

## **The continuing school exclusion scandal in England**

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**ABSTRACT** The deregulated and marketised education system is failing large numbers of the most vulnerable children in society, with system 'gaming' often the motivation behind school exclusions. This article sets out the multiple ways in which students can find themselves outside the formal school system, and identifies several of the systemic pressures that drive the statistics provided.

### **Introduction**

I have written about exclusions from school for over 20 years, conducted the first survey of local authority exclusion numbers (1994) before the reporting to the DfE became mandatory, wrote about *strategic alternatives to exclusion* (Parsons, 2011), when local authorities were still significant players in managing systems – appeals, managed moves, transfers, and alternative provision. I was on the DfE advisory group in 2011 (Con/Lib-Dem coalition), when the plan was that a pupil permanently excluded from school would be found an alternative educational place by the school and it would be funded by the school. The trial evaluation was mildly positive but concluded early (DfE, 2014). It looked promising, cutting through complex, Labour, Every Child Matters, National Strategy thinking and schools, in particular secondary schools, were the big players, with 10 million pound budgets after all. But academies, deregulation, the diminished the role of local authorities and contraction of other services coupled with a dominating, punishing standards agenda have brought huge, poorly monitored outcomes, disproportionately affecting the most vulnerable. There are long term, dire and expensive consequences at personal and societal levels which follow from children absent from education.

Fixed period and permanent exclusions are increasing after falling for 15 years, as shown in Figure 1. However, in today's England, that is only one part of the story as removing children from school can be done by other means and the monitoring and management of the chaotic and underpowered systems are grossly deficient. There are nine ways in which pupils can be removed from the school and these are set out below. A system where young people are excluded from school suggests reduced recognition of the role of schools in preparing young people both for personal fulfilment and to be contributing citizens. The use of exclusion also gives the

impression that a place in school must be earned and that exclusion is a punishment with no therapeutic goal.

The numbers excluded by means other than the formally reported permanent exclusion and fixed term exclusion routes are far greater, growing and hidden. I deal with each in turn.

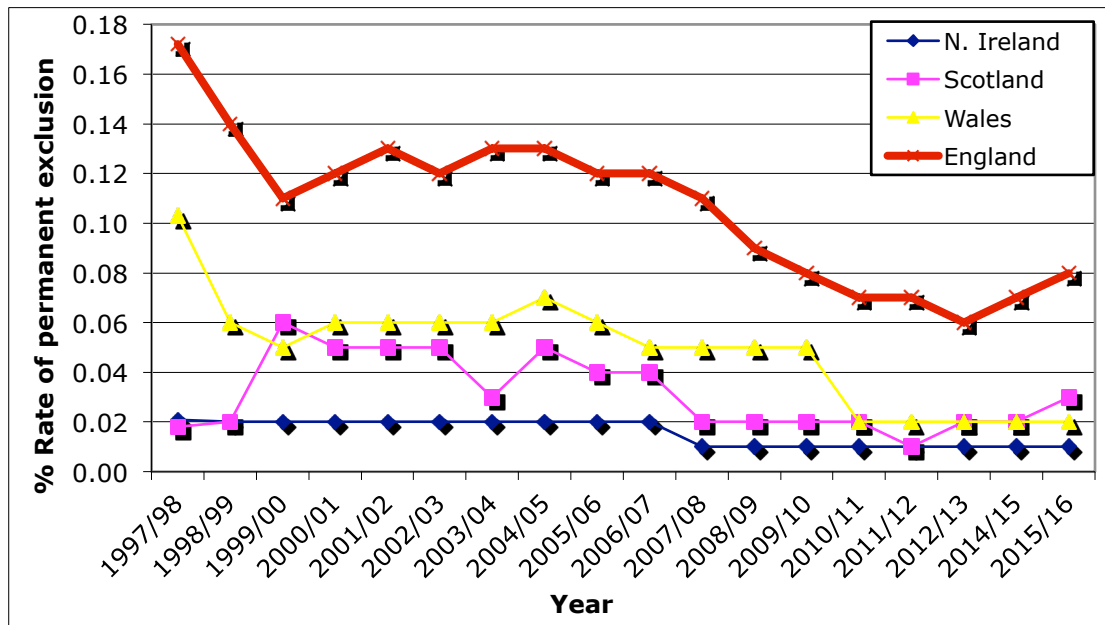
1. Permanent exclusions
2. Fixed Term Exclusions (FTEs)
3. Pupil Referral Units (PRUs) and Alternative Provision (AP)
4. Managed moves
5. Elective Home Education (EHE)
6. Reduced timetables
7. Extended study leave
8. Attendance code B - Approved off-site educational activity
9. Children Missing Education (CME).

### **Permanent and Fixed Term Exclusions**

From a high of 15,000 in 1998, official permanent exclusions fell to 4,600 and then began to climb reaching 6,600 in the figures for 2016. As Figure 1 shows, England excludes at rates substantially higher than the other countries of the UK.

Fixed term exclusions have grown in number also as a disciplinary tool with over one third of a million instances, almost half of which are for one day only. Why England should exclude at higher rates than Scotland, Wales and Northern Ireland deserves attention. Most mainland European countries do not exclude in ways schools in the UK are able to do. A legalistic and punitive character underlies exclusion English style with less attention given to the needs of the young person and how best their progression to adulthood can be managed.

### **Figure 1: Permanent exclusions in England, Wales, Scotland and Northern Ireland 1998 - 2016**



The officially notified numbers present worries about how we manage young people who challenge, compounded by the inequalities in who gets excluded and the association with other life disadvantages.

Table 1 shows a relative constancy across two separate years in the relative rates of exclusion by group, but also records an increase for almost every category.

Repeating the pattern of past years, Travellers and Gypsy/Roma children are excluded at very high rates. Mixed White and Black Caribbean and Black Caribbean children continue to be excluded permanently and for fixed term at around three times the national rate, and free school meals children at four times the rate compared with non-free school meal pupils. These are known, recurrent inequalities, which make a mockery of the once heralded notion of 'every child matters'.

The variation in exclusion rates between LAs is striking with 14 excluding permanently at under a quarter of the national rate. The fixed period exclusion rates are similarly varied. The rates for LAs are volatile, changing over a period of a few years; several of the LAs cited in Strategic Alternatives to Exclusion (Parsons, 2012) as low excluders do not earn that accolade in 2016.



**Table 1: Percentage rates of exclusion by ethnicity, gender and disadvantage 2014/15 and 2015/16**

Ethnicity	PERMANENT EXCLUSIONS				FIXED TERM EXCLUSIONS				INCREASE	
	2014/15		2015/16		2014/15		2015/16		Perm	FTE
	Rate	Number	Rate	Number	Rate	Number	Rate	Number	%	%
White British	0.09	4,110	0.10	4,740	4.67	225,210	5.23	251,875	15.3%	11.8%
Irish	0.10	20	0.09	20	4.65	990	4.43	935	0.0%	-5.6%
Traveller of Irish heritage	0.47	20	0.49	25	17.49	820	18.03	885	25.0%	7.9%
Gypsy/ Roma	0.48	100	0.33	65	18.58	3,760	22.15	4,505	-35.0%	19.8%
Other White background	0.06	200	0.05	205	2.85	9,980	2.93	11,335	2.5%	13.6%
Mixed White & Black Caribbean	0.22	220	0.25	250	8.86	8,660	9.89	9,965	13.6%	15.1%
Mixed White & Black African	0.08	30	0.12	55	5.14	2,250	5.46	2,590	83.3%	15.1%
Mixed White & Asian	0.06	50	0.08	70	3.18	2,490	3.25	2,730	40.0%	9.6%
Other Mixed background	0.11	130	0.11	150	4.43	5,440	4.89	6,380	15.4%	17.3%
Indian	0.01	30	0.02	30	0.8	1,500	0.90	1,760	0.0%	17.3%
Pakistani	0.05	160	0.07	195	2.77	7,850	2.75	8,065	21.9%	2.7%
Bangladeshi	0.03	30	0.04	45	1.83	2,080	2.05	2,390	50.0%	14.9%
Other Asian background	0.03	30	0.03	40	1.35	1,560	1.41	1,695	33.3%	8.7%
Black Caribbean	0.28	250	0.29	245	9.64	8,400	10.08	8,595	-2.0%	2.3%
Black African	0.07	170	0.09	230	3.84	9,330	4.42	11,210	35.3%	20.2%
Other Black background	0.11	50	0.13	65	5.76	2,720	6.20	3,090	30.0%	13.6%
Chinese	0.01	> 5	0.01	5	0.47	130	0.56	160		23.1%
Boys	0.13	4,520	0.13	5,225	6.33	220,890	6.18	249,445	15.6%	12.9%
Girls	0.04	1,240	0.04	1,460	2.38	79,730	2.32	89,920	17.7%	12.8%
Free school meals	0.22	2,580	0.25	2,835	10.11	119,950	11.36	128,575	9.9%	7.2%
Non-free school meals	0.05	3,210	0.06	3,850	2.77	183,010	3.11	210,770	19.9%	15.2%
<b>All pupils</b>	<b>0.07</b>	<b>5770</b>	<b>0.08</b>	<b>6,685</b>	<b>3.96</b>	<b>300,630</b>	<b>4.29</b>	<b>339,360</b>	<b>15.9%</b>	<b>12.9%</b>

Source: DfE, 2017a gives links to most recent and previous years' exclusions

### **Pupil Referral Units (PRUs) and Alternative Provision (AP)**

The new front-line for school exclusion interpreted broadly comprise Pupil Referral Units (PRUs) Alternative Provision (AP). If it is 6,685 pupils officially recorded as permanently excluded, many more, 37,000 in 2016/17, are in PRUs and AP. IPPR puts the figure at 48,000 including those registered part-time (IPPR, 2017, p13). That figure is close to the one derived from DfE figures shown in Table 2, which also shows the continuous rise over the last four years. Most will be transfers, willingly complied with or enforced by the school. Almost half of those arriving in AP are 15 or 16 (Thompson, 2017). There clearly are challenges for managing the progression of pupils in these locations where examination results at 16 continue to be

abysmally low. The Taylor Report noted some years ago: 'Despite the many complex difficulties of children in AP it is still concerning that only 1.4 per cent of them achieve 5 or more GCSEs at grades A\*-C including English and Maths compared to 53.4 per cent of their peers in all schools (DfE, 2012, p. 6). A more recent report puts that figure still at 1% (Teenschooling, 2018).

**Table 2: Numbers in Pupil Referral Units and in Alternative Provision 2014 - 17**

<b>January census</b>	<b>Total pupils in Pupil Referral Units</b>	<b>Total pupils in local authority Alternative Provision</b>
<b>2014</b>	12,880	19,400
<b>2015</b>	13,575	19,639
<b>2016</b>	14,995	21,396
<b>2017</b>	15,655	21,764

Source: DfE, 2014a, 2015a, 2016b, 2017 Table 4a in each case

In the unregulated system with diverse ways of removing children from formal education, these figures too are less definitive than 10 years ago. Ofsted had expressed concern at the unknown numbers attending unregistered AP (Ofsted, 2016, pp. 43/44).

### **Managed moves**

Managed moves can be beneficial and well-managed, but, one suspects increasingly are not. Managed moves can avoid the trauma and sudden upset of a formal permanent exclusion and can be carried through with support and the consent of all. The instant reaction, so easily delivered and experienced as punitive can be avoided and even result in a friendly departure. This happened in one school where the staff had 'reached the end of their tether' with a 14 year-old girl and staff wanted her out. Prevailed upon to show patience, the team worked to arrange for a transfer, with the girl remaining in the school, and by the time she left staff had collected to give her a leaving present and gathered to wish her well on her last day. Managed moves do not count as 'exclusion' but many of the resulting destinations do.

### **Elective Home Education (EHE)**

Elective Home Education (EHE) is the formally recorded education for 26,292 children in July 2014 but, the unregistered number is unknown and 'thought to be several multiples of this' (DfE, 2016c, p. 119). This constitutes an increase of 65%

over six years. The Association of Directors of Children's Services puts the figure at 37,500, with one area reporting a growth of 80% in four years (ADCS, 2016). An estimate of those 'pushed' into this option is but this is a massive under-estimate. Parents can be 'encouraged' to make this choice by increased numbers of fixed term exclusions experienced and suggestions from the school that they 'look for alternatives' (BBC, 2015). Staufenberg reports nearly 30,000 EHE children in 2016/17, but this is a result of a Freedom of Information request where 82 out of 152 local authorities responded; crudely grossed up to the full number of LAs, the number reaches 55,000. As Staufenberg also reports, many of these instances are unsuccessful or 'inappropriate' and children are returned to school with schools left to 'pick up the pieces'. Home education can occur simply because a parent has tired of the disruption of repeated, unpredictable fixed period exclusions. If in Year 11, the young person is off the school roll and, if this occurs before the January census point, they do not count towards the school's GCSE results. The temptation to off-roll pupils who present problems and will not do well in exams is tempting for schools and various estimates of this illegal strategy suggest this is common (OCC, 2013; Nye, 2017).

### **Reduced timetables**

Reduced timetables are sometimes used for medical reasons but reportedly more often for behavioural reasons with pupils at risk of exclusions but it is recommended that it is short-term. Pupils may be in school for a few hours per day. Estimated numbers are 30,000 for at risk of exclusion pupils (2014/15). Ofsted's (2013) enquiry of a sample of LAs estimates 10,000 (p. 7) across England but the time period is unclear and almost certainly a big underestimate.

### **Extended study leave**

Extended study leave, is usually applied in year 11, the GCSE examination year. The pupils are off the school site, ostensibly to prepare for exams; reports suggest its wider use. Estimated numbers 20,000 (2014/15).

### **Attendance code B - Approved off-site educational activity**

'Approved off-site educational activity' is a frequently cited location for some challenging pupils. This can be work experience or a form of AP for part of their

timetable, but it is difficult to differentiate those at risk of exclusion and pupils on courses shared with another school. Incidental reports, aggregated up give us an estimate of 15,000 young people where this is a form of exclusion.

### **Children Missing Education (CME).**

Children Education (CME) is a worrying child protection area extending from long-term truants to children completely off the radar or have run away from home or care. It happens usually when a pupil is removed from the school, usually by the parent, and no replacement school is identified, evident when no new school requests the pupil's file (DfE, 2016b). All local authorities have guidance on this (DfE, 2015b) but a child removed from a school's register is not necessarily reported to the local authority. Numbers have been estimated at 12,000, but it should be noted that one third of LAs reported 'none', which is difficult to believe (Collins, 2011). More recently, an NCB report gave a figure of 49,000 from 137 LAs (Ellison and Hutchinson, 2018). As with EHE, if one crudely grosses this up to the full number of LAs, the number is 54,500. Moreover, this is seen as a woefully unregulated area, usually with children from more vulnerable backgrounds. Calls are made for more regulation even though each LA has a CME officer required to 'make reasonable enquiries' (DfE, 2016, p 12), but the follow-through is widely considered poor. The difficulties are considerable: a school was told that a primary school child, often absent, had gone to stay with he father in Leicester but no request was made from any school for the child's file. Researchers following up (without the access that LA personnel would have had) could get information from Leicester of Leicestershire LAs. Weeks later, it appears that she is back with her mother but for the moment not being pursued for school attendance. CME occurs for a variety of reasons, some valid such as moving to private education, abroad or death. The state as a caring body should and must do more in this area

### **Summing up**

Adding together the numbers from all means of excluding or removing children from school, with unapologetic estimates in a number of cases, gives a total of over 150,000. Over 70% will be secondary, a disproportionate number will be free school meals children, children with special needs and children known to social services (Ellison and Hutchinson, 2018, p. 2).



**Table 3: Estimated numbers excluded from school/removed from education by all means 2015/16**

<b>Means of exclusion/removal</b>	<b>Numbers</b>	<b>Estimated numbers which are excluded/removed</b>
Permanent exclusions	6,685	(6,685)
Fixed Term Exclusions	**	
Pupil Referral Units and Alternative Provision	47,419	41,000
Managed moves	**	
Elective Home Education (EHE)	55,000	35,000
Reduced timetables	30,000	15,000
Extended study leave	20,000	10,000
Attendance code B - Approved off-site ed. activity	15,000	7,500
Children Missing Education	54,500	45,000
<b>Total</b>		<b>153,500</b>

The right hand column is an attempt to adjust totals to reduce double counting and exclude those for whom a particular education options is a legitimate choice.

The adjustments are as follows:

- The total does not count in the 6,685 permanent exclusions as these will be represented in the other figures below;
- Fixed term exclusions and managed moves are not counted as exclusions since they imply short breaks from education only;
- PRUs and AP will contain some pupils who are referred for medical reasons including pregnant school girls and school refusers, reducing the total by 6,000;
- EHE is the choice some parents make and are equipped to provide education, estimated at 20,000, leaving the others as 'excluded';
- Reduced timetables are sometimes used for children with a medical condition;
- Extended study leave is appropriate and of a reasonable length for some;
- Attendance code B can be where schools legitimately share courses with other schools so are educated elsewhere but remain on roll. The estimate for how many this is no so is the least secure but the best that can be made.
- Children Missing Education is a huge black hole where most will be unaccounted for.

Exclusions have been referred to a 'an epidemic' (Teenschooling, 2018), certainly scandalous, 'without sufficient checks on their wellbeing and integration' (DfE, 2016, p.169). Governmental bodies such as the EHRC asking 'Is Britain Fairer?' (2015) and the Social Mobility Commission, 'State of the Nation Report' (2017), hardly register the concerns of these most vulnerable children poorly served by an education system, deregulated to the point where as many as 150,000 may be out of education and the whereabouts of many is unknown. This is culpable neglect by a state that neither funds nor monitors those falling through the gaps.

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