

Schools' use of exclusion

Frequently asked questions

The purpose of this document is to confirm facts about the requirements of Ofsted in relation to schools' use of exclusion. It should be read alongside the *School inspection handbook*, which can be found here:

www.ofsted.gov.uk/resources/school-inspection-handbook.



What information do inspectors have about a school's exclusions before an inspection?

Inspectors have access to the school's latest RAISEonline summary report. For primary, secondary and special schools, this gives a three-year trend for exclusions, with three main pieces of information:

- permanent exclusions as a percentage of the group
- the percentage of pupils ('enrolments') who have one or more fixed-term exclusions
- fixed-term exclusions (such as incidents of exclusion) as a percentage of the pupil group (the number on roll).

What will inspectors ask a school about exclusions?

The *School inspection handbook* says that, when evaluating the school's use of exclusion, inspectors should consider:

- all logs that record exclusions, pupils taken off roll, incidents of poor behaviour and racist incidents
- rates and patterns of, and reasons for, fixed-term and permanent exclusions,¹ and whether they fall within statutory guidance and regulations on exclusions,² including the number of pupils taken off roll in the last year, as a result of factors related to behaviour, safety and attendance
- any evidence of the use of 'unofficial exclusion' or any evidence that a pupil has been removed from a school unlawfully³ (page 53)

Inspectors will ask the school about current and recent exclusions. For example, in the autumn term of each year, the exclusions data in RAISEonline is over a year out of date, so inspectors will need information about the last academic year. They will ask the school what has changed – whether rates of exclusions have gone up or down – and why. They will also ask about the exclusions of groups of pupils. It is important that schools know about any patterns or trends and are taking action to put right any possible inequalities, such as overly high exclusions of pupils with special educational needs or pupils from a particular ethnic group.

¹ This includes patterns of permanent and fixed-term exclusions for different groups of pupils; the impact on behaviour of fixed-period exclusion and the impact of the school's work to follow up and support excluded pupils; the use and impact of internal exclusion; and the typical behaviour of any pupils who are not in school during inspection.

² *Exclusion from maintained schools, academies and pupil referral units in England*, Department for Education, 2012; www.gov.uk/government/publications/school-exclusion.

³ This may be the case where a child has been sent home for a disciplinary reason and it is not recorded as an exclusion, or where a pupil is removed from school for non-disciplinary reasons, such as special educational needs.

What records will inspectors expect to see?

Paragraph 30 of the *School inspection handbook* states that, during the notification telephone call to the school, inspectors should request that a number of documents are made available at the start of inspection. These include:

- all logs that record exclusions, pupils taken off roll, incidents of poor behaviour and racist incidents
- records and analysis of bullying, including racist, disability and homophobic bullying
- a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution
- up-to-date attendance records
- documented evidence of the work of governors and their impact.

Inspectors must evaluate the use of any alternative provision, so may request records related to this aspect (see paragraph 164).

Paragraph 171 also notes that inspectors must look at a small sample of case studies in order to evaluate the experience of particular individuals and groups, such as pupils for whom referrals have been made to the local authority (checking how the referral was made and the thoroughness of the follow-up), disabled pupils and those who have special educational needs, looked after children and pupils with mental health needs.

If exclusions are high, will the school be penalised during an inspection?

Low exclusions on their own do not mean that a school has good behaviour management or that behaviour is good. However, high exclusions do mean that a number of pupils are missing learning time. High repeat exclusions – where the same pupils are being excluded a number of times – can indicate a lack of other strategies to manage and improve behaviour. So if exclusions are high, inspectors will explore this during the inspection. They might ask, for example, about the achievement of pupils who are frequently excluded, as well as how their behaviour is being improved.

Sometimes, fixed-term exclusions rise for a short period of time when a new headteacher takes over a school where behaviour is a problem and wants to draw a 'line in the sand'. Where this strategy works, it is short term and exclusions then fall as other strategies become more effective. In this situation, inspectors would look to see if exclusions were falling and what other strategies, such as better behaviour management in the classroom, improved teaching or support for pupils with special educational needs, were being implemented.

Can high exclusions trigger an inspection?

Exclusions are considered as part of the risk assessment process, where Ofsted decides when schools should be inspected. If a school's permanent or fixed-term exclusions have risen sharply or have remained high over time, or if there were disproportionate exclusions of a particular group of pupils, Ofsted will consider bringing a school's inspection forward. Exclusions are also considered when deciding whether a school needs an unannounced behaviour inspection.⁴ The rate of repeated exclusions, not just the overall number, is an important factor, as is the exclusion of groups of pupils such as those eligible for the pupil premium.

Isn't exclusion inevitable in all schools?

Government guidance states that

'Good schools will have a range of disciplinary measures clearly communicated to school staff, pupils and parents... In more extreme cases schools may use temporary or permanent exclusion.' (page 8)⁵

So it's quite clear that schools have the right to use exclusion, following the correct procedures, where they feel it is necessary, but rates of exclusion in schools vary widely, including among schools with similar catchment areas.

Isn't it inevitable that more pupils with special educational needs will be excluded than others?

No. The rate of exclusion for pupils with special educational needs nationally is higher than for all pupils – but many good schools buck this trend. When inspectors look at the rate of exclusion for disabled pupils or those with special educational needs, they compare it with the rate for *all* pupils nationally. Schools have a responsibility under the Equality Act to make 'reasonable adjustments' for pupils who are disabled. This includes those whose disability leads to a behavioural difficulty. Where pupils with special educational needs are being excluded more than their peers, inspectors will ask questions about the provision being made for them in school, both for their learning and to support their behaviour.

Are part-time timetables an acceptable alternative to exclusion?

No. The government's guidance makes it clear that 'all pupils of compulsory school age are entitled to a full-time education' and that part-time timetables should only be

⁴ *Unannounced behaviour inspections: guidance for inspectors* 140033), Ofsted, September 2014; www.ofsted.gov.uk/resources/unannounced-behaviour-inspections-guidance-for-inspectors.

⁵ *Behaviour and discipline in schools*, Department for Education, September 2014; www.gov.uk/government/publications/behaviour-and-discipline-in-schools

used 'in very exceptional circumstances'⁶. If inspectors find that a school is using a part-time timetable for a student, they will ask the school to show them the time-limited plan to enable the student to be reintegrated quickly to full-time education and evidence of the plan's success. If a pupil needs to be removed from the school for a period of time for disciplinary purposes, the correct exclusion procedures must be followed.

Do inspectors look at the use of internal exclusion?

Yes. As with exclusions, inspectors will want to know about rates, patterns and reasons for the use of internal exclusion. They will evaluate how effectively senior leaders use this strategy to improve behaviour: For example:

- Do the same pupils get put in internal exclusion frequently?
- What other strategies are being used to improve their behaviour?
- Do pupils frequently end up coming to internal exclusion from the same lessons?
- If so, are teachers being helped to manage the behaviour of groups or individuals more effectively, as needed?

Will Ofsted look at off-site behaviour units during an inspection? What will they want to see?

Yes. The *School inspection handbook* makes it clear that inspectors will evaluate any off-site provision run by the school or in conjunction with other schools. The handbook states that

'an inspector should visit the unit briefly to assess safeguarding procedures, the quality of teaching and how effectively the unit helps to improve pupils' behaviour, learning and attendance' (page 24).

Inspectors will choose the best methods to find the information they need, but are likely to look around the unit, speak to key staff about safeguarding, teaching and achievement, observe learning in lessons, look at key documents – particularly about behaviour and safety – and talk to students.

⁶ *School attendance*, Department for Education, October 2014 (revised); www.gov.uk/government/publications/school-attendance.