

## **EDUCATION AND BUSINESS SCRUTINY COMMISSION**

MINUTES of the Education and Business Scrutiny Commission held on Monday 7 October 2019 at 7.00 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Peter Babudu (Chair)  
Councillor William Hougbo (Vice-Chair)  
Councillor Renata Hamvas  
Councillor Eleanor Kerlake  
Councillor Eliza Mann  
Lynette Murphy-O'Dwyer

**OTHER MEMBERS  
PRESENT:**

**OFFICER** Shelley Burke , Head of Overview and Scrutiny  
**SUPPORT:** Jenny Brennan, Assistant Director Family Early Help & Youth Justice.  
David Bromfield, Education Adviser

**1. APOLOGIES**

Apologies were received from Martin Brecknell, co-opted member of the commission.

**2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT.**

There were none

**3. DISCLOSURE OF INTERESTS AND DISPENSATIONS.**

There were none

**4. MINUTES**

Agreed subject to correcting a typo.

## 5. REVIEW: SCHOOL EXCLUSIONS - ADVOCACY ACADEMY

A group of young people from the Advocacy Academy attended the meeting to talk to councillors about their experience of school exclusion.

Christian introduced the group and set out their campaign themes: no lost causes, compassionate education and making the case for increased funding. Some of the group were also part of the IC3 campaign which aims to address the perception of BAME students. He explained that the Advocacy Academy is a social justice fellowship made up of young people from across South London.

Christian had attended Globe Academy. He said that every year one of his friends would get permanently excluded. He had noticed that they tended to have common traits – they were funny, charismatic and struggled to focus. He told the commission how his best friend got excluded and life changed. He knew two excluded students who have died and he saw a link between exclusion and violence. He wanted to draw councillors' attention to some statistics:

- 35 of the most disadvantaged students get excluded every day.
- Excluded pupils are four times more likely to grow up in poverty, twice as likely to be in care, and seven times more likely to have special educational needs

He suggested that the council could develop a charter on school exclusion. This would mean the council setting targets for schools with upper limits eg a percentage of the school roll – the upper limit might be set at around 3-5%. The council could write to every school about this and offer support.

Chanay told the commission that she had experienced internal exclusion for the first time when she was 8. On one occasion in secondary school she was put in isolation for eating a biscuit in class. She was eating the biscuit because she had missed lunch catching up on work. On another occasion she was put in exclusion for leaving her PE kit at home. Exclusion then led to her falling further behind with work. The point she wanted to make was that these were punishments for petty things and that students did not learn whereas a humane solution might have worked and led to a positive outcome. She felt that the concept behind exclusion is like prison and that it becomes a pipeline to more troubles and eventually permanent exclusion. She wanted to draw councillors' attention to some statistics:

- 25000 children aged 7 or under were excluded in 2015/16.
- Black students are 3 times more likely to be excluded.

She suggested that councillors meet with heads and talk about students' experience and try to come up with better alternatives for punishments.

Alex told the commission he had had all types of exclusions. He had been sent to the annex in secondary school and felt it was more like a pupil referral unit with bars on the windows, and no teachers but staff whose job was to stop students fighting. He was in there 2 months and had a friend who was there 2 years. He knew one student who spent his whole secondary school time there and got no GCSEs. Alex had been sent to isolation cubicles in college. On one occasion he was excluded for 5 days for opening a door too hard. He was finally permanently excluded for attainment grades, having missed an exam due to illness. Nearly every one of his friend from secondary school had been excluded. He had friends in jail for stupid reasons. He had a couple of friends who had been stabbed. He agreed that racism is a factor – he had been at school with a black student with aspergers who got no support while a white student with worse behaviour was supported by the school. He wanted to draw councillors' attention to some statistics:

- Pupils excluded at age 12 are 4 times more likely to be jailed.
- 63% of all prisoners have been temporarily excluded and 42% permanently.

He suggested there should be limit on the amount of time students can spend in exclusion. If they cannot see any hope of getting back to mainstream school they have no motivation to improve.

Olamide told the commission she had been excluded a few times, sometimes because of the actions of students she associated with although she might have been in another class at the time of the incident.

She had two friends dead, and four that she didn't now what had happened to them. Many others were in gangs. She felt that the system lets young people go so easily and doesn't care about the root of the problem. She felt that much of the difficulty stems from how teachers treat pupils. She was sad to see how normalised it is to have your friends excluded and then you won't see them any more. She pointed out that everyone should have an equal chance at their education. Troublesome behaviour can be a cry for help. Teachers say come and talk to me but students will not do this if the system is not working in a humane way. She wanted to draw councillors' attention to some statistics:

- Every cohort of permanently excluded students costs the state £1.5BN.
- 1% of excluded students go on to get 5 GCSEs.

She felt that schools give out exclusions without understanding the impact on pupils' lives. She agreed that there are links between exclusion and knife crime. She said some really petty and silly incidents can lead to exclusion which can then result in the student's life being taken away and they never get the chance to make up for it. Children will do dumb things because they're learning. A punitive culture demonises instead of teaching them what they did wrong.

She suggested there should be an annual report on exclusions,

addressing the targets and holding schools accountable. She pointed out that many statistics are not available – there is not enough holding to account

Councillors thanked the group for their excellent evidence and asked some further questions:

- Do you have suggestions about preventive measures to avoid exclusions? Special educational needs is a big issue. Schools should provide support early to stop things progressing. Alternative provision in the school done well could be a preventive measure. Teachers should let the student cool down and don't immediately move to issue a sanction. Time to cool down would make a huge difference. If someone shouts at you, you will not learn. One student had positive experience of a wellbeing room in their school (Globe 6th form). No devices allowed and students can go in for 15 minutes to use it as a reflective space.
- When I talk to social workers/teachers/police they talk about having to take a tough line with a person because they need to think about the big picture. What would you say? Far more students need access to a mentor who could help ensure the child understand what they did. Don't treat them like a criminal sitting in a box. Schools could change the whole idea of how it works when a student is sent out of class. They need someone to speak to. The aim should be to get them back into class. Teachers should not be passive-aggressive - that's just as bad. There should be reflection for teachers about how they are speaking to students. Get them to reflect on it. Teachers need to be approachable.
- What was your parents reaction to exclusion? Is there a role for parents? I was excluded many times and my mum didn't find out.
- You have gained insights that are not being presented to people closely involved in education. Do you think your insights have been communicated to teachers, for example to improve training? Do you have any tips for teachers? It is very difficult to communicate with teachers. It took a lot for us to be here. It's hard to find out how to reach governors and hard to get a meeting with headteacher. School council has limited power. It would mean a lot to the students to ask them how engagement could be improved. Some young students see teachers as police and assume they will be against you automatically. School tries to teach you about the world of work but bias creeps in. Young people need the emotional side of teachers to be available.

## **6. REVIEW: SCHOOL EXCLUSIONS - FAITH CONFERENCE FEEDBACK ON EXCLUSIONS AND SERIOUS YOUTH VIOLENCE**

This item was deferred.

## **7. REVIEW: SCHOOL EXCLUSIONS - ADDITIONAL INFORMATION**

The commission discussed the range of information it had so far received for its review of exclusions and whether there were gaps.

A member said it would be useful to clarify exactly which year groups get free school meals.

A member queried information in the agenda about children's missing education, and how it is followed up. Jenny Brennan responded that there is a formal meeting of a group of professionals following up on children missing education – the Children Missing Education forum. They will attempt to locate the child and find out if they've moved. They double and triple check the information. Sometimes a family moves and doesn't tell anyone. They follow up on children in cases where school does not know where they are, to verify if this is an attendance issue or a child who is substantially missing. The list can also include a child who's new in the country and has not yet got a school place, or a child who was said to be home schooled but the arrangement has not worked out for some reason.

A member asked about the point raised earlier in the meeting on long term internal exclusion - does that get into the statistics? Jenny Brennan said the commission would need to talk to schools about exactly what their system is.

Members agreed it would be useful to have a look at data for exclusion in primary schools. Are children missing? What happens with children who come in as unaccompanied minors? Is there data about the role of SEND support in keeping children in school. How is transition from primary to secondary school supported? A survey might help to draw out more information.

## **8. REVIEW: SCHOOL EXCLUSIONS - REGIONAL SCHOOL COMMISSIONER**

Claire Burton, Regional Schools Commissioner (RSC), attended the meeting to discuss the role of her office. Councillor Babudu set the context, explaining that at its previous meeting, commission members had been keen to understand the regulatory framework.

Claire Burton explained that she had started in her role in August 2019. She is a civil servant who acts on behalf of the Secretary of State to tackle underperforming academies, underperforming maintained schools, approving changes to academies/sponsors etc. The School improvement functions had also now been decentralised to sit with RSCs. She sees role as being the eyes and ears of the education department. She meets

with Southwark council officers regularly as they have a joint interest in excellent education for children in Southwark.

Intervention from the RSC happens when Ofsted judge a school inadequate or when financial problems are found to be taking place at a trust. The RSCs work closely with the Education and Skills Funding Agency (ESF). For example if there were concerns about financial management/governance in a trust, RSC would work with ESF. Responsibility for overseeing safeguarding is with ESF, not RSC. RSCs also work closely with Ofsted and hold termly meetings to share information.

She was interested in councillors' experience of access to good quality data. Information about exclusions should come through quickly. She also pointed out that the Timpson review is in similar policy space. It makes 30 recommendations. This had already led to some changes – for example the Ofsted framework had been changed to include off rolling.

A councillor asked why schools had lost school nurses, who might be able to assist with a violent student. Ms Burton said that schools control budgets and make their own choices. She did not think school nurses had been funded by a ring fenced funding stream.

She thought the debate about exclusion led to an interesting point about professional development of teachers. Where schools are doing well with exclusion, how can this be spread? This was a role for her office's school improvement function.

A member asked her how the RSC monitors data. Southwark's statistics on permanent exclusion show that two academy chains have significantly higher rate of exclusions. Ms Burton said that the RSC do look at data and raise issues with trusts. If an issue is raised, they will have the conversation with the trust but they do not think there is a "right number". The government view is to support headteachers to take any action necessary to make schools safe. The member asked whether the RSC drill down and assess schools' learning from exclusions. Ms Burton explained that the RSC do not get involved at that level. Intervention is triggered by Ofsted inadequate judgement.

A member asked what can be done about the patchy supply of data from schools. Ms Burton said if data is not coming through, the council can raise with RSC who would follow up together with ESF. There is a clear interest and role for RSC on supply of data. Off-rolling is something they would look at and share information. She believed that the recent shift in the Ofsted framework would also help.

A member had heard from a family about being given an ultimatum to home-school their child. Was that a matter that could be raised with Ofsted and RSC? Ms Burton said it might be for RSC or ESF given their safeguarding role depending on the exact detail of the situation.

A member asked about the availability of equalities data around exclusion. Ms Burton said there was some data in Timpson report and that

a disadvantaged student is far more likely to be excluded. More work was needed to get under the data and find out what's really going on.

A member asked about the use of home schooling as a form of off rolling. Was the RSC concerned about rates of home schooling? Ms Burton said home schooling has a set of issues of its own. She would be very concerned about it being used for gaming the system. She would take action and follow up if she heard of instances of this practice.

A member asked the RSC if she gets opportunities to hear from young people. Ms Burton said she spends about a day a week out of the office talking with groups of school leaders and sometimes children. She saw the flexibility as part of the value of the RSC role.

A member cited a case where dress code policy at a secondary school prevented a student with a hijab from attending. He asked how something like this can be navigated. Ms Burton said that the government provides the framework for schools to take into account when drawing up such policies. It requires them to think through, consult and balance the issues. There is then a need to communicate policy with the local community. She did not necessarily see challenge to schools as a role for government.

A member commented that Southwark data shows two academy chains with markedly higher data than elsewhere and that there seem to be limits on how the council can challenge them. Ms Burton said Ofsted's new framework gives it a clear role in looking at data. If such an issue were raised with her office, she would note it and might raise when meeting the trust. She does not get involved on the whole at school level, only at trust level.

## **9. WORK PROGRAMME**

The review scopes and commission work-plan were noted.