

[On Monday 19th March 2012](#), Dr Maggie Atkinson, Children's Commissioner for England published findings from her School Exclusions Inquiry in her report, ["They Never Give Up On You"](#). It found most schools work hard to cater for troubled students. However, for the first time on record, schools admitted illegally excluding children.

The School Exclusions Inquiry report followed eight months of work gathering far reaching evidence from the Government, key partners in education, pupils and visiting schools across England.

The Inquiry found good practice in many parts of England, as well as areas for concern and improvement.

We will publish a further Inquiry report into school exclusions in Year 2. This report will assess progress towards implementing recommendations.

### **About the School Exclusions Inquiry**

The School Exclusions Inquiry is the first ever Inquiry launched by a Children's Commissioner for England under the Children Act 2004 powers. Given the existing evidence base shows substantial differences in exclusion rates between different groups of children, the School Exclusions Inquiry is examining a number of areas including:

- whether the system is consistent with children's rights under the United Nations Convention on the Rights of the Child, and;
- the decision making process up to the point of exclusion and whether schools and other public bodies are meeting the requirements of the Public Sector Equality Duty as defined in the Equality Act 2010.

A number of characteristics or factors including poverty, special educational needs, gender, ethnicity and disability demonstrate large variations in exclusion rates. For instance, boys of Black Caribbean origin are 37 times more likely to be excluded than girls of Indian origin and pupils with special educational needs are eight times more likely to be excluded than others.

At the launch of the Inquiry in Year 1 Dr Maggie Atkinson, Children's Commissioner for England, said:

"I am proud to be able to launch the first Inquiry under the Children Act 2004 powers. Time and time again children raise the issue of exclusion with me and the evidence suggests this is an area we should pay particular attention to.

"The consequences of being permanently excluded from school are substantial for any child. Many never re-engage with formal education. Today, 40% of 16-18 year olds not in education, employment or training (NEETS) have been permanently excluded.



"The School Exclusions Inquiry will examine whether the current system and proposed changes to it are consistent with the United Nations Convention on the Rights of the Child to which the UK is a signatory. From today we are calling on all interested people including children to play an active role in the School Exclusions Inquiry by downloading the consultation documentation and sending us their views and experiences.

"We will also be launching a children and young people's advisory group so the views of the people most affected are also at the heart of our thinking."

The Children's Commissioner chaired the School Exclusions Inquiry supported by five panel members who were selected for their particular experience and expertise in this field. They supported the Children's Commissioner in conducting oral evidence sessions gaining a deeper insight coupled with visits to exemplars of good practice.

### **The Inquiry Panel members in Year 1 were:**

- Janet Mokades, Schools Adjudicator, who said:  
"Inspection consistently shows that exclusion is a vexed issue for children, schools, families, local authorities and the criminal justice system. From a safeguarding perspective, too many of the young people who are a danger to themselves and others are excluded from school. I hope this inquiry will clarify and improve the situation."
- Robin Richardson, Educationalist and former director of the Runnymede Trust, who said:  
"It is certainly worrying that children from certain backgrounds are so much more likely to be excluded than others. I want to work with the Children's Commissioner to get behind the figures and work out what can be done to level this playing field".
- Ian St Rose, Service Manager of Leeds Reach, who said:  
"My staff team and I support young people who are at risk of exclusion from school on a daily basis. Leeds Reach provides services to support and empower young people's personal and social development. I see first hand the effects that exclusions have on young people's short and long term future and have a dedicated staff team that are passionate about what they do. I'm working with the Children's Commissioner to promote good practice and young people's voices but also to ensure that the system is working as well as it should."
- Roy Blatchford, Director of the National Education Trust
- Simon Woolley, Commissioner at the Equality and Human Rights Commission

### **Further information**

A consultation period ran between 13 July 2011 and 5 October 2011. During this period adults and children and young people were able to submit their views to the Inquiry. During autumn/winter 2011 the Inquiry gathered further evidence from Government, key partners in education, pupils and visiting schools across England.

[The Children Act 2004](#) gives the Commissioner a range of powers to assist him or her in carrying out an inquiry under this section. By virtue of the application of subsections (2) and (3) of section 250 of the Local Government Act 1972 the Commissioner will, when conducting an inquiry in England, be able to summons people to attend to give evidence or to produce documents and to administer oaths and take evidence on oath and it will be an offence to disobey a summons by for example refusing to give evidence or by tampering with documentary evidence.



The Commissioner's work must take regard of children's rights the United Nations Convention on the Rights of the Child and seek to improve the wellbeing of children and young people. Articles relevant to the Inquiry include:

**Article 2:**

All rights apply to all children, whatever their circumstances

**Article 3:**

The best interests of the child must be a top priority in all actions concerning children

**Article 4:**

Governments have a responsibility to protect the rights of children

**Article 12:**

Every child has the right to say what they think in all matters affecting them, and to have their views taken seriously

**Article 23:**

Children with a disability have the right to special care and support

**Article 28:**

"Every child has the right to an education ... Discipline in schools must respect children's human dignity"

**Article 29:**

"Children's education should develop each child's personality, talents and abilities to the fullest".

**Correction**

In the report CCU should be CCCU (Canterbury Christ Church University).

**To find out more:**

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