools, funding for all special schools and enhanced learning provision places, as well as the support costs of pupils with statements of SEN - this funding has been reduced by Croydon's School Forum for 2016-2017, thus making the provision of support to the neediest pupils in the borough more challenging

Every school also receives a statutory allocation of Educational Psychologist support, and can also dedicate some of their funding to obtain additional advice and support from the Educational Psychology service on matters such as how best to include pupils with SEND in the classroom and how best to liaise with parents to address their children's needs.

Funding for special projects or services may also be accessed from health trusts such as South London and Maudsley NHS Foundation Trust, which funds mental health services, or from Croydon's Clinical Commissioning Group. For instance, the latter has funded two BME outreach workers to work in the Off the Record counselling service.

Traded services

Following the cessation of a range of grants and funding, the council's school improvement service, which had previously provided a range of services free of charge to schools, became part of "Octavo", a mutual trading company, established in April 2015. As it is self-financing, the mutual has to charge fees for services such as behaviour support, educational psychologist assessments, teacher training, etc. The working group heard that there was some reluctance on the part of some schools in the borough to allocate spending on new Octavo services, despite the fact that such support could bring about improvements, not only in behaviour but also in academic achievement.

Demand for school places

During their visit to the “Moving on” PRU, the working group was made aware that managed moves arising from Fair Access Panel meetings, particularly in the numbers of pupils with special educational needs have led to an unprecedented demand for places in Pupil Referral Units (PRUs).

Teaching staff and council officers have also recognised that female pupils studying at PRUs have become increasingly vulnerable in this challenging pupil mix and options are being explored to resolve this safeguarding issue. The vulnerability of female pupils has also been acknowledged by other establishments. CACFO have consequently decided to teach only boys in their alternative provision establishment.

As a result of the pressure for places at PRUs, increasing use is being made of “Alternative Provision”: Such establishments are voluntary or private sector schools which receive limited funding from the council and from client mainstream schools and provide an education to pupils who cannot get a place in any other establishment, as well as short-term placements as a result of police investigations or bail conditions.

The Beckmead family of special schools is expanding in response to demand and will have a new additional site in 2016-2017. Ironically the expansion of Beckmead School runs contrary to the beliefs of its senior team who believe that pupils should, as far as possible, learn in mainstream schools. The team also felt that council officers should be more robust in challenging mainstream schools endeavouring to move pupils with challenging behaviour who have an EHCP to special schools.

Heads of the Beckmead family of special schools suggested that:

- providing effective support in a mainstream environment, where school places costs approximately a third of a place at a PRU - would relieve the pressure on high block funding and places in PRUs.
- “Alternative Provision” needed to be considered as an intrinsic part of the borough’s educational offer, and had to be better supported in order to take on more pupils with very complex needs and thus to relieve the pressure on special schools.

Support for teachers and SENCOs

As has been highlighted in section 6, the findings of the surveys conducted with SENCOs and with parents suggest that there was an acute need for teacher training to detect special educational needs and disabilities and to take effective action to ensure these needs were met by relevant staff, e.g. the inclusion team, the SENCO, and any other relevant agencies. It needs to be emphasised that expertise and ability to deal with challenging behaviour and its underlying causes will be an advantage for dealing with all pupils, not only those with special educational needs.

SENCOs mentioned that some head teachers were reluctant to spend their school’s funding on teacher training. To manage resources effectively, SENCOs highlighted a range of free or low cost training options such as online learning, free seminars and conferences, learning through outreach and sharing good practice through groups and networks such as their own school, school clusters, academy chains or head teachers’ networks.

The opportunity for outreach work and information sharing was highlighted by the head of Beckmead and Chaffinch Brook schools as well as alternative provision establishments, and encouraged in the final report of Croydon's Opportunity and Fairness Commission. Such an approach would enable schools with extensive expertise in dealing effectively with challenging special educational needs to provide help and support to other establishments and help senior leadership teams to develop more inclusive approaches to establishing good behaviour despite challenging special needs. This practice is also advocated in the above-mentioned government guidance "Working Together To Safeguard Children" (2015), which recommends that:

'Professionals and organisations protecting children need to reflect on the quality of their services and learn from their own practice and that of others. Good practice should be shared so that there is a growing understanding of what works well'

Some schools are providing training and yet keeping costs down by creating effective links with the voluntary sector and providing support to pupils through organisations such as "Place2B" and Mighty Men of Valour.

The head of the PRU visited in the course of this review highlighted the need to develop teachers' resilience to help them cope with and tackle challenging behaviour, and to "offload" the stress of this emotionally demanding work. He stated that all his staff underwent training on "emotional resilience" and were given space to discuss emotional issues arising from their work. Teacher stress and turnover are on the rise, as attested in the media. According to a survey conducted for the NASUWT teaching union in 2013 with 3,500 members of the teaching union, 83% had reported workplace stress and two-thirds of respondents considered quitting the profession in the past year, with 40% citing pupil behaviour as a cause of stress.

SECTION 8

CONCLUSIONS

Through its meetings, visits and surveys, the working group found that many schools made great efforts to tackle the issues which made pupils more vulnerable to the possibility of exclusion from school or to a referral to the Fair Access Panel. They were impressed by the considerably efforts made by some schools to tackle the challenges and needs faced by some children and young people, to ensure that they achieved good educational outcomes regardless of their background.

However, through the observation of discussions at FAP meetings as well as discussions with a range of staff from schools, the council, Octavo, etc. they discovered that a significant minority of schools made rather more limited efforts to resolve challenging behaviour and address its underlying causes, and opted to refer many such pupils to the FAP.

There was widespread consensus among contributors to the review that willingness to explore and develop services to support pupils with challenging needs was very dependent on the **school's ethos and commitment to pupils' wellbeing** - which in turn could have a significant impact on pupils' educational outcomes.

The working group also concluded that while there were many examples of good practice in the borough, many school staff were not adequately **prepared or trained to identify special educational needs at an early stage or to take the necessary action** to ensure it is tackled whether in the school or through another service. As a result, many pupils' needs are not met, with a consequent impact on their educational outcomes, and in some cases, exclusion or referral to the Fair Access Panel which might have been avoided with timely remedial action.

The working group acknowledges the paramount importance of prioritising good educational outcomes, but wishes to stress the need for school staff to recognise the impact of social emotional and mental health issues on a child's or young person's ability to develop, and to help them overcome these in order to strive for and achieve good educational outcomes.

The working group agrees that while the FAP could benefit from improvement in its practices, it **fulfils a worthwhile role in ensuring that many pupils are not faced with the stigma and impact of exclusion** and are given an opportunity to make a fresh start in a new school.

The working group hopes that the **good practice** to be found in many schools in the borough **can be shared more widely** through existing networks such as the Croydon Head Teachers' Association as well as through outreach work by establishments keen to share their expertise with other schools.

RECOMMENDATIONS

The group is aware that academies are not bound by legislation or regulation to implement the following recommendations, but hope that they lead to useful discussion among teaching staff and networks in Croydon, and to improved approaches to reducing the risk of exclusion and education failure in the borough, and to eventual improvements in educational outcomes.

1. Schools should prioritise **early identification** through the graduated response of all educational needs and provision of appropriate support as this benefits both **the pupil** and **available resources** - the provision of measures to tackle entrenched and acute problems is very costly.
2. All schools should use existing good practice to **tackle special educational needs and challenging behaviour effectively and make every effort to avoid exclusion or a managed move** to provide a more stable educational environment and help young people stand a better chance of a prosperous future
3. Significantly more **robust challenge of FAP referrals** needs to take place with secondary head teachers, who need to demonstrate that all appropriate action has been taken to identify and try to resolve challenging behaviour in line with comprehensive government guidance before referring a case to the panel. The working group trust that the recent decision by the Croydon Head Teachers' Association to involve two head teachers in peer reviewing pupil referrals to the pre-FAP process will strengthen this challenge
4. Council officers should challenge the need for referrals to the Fair Access Panel **when insufficient written information has been provided on measures taken thus far** by the school to improve a pupil's behaviour and address their special needs
5. The use of **fixed-term exclusions should be used only as a last resort** in view of the scant evidence of its effectiveness as a method for tackling poor behaviour, and they should always be followed by a return to school meeting and robust measures to reduce challenging behaviour and support the pupil to enable him / her to focus on learning
6. Schools are reminded that parents **must only be contacted to take their child home part way through the day as a very last resort** - even if parents are willing to take their child home - and schools must develop ways of tackling challenging behaviour effectively 'in loco parentis' drawing from existing good practice in the borough
7. Schools must only ever exclude pupils **in line with national policy**, and on no account should exclusions be used to improve a school's position on league tables, or to present a good image during OFSTED inspections
8. Senior leadership teams need to ensure that teachers receive **significantly improved training** to identify causes of challenging behaviour and special educational needs, and they need to liaise effectively with the SENCO and the school's inclusion team to provide effective support to pupils with such needs

so that the pupils may be helped to maximise their educational outcomes

9. In view of increasingly limited public funding, **take-up by schools of low cost or free teacher training on challenging behaviour and special educational needs**, whether online or through courses or conferences, needs to be improved.
10. Schools should make **significant efforts to welcome opportunities to share good practice** on how to avoid exclusions and adapt the learning environment to manage special needs such as autism. This can be accomplished through existing local networks such as head teachers' associations, academy chains, school clusters, etc. and through the use of outreach work offered by specialist schools in the borough
11. **Support needs to be provided to teachers** dealing with challenging pupil behaviour to help them maintain resilience and promote better retention of teaching staff to improve continuity of relationships with pupils
12. Schools should make the best possible use of **nurture groups and nurturing school environments** for vulnerable pupils, to increase their self-confidence and prevent the development of challenging behaviour emerging from a sense of fear and isolation in a school environment they find intimidating.
13. Schools and relevant council staff should continue to focus efforts on helping pupils to make as smooth a **transition** as possible **from primary to secondary school** through good communication between primary feeder schools and secondary schools and preparatory work for pupils who have been identified as having special needs
14. While some schools are dedicated to fostering and nurturing a good relationship with parents and carers, **many parents** experience frustration and confusion at the schools' approach to their children's behaviour. Some schools need to develop more effective ways of problem-solving with parents and sign-posting to appropriate support services, so that all can work together to improve pupil behaviour and educational outcomes - this may require a more systematic borough-wide framework of training and support to ensure that no families are left out
15. Steps must be taken to ensure that **school governors take up good quality training on school exclusions and the work of the Fair Access Panel**, which is free to governors as part of the governors' support package, to ensure that governors are able to provide effective challenge and oversight on these matters
16. **Councillors should use their role as community leaders** to urge all relevant stakeholders to promote the wellbeing of their pupils and challenge the use of exclusions and managed moves when these are not used as intended by national policy. This may be done through casework, by maintaining links with local schools, through their participation in committees focusing on services for children and young people and their work as school governors, and by maintaining contacts with support groups for parents of pupils with special educational needs.

17. Alongside school exclusion statistics, the yearly '**school standards**' report to **Cabinet should include statistics** on Fair Access Panel referrals made in the past year, broken down by school and by type of referral, so that councillors may be better informed of action being taken in respect of pupils with challenging behaviour in Croydon's schools

APPENDIX 1: FINDINGS OF THE SURVEY CONDUCTED WITH SENCOs

SENCOs were surveyed by e-mail in January 2016 regarding their work, support in place to tackle SEND and successes and challenges in dealing with SEND. Responses were received from one nursery/infants school, 10 primary schools and 5 secondary SENCOs. The nursery/infants school SENCO was new to the job and unable to answer a number of questions.

Exclusion trends

- 9 primary school SENCOs stated they had **an effective voice** in the senior leadership team. One secondary SENCO stated they had a voice in the senior team, one was not sure and three stated that they did not.
- 3 primary school SENCOs and three secondary SENCOs stated that children had been **excluded after one-off incidents**.
- 8 out of 10 primary school SENCOs confirmed that they were **consulted prior to a permanent exclusion** as against one out of 5 secondary SENCOs. One further secondary school stated that this varied from case to case and another three said they were not consulted.

Systems in place to address special educational needs and nip problems in the bud

SENCOs listed a wide variety of tools, resources and strategies used to support pupils with challenging needs and prevent exclusions (100 in total). They included the following:

- Access to specialised services e.g. educational psychologist, speech therapist, mental health services, children's centres, etc. (12 respondents)
- Behaviour policies and plans (7 responses)
- Counselling and mentoring services (14 respondents)
- Support for families (11 respondents) which included team around the family, pupil and family support works, close home school partnerships, parenting classes and support for parents of pupils with SEND
- Various forms of learning support (8 respondents) such as learning mentors, literacy and numeracy interventions, modified timetables with reduced subjects, extra maths and English, one to one teaching, additional teaching assistants
- Various forms of support for vulnerable children (7 respondents) which included breakfast clubs for vulnerable pupils and friendship groups
- Nurture groups, providing a more protective learning environment for vulnerable pupils (5 respondents)

- Staff training (3 respondents), highlighting training to identify problems early and to deliver specific interventions
- Social skills development support (2 respondents)
- Support for pupils on the ASD spectrum (2 respondents)

The importance of the school ethos was emphasised by one SENCO. Four respondents highlighted the commitment of heads in providing support and mentoring to vulnerable pupils.

One school reported on good contacts with feeder primary schools to prepare for the transition to secondary school.

Successes

All SENCOs reported successes at preventing the exclusions of pupils with challenging behaviours. Some mentioned a range of successful measures, while others described specific cases of pupils presenting very acute problems, whose exclusion had been avoided through comprehensive packages of measures.

Of the five secondary school SENCOs, two mentioned individual cases where very intensive work over a long period of time had obviated exclusions, one mentioned a range of measures and the fact that pupils were motivated to stay at the school, one **mentioned an alternative timetable with one to one** teaching and mentoring instead of certain non-core lessons. The fifth secondary respondent highlighted intensive SENCO input for any students presenting persistent challenging behaviour.

Challenges

Staff knowledge and understanding on special needs constituted one of the key challenges for SENCOs (four respondents). The need to train staff on how to support pupils with special needs was highlighted by a fifth respondent. Two challenges faced by staff were the risk presented by increasing numbers of physical responses by pupils, putting staff at risk, and the challenge of balancing measures to ensure the safety and education of non-SEND children with the needs of high needs children.

One SENCO highlighted the lack of communication after a FAP meeting as a result of which the new school was not able to put all necessary intervention in place to cater for his needs.

The difficulties of balancing the needs of pupils with SEND with those of other pupils were highlighted by three **respondents who indicated the difficulties** of teaching large classes of 30 which included a small number of SEND pupils who were statemented or had an EHCP. Two respondents highlighted the need for “safe areas” or “more nurture based responses” for pupils with special needs. However, three highlighted poor or lacking resources to address high needs, and two expressed frustration at the very long waits for services such as CAMHS.

One SENCO highlighted the lack of parental support and acceptance of their children's needs.

APPENDIX 2: FINDINGS OF SURVEY OF PARENTS

13 parents responded to a brief survey disseminated by Parents In Partnership in early February 2016. .

Special educational needs

Parents reported that their children had the following conditions:

10 had Autistic Spectrum Disorders, one with intrusive synaesthesia

5 suffered from emotional issues

2 were struggling with family upheaval

2 had ADHD

Other children suffered from dyspraxia, communication problems, Angelman's syndrome and Down's syndrome

As the figures show, a number of children (7) were grappling with more than one challenge. Co-morbidity is particularly hard for teachers to detect and manage.

Experience of exclusion

Many of these children had had some experience of exclusion. One had been sent home 1-2 times, three had been sent home more than twice. Five had had one or two fixed exclusions, and one had had more than two fixed exclusions. One child had been permanently excluded. Four parents felt that their child was at risk of permanent exclusion.

Support to manage special educational needs

Three parents felt that they were receiving support with their child's special educational needs, two parents answered they were not sure that they were, and eight said they were not receiving adequate support.

Needs

A variety of needs was highlighted by parents, but by far the most widely shared need was for properly trained staff to recognise and manage children's needs effectively.

The table below provides more detail on the needs expressed.

| Needs | No |
|---|----|
| Need for properly trained staff to recognise and manage child's needs | 8 |
| School needs to understand child's emotional issues | 3 |
| Treat each pupil as an individual | 3 |
| One to one support | 2 |
| Behavioural support | 1 |
| Child's voice needs to be heard | 1 |
| Need to provide the support stipulated in child's statement | 1 |
| Have been asking for help for years | 1 |
| Need for residential school | 1 |
| Children need "sensory breaks" | 1 |

Other comments

Parents were invited to provide any further information they wished to share on their child's school's approach to their special educational needs. Out of thirteen, seven chose to answer this question, some with very detailed and emotional information, highlighting the impact on their child's self-esteem and on the family as a whole.

APPENDIX 3 : FINDINGS OF SURVEY CONDUCTED WITH SCHOOL GOVERNORS

A survey was conducted with school governors using the council's online "Get involved" platform.

137 responses were received, 78% from primary schools and 22% from secondary establishments.

60% stated that they were **familiar with the FAP process**, 29% responded that they were not, and 11% that they were unsure.

77 respondents replied to the question "what are your **views about the FAP's work to avoid school exclusions?**". Of these, 58% stated they felt positive about the FAP's work, 6% felt negative and 35% stated they were not sure.

106 governors responded to the question "Are **school governors effectively involved in exclusion and FAP processes?**". 51% felt they were effectively involved, 22% felt they were not, and 27% were unsure.

108 school governors responded to the question "Is your school's **disciplinary policy regularly reviewed by school governors?**". 81% stated that it was, 12% stated that it was not and 6% were unsure.

94 school governors responded to the question "Does your school's governing body have a **disciplinary committee** which is involved in decisions regarding exclusions and referrals to the FAP?". 47% stated that it did, 34% that it did not, and 19% that they were not sure.

94 school governors responded to the question "Are you made aware of the **school SENCO's role and input** in any proposed exclusions or referrals to the FAP?". 72% responded that they were made aware of it and 28% stated that they were not.

95 responded to the question whether school governors received **effective training** on school exclusions and the Fair Access Panel process. 33% responded that they did, 36% stated that they did not, and 32% were not sure.

The following additional comments were also made:

- Permanent exclusions are very rare or non-existent and used as a very last resort (7 answers)
- Parents should assume greater responsibility for pupils' behaviour (1 answer)
- There is a need to tackle problems earlier (1 answer)
- Behaviour is good at our establishment (2 answers)
- Good behaviour managed at our school (2 answers)
- School governors need more training(1 answer)
- The role of school governors in exclusions is not well understood and therefore executed (1 answer)
- Temporary exclusions are on the increase due to worsening pupil behaviour (1 answer)
- Hugely overstretched social care resources (1 answer)

APPENDIX 4: BIBLIOGRAPHY

The Department for Education's 2012 guidance on Exclusion from maintained schools, academies and pupil referral units in England: a guide for those with legal responsibilities in relation to exclusions (2012)

Working Together to Safeguard Children (2015)

The School Admissions Code (2014)

Part 3 of the *Children and Families Act 2014* and the *Special educational needs and disability code of practice: 0 to 25 years*

DfE's *Special educational needs and disability code of practice: 0 to 25 years* (2015)

DfE guidance on mental health and behaviour in schools (2015)

The Education (Pupil Registration) (England) (Amendment) Regulations (2016)

A better Croydon for everyone: final report of the Croydon Opportunity Fairness Commission (January 2016)

Croydon's Youth Crime Prevention Action Plan 2015-2016

What now for pushed out learners?" a study commissioned by the Inclusion Trust (Loic Menzies and Sam Baars, February 2015)

Misspent youth: the costs of truancy and exclusion – a guide for donors and funders (Brookes et al, 2007)

Not present and not correct: Understanding and preventing school exclusions - a report commissioned by Barnardo's (Jane Evans, 2010)

No Excuses: a review of educational exclusion - a study commissioned by the Centre for Social Justice (2010)

Behaviour and discipline in schools - a study by the House of Commons Education Select Committee (January 2011)

Children in Custody 2014-2015: an analysis of 12-18 year olds' perceptions of their experience in secure training centres and young offender institutions - a study conducted by HM Inspectorate of Prisons and the Youth Justice Board (2015)

Acknowledgements

The working group would like to thank the 2015-2016 members of the Children and Young People Scrutiny Sub-Committee for approving the proposal to conduct this review. In addition, the group's thanks go to the following contributors to this Local Action Mini-Review:

David Butler, Head of School Standards, Commissioning and Learning Access

Tony Murphy, Head of Learning Access, Croydon Council

Val Burrell-Walker, Fair Access Manager, Primary and Secondary

Paul Brightly-Jones, Reintegration and Exclusions Officer

Judith Lunnon, SEN Advisor and Link adviser for Beckmead School

Debbie McCormack (Team Manager, Early Help Assessments)

Clare Brutton, Senior Children's Pathway Redesign Manager, Croydon

Clinical Commissioning Group (CCG)

Judith Azzopardi, Head of School, Chaffinch Brook

Andrew Clark, Head Teacher, Moving On Pupil Referral Unit

Jaivanan Thangavalu and David Mitchell, Educational Excellence and Well Being (Alternative Provision)

Patricia Oliver and Tony Harrison, CACFO (Alternative Provision)

Agnieszka Gebka (Partnership Manager, Parents in Partnership)

Denise Dyer, Behaviour Consultant, OCTAVO

Liz Thomas, Director of Student Support at Oasis Shirley Park Academy

Cathy Sabir, SENCO at Castle Hill Primary School

Nero Ughwujabo, CEO of BME Forum

Cllr Alisa Flemming, Cabinet Member for Children, Young People and Learning

Cllr Margaret Bird

Cllr Andrew Rendle

Respondents to the survey of Croydon councillors

Respondents to the survey of SENCOs

Respondents to the survey of parents

Respondents to the survey of school governors