

SUBJECT:	The Use of Exclusions in Monmouthshire Schools in the Academic Year 2023/24
MEETING:	Performance and Overview Select Committee
DATE:	19th November 2024
DIVISION/WARDS AFFECTED:	ALL

1. PURPOSE:

- 1.1 The purpose of this report is to update members on the use of exclusions, both permanent (PEX) and fixed term (FTE), in Monmouthshire Schools during the last academic year, 2023/24.

2. RECOMMENDATIONS:

- 2.1 It is recommended that members of the committee note the rates of exclusions that have taken place in Monmouthshire's schools, and;
 - consider the factors that are driving the use of exclusions by schools;
 - consider the wider interventions that are used by schools to promote inclusive practice in schools, and to reduce the need for exclusions;
 - consider the adequacy of actions undertaken by the Children's and Young People's Directorate to support schools and reduce the number of exclusions.

3. KEY ISSUES:

- 3.1 Data shows that both FTE (see table 1 below) and PEX (see table 2) have risen significantly. This is part of a longer three-year trend, but the past academic year has seen a marked rise which is a significant concern. These incidents and issues linked to exclusions, and increasing presentation of behaviour that challenges in schools and settings are also being noted regionally and across Wales. It is believed that it is partly due to the impact of the pandemic.
- 3.2 It is a core ambition of Monmouthshire¹²³ to reduce the number of 'days lost' by learners to exclusions, especially for those from vulnerable groups including those who are eligible to free school meals (eFSM), those who are Children Looked after (CLA) and those who have an additional learning need (ALN). Data shows that despite a range of efforts to support inclusion of these learners, the use of exclusions on learners with an ALN and those who are eFSM is too high.
- 3.3 Monmouthshire's exclusion rates were higher than the regional average rate both for FTE and PEX. There are a range of factors that have contributed to this, a key focus will be to ensure that Monmouthshire returns to being below the regional average in the future.

¹ [Monmouthshire's Community and Corporate Plan \(2022-28\)](#)

² [Inspection report Monmouthshire County Council \(Estyn, 2020\)](#)

³ [Equality Act 2010: Guidance \(Gov UK\)](#)

4. BACKGROUND:

- 4.1 The way Monmouthshire schools recorded and reported exclusion data was improved in Spring 2023. Prior to this it was unclear how accurate the data was due to several factors including, in some instances, schools' practice and systems.
- 4.2 Following the introduction of more robust processes for collecting and analysing exclusion data the accuracy of exclusion data across the LA has improved significantly.
- 4.3 There is a conflation of efforts to reestablish pre covid school behavioural norms with a cohort of learners, some of whom are finding it hard to readjust to school expectations, alongside concerns of some school-based staff about their exposure to aggression or risk of injury from pupils. Consequently, there is a greater tendency for school leaders to consider formal exclusion as necessary.
- 4.4 Analysis of reasons for exclusion over the past three academic years suggests that the return to formal school routines following the covid pandemic has contributed to a rise in exclusion for persistent, disruptive behaviour in the classroom. The data suggests that among younger learners, the negative impact of the pandemic at such critical stages of child development may have been significant.
- 4.5 Instances of aggression and violence, out of school, but between learners, are now regularly evidenced by mobile phone images and video footage. Once shared to school staff this provides evidence of matters that school must have regard to. This information often triggers a safeguarding referral⁴ as well as consideration of formal sanctions, including the use of exclusion.
- 4.6 The use of exclusion frequently overlaps with the use of reduced timetables through Pastoral Support Plans (PSPs) and risk management processes for pupils involved in such incidents. Monmouthshire has developed and delivered training to enhance understanding of how to safely support learners where they present behaviours of concern that potentially put others at risk of harm, to seek to reduce exclusion.
- 4.7 The broader educational policy landscape has also altered in a way that impacts exclusion. The ALNET⁵, for instance, gives enhanced clarity that learners presenting with behaviours that challenge may often need to be identified and supported as learners who require have ALN relating to their social, emotional and mental health (SEMH) needs.
- 4.8 Welsh Government, and Estyn's⁶, recent focus on ensuring that unlawful soft exclusions and long running reduced timetable agreements under PSPs are not used for learners at risk of exclusion, means that the LA has also enhanced its focus on these aspects but with the likely outcome that there is more formally recorded exclusion. Whilst more compliant for legal, health and safety and safeguarding reasons, and it means parents/ carers and governors are more able to ensure review and challenge to any exclusion, it does increase the prevalence of formal exclusion.
- 4.9 Financial pressures within our schools have in some cases impacted on the availability of support staff, which can impact the school's ability to meet the needs of pupils, including those who present with behaviours that place them at risk of exclusion.

⁴ [Wales Safeguarding Procedures / Keeping Learners Safe \(Welsh Gov, 2022\)](#)

⁵ [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#)

⁶ [Equity of curriculum experiences for pupils who are educated other than at school \(EOTAS\), \(Estyn, 2023\)](#)

5. CURRENT SITUATION:

5.1 Fixed Term Exclusions (FTE):

5.2 School FTE were higher than in the previous two years.

Instance of FTE & days lost						
	2021-22		2022-23		2023-24	
	Instances	Days	Instances	Days	Instances	Days
Primary	82	162.5	109	163.25	161	307.5
Secondary	567	750	930	1154.5	1649	2483
Total	649	912.5	1039	1317.25	1810	2790.5

Table 1 Instance of Fixed Term Exclusions (FTE) and Days Lost

5.3 520 learners were excluded from Monmouthshire schools during the last academic year. Of these 59 were primary learners and 461 were secondary learners.

5.4 There were 289 (55%) learners who received repeat exclusions (253 Secondary, 36 Primary).

5.5 Nearly all exclusions (98%) were for 5 days or fewer, with an average length of 1.5 days.

5.6 Whilst 56% of schools issued more exclusions in 2023/24 than the previous academic year, of our 30 primary schools, 17 (57%) issued no exclusions.

5.7 The rise in use of FTE at secondary is linked to the rise in persistent disruptive behaviour. This may be linked to post covid reintegration and reacclimatising to formal school routines and boundaries.

5.8 In primary schools a significant rise in the number of FTEs for damage to property and causing injury to pupils and staff accounted for much of the increased level of exclusion. These younger learners may have missed vital behaviour, communication and self-regulation development opportunities due to the pandemic, leading to more disruptive behaviour that challenges within school.

5.9 Permanent Exclusions (PEX):

5.10 PEX data also indicates significant increases in Monmouthshire schools.

Instance of PEX			
	2021-22	2022 -23	2023-24
Primary	1	1	2
Secondary	5	9	20
Total	6	10	22

Table 2 Instances of Permanent Exclusions (PEX)

5.11 Of the 22 PEX upheld at Pupil Disciplinary Committee (PDC), six were for cumulative reasons. Three were for joint participation in a one-off criminal event which is unlikely to be repeated. On this basis there is a reasonable expectation that a significantly lower figure of upheld PEX should be a realistic goal for this academic year.

5.12 This belief is further borne out by the fact that by Autumn half term 2023 we already had seven upheld PEX, six of which were issued by the same school. As at Autumn half term 2024 we had no PEX upheld or due to be heard at PDC.

5.13 To ensure that MCC consistently applied the correct threshold to incidents of PEX, a peer audit was conducted with an external, regional LA in July 2024. This scrutinised randomly selected permanent exclusions and found that the legal threshold was met in all cases. MCC received feedback that in the case of a cumulative PEX an alternative provision should have been sourced.

6. THE INCLUSION SERVICE APPROACH TO MANAGING EXCLUSIONS:

- 6.1 The threshold for formal exclusion is set by Welsh Government in the statutory guidance⁷ and is the same for primary and secondary schools. A decision to exclude a learner either for a fixed term or permanently should be taken only: in response to serious breaches of the school's behaviour policy *and* if allowing the learner to remain in school would seriously harm the education or welfare of the learner or others in the school.
- 6.2 Monmouthshire has a role in ensuring that there is a parity of approach and that the process for, and threshold of exclusions is as set out in Welsh Government guidance.
- 6.3 It is important to note that whilst the LA has a role in the monitoring of the use of exclusion, the decision to exclude rests solely with the Headteacher. There are often competing legal interests and obligations at play in such considerations including those relating to safeguarding and health and safety. The LA can, and should, seek to influence practice but it is not something they can exercise control over.
- 6.4 A significant development to respond to this area of need is the Education Support Team (EST) established in March 2023. The EST support schools to meet the needs of primary aged learners who present with behaviours of challenges/ concern and are often at risk of exclusion. The EST work in a relational manner and have an enhanced understanding of trauma informed approaches and practice which they can utilise to help support the understanding of individual needs through addressing the impact of any Adverse Childhood Experiences (ACEs), and to raise awareness of the needs and strategies required to support vulnerable learners to reduce levels of dysregulation, and risk.
- 6.5 Within the Inclusion Service there is an ongoing focus on preventative work through the continued broad professional learning and training offers which focus largely on the ongoing development of trauma informed practice which utilises the evidence and methodology of the impact of ACEs as well as the focus on improving the reasonable adjustments and enhancing learning environments to enable learners with barriers to learning and ALN. This is illustrated through the commitment to the Autism in Schools and Settings programme⁸ recently launched.
- 6.6 Despite an enhanced and broad training offer, the level of exclusion continues to be of concern.
- 6.7 The appointment of the CYP Data Officer has enabled improvements in the capture and use of data around exclusions. The analysis of data regarding the reasons given for exclusions, both FTE and PEX feeds into formal and informal dialogue with schools as well as feeding into the Inclusion Service team planning, development and priorities.
- 6.8 Rising instances of high-risk behaviours mean that due to the exclusion threshold set in Welsh Government guidance, safeguarding requirements and health and safety obligations, there is likely to be a continued pressure on the Pupil Referral Service (PRS).
- 6.9 The move into more suitable accommodation for the Pupil Referral Unit (PRU) North from November 2024 and PRU South in Spring 2025 will further enhance Monmouthshire's capacity to meet the needs of learners, with an enhanced focus on early intervention and 'turnaround' provision within the PRS with the aim of returning learners, where appropriate, to mainstream schools.
- 6.10 Concerns about the use of exclusion during the last academic year, led to an increase in focus from the LA with a meeting focused specifically on exclusions being held with all four secondary schools and senior directorate officers.
- 6.11 The monitoring of the high rate of exclusion in one of our schools has led to an increase in the LA support into the monthly multi-agency meetings (MAMS) held by the school. These meetings seek to provide early intervention and preventative, multi-agency

⁷ [Exclusion from schools and pupil referral units \(PRU\) \(Welsh Gov, 2024\)](#)

⁸ [Monmouthshire Autism in Schools and Settings](#)

responses to learners at rising risk of exclusion, or disengagement, from education. The input of health and Children's services as well as other partners such as the Youth Offending Service, the police and community partnership team are also key to seek to address such issues and to soften the impact of them in our schools.

- 6.12 In responding to the increased levels of violence within schools and the community, MCC successfully bid for a Home Office Grant to reduce serious violence in schools. This additional short-term funding was used by all four secondary schools during the spring term of 2024 to enhance delivery of targeted support to learners who had already received formal exclusions for incidents of aggression or violence. The impact of this grant was evidenced through reduced levels of exclusions for the learners who engaged with the programme, and reduced risk of aggression and therefore injury to pupils and staff.

7. KEY CONCERNS:

- 7.1 Reducing the level of exclusion and reducing barriers to learning for vulnerable pupils are key ambitions of MCC, as is articulated in the Community and Corporate Plan, to ensure the delivery of a truly inclusive education system.
- 7.2 The use of exclusion is a legitimate and sometimes needed mechanism by which the Headteacher of a school can ensure the safety of learners and staff, if learner behaviours pose such a risk that they cannot be suitably managed by the school.
- 7.3 Learners who are permanently excluded create a greater pressure upon the LA to make education other than at school (EOTAS) provision via the PRS.
- 7.4 School is seen as a protective factor in terms of safeguarding concerns and so vulnerable learners who are excluded from school are potentially at greater risk of harm, and exclusion can place additional pressures on their home circumstances, this can be particularly true for learners who are CLA.
- 7.5 Learners' educational outcomes are impacted by exclusion but there is also a correlation between attendance and prior exclusion in many cases. Improving school attendance is another key priority of the current administration in MCC.
- 7.6 Learners who are excluded are more likely to be at risk of becoming Not in Employment Education or Training (NEET) at the end of compulsory schooling.
- 7.7 The LA must ensure a suitable balance between supporting schools where learners needs cannot be met by the mainstream school and ensuring that schools are inclusive. Monmouthshire has a commitment to inclusive practice and will continue to work with schools to ensure they meet the wide range of individual pupil needs, including those vulnerable pupils who present with barriers to learning and ALN.
- 7.8 The LA seeks to ensure there is parity of threshold of approach to the use of exclusion across all schools in MCC to ensure equity for both schools and learners.
- 7.9 The Inclusion Service will continue to monitor and analyse the data to understand changes in presentation of need/ behaviour to ensure, support and provision is sufficient, and that preventative and proactive work is completed with schools, agencies and partners to mitigate the impact.
- 7.10 Maintaining the correct balance between the management of learner behaviours in school and the use of formal exclusion is a key aspect of the broad safeguarding obligations towards its staff, as well as the pupils, in schools. This balance interconnects to supporting the recruitment, retention and wellbeing of school staff.

8. MOVING FORWARD:

- 8.1 The Inclusion Service will continue to cascade the full professional learning and training offer around core inclusive practices including trauma informed approaches, autism in schools, reasonable adjustments for barriers to learning and ALN, supporting CLA and care experienced learners, managing emotions and de-escalation.

- 8.2 The increased capacity within the Inclusion Service will allow staff to have more focus on managing exclusions. This will include an increased focus on the role of critical friend to schools where the use of exclusion is of concern.
- 8.3 This could involve a meeting with the headteacher and chairs of governors, to analyse the use of exclusion alongside other elements such as the take up of professional learning, the use of internal sanctions, reduced timetables and Pastoral Support Plans, and the analysis of behaviour logs to scrutinise the approaches and look to support improvements.
- 8.4 The use of formal Team Around the School approaches where concerns are identified, and improvements are not evident within a reasonable period.
- 8.5 The updated processes around the Inclusion Panel including the closer monitoring of the EOTAS offer to schools for learners where SEMH needs, and exclusion is a factor, will help to ensure that there is sufficient provision as we move forward.
- 8.6 The continued promotion of the use of Managed Moves as a potential alternative to permanent exclusion where appropriate. This will include the support of, and monitoring by, the Inclusion Panel which, if appropriate, can provide some financial support through contingency funding.
- 8.7 The increased capacity of the PRS due to the move into more suitable accommodation will enhance Monmouthshire's capability to meet the needs of learners where a graduated response is evidenced, and a multi-agency risk assessment indicates that EOTAS provision is needed. This increased capacity will allow for an enhanced focus on early intervention, clearer assessment of need and appropriate 'turnaround' provision within the PRS with the aim of returning learners, where appropriate, to mainstream schools.
- 8.8 There will be continued liaison with multi-agency colleagues around all areas relating to the prevention and management of exclusions in schools and settings. This will include continued representation, support and challenge at school based multi-agency meeting, involvement in any potential grant applications which schools could benefit from to enhance the continued focus of support for early intervention and preventative approaches.

9 RESOURCE IMPLICATIONS:

- 9.1 This report is for scrutiny only and does not make any requests for additional resource. It is worth noting that working in a responsive manner to support schools to manage the increased levels of behaviours of challenge/ concern impacts across the Inclusion Service, and in particular on the PRS, in terms of the statutory requirement to provide appropriate EOTAS provision for learners who have been PEX.

10 WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

- 10.1 The work of the Inclusion Service is geared towards supporting the obligations within this act, with a particular focus on the needs of learners from vulnerable groups. The focus is to work preventatively, proactively and responsively, with others, to ensure inclusive, safe education for all learners as well as ensuring suitable EOTAS for those learners who have been permanently excluded.

11 CONSULTEES:

CYP Directorate DMT

12 BACKGROUND PAPERS:

See links in document.

13 AUTHOR:

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