

Item No: 7.	Classification: Open	Date: 6 November 2019	Meeting name: Corporate Parenting Committee
Report title		Exclusions of Looked after Children	
Ward(s) or groups affected		Children in Care of Southwark Council	
From		Usha Singh, Virtual School Headteacher	

RECOMMENDATIONS

1. That corporate parenting committee consider this report from Southwark Virtual School in response to the request for an overview of the work of Southwark Virtual School, including data in relation to fixed term and permanent exclusions of Children in Care of London Borough of Southwark.

BACKGROUND INFORMATION

2. Legislation covering the exclusion process is comprehensively explained in guidance produced by the Department for Education:

[Exclusion from maintained school, academies and pupil referral units in England, Statutory guidance for those with legal responsibilities in relation to exclusion, September 2017](#)

3. The role of the Virtual School Headteacher in relation to exclusion of looked after and previously looked after children is further outlined in the guidance:

[Promoting the education of looked-after children and previously looked-after children](#)

4. Looked after children as a collective have disproportionately high rates of exclusion. They are particularly vulnerable to the adverse impacts of an exclusion. The head teacher should, as far as possible, avoid permanently excluding a looked after child. Schools should proactively cooperate with the child's carers, social worker and the local authority that looks after the child. If a school has concerns that a looked after child is at risk of exclusion, they should consider whether the provision of additional support would help or if an alternative educational placement is required.

5. The [DfE's National statistics](#) released in March 2018 revealed that:

- The rate of permanent exclusions for looked after children is the same as the rate for all children, but continues to be much less than the rate for children in need.
- Looked after children are more than five times more likely to have a fixed period exclusion than all children, and nearly one and a half times more likely than children in need.

6. *The most vulnerable children in our schools are those who are most likely to be excluded* – Findings from the [Timpson Review of School Exclusion](#) also revealed that:

- Children who are looked after are around 2.3 times more likely to be permanently excluded than children who have never been supported by social care.
- 78 percent of pupils who are permanently excluded have special educational needs, are categorised as in need, or are eligible for free school meals.
- Children with social, emotional and mental health needs are more likely to be permanently excluded.
- Boys, children who are looked-after, living in poverty, have special educational needs, or from certain ethnic minorities, are disproportionately excluded from school.
- Exclusion from school is associated with child, family and school-related factors identifiable at, or prior to, primary school age .
- There is high and disproportionate exclusion of children who have Special educational needs and disability (SEND). Official statistics show that children with SEN represent 14% of the state-funded school population but account for almost half of permanent exclusions. The same data show that pupils with special educational needs (SEN) support are almost six times more likely to receive a permanent exclusion than pupils with no SEN. Pupils with any type of SEN are around five times more likely to receive a fixed period exclusion.
- The prevalence of social, emotional and mental health (SEMH) among excluded pupils is high. Pupils who have emotional and/or mental health problems are at higher risk of exclusion: This increases inversely with age: the younger the child was when psychological distress first developed, the higher the likelihood of exclusion. At the same time, the exclusion in itself has been found to trigger or exacerbate emotional and mental health problems among those excluded. A literature review by Cole (2015) concluded that it seems feasible that in England, there could be up to half a million children with mental health difficulties at risk of exclusion.
- A child's likelihood of being excluded varies depending on which school they attend. The report revealed that 85 percent of all mainstream schools in England did not permanently exclude a single child in 2016/17, but 47 schools permanently excluded more than ten pupils in that same year. Similarly, while 43 percent of mainstream schools did not use any fixed period exclusions, 38 schools issued more than 500 each in a single year.

KEY ISSUES FOR CONSIDERATION

Southwark Looked After Children Exclusion Data

7. Southwark Virtual School has robust systems in place for keeping track of both permanent and fixed term exclusions of children looked after. This includes commissioning an external attendance monitoring service that provides daily attendance and exclusion information gathered directly from schools. For comparison with other Local Authorities we also make use of exclusions data published by the Department for Education. However exclusions data are collected by the DfE two terms in arrears, and so the latest published exclusions data on [DfE's National statistics](#): looked-after children is from the academic year 2016-17, Please note that in the data provided below, exclusions of children who ceased to be looked after at some point of the year have been included. Years refer to academic year.
8. **Southwark data indicates that last year (2018-2019):**
 - a. Two Southwark looked after children were permanently excluded
 - b. 51 Southwark children looked after (CLA) were subject to a fixed term exclusion, one in six (16%) of all Southwark CLA of school age
 - c. There were 108 fixed term exclusions in total, compared to 145 the previous year

- d. The most common reasons for exclusions were verbal abuse/threatening behaviour to an adult (17%); physical assault on another pupil (14%) and persistent disruptive behaviour (12%)
- e. Nearly three times as many boys had a fixed term exclusion than girls (73%/27%)
- f. 90% of Southwark looked after children who received a fixed term exclusion were in secondary school, with the highest numbers in Years 8 and 9
- g. 47% of the children who received at least one fixed term exclusion were recorded as having special education needs
- h. 44 children with a fixed term exclusion (86% of total) were known to Child and Adolescent Mental Health Services (CAMHS), including 25 children currently open to CAMHS
- i. Four of the excluded children were known to Southwark Youth Offending Service.

Southwark CLA – Fixed Term and Permanent Exclusion Data – 3 Year Trend

Table 1: Southwark CLA – Exclusion Data – 3 Year Trend			
	2016 -2017	2017- 2018	2018 -2019
Virtual School Roll - School Age	355	341	328
Children subject to Fixed Term Exclusions Fixed Term Exclusions	45 (13%)	63 (18%)	51 (16%)
Number of fixed term exclusions	108	145	108
Number of Permanent Exclusion	4	1	2

9. The rates of fixed term and permanent exclusions of Southwark looked after children has been variable over the last 3 years. 16% of the Virtual School cohort received a fixed term exclusion in the last academic year. and 2 children were permanently excluded.

Southwark CLA Fixed Term Exclusions by Gender

Table 2: Southwark CLA Fixed Term Exclusions by Gender			
	2016 -2017	2017- 2018	2018 -2019
Boys	31 (69%)	45 (71%)	37 (73%)
Girls	14 (31%)	18 (29%)	14 (27%)
Total	45	63	51

10. The total number of Southwark looked after children who received at least one fixed term exclusion in the 2018-2019 academic year decreased by 12 when compared to the previous academic year.
 - Boys fixed term exclusions decreased by 8
 - Girls fixed term exclusions decreased by 4.
11. There are consistently higher proportions of male pupils receiving a fixed term exclusion. While there was a slight decrease in the number of fixed term exclusions recorded, the gender gap has continued to widen and the percentage of fixed term exclusions of boys has increased by 2% in the last academic year.

Southwark CLA Fixed Term Exclusions with SEN

Table 3: Fixed Term Exclusions of Southwark CLA with SEN						
	2016 -2017		2017- 2018		2018 -2019	
All children with FTE	45		63		51	
with SEN EHCP	13	29%	12	19%	12	24%
with SEN Support	11	24%	12	19%	12	24%
Total with SEN	24	53%	24	38%	24	47%

12. 47% of the children who received at least one fixed term exclusion were recorded as having Special Education Needs. This increase from previous year's figures was seen in both the EHCP and SEN Support cohorts in equal measure.

Southwark CLA Fixed Term Exclusions by Ethnicity

Table 4: Southwark CLA Fixed Term Exclusions - Ethnicity						
	2016-2017		2017-2018		2018-2019	
Asian/Asian British/Bangladeshi	1	2%	0	0%	1	2%
Black/Black British/African	7	16%	16	25%	12	24%
Black/Black British/Any other Black background	6	13%	7	11%	3	6%
Black/Black British/Caribbean	8	18%	6	10%	8	16%
British African	0	0%	1	2%	0	0%
Mixed/Multiple ethnic groups/Any other Mixed background	2	4%	0	0%	1	2%
Mixed/Multiple ethnic groups/White and Black African	2	4%	6	10%	3	6%
Mixed/Multiple ethnic groups/White and Black Caribbean	4	9%	10	16%	6	12%
Not disclosed	0	0%	0	0%	1	2%
Other Ethnic Groups/Any other ethnic group	1	2%	0	0%	1	2%
White/Any other White Background	2	4%	1	2%	2	4%
White/British	12	27%	16	25%	13	25%
Total	45		63		51	

13. White/British and Black/Black British/African accounted for half of the 2018-2019 excluded cohort and were received fixed term exclusions at a rate of 25% and 24% respectively. Black/Black British/Caribbean and Mixed/Multiple ethnic groups/White and Black Caribbean also had a high proportion of exclusions at 16% and 12% respectively

Southwark CLA 2018 -2019 Fixed Term Exclusions by Year Group

Table 5: Southwark CLA 2018 -2019 Fixed Term Exclusions by Year Group									
Year Group	Year 1-3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11
Pupils Excluded	0	1	0	4	5	11	12	8	10
Exclusions	0	1	0	6	17	23	28	17	16
Rate of exclusion	0	1	0	1.5	3.4	2.1	2.3	2.1	1.6

14. The table shows the number of Southwark looked after children who received a fixed term exclusion from each year group, in the academic year 2018-2019. In line with national and local trends for looked after and non looked after cohorts, exclusion rates of Southwark looked after children increase as children reach KS3 and KS4. 90% of Southwark looked after children who received a fixed term exclusion were in secondary school. The table shows that the Year 7 cohort repeated behaviours that lead to exclusions at a higher rate than the other year groups. Southwark's Year 11 cohort recorded the lowest rate of exclusion indicative of reduced repeated incidence of challenging behaviour leading to a fixed term exclusion.

Southwark CLA Average Rate of Fixed Term Exclusions per excluded child - 3 Year Trend

Table 6: Southwark CLA Average Rate of Fixed Term Exclusions - 3 Year Trend			
	2016 -2017	2017- 2018	2018 -2019
Number of Children FTE	45	63	51
No of FTE	108	145	108
Average number of FTE per child	2.4	2.3	2.1

15. In the 2018-2019 academic year the number of students decreased as did the average number of fixed term exclusion episodes per child.. The average number of fixed term exclusions has reduced marginally year on year. This reflects a slight reduction in students repeating behaviours that result in multiple fixed term exclusions.

Southwark CLA Fixed Term Exclusions –Reasons

Table 7: Southwark CLA Fixed Term Exclusions – Reasons						
Year	2016-2017		2017-2018		2018-2019	
Drug/Alcohol Related	7	6%	4	3%	2	2%
Aggressive Behaviour	3	3%	0	0%	0	0%
Bullying	0	0%	0	0%	2	2%
Damage	1	1%	3	2%	1	1%
Disruptive Behaviour	8	7%	0	0%	0	0%
Persistent Disruptive Behaviour	10	9%	17	12%	13	12%
Drug and Alcohol Related	0	0%	0	0%	0	0%
Non - Cooperation with staff	1	1%	7	5%	4	4%
Physical aggression towards staff & pupils	5	5%	0	0%	1	1%
Physical Assault - Pupil	13	12%	9	6%	15	14%
Physical Assault Against an Adult (Staff)	9	8%	13	9%	6	6%
Racist Abuse	0	0%	3	2%	1	1%
Theft	1	1%	1	1%	0	0%
Truancy	0	0%	1	1%	1	1%
Unacceptable Behaviour	9	8%	0	0%	0	0%
Verbal Abuse/Threatening Behaviour Adult	8	7%	0	0%	18	17%
Verbal Abuse/Threatening Behaviour Pupil	0	0%	30	21%	3	3%
Other	33	3%	57	12%	41	11%
Total	108	100%	145	100%	108	100%

16. The table relates to the reasons for exclusions of Southwark looked after children. In some instances, fixed term exclusion was requested by Southwark Virtual School, as the Virtual School was challenging the practice of some secondary schools 'informally' excluding young people. Where there were instances of threat of permanent exclusion, fixed term exclusions were suggested as other possible sanctions or options for education were considered.

Southwark CLA Fixed Term Exclusions – In Borough and Out Borough

Table 8: Southwark CLA Fixed Term Exclusions – In Borough and Out Borough						
	2016 -2017		2017 -2018		2018 -2019	
In Borough	4	9%	14	22%	10	20%
Out Borough	41	91%	49	78%	41	80%

17. In the 2018-2019 academic year, 20% of Southwark children in Care who received a fixed term exclusion were in borough while 80% were in an out of borough school. This was marginally in line with the fixed term exclusion data from the previous year. This figure closely mirrors the percentage of the Virtual School cohort who are in out of borough placements.

Southwark CLA Fixed Term Exclusions - Ofsted ratings of schools

Table 9: Southwark CLA Fixed Term Exclusions - Ofsted ratings of schools			
Year	2016 -2017	2017-2018	2018-2019
No Grade	11	12	6
1 - Outstanding	9	17	13
2 - Good	23	32	30
3 - Required Improvement	1	1	2
4 - Inadequate	1	1	0
Total	45	63	51

18. Southwark is committed to ensuring that looked after children are not placed in schools that have an Ofsted rating that is below good and consequently, 95% of our current cohort are in schools that are good or outstanding. This is a contributing factor to the higher percentage of fixed term exclusions that are recorded in the schools graded good or outstanding by Ofsted.

Southwark CLA Permanent Exclusions by Gender

Table 10: Southwark CLA Permanent Exclusions by Gender			
PEX	2016 -2017	2017- 2018	2018 -2019
Male	3	1	2
Female	1	0	0
Total	4	1	2

19. The total number of Southwark looked after children who received permanent exclusion, in line with national data, is significantly lower than those who received fixed term exclusions. Permanent exclusions have decreased in recent years, in comparison to the 2016-2017 academic year.
20. In the 2018-2019 academic year there were 2 permanent exclusions, both were boys. Southwark girls have received no permanent exclusions in the last two academic years.

Southwark CLA Permanent Exclusions with SEND

Table 11: Southwark CLA Permanent Exclusions with SEN			
	2016 - 2017	2017 -2018	2018 -2019
EHCP	2	0	1
SEN Support	1	0	0
Total Excluded	4	1	2

21. In the 2016-2017 academic year, 3 of the 4 children who were permanently excluded were children with SEN and in the 2017-2018 academic year, no Southwark looked after child with SEN was permanently excluded
22. In the 2017-2018 academic year:
- 1 out of the 2 children was recorded as having an EHCP
 - Both children were boys and were both in secondary education (Yr8 and Yr11)
 - Both were excluded from out of borough schools
 - The 2 boys were from Black/Black British/Caribbean and Black/Black British/Any other Black backgrounds.

Southwark CLA Permanent Exclusions –Reasons

23. The permanent exclusions of Southwark looked after children in the 2018-2019 academic year related to an incidence of violence and possession of a weapon. Permanent exclusion from previous years also related to episodes of behaviour that contravened the schools code of conduct to an extent warranting the sanction.

Southwark CLA known to Carelink (Child and Adolescent Mental Health Services)

24. Carelink is the CAMHS provision for looked after and adopted children delivered by South London & Maudsely NHS Trust. Carelink Heads of Service examined the list of the 51 Southwark looked after children who received a fixed term exclusion in the 2018-2019 academic year to determine if they were known to Carelink or other CAMHS teams.

Table 12: Status of current involvement with Carelink		
Currently open to Carelink	17	33%
Opened previously	19	37%
Open to other CAMHS teams	8	16%
Not Known	7	14%

25. Of the 51 children:
- 44 were known to Carelink or other CAHMS teams – 86% in total.
 - 17 cases are currently open to Carelink and 8 are open to other teams.
 - A total of 49% of 2018-2019 excluded cases are currently open to Carelink.
 - The 44 children known to CAMHS have long standing complex needs and presentations
26. This is consistent with information reported to corporate parenting committee in July 2019 in report presented by the Designated Doctor for Looked After Children, on 'The Relationship between Health and School Exclusions – A Deep Dive. Out of a sample of 6 children who had had more than 3 fixed terms exclusions in 2018-19:

- 5 had either current or past emotional and behavioural needs.
- 2 had received assessment by Carelink CAMHS and 3 received assessment, therapy (including medication as required) by other CAMHS services.

Southwark CLA Fixed Term Exclusions and Youth Offending

27. The Southwark Youth Offending Service Manager examined the list of the 51 Southwark looked after children who received an exclusion in the 2018-2019 academic year to determine if they were known to YOS.
- 4 of the list were currently known to the YOS – of these, 3 were offending before (and after) they were excluded
 - Of the 4, 1 child is female.
28. Where young people are placed out of borough and then offend there, they will be known to the local YOS in borough of residence rather than Southwark YOS, so it is possible that other young people with school exclusions may be known to other YOS teams.

Challenges for Children with Emotional and Mental Health Difficulties

29. It is clear that there is a very strong correlation between children with emotional, social and mental health difficulties and school exclusion, as evidenced by the very high proportion of excluded children known to child and adolescent mental health services. Carelink service managers have identified the following issues and challenges in relation to this cohort of young people,
- The primary school provision varies with some being excellent and some schools needing more work to help understand children and young people with childhood adversity, trauma and complex attachment issues as well as possible disorders
 - A more flexible education provision will better meet the needs of children with such a range of emotional, social, cognitive, developmental and mental health difficulties. This applies particularly but not exclusively to secondary school provision
 - There can be difficulties in accessing Education, Health and Care Plans (EHCP). There is a need to understand early childhood social emotional and psychological difficulties/challenges so that EHCPs can be considered in a timely way in a significant number of cases, the need for an EHCP was flagged for several years before the process of even requesting an ECHP began
 - Both schools and CAMHS staff have identified that some of our children are three years behind their peers in reaching educational targets. Where the EHCP process is significantly delayed it the result can be that children have not felt supported all the way through their schooling. Consequently they may become disenchanted, feel they do not fit in the system and become vulnerable to exclusion
 - Adopted children may need particular advocacy in the education system to better understand their early adversity and to offer support to adoptive parents who have to deal with not only their child's current presentation but also the impact of their child's early history
 - There may be a need for additional support with transition to college and within the college system for care leavers with emotional and mental health difficulties

The Role Of The Virtual School in minimising exclusions

30. Minimising exclusions is a major priority for the Virtual School. Exclusions impacts negatively on placement stability, on emotional wellbeing, and on educational attainment and widens the gap in education.

For every additional day of school missed due to fixed term exclusions, young people in care scored one-sixth of a grade less at GCSE
(Rees Report)

31. Recognising the correlation between children with emotional, social and mental health difficulties and school exclusion, Southwark Virtual School has aimed to address the need for Early Identification of Special Educational Needs through commissioning Southwark Educational Psychology Team and Southwark Speech and language Services to secure rapid assessment of pupils' educational needs and support schools to find more appropriate ways of supporting pupils.

32. To reduce exclusions Southwark Virtual School:

- Ensures that each child on the Virtual School role has their personal Education Advisor who support Southwark Children in Care in education
- Works with Head teachers, schools and local authorities to avoid excluding a looked after child
- The Virtual School makes efforts to address all known cases of exclusions and advocates for children in care when this is required
- Responds quickly to exclusion or threat of exclusions so that a joint plan for the child can be implemented which identifies any key triggers and also instances when the inappropriate behaviour does not occur and these strengths can be built on
- Convenes a monthly multi-agency Attendance Panel where every episode of absence from school is discussed and support strategies/ interventions are put in place to support engagement
- Closely monitors those with exclusions, and ensures appropriate and timely interventions will be put in place during the school year
- Provides support to looked after children, schools and network of professionals around the child
- Advocates for Southwark Children in Care
- Raises Designated Teachers' understanding of the in-school challenges faced by children looked after.

33. While reducing fixed term exclusions is the main focus, there are cases where Southwark Virtual School advocates that fixed term exclusions should be considered – such as when challenging the practice of some secondary schools 'informally' excluding young people or as an alternative to a threatened permanent exclusion.

Community impact statement

34. The Public Sector Equality Duty under the Equality Act 2010 will apply. This requires that the Council has due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out its activities. In this regard the relevant issues pertaining to the exclusion of looked after children are addressed throughout the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<p>Graham, B., White, C., Edwards, A., Sylvia, P., & Street, C. (2019). School exclusion: a literature review on the continued disproportionate exclusion of certain children. <i>London: Department for Education.</i></p>		
<p>Link (please copy and paste into your browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800028/Timpson_review_of_school_exclusion_literature_review.pdf</p>		
<p>Department for Education and University of Oxford 2013. <i>Linking care and educational data: the educational progress of looked after children in England.</i></p>		
<p>Link (please copy and paste into your browser): http://www.education.ox.ac.uk/research/linking-care-and-educational-data-the-educational-progress-of-looked-after-children-in-england/</p>		
<p>Department for Education. (2017). <i>Exclusion from maintained schools, academies and pupil referral units in England.</i> London: Department for Education.</p>		
<p>Link (please copy and paste into your browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf</p>		
<p>Department for Education. (2018). <i>Promoting the education of looked-after children and previously looked-after children.</i> London: Department for Education.</p>		
<p>Link (please copy and paste into your browser): https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683556/Promoting_the_education_of_looked-after_children_and_previously_looked-after_children.pdf</p>		
<p>Department for Education. (2019). <i>Outcomes for children looked after by local authorities in England, 31 March 2018.</i> London: Department for Education.</p>		

Background Papers	Held At	Contact
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/794535/Main_Text_Outcomes_for_CLA_by_LAs_2018.pdf		
Cole, T. (2015). <i>Mental health difficulties and children at risk of exclusion from schools in England: A review from an educational perspective of policy, practice and research, 1997 to 2015</i> . Oxford: University of Oxford.		
Web link: http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.722.2930&rep=rep1&type=pdf		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Nina Dohel, Director of Education	
Report Author	Usha Singh, Virtual School Headteacher (with input on CAMHS from Elizabeth Murphy and Linda Ryan, SLAM and on YOS from Andrew Hillas)	
Version	Final	
Dated	24 October 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	No	No
Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		23 October 2019