

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA070319-7351

26 March 2019

Dear [REDACTED]

Thank you for your request for information which the Greater London Authority (GLA) received on 7 March 2019. Your request has been dealt with under the Freedom of Information Act 2000.

You requested:

"Sadiq Khan mentioned during his interview this morning that the recent HMIP report, Prisons Inspectorate highlights that 9 out of 10 young people in custody, Young Offenders Institutes and Secure Training Institutes were previously excluded from school, this also includes adult offenders.

I would like to request a copy of Sadiq Khan's speech as well as the data, HMIP recent report, he referred to during his speech and any additional data he used to inform his speech please."

Speech

I should clarify that the Mayor did not make a speech on 7 March 2019 so we do not hold any information in scope. He took part in a series of broadcast interviews on that date. You can read the GLA's press release at <https://www.london.gov.uk/press-releases/mayoral/mayor-and-pccs-call-for-end-to-off-rolling>.

Data

Please find below and attached the data we hold within the scope of your request.

HM Inspectorate of Prison, ***Children in Custody 2016–17: An analysis of 12–18-year-olds' perceptions of their experiences in secure training centres and young offender institutions***

https://dera.ioe.ac.uk/30548/1/6.3903_HMIP_Children-in-Custody-2016-17_FINAL_WEB_221117.pdf

The research shows that 94% of boys who had been in local authority care were excluded from school, for other boys in custody the rate was 86%. There were 720 children surveyed within the report; 302 had been in care, 417 had not.

The report states that *“Boys who had been in local authority care represented 42% of the young people surveyed in custody during 2016–17”*. Using these rates, of those boys in care 284 had been excluded, of those boys that hadn't been in care 359 had been excluded. This equates to 643 of the 720 children surveyed being excluded from school, this in turn equates to a 89.4% exclusion rate – 9 in 10.

The sample size used within this research equates to 85% of the population of all Secure Training Centres and Youth Offender Institutions in the country.

Please see attached paper *‘Understanding school exclusions and opportunities for interventions’* for the Violence Reduction Unit Partnership Reference Group held on 6 March 2019. Data from this paper informed the Mayor's interviews with the media.

If you have any further questions relating to this matter, please contact me, quoting the reference MGLA070319-7351.

Yours sincerely

Ruth Phillips
Information Governance Officer

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<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

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Violence Reduction Unit Partnership Reference Group

Date of meeting: **6 March 2019**

Title of paper: **Understanding school exclusions and opportunities for interventions**

To be presented by: **Joanne McCartney AM, Statutory Deputy Mayor and Deputy Mayor, Education and Childcare**

Cleared by: **Joanne McCartney AM, Statutory Deputy Mayor and Deputy Mayor, Education and Childcare**

Classification: **Public**

1 Executive Summary

- 1.1 The number of pupils in London who have been permanently excluded or had a fixed period inclusion has been increasing over the last three years. In 2016/17, 1,090 pupils were permanently excluded, 0.09% of the pupil population. 27,705 pupils have had a fixed period exclusion, a rate of 2.18%. The rate of exclusions differs between schools and schools have different exclusion policies.
- 1.2 There is very limited public data on off-rolling, managed moves or home education. Less is known about young people aged 16 to 18 who leave FE college or other post-16 education.
- 1.3 More effort should be made to retain children in mainstream education, as recommended by the Children's Commissioner. The Partnership Reference Group (PRG) is asked to help shape the Mayor's approach to change the focus from exclusion to inclusion and keeping more young people in school.

2 Suggested Discussion Points

- a) How can the Mayor galvanise a London conversation about the benefits for the city of inclusive, nurturing education (similar to the approach in Glasgow)?
- b) How to provide support to help schools to be more inclusive? What can PRG Partner organisations do to support schools to help children before they hit a crisis point? Are there ways to improve this in practice?
- c) How can we share good practice across London?
- d) How can the community and young people help more young people stay in school?

3 Introduction and Background

Children missing from education

- 3.1 The Children's Commissioner's Office presentation to the PRG in November 2018 outlined the evidence on vulnerable children, exclusions and violence:
 - a) Many children are growing up vulnerable to gang violence due to a range of risk factors;
 - b) The early years provide some opportunities for interventions;
 - c) At primary school some pupils start falling out of the school system;

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- d) Exclusions hit disadvantaged and vulnerable children disproportionately;
- e) Large numbers of children are outside mainstream education;
- f) Being out of mainstream education is a major indicator of a problem.¹

The Children's Commissioner is clear that more needs to be done to keep children in mainstream education as all the evidence indicates this leads to better outcomes.

Borough arrangements to monitor children's movement in and out of school vary. There is no pan-London or country-wide system. The Children's Commissioner reports [Skipping School: Invisible Children](#) and [Falling through the Gaps in Education](#) indicate that the number of children being home schooled is increasing. The Children's Commissioner has called for a compulsory register² of 'off the grid' children.

School Exclusion Data

- 3.2 Data on permanent and fixed period exclusions are reported by schools to the Department for Education (DfE)³. The headline figures for London are summarised below.
- 3.3 **Permanent exclusions** (PE), where a child leaves a school, are increasing in total number, and the rate is increasing. The London rate is below the England rate, but it varies by borough.
 - a) The London PE rate (0.09% as a % of the number of pupils) is in line with the England average of 0.1%;
 - b) The total number of PEs in London increased from a low-point of 780 in 2013-14 to 1,090 in 2016-17. Primary school exclusions totalled 83;
 - c) The PE rate varies across London boroughs from 0.02% to 0.17%;
 - d) 42.6% of the PEs in London in 2016-17 were of pupils with special educational needs (SEN)⁴;
 - e) The top three reasons for PE are 'persistent disruptive behaviour', followed by 'other' and then 'physical assault against a pupil'.
- 3.4 **Fixed period exclusions** (FPE)⁵ are also increasing both by the number of pupils and the rate.
 - a) The London FPE rate is 2.18%. This is lower than the England average of 2.29%;
 - b) The total number of pupils with a FPEs in London increased from 21,840 in 2013-14 to 27,705 in 2016-17;
 - c) The FPE rate varies by London borough from 1.04% to 3.53%;
 - d) 5.4% of pupils with SEN have a FPE compared to 1.64% of those without SEN;
 - e) The top three reasons for FPEs are 'other', followed by 'physical assault against a pupil' and then 'persistent disruptive behaviour'.

There are limitations to the publicly available data. Individual pupils will have various characteristics identified through the exclusions data, but these cannot be cross-referenced. Looked after children are not an identified group. The data does not include school type (maintained, academy etc.).

Post 16 Exclusions

- 3.5 Further analysis is being commissioned into the attendance and exclusions data covering pupils in aged 16 to 18 attending school sixth forms, sixth form colleges and further education colleges.

¹ The Children's Commissioner's presentation was made in the context of addressing serious youth violence and identifying vulnerable children. For some parents home education is a positive choice, but there are a range of reasons for home education, as set out by the [Association of Directors of Children's Services](#).

² [Children's Commissioner for England calls for a compulsory register of "off the grid" children](#)

³ [Government exclusion data 2016/17](#)

⁴ This includes those with a SEN statement and those with SEN and no statement

⁵ Pupils with one or more fixed period exclusions

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Individual School Exclusion Policies

- 3.6 Each school will have its own exclusion policy which should comply with DfE guidelines. Throughout 2018 there were various investigations relevant to exclusions. A recurring theme is the variance in policy by school for the type of pupil behaviour which leads to exclusions. The DfE's Timpson Exclusions Review focused on school policies and practice. The report from this was expected at the end of 2018, but it is yet to be published. The Mayor responded to the Timpson Review identifying the following issues:
- a) In London, excluded pupils are moving between boroughs and also out of London. This means that responsibility for pupils and arrangements for communicating between statutory organisations is not always clear;
 - b) Many pupils who have been excluded have SEN and mental health needs. More needs to be done to assess and put in place support before pupils are excluded, and at the early years and the primary phase;
 - c) It is crucial that the inter-relationship between and the information about SEN, mental health needs, looked after children, and the safeguarding issues are understood in-the-round.
- 3.7 The House of Commons Education Committee report [Forgotten children: alternative provision and the scandal of ever increasing exclusions](#), published in July 2018, noted that:
- a) Where responsibility sits for excluded children in a local area has become very ambiguous;
 - b) The DfE Timpson Exclusions Review needs to clarify where responsibility sits to ensure that excluded or off-rolled pupils are being properly educated. This could be the local authority or local school partnerships, but at the moment too many pupils are falling through the net;
 - c) Local authorities have statutory responsibilities to provide suitable education for pupils and yet have little oversight or scrutiny over decisions about exclusions and placement decisions;
 - d) The committee made recommendations about Local Fair Access policies and recommendations for local authorities to play a more central role in commissioning and oversight of alternative provision.
- 3.8 The DfE held a consultation on home education in 2018, to which the Mayor responded. The consultation report has not yet been published. Both the Mayor and the Children's Commissioner are calling for more regulation of home-schooled children.
- 3.9 The [Ofsted Annual Report 2017/18](#) identifies off-rolling as a problem. They note that incidences of off-rolling are not evenly spread, and London is identified as having more movement of pupils compared with other areas of the country. There is growing concern that a rigid school exclusion policy often termed as 'zero tolerance' is driving school exclusions.
- 3.10 The Association of Police and Crime Commissioner's letter to the Secretaries of State for Education and the Home Office in February 2019 raised concerns about variable approaches between schools to exclusion.

Pupils in alternative provision (AP) and pupil referral units (PRUs)

- 3.11 Local authorities have a duty to provide AP for children of compulsory school age.

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Nationally almost half (47%) of children in AP are aged 15 to 16. In London there are 61 PRUs/AP academies, with a total number of 7,240 places⁶ and 51 are rated as either good or outstanding by Ofsted⁷.

- 3.12 The number of permanently excluded pupils in London is a small proportion of the total AP/PRU pupil population. Many young people in a PRU are on fixed term exclusions, managed moves or newly arrived refugee/asylum seeking young people. Many will have emotional and behavioural difficulties and SEN.
- 3.13 Young people leaving AP are at much greater risk of poor outcomes. DfE research into the key characteristics of young people who are NEET (Not in Education Training or Employment)⁸ found that the most frequent were: that they were a looked after child; had attended a PRU; were permanently excluded at Key Stage 3 or 4; or attended AP.
- 3.14 Recommendations from the DfE's research into what works for pupils in AP includes: curriculum and pedagogy, improved commissioning and support for pupils as they move into post- 16 education. The DfE's published improvement plan⁹ includes an AP Improvement Fund.

London's increasing secondary school population

- 3.15 Demand for secondary school places is projected to grow until 2024/25. If the rate of pupils educated in AP/PRUs remains the same there will be the need for additional provision.

Understanding the drivers for exclusions

- 3.16 The Ofsted Annual Report 2017/18 identified key issues impacting on schools. Many of these affect the ability of schools to provide support for pupils and manage the risk of an exclusion:
 - a) Inadequate SEND provision and quality of Education Health and Care Plans (EHCP);
 - b) Reduction in local authority funding;
 - c) Shortage of specialist mental health provision;
 - d) Not enough early intervention before young people need statutory services.
- 3.17 There are other issues or practice which need to be understood in the London context:
 - a) The numbers of pupils with SEND is increasing more rapidly in London than in England;
 - b) Every local authority has a Fair Access Panel that works in quite different ways to broker the movements of students from one school and into another;
 - c) Schools budgets are under increasing financial pressure. This means that schools may not be able to afford additional specialist support staff, teaching assistants and external provision;
 - d) Boroughs are working with schools to support inclusion. For example, Hackney is developing a 'No Need to Exclude Policy', TBAP (The Bridge Academy Trust) is working with four boroughs on a Managed Intervention Centre targeting young people who are on the edge of exclusion¹⁰. Islington have a trauma informed practice pilot running in 12 schools, Brent is developing work on multi-agency risk-based mapping as part of contextual safe-guarding.

⁶ London Councils 2018, unpublished and available on request

⁷ Ofsted State-funded schools inspections and outcomes as at 31 March 2018

⁸ [Characteristics of young people who are long-term NEET](#), DfE, February 2018

⁹ [Creating opportunity for all: our vision for alternative provision](#), DfE, 16 March 2018

¹⁰ London Assembly Education Panel – Secondary School Exclusion, 13 September 2018

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Links between exclusion and serious youth violence

- 3.18 The Government's Serious Violence Strategy 2018¹¹ identifies truancy and exclusion as one of the risk factors for serious violence. It also refers to evidence that children excluded from school are overrepresented in young offender populations and that they are overrepresented as victims of serious violence. There is a considerable amount of research which identifies the poor outcomes for young people who have been excluded from school and the high proportion of young people with exclusions who enter the criminal justice system. Nine out of ten children in custody had been excluded from school according to a report by HM Inspectorate of Prisons.¹²
- 3.19 The Croydon Safeguarding Children Board has recently completed a thematic review¹³ into the lives of 60 vulnerable adolescents, including two serious case reviews following the tragic deaths of two local young people. In every case the child was outside mainstream school.
- 3.20 A Home Office and DfE data sharing¹⁴ report emphasises that there is not a causal relationship between exclusions and crime. Many more young people are excluded than commit crime.

Lessons from Glasgow

- 3.21 Glasgow has seen an 81% reduction in exclusions in the last 10 years, with just one child being permanently excluded last year. Councils in Scotland are responsible for providing school education for every child of school age. This includes developing local education policy, and planning and managing resources to improve the quality of school education. In Glasgow, headteachers are senior officers in the council and they point to the benefits of an empowered system with a strong accountability framework. There is no equivalent to a Pupil Referral Unit. In fact, one of the policies that they have taken is to reduce specialist stand-alone provision to 'create more choice - a child's right to learn alongside their peers'.
- 3.22 They have focused on creating a nurturing city and placing the child at the centre of decision making. Inclusion has not been easy. Glasgow City Council has provided teacher professional development and worked very closely with other partners and the third sector. They also recognised that there is 'more than attainment' and used initiatives such as the Duke of Edinburgh scheme and sports and cultural activities to widen pupil's experiences. Practice continues to be guided by the objectives of the [Glasgow Improvement Challenge 2015-2020](#):

4 Opportunities for interventions

- 4.1 Tackling exclusions in London is complex. There are a number of points for intervention using existing programmes and harnessing statutory agencies and London's umbrella and co-ordination bodies.
- 4.2 [New Ofsted Education Inspection Framework](#): The new Framework is setting out priorities on inclusion to mitigate the unintended consequences of the focus on academic results. Ofsted will be reviewing pupil movements including exclusions and off-rolling as part of their data overview.

¹¹ [Serious Violence Strategy](#), HM Government, April 2018

¹² [Children in Custody 2016-17: an analysis of 12-18-year-olds' perceptions of their experiences in secure training centres and young offender institutions](#), HM Inspectorate of Prisons, 2017

¹³ The report (due to be published February 2019) was highlighted at the MOPAC and London Councils Knife Crime Summit and the House of Commons debate by Sarah Jones MP (Croydon Central) (Lab)

¹⁴ [Understanding the educational background of young offenders](#), Home Office and DfE, Dec 2016

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- 4.3 *Reachable and Teachable Moments*: The Children's Commissioner report for the VRU set out some points where children and families are in contact with agencies which could be used as "reachable and teachable moments".
- 4.4 *London Councils/Association of London Directors of Children's Services (ALDCS)*: London Councils/ALDCS can share examples of borough practice. Un-published borough data could be brought together to better understand home education and managed moves.
- 4.5 *Mayoral programmes*: The Mayor commissioned the research 'Boys on Track: Improving support for Black Caribbean and Free School Meals Eligible White Boys in London'¹⁵. This presents ways to improve the educational attainment for two of London's largest underperforming groups. It's seven areas for action range from the early years through to post-16 education and training. The Young Londoners Fund is funding many projects which are supporting young people attending AP/PRU.

5 Proposals and Expected Outcomes

- 5.1 The VRU and the Mayor are able to provide leadership to bring together statutory and voluntary agencies as well as the wider community to tackle complex issues. This is particularly relevant where there is a lack of clarity on roles and responsibilities. The Mayor does not have statutory powers in relation to schools or the wider health and social care agencies who have responsibility for children and young people, but he can support the co-ordination and collaboration needed across the London system.
- 5.2 Government's current reviews of home education, alternative provision and exclusions indicate that some changes can be expected to the statutory frameworks and guidelines in due course. The Mayor has been making London's case to Government on home education and exclusions and will continue to do so.
- 5.3 Information gathered for this report suggests that at the London level opportunities for taking action fall into the broad themes of: *Early intervention* – reachable and teachable moments; *reducing risk of exclusion*; *Missing from education*; and *Improving outcomes for young people who are in alternative provision*.

6 Next Steps

- 6.1 Engagement with stakeholders needs to develop a positive vision about what can be achieved which works across sectors. In March, as part of the Mayor's Schools for Success programme, a good practice event is being held with 20 schools to discuss exclusions; City Hall and London Citizens are co-hosting an exclusions roundtable with school headteachers. Exclusions will be the key agenda item for the March meeting of the London Education Officers Group which is made up of representatives from Ofsted, Heads of School Improvement, Directors of Children's Service, London's Teaching Schools, the GLA, London Councils and the Regional Schools Commissioners.

¹⁵ [Boys on Track](#), LKMCo, December 2018