

Debate Pack

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By Aaron Kulakiewicz,
Rob Long,
Nerys Roberts
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The implementation of the recommendations of the Timpson Review of School Exclusion

1	Overview	3
1.1	England: current policy	3
	Education for children who are permanently or temporarily excluded	3
1.2	Later life outcomes	3
1.3	Timpson review	4
	Government response	6
1.4	Exclusion: statistics on prevalence	7
	Reason for permanent exclusion	8
	Characteristics of permanently excluded pupils	8
2	Parliamentary Material	9
2.1	Debates	9
2.2	Statements	9
2.3	Parliamentary Questions	9
3	Press Articles	14
3.1	News Articles	14

4	Further Reading	16
4.1	Reports	16

1 Overview

1.1 England: current policy

In England, pupils can be excluded on a temporary basis for periods totalling not more than 45 days per school year.

Permanent exclusion means the pupil will not return to the school, unless the exclusion is overturned.

The Department for Education's [statutory guidance on school exclusion](#) makes clear that exclusions must be lawful, taking account of exclusions and domestic equalities legislation, and the European Convention on Human Rights. They must also be "rational; reasonable; fair; and proportionate".¹ Pupils can only be excluded for disciplinary reasons.

Education for children who are permanently or temporarily excluded

In England, where a child of compulsory school age is temporarily excluded from a mainstream school for a period more than five consecutive days, the school's governing board must arrange suitable, full-time education for the pupil, beginning from the sixth school day of exclusion.

Where a child of compulsory school age is permanently excluded, the duty to arrange suitable full-time education falls on the pupil's home local authority. Again, this must begin no later than the sixth day following the permanent exclusion. Permanently excluded pupils may receive alternative provision – for example, at a pupil referral unit, or may find a place at a new school.

1.2 Later life outcomes

In his Government-commissioned [review of school exclusion](#) (published in 2019, see section 1.3, below), Edward Timpson noted associations between exclusion and poorer later-life outcomes. Among other things, the review found that exclusion was "a marker for being at higher risk of becoming a victim or perpetrator of crime. 13 – 23% of young offenders sentenced to less than 12 months in custody, in 2014, had been permanently excluded from school prior to their sentence date".²

¹ Department for Education, [Exclusion from maintained schools, academies and pupil referral units in England](#), September 2017, p8.

² [Timpson review of school exclusion](#), CP 92, 7 May 2019, p8

However, the review qualified this by noting that there was insufficient evidence to say exclusion *caused* crime, or to presume that preventing the use of exclusion would, “in itself, prevent crime”.³ Nevertheless, it concluded that it was appropriate to “fully consider the form and content of the education a child receives following exclusion, in efforts to prevent and tackle serious violence.”⁴

Other bodies have similarly pointed to an association between crime and exclusion.

The All-Party Parliamentary Group on Knife Crime published [a report on school exclusion in October 2019](#).⁵ Among other things, this called for changes to school accountability frameworks to ensure that schools are held accountable for the performance of all children, including those they exclude. Additionally, it advocated for all excluded children to have access to a suitable full-time education; and every local authority to have a leader responsible for excluded children.

The Children’s Commissioner for England published [a report on gang violence and criminal exploitation](#) in February 2019. On school exclusion, it argued that being excluded or off-rolled increased young people’s susceptibility to gang violence. It also stated that gang-associated children were five times more likely to have been permanently excluded in the previous academic year, and six times more likely to have been in alternative provision, compared to other children assessed by children’s services.⁶

1.3

Timpson review

In March 2018 the Government established a [review of school exclusions practice](#), led by the former Children’s Minister Edward Timpson.⁷

[The review](#), as well as a Government response, was published in May 2019.⁸ The review set out 30 recommendations for Government on exclusions, including measures relating to off-rolling. Some of the key recommendations were that:

³ As above.

⁴ As above.

⁵ APPG on Knife Crime, [Back to school? Breaking the link between school exclusions and knife crime](#), October 2019.

⁶ Children’s Commissioner for England, [Keeping kids safe. Improving safeguarding responses to gang violence and criminal exploitation](#), February 2019, pps 7;18.

⁷ [PQ 179103, 19 October 2018](#)

⁸ Department for Education, [Edward Timpson publishes landmark exclusions review](#), 7 May 2019

- The DfE should make schools responsible for the children they exclude and accountable for their educational outcomes, and consult on how to do this
- The DfE should update its statutory guidance on exclusion to provide more clarity on the use of exclusion
- Ofsted should recognise schools who use exclusion appropriately and effectively
- Where Ofsted finds off-rolling, this should always be reflected in inspections reports and in all but exceptional cases should result in a judgement that the school's leadership and management is inadequate
- The DfE should ensure that accessible, meaningful and substantive training on behaviour is a mandatory part of initial teacher training and is embedded in the Early Career Framework
- The DfE should look carefully at the timing and amounts of any adjustments to schools' funding following exclusion, to make sure they neither act as an incentive for schools to permanently exclude, nor discourage a school from admitting a child who has been permanently excluded from elsewhere
- The DfE should consult on options to address children with multiple exclusions being left without access to education, including considering a revised limit on the total number of days a pupil can be excluded for, or revisiting the requirements to arrange Alternative Provision in these periods
- Pupil moves should be systematically tracked, to increase transparency on when children move out of schools, where they move to and why
- In making changes that strengthen accountability around the use of exclusion, DfE should consider any possible unintended consequences and mitigate the risk that schools seek to remove children from their roll in other ways. This should include:
 - reviewing a 'right to return' period where children could return from home education to their previous school, and other approaches that will ensure that this decision is always made in the child's best interests

- considering new safeguards and scrutiny that mitigate the risk of schools avoiding admitting children where they do not have the grounds to do so.⁹

Government response

The [Government responded](#) positively to the review, and said that a consultation on how to make schools accountable for the outcomes of permanently excluded children would be opened in autumn 2019. The response also stated that the Government would rewrite its guidance on exclusions, and behaviour and discipline in schools by summer 2020.¹⁰

In June 2021, the Minister for School Standards, Nick Gibb, [responded to a Parliamentary Question](#) about the progress that had been made in implementing the recommendations of the Timpson Review:

[...] Since the publication of the Timpson Review and agreeing the recommendations in principle, the Government has been pursuing a programme of work on school behaviour across the school system. In April we commenced the Behaviour Hubs programme, investing £10 million that will help schools to develop and sustain a culture where good behaviour is the norm. Training is also being reformed as part of the Early Career Framework, so that all new teachers will be shown how to effectively manage behaviour in their first two years in the profession from September 2021. The Department will continue to work with Ofsted to tackle the practice of ‘off-rolling’ which is an unacceptable practice. Additionally, the Department will be consulting on how to help head teachers remove phones in schools, and other revisions to the Department’s behaviour and discipline and expulsions guidance, later in the year.

The Department intends to go further and is committed to improving outcomes for children and young people in alternative provision who are most at risk of expulsion and disengaging from education. The Department will set out its plans in the forthcoming SEND review.¹¹

⁹ Department for Education, [Timpson Review of School Exclusion](#), CP 92, May 2019. Full list of recommendations pages 12-15

¹⁰ Department for Education, [The Timpson Review of School Exclusion: Government Response](#), CP 95, May 2019, p5-6

¹¹ [PQ 8678 \[School Exclusions Review\], 11 June 2021.](#)

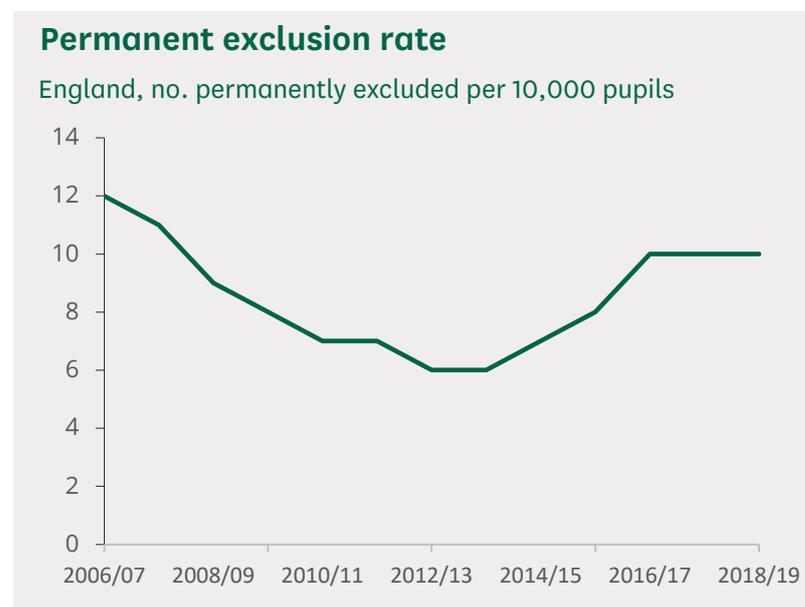
1.4

Exclusion: statistics on prevalence

The Department for Education publishes [annual statistics](#) on permanent and fixed term exclusions (sometimes also known as suspensions) from state-funded schools in England. Exclusion statistics for 2019/20 were significantly impacted by the coronavirus pandemic and the fact that schools were closed to most children for a whole school term. The figures below are therefore for years up to 2018/19 – the last year when most pupils were in full attendance all year.

In 2018/19, there were 7,894 permanent exclusions in state-funded primary, secondary and special schools in England. This equated to a rate of 0.10 (or 10 exclusions per 10,000 pupils).¹² The rate of permanent exclusions is a more helpful measure when making comparisons over time because it accounts for changes in pupil numbers.

In general, between 1997/98 and 2012/13 the rate of permanent exclusions¹³ followed a downward trend reaching a low of 0.06 (or 6 exclusions per 10,000 pupils in 2012/13). However, since then the rate has been increasing, by 2016/17 reaching similar levels to those ten years previously. Between 2016/17 and 2018/19, the rate has stayed the same.



Note: includes permanent exclusions from state-funded primary, secondary and special schools.

Source: Department for Education, [School exclusions](#), 2018/19 and earlier.

¹² Department for Education, [Permanent and fixed-period exclusions in England, 2018/19](#), published 30 July 2020.

¹³ The rate of permanent exclusions is the number of permanent exclusions expressed as a proportion of the number of sole and dual registered pupils on roll (as of January census day of a given year)

Reason for permanent exclusion

The most common reason for permanent exclusion in 2018/19 was persistently disruptive behaviour (2,781 permanent exclusions or around 35% of permanent exclusions).¹⁴

Characteristics of permanently excluded pupils

Some groups of pupils are more likely to be permanently excluded than others. As the DfE 2018/19 statistical publication notes:

- **Boys** had more than three times the number of permanent exclusions, with 6,000 permanent exclusions, at a rate of 0.14 (or 14 per 10,000) pupils, compared to 1,900 for girls (0.05, or 5 per 10,000). However, the permanent exclusion rate for boys decreased slightly from the previous year (2017/18, when it was 0.15).
- The permanent exclusion rate for **pupils eligible for free school meals (FSM)** was 0.27 (or 27 per 10,000 pupils), compared to 0.06 (6 per 10,000) for those not eligible.
- The permanent exclusion rate for pupils with an education, health and care (EHC) plan (i.e., complex **special educational needs, or SEN**) is 0.15 (15 per 10,000), and for pupils with SEN with no EHC plan (usually, less complex, higher-incidence SEN) is 0.32 (32 per 10,000). The rate for pupils with no identified SEN was 0.06 (6 per 10,000).¹⁵

¹⁴ Department for Education, [Permanent and fixed-period exclusions in England, 2018/19](#), published 30 July 2020

¹⁵ As above.

2 Parliamentary Material

2.1 Debates

School Exclusions

Motion that this House has considered school exclusions.

26 Feb 2020 | Debates | House of Commons | Westminster Hall | 672 cc83-108WH

2.2 Statements

Timpson Review of School Exclusion

Statement on the publication of the Timpson review on school exclusions.

07 May 2019 | Ministerial statements | House of Commons | House of Commons chamber | 659 cc479-493

2.3 Parliamentary Questions

Pupil Exclusions

25 May 2021 | HL224

Asked by: Lord Lucas

To ask Her Majesty's Government whether the new national Behaviour Survey, outlined by the Education Secretary in his speech to the Confederation of School Trusts on 28 April, will set out the connection between the details of pupil behaviour and any sanctions applied; if not, whether the survey will record the details of behaviour that results in exclusions; and whether such information will be linked to the unique pupil number so that related pupil characteristics can be explored.

Answering member: Baroness Berridge | Department: DfE

This government is committed to improving behaviour and discipline in schools because we know the impact poor pupil behaviour can have on education as well as teacher wellbeing and retention.

On 28 April, my right hon. Friend, the Secretary of State for Education, announced that a new termly national Behaviour Survey will be running during the next academic year to give a regular snapshot of the state of behaviour in our schools. Further details on its scope will be made clear in due course.

Statistics on suspensions and permanent exclusions can be found from the National Statistics release 'Permanent and fixed-period exclusions in England 2018 to 2019' across state-funded schools. This includes the reasons schools report for excluding and exclusion by different pupil characteristics. The release is available

here: <https://www.gov.uk/government/statistics/permanent-and-fixed-period-exclusions-in-england-2018-to-2019>.

Pupil Exclusions

21 May 2021 | 1164

Asked by: Preet Kaur Gill

To ask the Secretary of State for Education, what progress he has made in implementing the recommendations of the Timpson Review on school exclusions.

Answering member: Nick Gibb | Department: DfE

Good behaviour and discipline in schools is crucial if children are to reach their full potential. The Department backs head teachers to use suspensions and expulsions when required as part of creating the calm and disciplined classrooms needed to support effective teaching. The Department is also clear that expulsions should only be used as a last resort and expulsion from school should not mean exclusion from education.

Since the publication of the Timpson Review and agreeing the recommendations in principle, the Government has been pursuing a programme of work to support effective behaviour management across the school system. In April, the Department commenced the Behaviour Hubs programme, investing £10 million to help schools develop and sustain cultures where good pupil behaviour is normal. The Department has reformed training and development for teachers as part of the Early Career Framework, so that all new teachers will be shown how to effectively manage behaviour in their first two years in the profession from September 2021. The Department has also continued to work with Ofsted to tackle 'off-rolling' which is an unacceptable practice. Additionally, the Department will be consulting on how to help head teachers to remove phones in schools, and other revisions to the Department's behaviour, discipline and suspensions and expulsions guidance, later in the year.

The Department intends to go further and is committed to improving outcomes for children and young people in alternative provision who are most

at risk of expulsion and disengaging from education. The Department will set out its plans in the forthcoming SEND review.

Pupil Exclusions

28 Apr 2021 | 186133

Asked by: Derek Twigg

To ask the Secretary of State for Education, how many pupils in each local authority area have been expelled from their school in each year since 2010; and of those pupils how many have been expelled more than once.

Answering member: Nick Gibb | Department: DfE

The information requested about pupils being off rolled is not held by the Department and cannot be estimated from current data sources.

However, the Government is clear that informal and unofficial expulsions are unlawful, and off rolling is unacceptable in any form. The Department will continue to work with Ofsted to define and tackle it. Ofsted already considers records of children taken off roll and revisions to the framework in September 2019 strengthened the focus on this. Where inspectors find off rolling, this will always be addressed in the inspection report, and where appropriate, could lead to a school's leadership being judged inadequate.

A pupil's name can lawfully be deleted from the admission register only on the grounds prescribed in regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 as amended. All schools must notify the local authority when a pupil's name is to be deleted from the admission register under any of the grounds prescribed in regulation 8. This should be done as soon as the ground for removal is met and no later than the time at which the pupil's name is removed from the register.

The Department publishes annual figures from the school census on the number of pupils permanently excluded from schools in England. Local authority figures for the period from 2010/11 to 2018/19 can be found in the publications listed

here: <https://www.gov.uk/government/collections/statistics-exclusions>.

Pupil Exclusions: Ethnic Groups

13 Apr 2021 | 176032

Asked by: Marsha De Cordova

To ask the Secretary of State for Education, what steps he plans to take to tackle unequal exclusions for (a) Black and (b) Roma children.

Answering member: Nick Gibb | Department: DfE

The Department has made a public commitment to work in partnership with my right hon. Friend, the Prime Minister's Independent Commission on Race and Ethnic Disparities to understand disparities in expulsion rates.

It is clear in guidance on suspension and expulsion that all schools should consider what extra support might be needed to identify and address the needs of children from groups with disproportionately high rates of expulsion.

The Department is pursuing an ambitious programme of work on school behaviour across the school system, including through our £10 million behaviour hubs programme. The Department is also focusing on reforms needed to deliver significantly improved outcomes for children and young people in alternative provision, so that children who are suspended or expelled, and children at risk of suspension or expulsion, receive high quality education and support suited to their individual needs.

Pupil Exclusions

16 Nov 2020 | 114146

Asked by: Robert Halfon

To ask the Secretary of State for Education, what steps his Department is taking to minimise the (a) incidences and (b) effect of pupil exclusion from school.

Answering member: Nick Gibb | Department: DfE

It is important that all schools should be calm and disciplined environments within which pupils feel happy and able to fulfil their potential, free from low-level disruption.

The Department supports head teachers using exclusion where warranted. It is clear that there is no right number of exclusions, and permanent exclusion should only be used as a last resort. Exclusion from school should not mean exclusion from high quality education.

The Department is pursuing an ambitious programme of work on school behaviour and to rapidly improve the availability of good alternative provision. This will ensure that permanently excluded children, and children at risk of exclusion, receive high-quality education and support suited to their individual needs. This includes a £10 million investment in behaviour hubs, which will enable schools and multi-academy trusts with exemplary behaviour cultures and practices to work in partnership with those that want to improve their behaviour culture. The Department is also working with Ofsted to eliminate off-rolling.

School Exclusions Review

10 Feb 2020 | 11508

Asked by: Edward Timpson

To ask the Secretary of State for Education, what progress he has made in implementing the recommendations of the Timpson Review of school exclusion, published May 2019.

Answering member: Nick Gibb | Department: DfE

The Government is taking forward an ambitious programme of action on behaviour, exclusion and alternative provision (AP). This will respect head teachers' powers to use exclusion, enable schools to support children at risk of exclusion, and ensure that excluded children continue to receive a good education. The Department will expand AP and improve the quality of the sector so that pupils in AP receive the support and education they need to help them overcome the challenges they are facing, and to prepare them for the next stage of their lives.

Further information on the timeframes for this work will be provided in due course.

3 Press Articles

The following is a selection of news and media articles relevant to this debate.

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3.1 News Articles

[COVID-19: Growing numbers of pupils at risk of exclusion and 'falling off the radar' as schools return to normal](#)

Sky news
9 September 2021

[Permanent exclusions up 5% before Covid school closures](#)

Tes
29 July 2021

[Timpson two years on: Exclusions review chair wants action](#)

Schools Week
7 May 2021

[Williamson plans behaviour survey and urges 'sensible debate' over exclusions](#)

Schools Week
28 April 2021

[Exclusion 'must still be available' to keep pupils and staff safe, say NEU leaders](#)

Schools Week
9 April 2021

[Children 'may lose out' due to lack of policy on racism in UK schools](#)

The Guardian
28 March 2021

['It's like being in prison': what's behind the rise in school exclusions?](#)

The Guardian
30 January 2021

[Exclusions of schoolgirls on the rise](#)

The Times [subscription required]
4 January 2021

[Two out of 27. How government is failing the inclusion test](#)

Schools Week

28 September 2020

[Tackling off-rolling could prompt exclusions rise, and 8 other findings from the Timpson review](#)

Schools Week

7 May 2019

[The future of exclusions: Timpson Review at a glance](#)

Tes

7 May 2019

[Schools told to stop using exclusions to boost their results](#)

The Observer

5 May 2019

4 Further Reading

4.1 Reports

All-Party Parliamentary Group on Knife Crime, [Back to school? Breaking the link between school exclusions and knife crime](#), October 2019

Department for Education, [The Timpson Review of School Exclusion](#), May 2019

Department for Education, [The Timpson Review of School Exclusion: Government Response](#), May 2019

Children's Commissioner, [Keeping kids safe: Improving safeguarding responses to gang violence and criminal exploitation](#), February 2019

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