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Education Committee

Behaviour and Discipline in Schools

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The Education Committee

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Summary

Good order is essential in a school if children are to be able to fulfil their learning potential. Poor and disruptive behaviour in the classroom reduces children's ability to concentrate and absorb information; and it unsettles children and causes immense stress for teachers. Children who are excluded from school because of their behaviour underachieve academically and are at a high risk of disengagement from education and from making a positive contribution to society. Persistent poor behaviour in schools can have far-reaching and damaging consequences for children and can limit their horizons: this is not a problem to be ignored.

Data on behaviour currently collected by the Department does not fully represent the nature of behaviour in schools—good or bad—and the impact of that behaviour upon staff, pupils, parents and carers. We have been unable, therefore, to come to any evidence-based or objective judgment on either the state of behaviour in schools today or whether there has been an improvement over time, as some people believe. The Department should collect sample data on all serious incidents in schools—not just those which lead to a fixed-term or permanent exclusion—and should complement that with survey data from teachers, pupils, parents and carers. The data and questions should remain consistent over time.

A good school behaviour policy, agreed and communicated to all staff, governors, pupils, parents and carers, consistently applied, is the basis of an effective approach to managing behaviour. Teachers need to feel that they have the support of the school leadership in applying the behaviour policy, and we therefore support proposals in the White Paper *The Importance of Teaching* to reform the National Professional Qualification for Headship, to give clearer emphasis on leading and supporting staff in maintaining and improving standards of behaviour in schools. Governors have an important role in challenging and supporting headteachers to ensure that behaviour policies are applied consistently, and we hope that take-up of training for chairs of governors, to be provided by the National College, will be high.

The recent White Paper made no mention of the work which schools can and should undertake with parents and carers to reinforce and promote good behaviour and to address poor behaviour by children. Schools should see it as part of their core work to be proactive in establishing relationships with parents and carers, particularly those who are hard to reach, rather than waiting for problems to occur.

We heard that pupils who are positively engaged in learning are less likely to have behaviour problems. If the future curriculum is to have a beneficial effect on standards of behaviour in the classroom, it will need to meet the needs of all pupils and contain a mix of academic and vocational subjects, while being differentiated and enjoyable. Basic skills in literacy and comprehension are crucial: schools need to be obsessed with ensuring that children have the reading, communication and comprehension skills they need to get the most out of their education, and they must be ready to provide any additional support needed. The Government should broaden the assessment of six-year-olds to include an

assessment of speaking and listening ability.

We acknowledge proposals in the Schools White Paper to legislate to abolish the requirement for schools to give parents 24 hours' notice of detentions outside school hours, and we trust that schools will make sensible and appropriate use of these powers. Schools must be particularly sensitive to the needs of young carers and those with transport difficulties.

Repeatedly we heard from teachers that there are various practical techniques for managing behaviour effectively, but these are poorly disseminated.

We welcome the increased focus on the importance of initial teacher training and continuing professional development on behaviour contained in the Schools White Paper, and we support the shift towards more school-centred and employment-based training and development—including the introduction of 'Teaching Schools' and University Training Schools. The forthcoming Green Paper on special educational needs and disability should include a clear expectation that schools should invest in training their staff on identification of special educational needs and on links between special educational needs and behaviour.

We support greater freedoms for schools to commission their own alternative provision and to decide how best to spend money to support good behaviour, as long as they are accompanied by robust quality assurance. However, the Government should clarify how schools will be funded to meet the total costs of providing full-time provision for permanently excluded pupils, whether through the Pupil Premium or other funding streams.

We recommend that there should be a 'trigger' for an assessment of need, which may include special educational need, based on exclusion, for example a number of fixed period exclusions or a permanent exclusion. Not only would this ensure that children with undiagnosed special educational needs do not 'fall through the net': it would provide information of use to a future provider in meeting the needs of the excluded child.

We support the retention of independent appeals panels for exclusions. The new proposals for their functioning, as outlined in the White Paper, will need to be monitored and evaluated to assess whether they strike the right balance in the interests of schools, pupils and their parents and carers when exclusion occurs.

There is a risk that, as schools go through the transition from being dependent on local authority-provided services to having greater autonomy in purchasing their own support and services, some local authority services may be decommissioned, leaving schools, and more importantly pupils, without access to critical support. Local authorities should be required to maintain and resource a basic core of provision—particularly that which is targeted at responding to urgent or critical need—until schools' practice in commissioning and procuring their own support is well established.

The voluntary funding mechanism for educational psychology services has proved to be unsustainable. The Government must find a way forward, and one option might be for local authorities to continue to be responsible for educational psychology services, funded

through a compulsory levy on schools.

Many young people with behavioural issues or special educational needs also have mental health problems; but several witnesses told us of difficulties faced by schools in accessing Child and Adolescent Mental Health Services (CAMHS). Sir Alan Steer told us that a national scandal 'hovers around' children's mental health; but we are in no doubt that the CAMHS situation is scandalous and that there are very serious shortcomings in access. The Department for Education and the Department of Health must co-operate in order to find a way of allowing schools to have easier and speedier access. Schools, local authorities and health services should agree how referrals to CAMHS should work and who should be referred.

The Government should consider passing the responsibility for budgets and commissioning of all children's community health services (including mental health services and speech, language and communications needs specialist services) to local authorities, in order to provide a more streamlined service to young people and their families, bridging the gap between 'specialist' and 'non-specialist' interventions.

1 Introduction

1. Nearly twenty-three years ago, the then Secretary of State for Education and Science commissioned Lord Elton to undertake a review of discipline in schools. In announcing the review, the Secretary of State voiced concerns about the behaviour of some pupils in some schools and pointed out that education can take place only if there is good order in schools.¹

2. Much of what Lord Elton said in his Report, published in 1989,² remains valid today. As Sir Alan Steer observed in *Learning Behaviour*, a report commissioned by the Department for Education and Skills and published in 2005, “the core message of [Lord Elton’s] report, about the need for a coherent whole school approach to promoting behaviour that is based on good relationships between all members of the schools community, still holds true”. However, Sir Alan also noted that “whilst the overall principles of good practice are well established, it is clear that not all school leaders nor all school staff are effectively implementing that practice. We recognise that schools now work in a very different world to that of 16 years ago. Changes in society have created new challenges”.³

3. Within weeks of the formation of the Coalition Government, the current Secretary of State made it clear that he would take steps to improve standards of behaviour in schools. In July 2010, the Department for Education published a series of proposals designed to re-assert and strengthen teachers’ disciplinary powers;⁴ and, during the course of our inquiry, the Department published a White Paper —*The Importance of Teaching*—which dedicates an entire chapter to behaviour. Some of the Government’s proposals require legislation and are likely to be incorporated in a forthcoming education bill.⁵ This Report, the first from this Committee, is intended to assist the Government in the development of its policy on behaviour and discipline in schools. We also hope that it will prove useful to Members of both Houses of Parliament during the passage of the Education Bill.

4. Within our terms of reference, we set out to establish a picture of the nature and level of behaviour by pupils in schools and the impact that challenging behaviour has on schools and their staff. We also aimed to understand how challenging behaviour can best be addressed, with a particular focus on the roles of schools and local authorities, and parents and carers.

5. Our call for evidence resulted in almost ninety written memoranda being submitted from witnesses including local authorities, academics, teaching unions, charitable organisations, providers of alternative education, and specialists in therapeutic and health services. In addition to written evidence, we held five oral evidence sessions and visited schools in Lewisham and Leicester and held meetings with local authorities in Leicester and Leicestershire. We are grateful to all our witnesses for taking the time to respond to

1 *Discipline in Schools*, HMSO, 1989, para 2. See <http://www.educationengland.org.uk/documents/elton>

2 *Discipline in Schools*, HMSO, 1989

3 *Learning behaviour: The Report of the Practitioners’ Group on School Behaviour and Discipline*, 2005, para 5

4 HC Deb, 7 July 2010, cols 11–12WS

5 The Education Bill was expected to be published on the day after this Report was agreed

our inquiry, but particular thanks are due to Duncan Harper, Head Teacher at New Woodlands School in Downham, London, and Liz Logie, Head Teacher of Beaumont Leys School in Leicester, for hosting our visits and enabling us to speak to children to hear their views on behaviour. Special thanks are also due to Leicester City Council and Leicestershire County Council for enabling us to meet their behaviour support teams and the very many partners involved in working to improve standards of behaviour in local schools. Notes of our meetings with both schools and local authorities are annexed to this Report.

6. Finally, we would like to credit our specialist advisers, Professor Alan Smithers, Professor Geoff Whitty, Nick Peacey and Dr John Dunford, whose expertise and advice has been highly valued throughout our inquiry.⁶

6 Specialist Advisers have declared the following interests: Professor Geoff Whitty declared interests as Director of the Institute of Education and Trustee of the University of London, up until 31 December 2010, and as Trustee of the IFS School of Finance; Nick Peacey declared interests as Trustee of the I CAN charity and as Trustee of the Association for the Protection of All Children; Dr John Dunford declared interests as a Trustee of Teach First, as a member of the Governing Council of the National College for Leadership of Schools and Children's Services, as a member of the Advisory Board for Future Leaders, as Chair of Whole Education, as Chair of Worldwide Volunteering, as leader of a review of the Office of the Children's Commissioner, commissioned by the Secretary of State for Education, as a consultant on school leadership for PricewaterhouseCoopers, as a consultant on school leadership for CapitaSIMS, as a member of the Advisory Board for Times Supplements Ltd., and as a Governor at St Andrew's CE Primary School, North Kilworth, Leicestershire.

2 The nature, level and impact of challenging behaviour in schools: perception or reality?

The nature and level of challenging behaviour in schools

7. In his report on *Behaviour and the role of Home-School Agreements*, commissioned by the previous Government and published in 2010, Sir Alan Steer summarised his most recent observations on the nature and level of behaviour in schools by declaring that

Behaviour standards in schools are high for the great majority of young people. The misconduct of a few represents a small percentage of the seven million pupils in the school system. Concern over behaviour standards among the young is often fuelled by the news of well publicised incidents. Invariably these are unrepresentative and rare.⁷ [...] indeed it is my opinion that standards have risen over the last thirty years.⁸

Sir Alan reaffirmed this to us in oral evidence, saying “I think that I do stick by that [judgment]”, although he added the caveat that “our analysis of the situation is often poor and, because [of this], we do not hit the bull’s-eye in terms of the actions we want to take”.⁹

8. Sir Alan’s sanguine assessment is supported by Ofsted inspection reports. The 2009–10 Annual Report of Her Majesty’s Chief Inspector found that pupils’ behaviour was “good or outstanding in 89% of primary schools and 70% of secondary schools inspected in 2009–10”.¹⁰ This compares with 95% primary and 80% secondary in 2008–09¹¹ and 93% primary and 72% secondary in 2007–8.¹² Over time, secondary schools have performed consistently less well than primary schools in terms of behaviour.

9. The Department for Education’s written memorandum summarised the findings of a range of surveys undertaken by teaching unions on the subject of pupil behaviour:

There is violence and assault in our schools. NASUWT have estimated that there is one assault (verbal or physical) every seven minutes. A recent poll by the Association of Teachers and Lecturers (ATL) found that 38.6% of respondents had dealt with physical aggression that academic year. Most reported incidents (87%) involved violence towards another pupil, more than a quarter involved violence against the respondent, with 44% of incidents involving another teacher or a member of support staff.¹³

7 Sir Alan Steer, *Behaviour and the role of Home-School Agreements*, 2010, p 5

8 Sir Alan Steer, *Behaviour and the role of Home-School Agreements*, 2010, p 8

9 Q 59

10 HMCI Annual Report 2009–10, p 32

11 HMCI Annual Report 2008–09, p 28; Annual Report 2007–08, p 26

12 Figures for 2008–09 and 2009–10 are not directly comparable, due to the introduction of a new Ofsted inspection framework in September 2009

13 Ev 167

10. The Teacher Support Network’s 2010 Behaviour Survey, undertaken in conjunction with Parentline Plus, showed that 92% of respondents said pupil behaviour had worsened during their career.¹⁴ The Association of Teachers and Lecturers’ Member Survey in Spring 2010 (Challenging Behaviour in Schools) found that “verbal abuse of teachers, in terms of insults, threats and derogatory comments, is distressingly common: 51% of ATL members surveyed reported that they had experienced this”.¹⁵ These statistics are compelling but should be seen in context, given the lack of solid comparative data over time and the response rates to the surveys: 389 and 1000 respectively.

11. Ofsted’s ability to capture an accurate picture of behaviour in schools was doubted by several witnesses. We discuss the role of Ofsted in greater detail later in our report, but a key issue arising in evidence from teachers—particularly those in non-leadership roles or those representing classroom teachers—was that “some Ofsted reports and the Steer report don’t ring true with what [teachers] see”.¹⁶ Tom Trust, a former member of the General Teaching Council for England, questioned the validity of judgments made in the Steer report and by Ofsted, saying

I have read the Steer report, and I think that he talked to a lot of head teachers. Head teachers have told me that there are no discipline problems in their school when there have been copies of lesson observations that they have taken when they have been observing the teacher. In those observations, there have been a list of misdemeanours happening with the head in the room. I have also heard a head say, on oath, that there were no disciplinary problems, even though there were press reports stating that there were. Getting evidence from head teachers is not always reliable, because they have a lot to lose.¹⁷

Mr Trust also referred to the “strategies that head teachers use to avoid the Ofsted inspectors seeing the worst children”, which included suspending the worst behaved pupils or employing supply teachers to cover disruptive lessons.¹⁸ Katharine Birbalsingh, a former deputy headteacher, questioned the standards against which Ofsted judgments are formed, saying that “when Ofsted says something is good, it’s not very good”.¹⁹ Daisy Christodoulou, a Teach First Ambassador,²⁰ supported this, explaining that “if you say bad behaviour is only something that is at the extremes of violence, then yes, it is a minority. But if you define it more broadly, which I think it is fair to do, then I think that there are

14 Ev w117

15 Ev 119

16 Q 225 [Daisy Christodoulou]

17 Q 221

18 Q 221

19 Q 220

20 Teach First describes itself as “a charity that recruits exceptional graduates looking to make an impact in the classroom of schools in challenging circumstances and who have a desire to address the inequalities in education in the long-term”. On completion of Teach First’s two year Leadership Development Programme, participants become Teach First ambassadors. The role of an ambassador is to continue to address educational disadvantage whichever career the ambassador chooses to take up in the long-term.

problems”.²¹ In conclusion, Tom Trust believed that “Ofsted’s views on behaviour are not worth the paper they are written on”.²²

12. In oral evidence to our inquiry, Sir Alan Steer acknowledged that his judgment of the nature and level of behaviour in schools “puts a lot of emphasis on Ofsted”; but he argued that “one has to have very, very strong grounds for disregarding Ofsted evidence. If you are going to say that the national inspection service, which goes into large numbers of school and focuses on this topic has got it wrong, you must have good grounds to say that—and I haven’t got those good grounds”.²³

13. Lord Elton concluded in his 1989 report that, while there was poor behaviour in schools, the greatest impact was from constant small-scale indiscipline.²⁴ Lord Elton’s findings were echoed in evidence to this inquiry: there was a general consensus that, “it is low level disruption (name calling, swearing, not paying attention, interrupting and fighting)”²⁵ which is most prevalent, with small pockets of extremely challenging behaviour. However, as described in previous paragraphs, several witnesses argued that the significance and impact of low level disruption was being brushed aside. We can see that it would be in the interests of school leaders and teaching unions to tend to underplay the nature and level of challenging behaviour in schools, given schools’ considerable responsibility for ensuring standards of behaviour.

14. Katherine Birbalsingh spoke of the impact of bad behaviour, saying that:

Bad behaviour spreads like a cancer; it is very difficult to contain it. One very badly behaved student impacts on a second one, who is quite badly behaved, and those two impact on two others, who are somewhat badly behaved. It spreads, so that even the very good students become somewhat unsettled. That creates a situation where you have low-level behaviour. People often dismiss that, and say, “It’s just low-level behaviour, that’s okay.” You’d be amazed, however, at how disruptive to learning low-level behaviour is.²⁶

15. It was suggested to us by John Bangs—former Assistant Secretary of the NUT—that violent behaviour, although perhaps less frequent, was becoming more severe in nature.²⁷ Mr Bangs also cited a study by Maurice Galton and John MacBeath, published in 2008, which concluded that primary schools were experiencing particularly confrontational behaviour.²⁸

21 Q 225

22 Q 221

23 Q 59

24 *Discipline in Schools: Report of the Committee of Enquiry chaired by Lord Elton, 1989, Summary, para 3*

25 Ev w2 [John Bangs]

26 Q 220

27 Ev w2

28 Ev w2

The impact of poor behaviour on learning

16. The Association of Directors of Children's Services stated that "improved standards of behaviour lead to improved attainment and well-being outcomes for children and young people".²⁹ In a paper by Professor Stephen Gorard on how children's enjoyment of secondary school can be enhanced, which he submitted to the inquiry, he observed that the behaviour of some students could be a major factor hindering others' enjoyment of school and learning, and he described the abusive behaviour of a minority of young people to their peers as "perhaps the biggest single threat to genuinely inclusive and comprehensive schooling".³⁰ Professor Gorard also cited examples of children expressing frustration about lessons wasted through disruptive behaviour; and this was echoed in a written submission from a parent whose children had described their biggest problem at secondary school as being the behaviour of other children in school, which had diverted teachers' attention and had limited the amount which the children had learnt.³¹ The consequences can be disengagement among pupils, as noted by the Association of Teachers and Lecturers.³²

17. There is also a wealth of evidence linking exclusion from school with academic underachievement, offending behaviour, limited ambition, homelessness and mental ill health.³³ For example, the Department for Education and Skills' 2004 Youth Cohort Study showed that only 20% of pupils with a fixed-term or permanent exclusion from school in Years 10 and 11 achieved 5 or more GCSEs at A*–C (or equivalent), compared to 58% of children not excluded.³⁴ We did not take evidence on these links, but we are satisfied that they are beyond question.

18. Several written submissions described the damaging impact of poor behaviour on teacher morale and confidence. The Association of Teachers and Lecturers summarised the position:

The impact on staff who experience challenging classroom behaviour is huge. Members cite effects including chronic stress, depression, voice loss, loss of confidence, illness resulting in time off work, negative impact on home/family life.³⁵

Other bodies representing teaching staff made very similar points.³⁶

19. In some cases, the stress is such that teachers leave the profession. 70% of respondents to the Teacher Support Network's 2010 Behaviour Survey indicated that poor pupil behaviour had at some point caused them to consider leaving the profession.³⁷ The Department told us that:

29 Ev w97

30 Gorard, S. and See, BH (2010) *How can we enhance enjoyment of secondary school? The student view*, British Educational Research Journal, 37 (forthcoming), <http://dx.doi.org/10.1080/01411926.2010.488718>

31 Ev w37 [David Wright]

32 Ev 120

33 See citations in Ev 168 [Department for Education] para 22

34 Ev 168 [Department for Education] para 25

35 Ev 120

36 e.g. Ev 127 [Voice] para 2

37 Ev w118 para 12

For teachers, workload is the highest demotivating factor (56%), followed by initiative overload (39%), a ‘target driven culture’ (35%) and, pupil behaviour (31%). Another study found that 68% of 1,400 teachers agreed that negative behaviour is driving teachers out of the profession, with secondary teachers more likely to agree with this statement than primary teachers. Half of the sample (51%) felt that teachers with less experience were more likely to be driven out of the profession by negative behaviour, while 19% disagreed with this.³⁸

20. There is evidence that the reputation of classroom behaviour acts as a deterrent to those considering entering the teaching profession. The Department told us that:

Pupil behaviour has a significant impact on the recruitment and retention of teachers. Issues of workload and poor pupil behaviour are important factors in dissuading undergraduates from entering the teaching profession and influencing serving teachers to leave. A 2008 poll of undergraduates found that feeling unsafe in the classroom was the greatest deterrent to entering the teaching profession.³⁹

21. Senior staff at Beaumont Leys School in Leicester illustrated for us the enormous drain on resources—in terms of teaching staff and specialist staff time—in handling children who were persistently and sometimes violently disruptive.⁴⁰ Oxfordshire County Council made the same point, observing that such behaviour “puts a huge strain on school staff” and “requires expertise and resources from a range of professionals”.⁴¹

22. Poor behaviour also has an impact on learning. According to a survey of NASUWT members in March 2009, low-level disruption was leading to the loss of an average of thirty minutes teaching time per teacher per day.⁴² We note that the OECD’s Teaching and Learning International Survey (TALIS) in 2009 suggested that, across 23 countries researched, as much as 30% of teaching time was lost due to poor pupil behaviour.⁴³ Ofsted told us that in schools in which behaviour standards were judged as being inadequate, learning was “too often hindered by poor concentration, persistent low-level misconduct and, sometimes, by more serious disruption involving a minority of pupils”.⁴⁴

23. A Teach First Ambassador, Daisy Christodoulou, pointed out that “even if only a few pupils do really quite bad things, if they are seen to be getting away with those things, it makes it so much harder to tell a kid at the back of the class to stop drinking a Coke or to do their tie up properly, so the two are linked. It may be a minority of pupils who behave in

38 Ev 168

39 Ev 168

40 See Annex 2

41 Ev w108

42 Q28 [Dr Roach]

43 Creating Effective Learning and Teaching Environments: First Results from TALIS, OECD (2009). See Ev 168

44 Ev w156

that way, but if you don't deal with it effectively—in a lot of cases, we don't—it impacts on everyone and lowers standards across the school".⁴⁵

Establishing an accurate picture of behaviour in schools

24. Evidence to our inquiry appeared to confirm the conclusion of the Office of the Children's Commissioner for England, that "it would be entirely possible to produce convincing reports based on anecdote/individual experience (for example from teachers) to argue both for and against the idea that discipline in schools is a substantial problem".⁴⁶ What is clear, though, is that variation in teachers' experience both within and between schools is substantial. Sir Alan Steer explained that "in some schools, there are significant problems. In other schools, you have problems with some teachers for some periods. We need to have that at the front of our minds when we are looking for solutions. One of the big issues that we do not talk sufficiently about in this country's education system is the variation".⁴⁷

25. Witnesses also remarked upon the rise in pupils with more complex behavioural issues. The Association of Educational Psychologists observed that "educational psychologists are often told by teachers that the pupils they are expected to teach now would not have been in school five to ten years ago. The expectations on teachers, especially in secondary settings, do not seem to be matched by effective training".⁴⁸

26. One reason for the difficulty in forming a view on standards of behaviour is the lack of comprehensive data on the subject beyond that relating to school exclusions. There is a particular absence of 'softer' data relating to the incidence and associated repercussions of low-level disruptive behaviour which does not result in exclusion. The Department for Education does not collect or hold centrally any data on injuries in school, although the Health and Safety Executive records data on reported injuries to teachers involving acts of violence. These figures show that school staff have suffered over 2,000 reported injuries over the past decade, with total assaults rising from 171 in 2001–2 to 251 in 2009–10.⁴⁹ However, only physical injuries suffered by people 'at work' are reportable, meaning that acts of violence against school pupils (who are categorised as members of the public and not 'at work'), are excluded from this data.

27. Amongst excluded pupils, data from the Department for Education shows that assault is the second most common reason for being excluded after persistent disruptive behaviour.

2007/8	Permanent exclusions	% of all permanent exclusions
Physical assault against a pupil	1,280	15.7
Physical assault against an adult	950	11.6
	Fixed term exclusions	% of all fixed term exclusions
Physical assault against a pupil	71,330	18.6

45 Q 219

46 Ev w57

47 Q 59

48 Ev 94

49 HC Deb, 10 November 2010, column 325W

Physical assault against an adult	17,870	4.7
2008/9	Permanent exclusions	% of all permanent exclusions
Physical assault against a pupil	1,100	16.8
Physical assault against an adult	730	11.1
	Fixed term exclusions	% of all fixed term exclusions
Physical assault against a pupil	69,090	19
Physical assault against an adult	17,200	4.7

Source: Department for Education, *Statistical First Release: Permanent and Fixed Period Exclusions from Schools and Exclusion Appeals Panels in England, 2007/8 and 2008/9*

Dr Patrick Roach, Deputy General Secretary of the NASUWT, warned that:

It does worry my union that there may be any moves afoot to roll back on an expectation, or indeed a requirement on schools, to record and report incidents of bullying and violent assault—pupil on pupil as well as pupil on staff—simply because there tends to be, within schools, an under-reporting and an underestimate of the extent and scale of those issues, which is the reason why so many of our classroom teacher members feel that school leadership is out of touch with what is actually happening in terms of the reality in classrooms and in delivering the kind of support that teachers feel they need.⁵⁰

28. Current data does not fully represent the nature of behaviour in schools and the impact this has on staff, pupils, parents and carers. It is very difficult therefore to form an accurate judgment either of the reality of the situation in schools or whether there has been an improvement over time. Data should be collected and published annually by the Department from a representative sample of schools, on the number of serious incidents in schools, including those which do not result in a fixed-term or permanent exclusion. In order that a school's individual interpretation of 'challenging behaviour' is not taken as the only measure in establishing a picture of behaviour, this data should be complemented by survey data from teachers, pupils, parents and carers, on their own experience of bad and disruptive behaviour and its effect on pupils and teachers. The data and questions should remain consistent over time.

The role of Ofsted in assessing standards of behaviour

29. Witnesses were concerned that Ofsted's new inspection framework, introduced in September 2009, would fail to provide a robust overview of the nature and level of behaviour in schools. Ofsted now varies the frequency of individual schools' inspections, depending on the results of their previous inspections and annual assessments of subsequent performance. Schools judged 'good' or 'outstanding' at their previous inspection are inspected only at five year intervals. The change was introduced to allow Ofsted to focus on schools which give cause for concern. However, Tom Trust highlighted a potential weakness in this approach, asking "if they aren't going to look at the outstanding schools, what yardstick are they going to use to measure others by?"⁵¹ Sir Alan Steer argued that even the best schools can benefit from constant challenge in the pursuit

50 Q 37

51 Q 229

of consistently high standards, telling us that “I, personally, am a supporter of inspection and I would not be reducing the amount of inspection of schools. We should see inspection far more as an agent for change and school improvement than we tend to”.⁵²

30. The White Paper *The Importance of Teaching* proposes several reforms to Ofsted inspections which will impact on the way the nature and level of challenging behaviour in schools is assessed in future. Ofsted inspections will focus on just four key areas, one of which will be behaviour and safety. Inspectors will be given more time to look for evidence of how well pupils behave, by observing lessons and pupils’ conduct around the school. They will also seek evidence from pupils and parents as well as from teachers; and parents will be able to ask Ofsted to carry out an inspection if they have any concerns about behaviour and feel that the school has not dealt with them properly. Finally, schools will also be expected to demonstrate that the standards of behaviour seen during the inspection are maintained at all times.⁵³

31. The proposal in the Schools White Paper for Ofsted inspections to focus more on behaviour is welcome. There are risks in reducing the frequency of inspections for good and outstanding schools, but we support moves to release schools from unnecessary central inspection. The new regime will place increased responsibility on school leaders, teachers and governors to ensure that a culture of self-evaluation and self-improvement is put in place. We are particularly pleased that there will be opportunities for a wider range of views to be covered in inspections: from pupils and parents to classroom teachers. This will help to combat any perceptions that schools leaders might seek to misrepresent the true nature and level of challenging behaviour in their schools. We also welcome the powers being given to parents to call the school to account and the requirement for schools to show that standards of behaviour are maintained at all times. These measures will help to provide a consistent level of challenge to schools in pursuit of constantly high standards.

52 Q 65

53 *The Importance of Teaching*, Cm 7980, Department for Education, November 2010, paras 3.23 and 3.24

3 Enabling and cultivating good behaviour

The impact of teaching quality on behaviour

32. Sir Alan Steer's 2009 report concluded that "consistent good quality teaching is the most significant factor in raising standards and reducing low level disruption. Learning, teaching and behaviour are inseparable issues for schools".⁵⁴ The vast majority of witnesses to our inquiry agreed with this. However, as Mr Tom Burkard pointed out, the importance of good teaching in securing good behaviour is sometimes underestimated:

The endemic problem that we have had for far too long is that we are looking at the child and what is wrong with the child, not looking at what is wrong with the learning environment. [...] anyone who ran a business by trying to decide what was wrong with their customers rather than what was wrong with their services would soon be out of business.⁵⁵

Indeed, this point was made most starkly in Ofsted's recent Review of Special Educational Needs and Disability which concluded that "as many as half of all pupils identified for School Action⁵⁶ would not be identified as having special educational needs if schools focused on improving teaching and learning for all, with individual goals for improvement".⁵⁷

33. The link between teaching quality and pupil behaviour is most evident in the skill with which the teacher uses the curriculum to hold children's attention in the first place. A child who is absorbed in learning is less likely to become disengaged—and to misbehave in consequence. As one educational psychologist responding to our call for evidence, Dr Sue Roffey, concluded, "didactic or otherwise dull pedagogies do not engage students. Disengaged students muck about".⁵⁸ It is understandable, therefore, that teachers should be able to depend on a curriculum which is engaging in its own right. As the National Union of Teachers explained,

Curriculum organisation can [...] have a significant impact on pupil behaviour. The NUT believes that head teachers and senior colleagues should work collaboratively and in consultation with teachers in order to design coherent curriculum models which can meet the needs of all children. Such models should be based on teachers' professional judgement and knowledge of their pupils.⁵⁹

34. Barnardo's pointed to the need for alternative curricula for those pupils for whom the mainstream curriculum may not be effective:

54 Sir Alan Steer, *Learning Behaviour, Lessons Learned*, 2009, para 4.16

55 Q 1

56 School Action is the term used to describe the first level of school-based intervention, beyond differentiation of the curriculum, for children with special educational needs

57 *The Special Educational Needs and Disability Review*, Ofsted, 14 September 2010, Executive Summary

58 Ev w20

59 Ev 115

The academic focus of school and traditional classroom methods alienate many young people. Our experience is that they often learn better from a youth work approach or in practical, vocational settings. Alternative and applied vocational pathways, involving work-based learning should be available as a positive 14–19 option for those young people whose potential is not unlocked by mainstream education.⁶⁰

National Strategies have played a role in trying to guide teachers in use of the curriculum and positive approaches to teaching and learning, in order to support good behaviour—for example, through promotion of more personalised approaches to learning.⁶¹ However, the direction of travel, evident in the Schools White Paper, is very much towards less prescription in how the curriculum should be taught.⁶²

35. The National Strategies have had beneficial effects; but a new, less prescriptive approach may succeed in giving a new stimulus to teachers in preparing and applying the curriculum in ways which engage children more and which reduce the risk of poor behaviour. Ministers should bear in mind, when developing proposals for the new National Curriculum, that if the future curriculum is to have a beneficial effect on standards of behaviour in the classroom, it will need to meet the needs of all pupils and contain a mix of academic and vocational subjects, while being differentiated and enjoyable. We heard in evidence that pupils who are positively engaged in learning are less likely to have behaviour problems. Therefore we encourage the Government to revisit the issue of vocational and practical learning to ensure a balanced approach. We view this as a matter of considerable importance and plan to address it in future inquiries.

The importance of basic skills in reading, numbers, communication and comprehension

36. Our witnesses agreed without exception that a failure to grasp basic skills in reading, comprehension, oracy and numeracy makes a pupil more likely to be disruptive. Literacy is perhaps the most important of these: as former HMI David Moore explained, “if you cannot read, you cannot access the curriculum. If your vocabulary is not sufficiently developed, you cannot understand what the teachers are saying”.⁶³ Tom Burkard added that it is “not only the reading failure *per se*, but the child’s frustration at the continual and repeated failure to achieve their aims”.⁶⁴ Both New Woodlands School and Beaumont Leys School placed a huge emphasis on improving literacy and numeracy, as many pupils with behavioural problems struggled with these basic skills. Mr Burkard pointed to a study in 1974 by the United States Department of Education which concluded that “reading failure

60 Ev w143

61 Ev 130, para 1.5

62 *The Importance of Teaching*, para 4.1

63 Q 3

64 Q 4

was the only one of all the various indicators which accurately predicted the later incidence of violent antisocial behaviour”.⁶⁵

37. The impact of reading failure is most noticeable at the transition from primary to secondary school. During our visit to Beaumont Leys School in Leicester, for example, teachers commented on the high occurrence of reading failure amongst pupils entering Year 7. Dr Mary Bousted, General Secretary of the Association of Teachers and Lecturers, said that “there is no doubt that the biggest regression in year 6 to year 7 is children who go from primary, where the uses of literacy may be more limited, into a subject-based curriculum at secondary maybe taking eight, nine or ten subjects. The thing that bars them in those subjects is not a lack of interest or of willingness to do well, but the fact that the uses of literacy in those subjects are too hard for them, because they have not developed sufficient reading skills”.⁶⁶ **Where pupils moving on from primary or first school are still experiencing difficulty, adequate and appropriate support must be provided. Indeed, throughout the school years, schools need to be obsessed with ensuring that children have the reading, communication and comprehension skills they need to get the most out of their education, and providing additional support as needed.**

38. While we were completing this inquiry, Graham Allen MP published interim findings from his review of early intervention, commissioned by the Government. Mr Allen identified a number of other interventions which can assist in children’s early development.⁶⁷ We note also the work done in this area by the Rt Hon Frank Field MP, in his report on child poverty.⁶⁸

39. The recent Schools White Paper commits to promoting the teaching of systematic synthetic phonics in schools and to a new reading assessment (specifically a phonics check) for six year olds. The Government believes that these measures will ensure that all children “have the chance to follow an enriching curriculum by getting them reading early” and “guarantee that children have mastered the basic skills of early reading and [...] ensure we can identify those with learning difficulties”.⁶⁹ Several witnesses agreed that use of the synthetic phonics approach was an important ingredient in preventing reading failure.⁷⁰ We did not assess the merits of using synthetic phonics to improve literacy; nor did we take evidence specifically on the proposed age 6 reading assessment. However, it is widely acknowledged (for example, by the Rose review of the teaching of reading⁷¹) that development in both word recognition and comprehension is essential for success as a fluent reader, which can in turn promote good behaviour. **Therefore, we encourage the Government to promote language comprehension as well as word recognition and phonics skills throughout the infant curriculum. Appropriate support and interventions should be made available to pupils who do not do well in the six year old assessment. Clear accountability frameworks which require head teachers and senior**

65 Q 4

66 Q 53

67 *Early Intervention: The Next Steps*, January 2011

68 *The Foundation Years: preventing poor children becoming poor adults*, published 3 December 2010

69 *The Importance of Teaching*, para 4.6

70 e.g. see Q139 [Charlie Taylor]

71 *Independent review of the teaching of early reading*, final report by Jim Rose, March 2006

school leaders to demonstrate how schools respond to any problems picked up in the six year old assessment should be put in place.

40. For one group of pupils, the results of the age 6 reading assessment will not necessarily help to identify their additional learning needs. The children’s communication charity I CAN told us that, in some disadvantaged areas, “upwards of 50% of children are starting school with Speech, Language and Communication Needs (SLCN). Many have poor language skills which are inadequate for the start of formal learning”.⁷² The evidence points to a “strong correlation between children who have emotional and behavioural difficulties and children who have SLCN”.⁷³ It adds:

Those with unaddressed speech, language and communication needs are at risk of problems with literacy, numeracy and learning. They are less likely to leave school with qualifications or job prospects and are in danger of becoming NEET (not in employment, education or training at 16–18) [...] We also know that children excluded from school are likely to have special educational needs, including a high incidence of communication difficulties. People with speech and language needs are significantly over-represented in the young offender and prison populations. In addition to this, limited language skills make it difficult for young people to access support or understand interventions.⁷⁴

41. The Schools White Paper does not allude specifically to pupils with Speech, Language and Communication Needs who may (among other conditions) have difficulty producing speech sounds or have receptive language impairment. They may do poorly in reading tests, including phonics checks, but such assessments will not on their own identify communication impairments which can underpin behavioural difficulties. We expect that the needs of pupils with SLCN will be addressed directly in the forthcoming Green Paper on Special Educational Needs (expected in February 2011). **We acknowledge the new reading assessment for 6 year olds, and we understand the concerns of witnesses representing children with speech, communication and language needs that these pupils’ needs may not be identified by this assessment. We recommend therefore that the Government broadens the six year old assessment to include an assessment of speaking and listening ability.**

“What works”: sharing good practice

42. A robust and well-led school behaviour policy, consistently applied and underpinned by good teaching and an appropriate curriculum is critical to supporting good behaviour in schools. However, on a day-to-day basis in the classroom, there are simple techniques that can be applied to manage behaviour. In common with many witnesses, Sir Alan Steer advised “we know what works. We just don’t do it”.⁷⁵ This view was supported by behaviour consultant Sue Cowley who told us that “I meet newly qualified teachers all the time. I work with them, and they say to me, ‘Why didn’t anybody tell us that there are

72 Ev 145

73 Ev 144

74 Ev 145

75 Q 70

these really simple, straightforward things [...] Why has nobody told us practical ways of actually managing behaviour?”⁷⁶

43. Sir Alan Steer’s 2005 report highlighted some practical approaches to developing a consistent approach towards behaviour management.⁷⁷ These approaches were described in the “What Works” section of the 2005 report, *Learning Behaviour*, which was published separately for use in schools. Sir Alan’s subsequent report, *Learning Behaviour: Lessons Learned*, published in 2009, recommended that the “What Works” principles be used as a basis to organise training for staff in schools.⁷⁸ Witnesses, including the Minister for Schools himself, agreed with the general principles.⁷⁹ The London Borough of Tower Hamlets noted that the recommendations of the 2009 Steer report had been “generally welcomed as well thought through and based on real school experience”, and it believed that they should be implemented.⁸⁰

44. The former Government recognised the need to disseminate best practice on managing behaviour. The Behaviour, Attendance and SEAL (social and emotional aspects of learning) strand of the National Strategies programme was put in place to provide practical materials to support schools in improving behaviour, building their capacity to make them less reliant on external support. The former Government announced its intention not to renew the National Strategies contract in 2011, and proposed instead to devolve the funding for the Primary and Secondary National Strategies to schools.⁸¹ This decision was welcomed by the current Secretary of State. Our witnesses presented mixed views on the usefulness of National Strategies, although SEAL materials were considered to be helpful, and it seems that the material will continue to be used in schools once the National Strategies contract has ended. However, a gap remains in terms of disseminating best practice on simple tools and techniques. As Mary Bousted, General Secretary of the Association of Teachers and Lecturers, asserted:

there are techniques you can learn which will help you, with a good curriculum, to deal with low-level disruption. One question I thought would be asked was, have [National] Strategies helped in this? I don’t think they have. [...] There are certain techniques that, if applied well, can be used to keep very good order in the classroom, such as: if you have a disruptive class or a class that will be difficult, making sure that when you start the lesson there is something for them to do when they walk through the door of the classroom; making sure that the curriculum is properly differentiated and ensuring that they do not shout out over each other.⁸²

45. Sir Alan Steer pointed to the fact that basic techniques are less likely to be applied in secondary schools, telling us that “in the secondary sector we do not put enough importance on basic issues of classroom management. When you visit a primary school

76 Q 211

77 Sir Alan Steer, *Learning Behaviour*, 2005, para 26

78 Sir Alan Steer, *Learning Behaviour: Lessons Learned*, 2009, recommendation 10

79 See Q 255

80 Ev w68

81 DCSF, *Building a 21st century schools system*, para 4.11

82 Q 51

and ask a teacher, ‘Are the children allowed to sit where they like in the classroom?’, they look at you as though you’re being slightly rude, because of course they’re not. Any primary teacher manages their classroom. In large numbers of secondary schools, that is dropped at the age of 11, and it’s dropped without thinking”.⁸³ **Simple approaches to managing behaviour, such as those outlined in Sir Alan Steer’s “What Works in Schools”, should be incorporated in all initial teacher training and continuing professional development on behaviour, especially for secondary schools where basic issues of classroom management are sometimes overlooked.**

46. National Strategies are now coming to an end, with an expectation that local authorities and twenty ‘lead behaviour schools’⁸⁴—having been trained to work with schools by National Strategies consultants—will take on the role of sharing best practice amongst themselves.⁸⁵ This will rely on schools working in effective partnerships. This new focus on self-reliance amongst schools for training and development on behaviour was generally welcomed by our witnesses. However, in discussion with behaviour teams and their partners at Leicestershire County Council, it was suggested to us that the ending of the central coordination provided by National Strategies could be a concern for those schools which are currently graded ‘satisfactory’ in terms of behaviour and discipline.⁸⁶ It was expected that the local authority would need to take on a much greater role in challenging and supporting schools to ensure improvement in this respect. The Schools White Paper identifies a strategic role for local authorities in championing excellence in schools, and it expects local authorities to “challenge schools which are causing concern and to focus on issues needing attention which cut across more than one school”.⁸⁷

47. In recognition of the need for best practice to be shared within the school community, the Schools White Paper proposes a new national network of ‘Teaching Schools’, accredited by the National College⁸⁸, and an increase in the number of Local and National Leaders of Education (excellent head teachers who provide support to other schools).⁸⁹ It also introduces ‘Specialist Leaders of Education’—excellent professionals in leadership positions below the head teacher, who will support peers in other schools.⁹⁰ The White Paper also states that National Strategies will be replaced by “a new market of school improvement services with a much wider range of providers and services available for schools to choose from”.⁹¹ Local authorities will be able to choose how to define and offer school improvement support, for example by brokering support for schools from local agencies.

83 Q 70

84 Lead Behaviour Schools were identified as part of the 2009 Behaviour Challenge, to assist with the aim for all schools to have a good or outstanding Ofsted rating on behaviour, or be on track to reach one at their next inspection. Lead Behaviour Schools have proven expertise in behaviour management and were tasked with spreading good practice and support to other schools. The original target was to identify 100 Lead Behaviour Schools by September 2010. At the time of taking evidence for this inquiry, only 20 existed.

85 See Qq 116, 117

86 See Annex 2

87 *The Importance of Teaching*, para 5.37

88 *The Importance of Teaching*, para 2.24

89 *The Importance of Teaching*, para 2.43

90 *The Importance of Teaching*, para 2.26

91 *The Importance of Teaching*, para 7.14

48. We welcome the White Paper's proposals for schools to take on greater responsibility for organising training and sharing best practice on managing behaviour. However, in areas where the majority of schools are not performing well, it may be more difficult for best practice to be shared effectively. In these circumstances, it is critical that the local authority has the capacity to challenge and support those schools which are causing concern, looking outside the local authority for expert support where necessary.

4 Leading and managing good behaviour; challenging poor practice

49. Effective school leadership is critical to supporting good behaviour in schools. We were told by several witnesses that, where staff are closely supported by school leaders, this has a significant impact on behaviour.⁹² The Chief Inspector’s Annual Report 2009-10 found that leadership and management was “good or outstanding in 65% of schools inspected this year – a higher proportion than for overall effectiveness. However, governance was one of the weaker aspects of leadership inspected, being good or outstanding in 56% of schools”.⁹³

School behaviour policies

50. Section 88 of the Education and Inspections Act 2006 places a responsibility on the governing body of a relevant school⁹⁴ to “ensure that policies designed to promote good behaviour and discipline on the part of its pupils are pursued at the school”. The head teacher must determine the standard of behaviour to be deemed acceptable and must “determine measures” to promote good behaviour and publicise them in a written document. Witnesses agreed on the need for all members of the school community to be involved in construction and implementation of behaviour policies, in order to achieve a common understanding and application:

The school behaviour policy, which should be discussed by all members of the school community, especially staff and pupils and not just considered by Governors as a paper exercise, is of paramount importance to the effectiveness of behaviour management in schools. The NUT believes that a school behaviour policy must be a practical document which includes clear guidelines to staff on practice and procedures relating to any incidence of inappropriate behaviour within school.⁹⁵

51. During our visit to Beaumont Leys School in Leicester, the school’s expectations of its pupils were made clear immediately on entering the premises by way of a large wall mural naming the school’s values. A comprehensive behaviour policy—consulted on and understood by all staff—underpins the school’s approach to behaviour management. At New Woodlands School in Lewisham, we were told of the importance of having a clear school behaviour policy, backed up with strict boundaries, good “old-fashioned” manners and respect.⁹⁶ Mr Paul Dix, a behaviour consultant, told us of the need for schools to be absolutely clear and consistent about the parameters within which the school expects their pupils to behave:

92 See for example Ev 115 [NUT] para 17

93 HMCI Annual Report 2009–10, p32

94 A community, foundation or voluntary school, a community or foundation special school, a maintained nursery school, a pupil referral unit, or a non-maintained special school approved by the Secretary of State

95 Ev 114

96 Annex 1

The best schools have a sign above the door regardless of what context they are working in, which says, “This is how we do it here.” When you walk through the doors of that school, the expectations of behaviour are different from those outside. The behaviours that you use in the community or the behaviours that you use with your parents might well work out there, but when you walk through that door, that is how they do it there. The best schools have absolute consistency. I don’t care whether the system they use is behaviourist or whether the system they use is extremely old-fashioned, the critical difference is that people sign up to it and teachers act with one voice and one message: “This is how we do it here”.⁹⁷

52. A key element to effective leadership of behaviour is engagement with parents. Although some of the factors which have an impact on children’s behaviour—such as parenting and family breakdown—are beyond schools’ control, that does not mean to say that schools are powerless to support parents and carers in promoting the good behaviour of their children. At both Beaumont Leys School and New Woodlands School, relationships with parents and carers were viewed as critical to the success of any intervention, and both schools saw it as a priority to make their premises welcoming to pupils and their families and to maintain regular contact. As Sir Alan Steer told us, “communication between school and parents is important”.⁹⁸ Mike Griffiths, Head Teacher of Northampton School for Boys, explained that his school saw effective behaviour management as “a triangle of parent, child and school”, with all three facets needing to work together to be effective.⁹⁹ Witnesses highlighted the fact that it is often easier to engage with parents at primary school as there is a culture of meeting parents “at the school gate”, making it easier to “have quiet words and conversations [with parents] that are more difficult to have at secondary”.¹⁰⁰ Charlie Taylor, Head Teacher of Willows Primary Special School and Acting Head Teacher of Chantry Secondary Special School in the London Borough of Hillingdon, also suggested that “parents are a lot more up for changing the behaviour of a three-year-old than they are for a 15-year-old”¹⁰¹, which makes it easier for schools to approach parents to discuss possible interventions.

53. **A good school behaviour policy, agreed and communicated to all staff, governors, pupils, parents and carers, consistently applied, is the basis of an effective approach to managing behaviour.** We note that the Schools White Paper made no mention of the work which schools can—and should—undertake with parents and carers to reinforce and promote good behaviour and address poor behaviour. We also note the statement made by Ofsted to the Independent Review on Poverty and Life Chances, led by the Rt Hon Frank Field MP, that “more remains to be done to convince some schools that parental engagement is central to their core purpose of raising attainment”.¹⁰² **Schools should see it as part of their core work to engage with parents and carers, particularly those who are**

97 Q 232

98 Q 95

99 Q 161

100 Q 163, Gillian Allcroft

101 Q 150

102 *The Foundation Years: preventing poor children becoming poor adults*, report of the Independent Review on Poverty and Life Chances, led by the Rt Hon Frank Field MP, December 2010, para 4.12

hard to reach. Schools must be proactive in establishing these relationships upfront with all parents and carers, rather than waiting for problems to occur.

54. The inquiry notes written evidence from Ofsted and the Children’s Rights Alliance for England on the importance of pupil involvement in creating and maintaining order in schools¹⁰³ and recommends that the Government encourages such involvement through its policies and guidance.

Leadership of behaviour policies

55. Ninety three per cent of teachers responding to a survey organised by NASUWT said that their schools had a whole-school behaviour policy.¹⁰⁴ However, Dr Patrick Roach of NASUWT cautioned that “having a policy and what happens in practice are two very different things [...] where policies do exist and everybody is familiar with what that policy happens to be, around half of classroom teachers are actually saying that those policies are not being applied consistently, largely by school managements where the judgment of the classroom teacher isn’t always backed up in terms of leadership and management decisions”.¹⁰⁵ Dr Roach referred to research undertaken by the University of Leicester for NASUWT which examined the experiences of new and recently qualified teachers, including their experience of poor and challenging behaviour.¹⁰⁶ The report found that “teachers were very consistently reporting that they were being left to their own devices. Where senior management were coming in was to monitor and critique the quality of their practice within a classroom, not necessarily to offer development support, leadership and professional guidance about how to do things differently or how to do things better”.¹⁰⁷ These findings chime with the views of the teacher witnesses we questioned, who all agreed that where there was a lack of leadership on behaviour and discipline, it was a major issue for teachers.¹⁰⁸

56. While we received evidence of some successful leadership training programmes, such as the National Programme of Specialist Leaders in Behaviour and Attendance,¹⁰⁹ we also heard that the current lack of any requirement for head teachers and school leaders to undertake specific training and continuous professional development relating to behaviour and discipline may be one of the main reasons for poor leadership on behaviour in some schools. As the National Association of Head Teachers suggests, “it is recognised in research that school leaders need to be trained to be effective school leaders and this is particularly relevant to the context in which they will be working - for example in areas of disadvantage, developing different skills, but we are not sure to what extent this is being promoted”.¹¹⁰ The National Professional Qualification for Headship is a prerequisite for becoming a head teacher, but ongoing continuing professional development on behaviour

103 Ev 139; Ev 157

104 Ev 124

105 Qq 27, 29

106 NASUWT, *Sink or Swim? Learning lessons from Newly Qualified and Recently Qualified Teachers*, 2009

107 Q 42

108 Qq 213, 214, 215, Katharine Birbalsingh, Daisy Christodoulou, Tom Trust

109 Ev 131

110 Ev 143

management is not a requirement for school leaders. Sir Alan Steer said to us that “it strikes me as absolute nonsense [...] that somebody like me could be a head teacher for 23 years without any requirement to undergo training. That is not professional. I know we have things like NPQH now, but once you become a head teacher, where is the requirement to maintain your skill level?”¹¹¹

57. The recent Schools White Paper includes proposals for the National Professional Qualification for Headship to be reviewed by the National College and subsequently reformed.¹¹² Continuing professional development (for both teachers and head teachers) would be provided through a new network of Teaching Schools. **We support proposals in the White Paper for reforms to the National Professional Qualification for Headship, which should have a clearer emphasis on leading and supporting staff in maintaining and improving standards of behaviour in schools.**

58. During our visit to Leicester, we heard of the significant impact that changes in school leadership can have on behaviour and discipline in a school. A school which has been successful under one leadership team can face serious challenges under another.¹¹³ Hence there is a need for robust mechanisms for holding head teachers and senior school managers to account on their school’s approach to behaviour and discipline, particularly in a climate where devolution of responsibility for behaviour to individual schools will become the norm and where routine inspection of schools previously judged as outstanding will cease. The Schools White Paper proposes that schools judged to be outstanding in routine inspections will be re-inspected only if there is evidence of decline or widening attainment gaps. The Government aims to work with Ofsted to identify suitable triggers which might indicate a need for re-inspection.¹¹⁴

59. The Government’s proposals to cease routine inspection of schools rated ‘outstanding’ may not be conducive to the regular and rigorous external oversight of schools which we consider to be necessary. In particular, changes of leadership can be difficult for schools, and pupils can be quick to sense and to take advantage of any uncertainty among staff about the school’s new direction and ethos.

Role of the governing body

60. School inspection is one way of holding schools to account for standards of behaviour; governing bodies can also play an important part. As Sue Bainbridge (representing National Strategies) pointed out, it is also “the governing body’s role [...] to challenge the head”. Ms Bainbridge referred to work she had undertaken in a school in Sheffield where there were disproportionately high levels of exclusions. The work showed that, where the governing body took a leading role in analysing and challenging school data, it was able to get to the root of problems of behaviour management in the school.¹¹⁵ Dr John Dunford, former General Secretary of the Association of School and College Leaders, pointed out

111 Q 80

112 *The Importance of Teaching*, para 2.39

113 Annex 1

114 *The Importance of Teaching*, para 6.21

115 Q 124

that governors can also act as an important “early warning system” for the school when parents are not happy.¹¹⁶ Gillian Allcroft, Policy Manager at the National Governors Association, explained that “the best governing bodies will absolutely know what is going on in their school. The chair will have a good relationship with the head”.¹¹⁷ However, there are schools where the governing body is weak and where the necessary challenge will not be forthcoming.

61. Responding to proposals in the Schools White Paper for the National College to take on the training of governors to equip them in providing robust strategic challenge to head teachers, all witnesses in our final oral evidence session felt this was an excellent idea.¹¹⁸ However, Dr Dunford added that

it's a great pity that the White Paper has suggested the end of the school improvement partners, because they were providing some degree of external challenge to head teachers, and head teachers, on the whole, welcomed that. Where that external challenge will come from in the future to schools that are not going to be inspected and are not going to have school improvement partners and so on, I am not quite sure. That is something that needs looking at within the White Paper. Is it going to come from governing bodies? If it is, we're back to [...] earlier comment about the skills of governing bodies.¹¹⁹

62. Although school governors should be taking a role in challenging poor leadership, we are not confident that this always happens—whether because governors and head teachers do not see this to be their role, or because governing bodies do not know how to go about doing this. The White Paper reinforces the role of school governors, giving them the tools to challenge school leaders more effectively. It also announces that the National College will be responsible for providing high quality training for chairs of governors.¹²⁰ **We welcome training for chairs of governors, which is to be provided by the National College, and hope to see the highest possible take-up. It is vital that governors are able to challenge and support head teachers effectively to ensure that behaviour policies are applied consistently.**

116 Q 325

117 Q 165

118 Q 326

119 Q 390

120 *The Importance of Teaching*, para 6.29

5 Equipping teachers with the skills and tools to manage behaviour: new powers

63. The Government published a Written Ministerial Statement on 7 July 2010, announcing new measures to tackle behaviour and discipline in schools. These proposals were fleshed out in the White Paper *The Importance of Teaching*; some will require legislation. We consider some of the main proposals.

Powers of search and restraint

64. The Apprenticeships, Skills, Children and Learning Act 2009 introduced a power for members of staff to search pupils for knives, offensive weapons, alcohol, controlled drugs and stolen articles. The Schools White Paper proposes to extend that search power to include pornography, tobacco, and fireworks. The White Paper includes a commitment to “legislate through the forthcoming Education Bill to give teachers a more general power to search for any item which they reasonably believe is going to be used to cause harm to others or to break a law so that, for example, teachers can search for items such as phones or cameras which they believe are going to be used in this way”.¹²¹

65. The Children’s Rights Alliance for England argued that the extended powers “constitute a significant intrusion into children’s privacy, which must be shown to be necessary and proportionate in order to be lawful”; and it claimed that legal advice given to Sir Alan Steer questioned the legality of any general power to search.¹²² Several memoranda¹²³ argued that the extension of the power to search would make teachers uncomfortable or could put them at risk and inflame difficult situations. However, Mr John Bangs, until recently Head of Education at the NUT, welcomed the expansion of categories of item for which pupils can be searched, stating that “allowing pupils to be searched for weapons, drugs or stolen goods but not, for example, for an irritating and concealed electrical device, represented an arbitrary distinction”.¹²⁴ Evidence from the Teacher Support Network also highlights the findings of the Network’s 2010 Behaviour Survey, which found that

the majority of teachers who responded said that the expanded set of search powers, announced by the Department, would be important or essential in improving behaviour in their current or most recent school. 69% of teachers who responded to the 2010 Behaviour Survey regarded powers ‘for teachers to search pupils for stolen property and any other item which could cause disorder or pose a threat’ as important or essential for the future. However, a greater majority said that ‘additional training for teachers on challenging behaviour and using restraint and search powers’ would be important or essential.¹²⁵

121 *The Importance of Teaching*, para 3.10

122 Ev w138

123 e.g. Ev w142 [Southampton Psychology Service]; Ev 129 [Voice]

124 Ev w3

125 Ev w119

66. Daisy Christodoulou, an Ambassador for Teach First, highlighted the importance of new powers as ‘deterrents’, explaining that “it’s not particularly that I want to search a pupil’s bag, but if there is a law and the school has the power to do so, it sends a message. That’s what I like about it. That message does get through to kids, and it makes them think”.¹²⁶ Other teacher representatives expressed similar views,¹²⁷ although the National Union of Teachers called for an “unequivocal statement from Government that if teachers use their powers to search pupils or their rights regarding physical restraint there will be no unforeseen consequences arising from their actions [...] Many are currently not confident that if they take such action they will be supported by senior leadership teams, parents or the local authority should an inquiry be conducted”.¹²⁸

67. With regard to the Government’s proposals to improve guidance regarding teachers’ use of force or physical restraint, it was put to us that existing guidance was already adequate. Ofsted told us that “the guidance on teachers’ disciplinary powers appears to be clear and Ofsted has no evidence to suggest that schools do not understand these powers or that they need to be extended”. It did, however, acknowledge that “it may be useful to schools to have these [powers] reiterated in succinct guidance”¹²⁹—which is precisely what was proposed in the Schools White Paper.¹³⁰ Mr Bangs added that teachers may benefit from greater training in how to restrain, commenting that “the availability of good training is again patchy and needs fundamental improvement in availability. Teachers, themselves, need to be asked whether or not they feel they would benefit from such training”.¹³¹

68. We support proposals in the Schools White Paper to extend powers relating to search and to clarify powers of restraint, in the interests of supporting teachers’ authority in managing behaviour. Guidance on use of powers to restrain should include specific advice on restraining pupils with Special Educational Needs or disabilities in the interests of protecting both pupils’ and teachers’ safety. School staff will only feel confident in using their powers if they are regularly trained and if they sense that they have the full support of school leaders in their use.

69. A separate point on pupil restraint was raised by Treehouse, a national charity for autism education. Treehouse expressed “serious concerns” should the requirement to record and inform parents about incidents when force has been used on their children be removed, explaining that

As autism is a disability affecting communication, many children and young people will not be able to inform their parents if force has been used on them. Communication difficulties may also mean that children with autism do not know what ‘appropriate force’ is, or why they are being disciplined. It is therefore vital that

126 Q 249

127 e.g. Q 130

128 Ev 117

129 Ev w161

130 *The Importance of Teaching*, para 3.9

131 Ev w3

schools keep parents informed about incidences when force has been used to ensure that these practices are transparent and accountable.¹³²

It is unclear from the White Paper whether the requirement for schools to record incidents will be removed. As it stands, the White Paper states that “we will give schools greater discretion to decide on the most appropriate approach to monitoring the exercise of these powers”.¹³³ **We believe that the requirement to inform parents of incidents when powers of restraint have been used on their children is in the interests of building trusting relationships between schools and parents.**

Abolition of 24 hour notice of detention

70. Many of our witnesses were wary of the Government’s proposals to abolish the requirement for schools to give 24 hours’ notice of detention outside school hours. Their concerns were summed up by the Association of School and College Leaders:

For after school detentions there are a number of practical considerations to take into account. Firstly there is the safeguarding for the child; is it appropriate to delay a 12 or 13 year old on a dark evening to then potentially travel home alone without having warned the parents (who may not be able to collect the child)? For many schools there are transport issues where students travel to school by coach and parents would need to make arrangements to collect their child after the detention. The 24 hour gap also gives a “cooling off” period for the teacher who may have made a hasty decision. The school will also need to consider the relationship with the parents/guardians and a lack of prior notice, even if supported by statute, is likely to irritate them. For these reasons we can see a large number of schools not making use of this provision.¹³⁴

71. The impact of removing the notice for detentions on school-parent relations was raised by several witnesses as being potentially extremely damaging, with Sir Alan Steer commenting that “it is disrespectful. You do not teach good behaviour by behaving badly”.¹³⁵ However, the National Union of Teachers welcomed the proposed new flexibility, “with the caveat that sensitivity regarding no notice detentions, where such action could make a child vulnerable, is retained and schools themselves are trusted to make such judgements”.¹³⁶ This concurs with the Schools Minister’s stance that “this isn’t a prescriptive policy [...] This is a permissive power that says that if you do not wish to give 24 hours, as a school, you do not have to. Schools are public bodies and as a public body they have to behave reasonably, so I don’t believe that any school would—well, any school would simply not be permitted to—act unreasonably in giving a detention”.¹³⁷

132 Ev w94

133 *The Importance of Teaching*, para 3.9

134 Ev 141

135 Q 78

136 Ev 117

137 Q 263

72. We acknowledge proposals in the Schools White Paper to legislate to abolish the requirement for schools to give parents 24 hours' notice of detentions outside school hours, and trust that schools will make sensible and appropriate use of these powers. Schools must be particularly sensitive to the needs of young carers and those with transport difficulties.

Independent Appeal Panels for school exclusions

73. At present, there is a two-stage appeal process against permanent exclusions, firstly to the governing body and secondly to an independent appeals panel. The Conservative Party announced in an April 2008 Working Paper on behaviour and schools that it would, if it came to power, end the right to appeal to an independent panel against permanent exclusion.¹³⁸ The Conservative Manifesto for the 2010 Election appeared to confirm this policy, saying that “we believe heads are best placed to improve behaviour, which is why we will stop them being overruled by bureaucrats on exclusions”.¹³⁹

74. Our evidence showed very strong support for retaining Independent Appeal Panels. However, there were mixed views as to whether Panels should retain the right to re-admit excluded pupils. On the one hand, NASUWT asserted that “independent appeals panels should not direct the reinstatement of a pupil where the disciplinary process has been carried out without any procedural irregularities of a kind that might have affected the fairness of the procedure”.¹⁴⁰ On the other, head teacher Charlie Taylor told us, “having sat in a former life as an LEA representative on those panels, the decisions that actually did get turned over made me think, ‘Damn right’, because the school had run the show appallingly, had failed to follow procedures and things hadn’t been done right.”¹⁴¹

75. The Schools White Paper proposes reforms to the exclusions appeals process whereby Independent Panels would be retained but would lose their powers to reinstate pupils. If Panels were to judge that there were flaws in the exclusion process, they could request that governors reconsider their decision, and schools might be required to contribute towards the cost of additional support for the excluded pupil. Schools would not be forced to re-admit pupils who they had excluded.¹⁴²

76. We support the retention of Independent Appeal Panels for exclusions. The new proposals for their functioning as outlined in the Schools White Paper will need to be monitored and evaluated to assess whether they strike the right balance in the interests of schools, pupils and their parents and carers when exclusion occurs. We do not believe that schools should be able to abdicate all responsibility for disruptive children. However, it is important that school governing bodies are equipped with the right knowledge and expertise in order to arrive at fair judgments. While the focus should be on justice and reasonableness, governing bodies do also need to be familiar with

138 *Giving Power Back to Teachers*, Conservative Party Working Paper, April 2008

139 *Invitation to join the Government of Britain*, Conservative Manifesto 2010, p 51

140 Ev 125

141 Q 131

142 *The Importance of Teaching*, para 3.29

training on exclusions protocols, which should form part of the training for governors that we endorse in paragraph 62 of our Report.

6 Equipping teachers with the skills and tools to manage behaviour: teacher training and continuing professional development

77. We welcome the proposals set out in the Schools White Paper for additional powers to improve standards of behaviour, but recognise they will be limited in their impact. Witnesses placed much greater stress on the importance of increasing and improving initial teacher training and continuing professional development on behaviour management for teachers.

78. In oral evidence to the Committee, Dr David Moore (a former HMI and Divisional Manager for Ofsted) highlighted the low levels of training offered to trainee teachers on child development and managing behaviour. Dr Moore pointed out that “since Kenneth Baker was Secretary of State for Education, there has been no training in child development and child psychology. That is extraordinary. If you do a three-year course, you get four to five hours if you are lucky, and if you are on a PGCE course—on which most teachers now come into the profession—you are lucky if you get between an hour and two hours on classroom management and behaviour. Marks and Spencer spends more money on training their staff to handle angry customers than we actually give teachers, which is extraordinary”.¹⁴³ Professor Pam Maras, Honorary General Secretary of the British Psychological Society, told us that training in child psychology was “crucial” and was heavily overlooked at present in teacher training and development.¹⁴⁴

79. In oral evidence, Dr Mary Bousted, General Secretary of the Association of Teachers and Lecturers, said that this assessment was “misleading”, claiming that “an awful lot of [the 24 weeks of school-based training during ITT] will be on issues around behaviour management”.¹⁴⁵ However, Sir Alan Steer warned against focusing too exclusively on the impact of a teacher’s initial training, telling us that “it is absolute nonsense to say that we are going to transform our educational system by looking at initial teacher training”. He added, “you can train somebody brilliantly, but if they go into an environment that is not receptive to their skills, what will their skill level be after three years?” Sir Alan concluded that training on behaviour management should develop “over an initial period of time [...] as your experience develops”.¹⁴⁶ The majority of witnesses to our inquiry agreed with this assessment, with much support for training which is provided in school, relevant to the circumstances in which the teacher finds him or herself. This suggests that school-based training routes may be more effective in equipping teachers with the skills they need to manage behaviour effectively.

143 Q 1

144 Q 1

145 Q 29

146 Q 80

80. The Schools White Paper contains a range of proposals on teacher training and development. A major strand is the announcement that initial teacher training will be reformed so that more training is on the job,¹⁴⁷ focusing on key teaching skills—including teaching early reading and maths, managing behaviour, and responding to pupils’ special educational needs.¹⁴⁸ The White Paper also contains a commitment to improve continuous professional development through a network of ‘Teaching Schools’, whereby outstanding schools will take the role of providing and quality assuring initial teacher training in their area.¹⁴⁹ This will be accompanied by an increase in the number of Local and National Leaders in Education (excellent head teachers who provide support to head teachers in other schools) and Specialist Leaders of Education (excellent professionals in leadership positions below the head teacher, who will support peers in other schools). ‘Teaching Schools’ and the National Leaders programmes will be accredited by the National College.¹⁵⁰

81. When asked whether the proposed move to more school-led training would improve the quality of the workforce, Jacquie Nunn, representing the Training and Development Agency for Schools, answered:

At the moment, our employment-based trainees say that they are more satisfied with the training in behaviour. There are three reasons for that. The first is their status - they are employed in the school and, therefore, their status is different from that of the trainee teacher coming in for a 12 or six-week practice. [...] The second thing is about continuity. Typically, a larger percentage of our employment-based trainees move on to do their induction year in the school in which they had their initial teacher training. For that reason, there is a pull-through - they are working within the same set of expectations, so we would expect them to be more confident. Thirdly, there is an issue about mentoring and coaching [which] tends to be more about behaviour management and so on, whereas in the university-led, rather than based, courses—they are all very much school-based—there is a strong focus on their subjects. I would say that, in teaching and learning, strong focus on subjects is as much about what we are here for in terms of engagement of children and young people in their learning.¹⁵¹

82. In her Annual Report for 2009–10, the Chief Inspector of Education, Children’s Services and Skills said that “There was more outstanding initial teacher education delivered by higher education-led partnerships than by school-centred initial teacher training partnerships and employment-based routes”.¹⁵² While this is true of employment-based routes, analysis by Professor Alan Smithers and Dr Pamela Robinson of data

147 The “school-based routes into teaching” to which the Schools White Paper refers (para 2.21 of *The Importance of Teaching*), refers to both School Centred Initial Teacher Training (SCITT)—training which is delivered by consortia of schools and leads, in most cases, to the awarding of a Post Graduate Certificate in Education—and Employment Based Initial Teacher Training (EBITT), such as the Graduate Teaching Programme (GTP). In this report, these training routes are referred to as “school-led” training, as opposed to “university-led” training routes such as the Postgraduate Certificate in Education (PGCE).

148 *The Importance of Teaching*, para 2.6

149 *The Importance of Teaching*, para 2.24

150 *The Importance of Teaching*, para 2.43

151 Q 339

152 HC 559, Session 2010–11, p 59

collected by the Training and Development Agency for Schools shows that training provided by schools consortia was more likely to receive the highest Ofsted rating than that provided by higher education institutions.¹⁵³ Research by Musset *et al* suggests that trainees who have had extensive training in schools perform better as teachers.¹⁵⁴

83. Russell Hobby, General Secretary of the National Association of Head Teachers, suggested that a balance between the academic and practical aspects of training needs to be struck, telling us that

there are some topics around behaviour that are best addressed in an academic or higher education environment, particularly when you are phasing into some of the more complex needs—health, mental health and special educational needs. Getting a whole view of child development and how children grow and learn may not be the right thing to take place within a school environment. Nor [...] would every school welcome the requirement to train teachers. What we are probably talking about is a balance of a school-led provision with suitable academic input.¹⁵⁵

This view was supported by Dr John Dunford, who commented “I hope that the pendulum does not swing too far [towards school-led training]: it is important to keep a link to theory and to understand a bit about child psychology.”¹⁵⁶

84. We welcome the increased focus on the importance of initial teacher training and continuing professional development on behaviour contained in the Schools White Paper and we support the shift towards more school-centred and employment-based training and development—including the introduction of ‘Teaching Schools’ and University Training Schools. We have noted Jacqui Nunn’s comment that all ITT courses are now very much school-based, whether school or university led, and we have seen that Ofsted has recognised outstanding teacher training in both types of course. However, as trainees on school-led courses are more satisfied with their training in relation to behaviour, there are good grounds for optimism about the impact on behaviour of the proposals in the Schools White Paper. It is also essential that all routes develop strong links with higher education to ensure that teachers maintain up-to-date subject knowledge, access to—and understand of—research, and a solid grounding in theories of child development, particularly for children with special educational needs.

Training for teachers on identifying and supporting pupils with special educational needs and disability

85. Witnesses representing young people with special educational needs and disabilities reported serious weaknesses in teachers’ abilities to identify and support pupils with special educational needs, recommending that “all teachers should be properly trained in SEN, in

153 In 2008–09, 5 of the 60 universities offering primary initial teacher training (ITT) achieved maximum Ofsted ratings (8.3%), compared to 7 out of 28 primary school-centred ITT (SCITT) programmes (25%). 8 out of 71 universities offering secondary ITT achieved maximum Ofsted ratings (11.2%), compared to 4 out of 27 secondary SCITTs (14.8%). Source: TDA

154 Musset, P. (2010) Initial Teacher Training and Continuing Training Policies in a Comparative Perspective. OECD Working Papers, No. 48, OECD Publishing, p 9

155 Q 174

156 Qq 340, 341

order to recognise whether behaviour is a result of an unidentified or unmet SEN”.¹⁵⁷ We were told of children on the autistic spectrum whose behaviour, although apparently mocking or challenging, in fact resulted from the child’s literal interpretation of an instruction.¹⁵⁸ We note wider concerns about identification of children with special educational needs, notably those expressed by Ofsted in its recent *SEN and Disability Review*, which concluded that “despite extensive statutory guidance, the consistency of the identification of special educational needs varied widely, not only between different local areas but also within them”.¹⁵⁹

86. Sir Alan Steer told us that “I worry about our SEN identification” and he described Ofsted’s SEN and Disability Review as “excellent.” In his view, it was “ludicrous” and “not credible” that a summer-born child was twice as likely to be on the SEN register than an autumn-born child.¹⁶⁰ Jane Vaughan, Director of Education for the National Autistic Society, suggested that secondary schools were showing considerably weaker progress than primaries in identifying pupils with SEN.¹⁶¹

87. To address weaknesses in identifying and supporting pupils with SEN, National Strategies launched the Inclusion Development Programme (IDP), which supported schools and early years settings in helping staff to analyse the causes of poor behaviour. In 2008, the IDP focused on dyslexia and speech, language and communication needs. In 2009, the focus was on supporting pupils on the autistic spectrum. There was strong support for the Inclusion Development Programme amongst witnesses,¹⁶² and Virginia Beardshaw (Chief Executive of I CAN)¹⁶³ recommended that the programme should be refreshed and disseminated further to the benefit of all teachers.¹⁶⁴ However, with the ending of National Strategies, it is unclear how central coordination and dissemination of good practice and training concerning teaching pupils with SEN and disability will be managed in future. The Government accepts that “correct identification and appropriate provision for pupils with SEN is a priority”;¹⁶⁵ but details of how the Government intends to provide for this will not be known until the Green Paper on special educational needs is published in February 2011.

88. Poor behaviour is often linked to an unidentified special educational need. There is widespread recognition that current practice amongst teachers in identifying and working with pupils with SEN is inconsistent. The Inclusion Development Programme, provided through National Strategies, was valued highly. **The Green Paper on special educational needs and disability should include a clear expectation that schools should invest in training their staff on identification of special educational needs and on links between special educational needs and behaviour. The Department should be able to**

157 Ev 149 [Special Educational Consortium]

158 See Qq 188, 202 [Jane Vaughan]; also Ev w107–8 [Oxfordshire County Council]

159 *The Special Educational Needs and Disability Review*, Ofsted, 14 September 2010, Executive Summary, p 7

160 Q 89

161 Q 190

162 e.g. Q 192

163 A charity working for children with speech and language difficulties

164 Q 193

165 Ev 166

demonstrate that high quality initial teacher training and continuing professional development is available to equip all teachers with the skills to identify special educational needs, particularly speech, language and communication needs; and it should refresh and disseminate further the Inclusion Development Programme (IDP).

7 Managing exclusions

89. A school can exclude a child for a fixed period of time only in response to breaches of the school's behaviour policy, including for persistent disruptive behaviour. The exclusion should be for the shortest time possible and a child cannot be given fixed period exclusions which total more than 45 days in one year. A school should set (and mark) work for a pupil on the first day of an exclusion. By the sixth day of a fixed term exclusion, full-time alternative education should be arranged by the school. As Sir Alan Steer concludes, "the requirement to make [Day 6 provision for excluded pupils] has been a challenge for schools".¹⁶⁶ In the same report, Sir Alan also criticised the use of repeat fixed term exclusions as a way of avoiding permanent exclusion and recommended that "DCSF, for its part, should consider how to support and challenge local authorities with disproportionately high exclusions and DCSF guidance should particularly address the issue of repeat fixed-period exclusions".¹⁶⁷

90. A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. Schools can exclude a child if the pupil has seriously broken school rules or if, by allowing the pupil to stay in school, it would seriously harm their education or welfare, or the education or welfare of other pupils. However, there are exceptional circumstances in which a head teacher may decide permanently to exclude a pupil for a one-off offence. For permanent exclusions, it falls to the local authority to provide full-time alternative education provision on the sixth day of the exclusion. The 'six day' requirement on local authorities for permanent exclusions was reduced from fifteen days in 2007, increasing the pressure on local authorities to have appropriate and responsive services available for permanently excluded pupils.¹⁶⁸

91. Data from the Department for Education, released in July 2010, shows that there were an estimated 6,550 permanent exclusions from primary, secondary and all special schools in 2008–9, representing 0.09% of pupils in schools. Compared to 2007–08, the number of permanent exclusions has decreased by 19.4%. This decrease is attributed in part to local authorities' and schools' attempts to reduce the need for permanent exclusion by employing alternatives such as 'managed moves'¹⁶⁹ between schools. In 2008–9, there were 307,810 fixed period exclusions from state-funded secondary schools and 39,510 from primary, compared with 324,180 and 43,290 respectively in the previous year. It is important to note that all data refers to cases of exclusion, rather than the number of pupils excluded, as some pupils are excluded more than once during the year. The most common reason for exclusion was persistent disruptive behaviour.¹⁷⁰

166 Sir Alan Steer, *Learning Behaviour: Lessons Learned*, 2009, p4

167 Sir Alan Steer, *Learning Behaviour: Lessons Learned*, 2009, p4

168 <http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/2008guidance/part2a/>

169 A head teacher may ask the head teacher of another school to admit a pupil who is at risk of exclusion. This is intended to give the pupil a 'fresh start' at the new school. Managed moves must be carried out only with the full knowledge and co-operation of all parties involved, including parents, governors and the local authority, and with the pupil's best interests at heart

170 Source: Statistical First Release: Permanent and Fixed Period Exclusions from Schools and Exclusion Appeals in England, 2008/9, Department for Education, 29 July 2010

92. Pupils with special educational needs feature heavily in exclusion statistics. Just over one in five pupils (or 1.7 million school-age children in England) are identified as having special educational needs. In theory those in need of the most intensive support are given a statement of SEN. The proportion of statemented pupils currently stands at 2.7% (a decrease from 3% since 2003), whilst the proportion of non-statemented pupils with SEN has increased from 14% in 2003 to 18.2% in 2010.¹⁷¹ Pupils with SEN (both with and without statements) are more than eight times more likely to be permanently excluded than those pupils with no SEN. In 2008–09, 24 in every 10,000 pupils with statements of SEN and 30 in every 10,000 pupils with SEN but without statements were permanently excluded from school, compared to three in every 10,000 pupils with no identified SEN. For fixed period exclusions, the rate for pupils with statements was 19.1%, 14.2% for pupils with SEN without statements, and 2.2% for pupils with no SEN.¹⁷²

93. As Professor Pam Maras—Honorary General Secretary of the British Psychological Society—told us, “schools find it very difficult to interpret SEN policies in relation to behaviour, because, of course, behaviour is also dealt with through disciplinary action”.¹⁷³ Young Minds, a charity which aims to support the emotional wellbeing and mental health of children, also pointed out that “many children who have a special educational need, particularly those who are said to have behavioural, emotional and social difficulties (BESD), will also have mental health problems”.¹⁷⁴

94. Aside from pupils with SEN, other groups of pupils also feature prominently in exclusion statistics:

- The permanent exclusion rate for **boys** was approximately 3.5 times higher than that for girls. The fixed period exclusion rate for boys was almost three times higher than for girls
- Children who are eligible for **free school meals** are approximately three times more likely to receive either a permanent or fixed period exclusion than children who are not eligible for free school meals
- **Black Caribbean** pupils are 3 times more likely to be permanently excluded than the school population as a whole.

This, however, clearly does not isolate race or low income as drivers of bad behaviour *per se*.

95. Evidence from the British Psychological Society outlined a range of other risk factors which can influence the behaviour of young people. These include:

- Age-related factors (for example teenagers tend to become more ‘negative’ around the ages of 13 to 15 when they are required to make important decisions about

171 *The Special Educational Needs and Disability Review*, Ofsted, 14 September 2010, Summary

172 Source: Statistical First Release: Permanent and Fixed Period Exclusions from Schools and Exclusion Appeals in England, 2008/9, Department for Education, 29 July 2010

173 Q 23

174 Ev 153

their education, including GCSEs, which will affect their future educational and employment opportunities)

- Life events, such as school change, educational stress and life worries
- Changes in adolescence, including neurological changes which are likely to impact on emotions and behaviour
- Correlations between school culture characterised by perceptions of low teacher and classmate support, pupil conflict, unfair school rules and disciplinary practices, and low pupil autonomy and low attachment to learning and peer approval of deviance.¹⁷⁵

Early identification of and intervention with pupils at risk of exclusion

96. The Ministerial foreword to the 2008 White Paper *Back on Track* reported that “school leaders and other education professionals have told us that we need to do more to intervene early to support and challenge those young people who are starting to cause difficulties in school”.¹⁷⁶ Evidence to our inquiry demonstrated widespread support for early interventions which can tackle the reasons for bad behaviour as opposed to relying on exclusion once behaviours have escalated, although it should be noted that some witnesses advocated retaining exclusion as an “ultimate sanction” to aid teachers in enforcing good behaviour.¹⁷⁷

97. YoungMinds drew our attention to research undertaken by Action for Children and the New Economics Foundation¹⁷⁸ which found that providing more effective early interventions could save the UK economy £486 billion over twenty years by tackling problems early on rather than firefighting with expensive interventions once behaviours had escalated.¹⁷⁹ However, as Demos highlighted, “there is frequently a lack of funding for spending on early intervention. Early intervention approaches tend to be tied to short term, specific ring-fenced funding from the Department which ceases after a few years, and jeopardises the stability of these interventions [...] Those schools that have adopted early intervention programmes on a long-term basis have had to look for alternative sources of funding, not available to all schools, or fund programmes from other budgets”.¹⁸⁰ Demos added that “preventative programmes and interventions are not a legally binding element of local authority spending, unlike provision for excluded pupils which is an obligation under the Education Act 2003. For these reasons the legal impetus on local authorities is retrospective, rather than proactive, when it comes to tackling disengagement”.¹⁸¹ The

175 Ev 99

176 DCSF, *Back on Track: a strategy for modernising alternative provision for young people*, May 2008, p 1

177 Q 217 [Daisy Christodoulou]

178 *Backing the Future: Why investing in children is good for us all*, Action for Children and the New Economics Foundation, September 2009

179 Ev 154

180 Ev w18

181 Ev w18

Committee also noted that schools do not always see early intervention as a legitimate and essential priority when it comes to allocating their budgets.

98. As with any preventative programme, there are always challenges in proving what does and does not happen as a result of investment in interventions. The lack of any solid evidence base showing the effectiveness of early interventions in managing the behaviours that may lead to exclusion is a problem in this respect. As Sue Bainbridge told us, National Strategies has tried to encourage schools to track the effectiveness of interventions through improved data analysis.¹⁸² **The Government should actively pick up the work begun by National Strategies in encouraging schools to track the effectiveness of interventions to manage behaviour.**

99. Sure Start children's centres were praised by some witnesses for providing effective early interventions.¹⁸³ Sure Start and other intervention programmes will in future be funded from a single Early Intervention Grant, worth £2.212 billion in 2011-12 and £2.297 billion in 2012-13.¹⁸⁴ The Early Intervention Grant is earmarked to fund Sure Start Children's Centres, an entitlement to free early education for disadvantaged two year olds, short breaks for disabled children, as well as services for young people currently funded through the Department for Education, a range of interventions provided by local authorities targeted at supporting vulnerable young people to engage in education and training, and interventions to prevent young people from taking part in risky behaviour such as crime and substance abuse. The Grant replaces a number of former funding streams; but the amount to be allocated through the Grant in 2011-12 will be 10.9% lower than the aggregated funding streams for the various intervention programmes in 2010-11.¹⁸⁵

100. The effectiveness of Sure Start as a means of early intervention has been challenged by a recent research study by the Centre for Evaluation and Monitoring, based at the University of Durham. The Centre's findings were based upon surveys of the development of 117,000 children starting primary school in England over eight years; and it concluded that there was no evidence that early years initiatives, such as Sure Start, had improved basic levels of development in early reading, vocabulary and mathematics.¹⁸⁶ This is a disappointing conclusion, as early intervention through improving parenting, which Sure Start has the potential to offer, could make a big difference in improving children's readiness for school and in reducing misbehaviour in consequence. **We welcome Government plans to extend free nursery care to disadvantaged 2-year-olds, and we urge the Government to improve its efforts to look for the most effective, evidence-based forms of early intervention, taking into account the work of the Rt Hon Frank Field MP and Graham Allen MP in their reports.**

101. Alongside its plans for investment in Sure Start Children's Centres, the Government also announced in December 2010 that there would be "important new investment

182 Q 110

183 See for example Q 36 (Dr Bousted)

184 HC Deb, 13 December 2010, col. 67WS

185 HC Deb, 13 December 2010, col. 67WS

186 <http://www.dur.ac.uk/news/newsitem/?itemno=11251>

through Department of Health budgets to provide 4,200 extra health visitors”.¹⁸⁷ It is not yet clear whether this will be additional funding or whether these health visitors will be funded from the existing allocation to Sure Start. **The Government should clarify how the proposed 4,200 new health visitors will be funded and whether this initiative is also expected to be funded from the Early Intervention Grant.**

102. With regard to forms of intervention other than Sure Start, the National Association of Social Workers in Education (NASWE) pointed to the specific role for local authority education welfare services (EWS) in securing appropriate early interventions for pupils and their families, where schools do not have authority to intervene:

The EWS [...] works with young people who are very vulnerable but do not yet meet thresholds for other statutory interventions; this will include young people who are neglected, at risk of criminal behaviour, harming themselves through reckless behaviour, early parenthood, substance misuse and mental health difficulties.¹⁸⁸

Bill Gribble, a behaviour consultant, stressed the value of education welfare services, telling us that “when I was a head teacher, the education welfare officer was my eyes and ears in the community—and certainly my eyes and ears for early warnings of problems with particularly vulnerable children either coming into the area or developing within the area”.¹⁸⁹

103. A major part of the education welfare service’s role is to address school attendance issues. NASWE and other witnesses observed that the factors which can predispose poor school attendance—such as poverty and mental or physical ill-health—are equally applicable in predicting poor behaviour.¹⁹⁰ The Association of School and College Leaders also commented that poor attendance can trigger a “vicious circle” as absence creates “a discontinuity in the learning experience [...] and this can lead to them being uninterested and then disruptive”.¹⁹¹

104. As we noted earlier in this Report, strong engagement with parents and carers is vital in managing behaviour. Andrew Winton, Manager of Voice for Young People at the London Borough of Havering, pointed out that parents of pupils not attending school “are some of the most difficult to engage”.¹⁹² NASWE added that “where parents and young people are unwilling to engage, the EWS may be the only agency where thresholds for statutory intervention have been reached and do not rely entirely on consensual engagement by the young person or their parents”.¹⁹³

105. The Department for Education does not provide specific earmarked funding for education welfare services. Local authorities fund services from a combination of formula grant and council tax, and it is for local authorities to decide how much they can spend on

187 HC Deb, 13 December 2010, col. 68WS

188 Ev 177

189 Q 331

190 Ev 174

191 Ev 140

192 Q 331

193 Ev 177

these services. As Andrew Winton advised us, in some local authorities cuts to education welfare services are “huge” (50–80% in some areas).¹⁹⁴ Mr Winton added that there are risks in devolving such a service to schools, adding “a while ago, there was the opportunity for it to be devolved to schools and, where it was devolved to schools, it was unsuccessful. Where staff were based in schools but were managed centrally under a professional management structure, that worked well”.¹⁹⁵

106. Given the important role that education welfare services can play in identifying and intervening at an early stage with pupils at risk of poor behaviour and their families, we are concerned at the prospect that local authorities will make significant cuts to these services. **We believe that the value of education welfare services—which prevent the need for later, more expensive interventions—may be under-estimated. The Government should bear in mind, in a climate of increased devolution of responsibility to schools for managing behaviour, evidence which suggests that responsibility for the central co-ordination of education welfare services should rest with local authorities rather than with schools, if the services are to function well.**

Alternative provision

107. Under section 19 of the Education Act 1996, local authorities have a duty to provide suitable education for children of compulsory school age who cannot attend school - for medical reasons for example, or because they have been excluded. Around 135,000 pupils a year, mostly of secondary age, spend some time in alternative provision. Alternative provision provided by schools and local authorities can range from pupil referral units (PRUs) and further education colleges to voluntary or private sector projects. About one third of placements are in PRUs, with the rest in other forms of alternative provision. The 2008 White Paper *Back on Track* observed that “it costs around £4,000 a year to educate a pupil in a mainstream school, but about £15,000 a year for a full-time placement in a Pupil Referral Unit, where most permanently excluded pupils are educated”.¹⁹⁶ Schools can also arrange alternative provision for their pupils as part of their wider strategies for reducing exclusions. Schools and local authorities must ensure that any education which they commission from outside bodies is of high quality, and ensure that robust systems are in place for monitoring the provision.

108. In oral evidence to the Committee, Sir Alan Steer described the situation regarding alternative provision as “hard to describe as anything but scandalous”, with “excellent provision in certain places [and in other places] children who are out of school, receiving as little as one hour a week of home tuition, week after week, month after month.”¹⁹⁷ On the latter point, the Schools White Paper announces plans to require all local authorities to provide full-time education for all children in alternative provision from September 2011.¹⁹⁸ Whilst this is a welcome development—particularly in ensuring good attendance and continuity of a pupil’s education—it does not address one of the major problems

194 Q 384

195 Q 384

196 *Back on Track: A strategy for modernising alternative provision for young people*, DCSF, May 2008, p 1

197 Q 93

198 *The Importance of Teaching*, para 3.30

arising from our evidence: that of providing appropriate provision which is flexible to the needs of pupils.

109. Sir Alan Steer was not alone in criticising standards of alternative provision. The National Association of Head Teachers said that “a wide variety of pupil referral units existed, but all were facing similar barriers in providing a good education for their children and young people. Some with inadequate accommodation, pupils of different ages with diverse needs arriving in an unplanned way, limited numbers of specialist staff to enable a broad curriculum to be delivered and too often there were difficulties in reintegrating pupils into mainstream schools”.¹⁹⁹ The challenging task PRUs face was described by the National Children’s Bureau, which said:

Although it is of course the primary purpose of PRUs to offer an educational intervention to these young people, our research confirms that their welfare and mental health needs must also be identified and addressed—often in the context of difficult and complex family situations. PRUs must be equipped to offer and/or broker the different types of support these children need in order to increase the likelihood of successful reintegration into mainstream education and, over time, improve their life chances.²⁰⁰

110. Where PRUs have been allowed to innovate and respond to need as they see fit, excellent results have been achieved. One good example, which we visited, is New Woodlands School in Lewisham. Although formally a special school for children with social, emotional and behavioural needs, in practice New Woodlands operates as a Pupil Referral Unit for children without statements of special educational needs referred from mainstream schools in the London Borough of Lewisham, offering short-term spells of alternative provision: anything from six weeks to several months. Only a successful application for a “power to innovate” under the Education Act 2002 had enabled New Woodlands School to offer places to children without statements of special educational needs, and we were told that while other institutions might have the same philosophy, they were constrained by law from offering the flexibility of provision for children without a statement of SEN.²⁰¹

111. The Government’s view is that local authorities currently see their own pupil referral units as the default provider for alternative provision and that they fail to capitalise on expertise from third sector and other providers.²⁰² The Schools White Paper set out an intention therefore to “increase the autonomy, accountability and diversity of alternative provision”, for instance by opening up the market to more providers, including those in the third sector. The White Paper included a commitment to bring forward legislation which would give pupil referral units (PRUs) the same self-governing powers as community schools including powers over staffing and finance. It also announced that the

199 Ev 143

200 Ev w60

201 Annex 1

202 *The Importance of Teaching*, para 3.33

forthcoming Education Bill would include provisions enabling PRUs to become Academies.²⁰³

112. Opening up the market may make it harder for commissioners to compare the quality of a wider range of alternative provision. The White Paper recognised that currently there is no “common or transparent measure of [...] quality”²⁰⁴ for third sector organisations, which could make it difficult for these organisations to prove their worth to commissioners. The White Paper announced therefore that the Government would consider introducing a quality mark, or tighter regulation for alternative provision, subject to a review of alternative provision by Ofsted.²⁰⁵ Demos told us that “the quality assurance of alternative provision needs to happen on the same basis as quality assurance for schools”, and it recommended that “Ofsted should be charged with inspecting alternative provision regardless of sector (in other words, voluntary and community sector and private sector provision should be inspected by Ofsted in the same way that PRUs are)”.²⁰⁶ Furthermore, Demos identified a need for greater dissemination or “evidence-based practice” to advise the development of new alternative provision.²⁰⁷

113. The Government believes that, through greater devolution of commissioning and procurement of alternative provision from local authorities to schools, the alternative provision market will attract a wider range of providers.²⁰⁸ Although welcome in some respects, many witnesses alluded to major cuts being made to local authority youth services—some of which contribute to the spectrum of alternative provision upon which schools rely—as a barrier to this policy. Leicestershire County Council told us that cuts were a major threat, with serious repercussions for behaviour both in and outside of school. The council and its partners were also sceptical of the ability of the third sector and volunteers to fill the void left behind as services are withdrawn, meaning simply that services may not be available for schools to commission in future.²⁰⁹

114. The measures outlined in the Schools White Paper to allow greater freedom for pupil referral units to innovate, and proposals to facilitate access to the alternative provision market to a more diverse range of providers, are welcome in principle. However, in the current economic climate, the alternative provider market may come under pressure from cuts in local authority budgets—particularly in Youth Services. The Government may be being optimistic in expecting that significant numbers of new providers will enter the market for alternative provision. A situation cannot be allowed to arise where any pupil is left without good quality provision.

203 The Importance of Teaching, para 3.32 and 3.34

204 *The Importance of Teaching*, para 3.35

205 *The Importance of Teaching*, para 3.36

206 Ev w18

207 Ev w18

208 *The Importance of Teaching*, para 3.33

209 Annex 2

Behaviour and Attendance Partnerships (BAPs)

115. The Apprenticeships, Skills, Children and Learning Act 2009 introduced a statutory requirement for all secondary schools, including academies, to be part of a local Behaviour and Attendance Partnership (BAP) - that is, for schools to co-operate with at least one other relevant partner with a view to promoting good behaviour. Prior to the Act, such partnerships were voluntary. Most secondary schools now operate in a behavioural partnership which allows them to share expertise and resources and operate protocols such as ‘managed moves’, whereby one head teacher may ask another to admit a pupil in order to prevent exclusion. Evidence from our witnesses confirmed that “working in partnership with other schools, local services and the wider community to draw on local expertise and resources [is] of critical importance in addressing challenging behaviour, including exclusions”.²¹⁰ However, the Coalition Government has since revoked the commencement order bringing in the requirement for schools to form BAPs.²¹¹ This met with mixed reactions from our witnesses.

116. During our visit to Leicester City Council, local partners were confident that there existed an established culture of less challenged schools supporting those with greater challenges in terms of pupil behaviour. Therefore, the removal of the requirement to form BAPs was expected to have little impact on local partnership working. This was reflected by head teacher witnesses to our inquiry, who told us that “even if you require people to participate in partnerships, they can be there in spirit but not in body and vice versa, so required partnership working tends to produce no better effects than voluntary [...] partnership working”.²¹² This is of little concern in areas where partnerships are already well embedded, as in Leicester. However, our evidence shows that the quality and effectiveness of partnerships varies considerably across the country. As the Association of School and College Leaders stated, “in some places partnerships are still at a low level of effectiveness, particularly when some schools remain outside the group”.²¹³ This accounts for the opinion of the NASUWT—echoed by several of our witnesses²¹⁴—that “the Coalition Government’s decision to revoke the requirement for such partnerships is therefore a regrettable and retrograde step that will harm developments to encourage cross-community support for schools in managing behaviour”.²¹⁵

117. Sue Bainbridge, representing National Strategies, highlighted some of the risks of revoking the requirement for schools to form BAPs, telling us that “some partnerships will use it as an excuse now for schools to drop out. At the end of the day, schools will work with schools that they can benefit from. [...] We may find that [some schools] are not as welcome into the partnership, because they negatively contribute to the number of excluded pupils without doing their bit to contribute in a positive way—to offer services

210 Ev 132

211 The Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No.2 (Amendment) and Transitional Provision) Order 2010, S.I., 2010 No.1891

212 Q162 [Russell Hobby, supported by Mike Griffiths, Gillian Allcroft and Charlie Taylor]

213 Ev 139

214 Ev w52 [Fiona Wallace], Qq 322, 323

215 Ev 124

and support to schools”.²¹⁶ The NASUWT claimed that “evidence from academy schools to date demonstrates that academies are far less likely to collaborate with other local schools, were more likely to exclude pupils²¹⁷ and less likely to admit pupils excluded from other schools”.²¹⁸ If this is so, it would suggest that schools performing well—whether academies or not—may be reluctant to participate in arrangements which could depress their standing in league tables or force them to accept ‘problematic’ pupils. In oral evidence, the Minister for Schools pointed out that local authorities’ Fair Access Protocols²¹⁹ should prevent all children who had been excluded in an area going into one particular school.²²⁰ However, as Dr Mary Bousted, General Secretary of the Association of Teachers and Lecturers contended, “the Secretary of State repeatedly says that academies and free schools have to abide by the admissions code, but my question back to him all the time is, ‘Who will enforce it?’ If it is not enforced, schools will play by other rules in order to get an intake that maximises their position in the league tables”.²²¹

118. The Schools White Paper proposes the piloting of a new approach to managing permanent exclusions whereby schools will be held accountable for the pupils they exclude. Schools would be free to exclude but would then be responsible for finding and funding alternative provision themselves. This is likely to act as a disincentive to exclusion but may encourage schools to work in partnership with others to arrange managed moves and other preventative interventions, as well as pooling budgets. However, Dr John Dunford highlighted the drawbacks of an approach which puts increased pressure on schools to avoid exclusion at all costs, telling us that “at a time of difficult funding, [...] it would be very difficult for schools to afford good provision on an individual basis for excluded children full time”.²²² The Minister for Schools explained that the new Pupil Premium would help schools buy services for individual pupils.²²³ The level of the Pupil Premium has been set at £430 per pupil per year, in addition to the underlying school budget allocation per pupil.²²⁴ However, as Dr John Dunford observed, with the cost of a placement in a

216 Qq 120,121

217 See also Ev 115 (NUT): Figures for 2008/09 (published July 2010) show that permanent exclusion rates in Academies were almost three times as high as those in all schools—0.31% in Academies compared with 0.09% in all schools—and almost double the rate for local authority maintained secondaries (0.17%). The rate of fixed period exclusions in Academies was 13.51% compared with 4.89% in all schools and 9.26% in local authority maintained secondaries. Source: DfE Statistical Release, 29 July 2010: Permanent and Fixed period exclusions from schools and Exclusion Appeals in England 2008/9, Table 14

218 Ev 124

219 According to the School Admissions Code, Fair Access Protocols exist “to ensure that access to education is secured quickly for children who have no school place but for whom a place at a mainstream school or alternative provision is appropriate, and to ensure that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools. Along with devolved funding and responsibility for alternative provision, an agreed protocol encourages local authorities and schools to work together in partnerships to improve behaviour, tackle persistent absence and help support improving behaviour partnerships. Local authorities must not require undersubscribed schools to admit a greater proportion of children with a recent history of challenging behaviour than other schools”. (School Admissions Code 2010, 3.43)

220 Q 288

221 Q 38

222 Q 318

223 Q 296

224 HC Deb, 13 December 2010, col. 70WS

pupil referral unit being £15,000,²²⁵ “the cost of dealing with this is much more than the money that [schools] will get”.²²⁶

119. We recommend that there should be a ‘trigger’ for an assessment of need, which may include special educational need, based on exclusion, for example a number of fixed period exclusions or a permanent exclusion. Not only would this ensure that children with undiagnosed special educational needs do not ‘fall through the net’: it would provide information of use to a future provider in meeting the needs of the excluded child.

120. Schools need to work in partnership with each other in order to prevent and manage exclusions effectively, whether by operating effective managed move protocols or by securing appropriate interventions to tackle challenging behaviour. **The proposed pilot to pass responsibility to schools for securing alternative education for permanently excluded pupils may act as a disincentive to exclude; and it may also provide an incentive for schools to work in partnerships to address the behaviour which leads to exclusion and provide alternative education for excluded pupils. We support greater freedoms for schools to commission their own alternative provision and decide how best to spend money to support good behaviour, as long as they are accompanied by robust quality assurance. However, the Government should clarify how schools will be funded to meet the total costs of providing full time provision for permanently excluded pupils, whether through the Pupil Premium or other funding streams.**

121. The Government has decided to remove the requirement for schools to be part of a Behaviour and Attendance Partnership (BAP). However, the Government should monitor areas where voluntary partnerships do not exist or are not operating effectively. The Government should be prepared to reverse its decision on BAPs if voluntary partnership working fails to deliver behavioural improvements.

225 DCSF, *Back on Track: A strategy for modernising alternative provision for young people*, May 2008, p 1

226 Q 400

8 Specialist services

122. A theme running through much of the evidence to our inquiry was a concern that greater devolution to schools for commissioning alternative provision and support services could lead to some services currently provided centrally by local authorities, such as behaviour support, being outsourced or disbanded completely as increasing numbers of schools become removed from local authority control and as the demand for central services becomes less certain.²²⁷ As Christine Blower of the National Union of Teachers told us:

if a number of schools can draw on that kind of facility and professional support, if there is a child who risks exclusion, we can usually manage to nip it in the bud. The more schools there are that leave the local authority, the less there is at the centre in order to be able to do that. We think that that is clearly a loss for the schools that remain with the local authority, but it is also something we don't think the academies will be able to do as effectively. If they need to buy in services, they will not be doing it on the same basis as local authorities.²²⁸

123. Ms Blower stressed that the rapid response provided by core services was “critical” in responding to immediate need.²²⁹ John Dickinson-Lilley of the Special Educational Consortium explained the particular impact the “fragmentation” of central support services would have on pupils with more complex needs:

it is really difficult to disentangle mental health disability and behavioural difficulties. There is a real issue in schools about who is responsible for a child's mental health [...] One of the key challenges for schools now, certainly with the changes to the structure of the system, is how to develop those partnerships. [...] One of our concerns at the SEC is that we are seeing significant fragmentation already in the traditional central support services provided by local authorities—such as educational psychologists and so on—because of the new academies programme. There is potential for further fragmentation with free schools, where schools will be required to commission services. If the money has already been taken away from local authorities, those services will be lost, and if they are lost, how will provision be made? It is an absolutely critical question, but it is one that we are going to find very hard to answer until the Government can give us an answer about how they are going to ensure that this provision will continue to be made while education is being changed in the way that it is being changed.²³⁰

124. The Government is currently considering the future role of local authorities in coordinating support to schools. As the Minister for Schools told us, “if you are asking about the role of local authorities in a world where an increasing number of schools are

227 e.g. Ev 116

228 Q 38

229 Q 38

230 Q 198–9

academies, the ministerial advisory group established by the Secretary of State²³¹ is looking at that to see what their role will be and how it is to be funded. There will always be a role for local authorities in the provision of education, and in the provision of central services. Because those services may be purchased by schools, it may be decided that local authorities will provide those services funded centrally—for example, low-incidence special needs. That is something that is being discussed at the moment with the local authorities”²³².

125. We await with interest the outcome of the ministerial advisory group’s study of the future role of local authorities, in particular their role in co-ordinating support to schools for managing behaviour. There is a risk that, as schools go through the transition from being dependent on local authority-provided services to having greater autonomy in purchasing their own support and services, some local authority services may be decommissioned, leaving schools, and more importantly pupils, without access to critical support. We therefore recommend that local authorities should be required to maintain and resource a basic core of provision—particularly that which is targeted at responding to urgent or critical need—until schools’ practice in commissioning and procuring their own support is well established.

126. In the remainder of this Report, we look more closely at two particular specialist services which are central to behaviour support for schools: educational psychology services and child and adolescent mental health services (CAMHS).

Educational psychology services

127. Of particular concern for our witnesses was the future availability and management of educational psychologists. The Association of Educational Psychologists (AEP) explained that “educational psychologists work on a daily basis across a range of educational settings that include schools, early years, Pupil Referral Units and within multi-disciplinary settings with close colleagues from the NHS and Children’s Social Care. As such, they are uniquely placed to ensure consistency and continuity when managing challenging behaviour, which is the bedrock of any effective behaviour or discipline policy”²³³. The Association also stressed the role which educational psychologists played in developing understanding of—and providing training to teachers on—child development and the “root emotional, wellbeing or social causes that precipitate challenging behaviour”²³⁴ as well as advising on curriculum development and special educational needs.

128. During our visit to Beaumont Leys School in Leicester, staff told us that the support which they gave to pupils could be improved significantly if they had greater access to educational psychologists and interventions from therapeutic services. At present the school receives just 30 hours of support per year from educational psychology services.

231 The Secretary of State for Education wrote to all local authorities on 26 May 2010 inviting them to partake in a dialogue about how to make the vision for a new school system a reality. In July 2010 a Ministerial Advisory Group was established to consider the role of the local authority in relation to education and children’s services, to enable ministers and local authorities to consider the future partnership between central and local Government.

232 Q 298

233 Ev 94

234 Ev 94

Difficult decisions have to be made about what to prioritise, particularly as processing one statement of educational needs can take up to six hours of an educational psychologist's time, even before a report is written. Educational psychologists therefore have very little capacity to support the school in carrying out preventative work in a more proactive way. The school has considered establishing its own educational psychology service but has decided that this is not financially viable.²³⁵ The Association of Education Psychologists told us that “the impact of educational psychologists is being undermined by the lack of resources on the frontline”,²³⁶ something which it attributed to “a lack of understanding about the range of work across educational settings that educational psychologists perform, and the unclear and unsustainable funding mechanisms for trainees that translate as a result”.²³⁷

129. The Minister of State for Children and Families has stated that the current system for funding educational psychologists (whereby local authorities are allocated non-ring-fenced funding for educational psychology training which they voluntarily contribute to a central budget each year) is not sustainable.²³⁸ These voluntary contributions have been decreasing over several years, with only 16 out of 150 local authorities contributing in the current financial year. This leaves the service with a significant shortfall in funding. The Government states that psychology services are “specialist [...] and demand-led” and that local authorities need to improve their ability to “assess capacity in relation to local demand for the service” in order to advise forward planning.²³⁹ The Association of Educational Psychologists expressed deep concern about the future of educational psychology services and recommends that “the previous funding model, which was to top-slice all local authorities rather than seek voluntary contributions, provided for a steady uptake of training places”.²⁴⁰

130. Educational psychologists provide critical support and training to school staff on a wide range of educational issues including child development, curriculum development and special educational needs. Any diminution of their ability to help schools to maintain and improve standards of behaviour could have far-reaching consequences. The voluntary funding mechanism has proved to be unsustainable. The Government must find a way forward, and one option might be for local authorities to continue to be responsible for educational psychology services, funded through a compulsory levy on schools.

Child and Adolescent Mental Health Services

131. Evidence from the mental health charity Young Minds stated that “many children who have a special educational need, particularly those who are said to have behavioural, emotional and social difficulties will also have mental health problems”.²⁴¹ Staff at

235 Annex 2

236 Ev 94

237 Ev 94

238 HC Deb, 18 October 2010, col. 774

239 HC Deb, 18 October 2010, col. 773

240 Ev 96

241 Ev 153

Beaumont Leys School in Leicester estimated that mental health problems were a factor in “maybe 60%” of behaviour resulting in fixed term exclusions.²⁴² However, during our inquiry we heard widespread complaints about the difficulties which schools face in accessing Child and Adolescent Mental Health Services (CAMHS) and the speed with which this support is made available. During oral evidence, Sir Alan Steer said that the country faced a “national scandal on the issues of children’s mental health”, commenting that the situation in some parts of the country was “dire”. He recounted a recent experience of a child waiting 18 months between referral and first appointment with CAMHS, with 9 months being reported as a ‘normal’ waiting time.²⁴³ Liz Logie, Head Teacher at Beaumont Leys School, told us that she had not had any contact with CAMHS in 8 years of her headship and agreed with Sir Alan that her school’s inability to access CAMHS was a “disgrace”.²⁴⁴

132. Asked whether the situation would improve if schools were able to commission CAMHS directly, Liz Logie said this would only be effective if sufficient funds were made available. However, Charlie Taylor, Head Teacher at Willows Primary Special School and Acting Head Teacher of Chantry Secondary Special School in Hillingdon, pointed out the potential difficulties for schools in commissioning CAMHS:

We are supposed to be able to commission through CAMHS, but I thought education recruitment was complicated until you get into health recruitment [...] The bureaucracy and everything else around it is such a complete nightmare that in the end you think it is better if we use the money on what we want. You have to pay them a huge [...] pimping fee, I suppose, to get any services into your schools. You end up paying a tip to the NHS for bringing a worker into your school, so in the end we thought we would go direct to the workers and recruit our own people.²⁴⁵

133. Many young people with behavioural issues or SEN also have mental health problems. Schools face major challenges in securing specialist and therapeutic services in order to make accurate assessments of need and to implement appropriate interventions. Particular difficulties in accessing Child and Adolescent Mental Health Services were raised by a large number of our witnesses. Sir Alan Steer suggested that a national scandal “hovers around” children’s mental health:²⁴⁶ we are in no doubt that the CAMHS situation is scandalous and that there are very serious shortcomings in access. The Department for Education and the Department of Health must co-operate in order to find a way of allowing schools to have easier and speedier access to Child and Adolescent Mental Health Services. The Department of Health and the Department for Education should pilot with a number of Behaviour and Attendance Partnerships a mechanism by which they can commission CAMHS services accountable to them locally.

242 Annex 2

243 Q 91

244 Annex 2

245 Q 159

246 Q 91

134. In our meeting with partners at Leicestershire County Council, CAMHS commissioner Liz Mair pointed out the commonly held misconception that all CAMHS services are specialist.²⁴⁷ The same point was made by the mental health charity Young Minds, which observed that “many of the services within the concept of the comprehensive CAMHS are provided by agencies other than the NHS e.g. social services, and the voluntary sector”.²⁴⁸ In Leicestershire, CAMHS believes that up to 35% of all young people referred to specialist CAMHS do not require specialist interventions (although non-specialist interventions may be required). However, as Young Minds concluded, the full range of CAMHS services—specialist and non-specialist—“need to be functioning effectively if the whole system is to work properly”.²⁴⁹

135. Evidence to the inquiry highlighted the importance of joint protocols and multi-agency information sharing, in order to improve referrals between the various partners involved in supporting behaviour, SEN and mental health. Leicester City Council operates a comprehensive referral system to behaviour support services, underpinned by an ‘Information Passport’ which brings together all relevant information about a pupil being considered for referral to alternative provision or other forms of support. This single referral form avoids the need for all concerned agencies to make multiple separate referrals to support services and improves the quality of information shared between partners. CAMHS is not party to the Information Passport used by the Leicester Education Inclusion Partnership. CAMHS is, however, a recipient of information gathered through Common Assessment Framework processes and also shares information with schools about pupils accessing its services.²⁵⁰ The case for common assessment and referral systems was supported in written evidence from NFER which stressed that “clear systems for referral and information sharing improve the decision-making process. A shared assessment tool can avoid duplication and promote early identification of need”.²⁵¹

136. There is a lack of agreement and understanding between schools, local authorities and health services as to how referrals to CAMHS should work and who should be referred. Having commonly agreed referral mechanisms would go some way to addressing this. Where Behaviour and Attendance Partnerships are in place, they should be directly involved in developing and agreeing these mechanisms.

137. Liz Mair told us that CAMHS workers feel that greater awareness of the differences between mental health problems and conduct disorders is required amongst front-line workers in order for young people and their families to get the help they need at the earliest opportunity.²⁵² Partners agreed that the Government-funded Targeted Mental Health in Schools (TaMHS) programme²⁵³ had been helpful in improving the skills of front-line

247 Annex 2

248 Ev 154

249 Ev 154

250 Annex 2

251 Ev w152

252 Annex 2

253 TaMHS is a three-year pathfinder programme, started in April 2008, aimed at supporting the development of innovative models of therapeutic and holistic mental health support in schools for children and young people aged five to thirteen at risk of, and/or experiencing, mental health problems; and their families. 25 local authorities and their Primary Care Trusts have worked together on the pathfinder.

workers, and evidence to our inquiry also showed widespread support for the programme.²⁵⁴

138. Any programme which improves the skills of frontline workers in identifying mental health problems and encourages innovation should be supported. **The Government should review the Targeted Mental Health in Schools programme and the SEN Green Paper should set out how it should be taken forward in future.**

139. The children’s communication charity I CAN attributed the failure of CAMHS to provide responsive and joined-up services to schools to the current split in commissioning budgets and priorities across the different agencies providing CAMH services.²⁵⁵ The Schools White Paper *The Importance of Teaching* proposed that local authorities should continue to hold the role of “convenor of local services” as well as “champion for vulnerable pupils in their area”.²⁵⁶ Similarly, it proposed that local authorities would continue to ensure that disabled children and those with special educational needs (SEN) could have access to high-quality provision that met their needs. Local authorities would also be responsible for funding provision for pupils with statements of SEN. Mental health is dealt with separately in the White Paper, with a sole commitment to “work with the Department of Health to develop and publish a mental health strategy” by January 2011. It is not clear from these proposals how a ‘continuum’ of provision will be constructed to ensure that young people do not fall between the gaps where services are provided by different agencies and where different thresholds for interventions exist.

140. I CAN referred to a recent proposal made by a group of children’s representative bodies to the Secretary of State for Health, which suggested fundamental changes to the way in which CAMH services are funded. The group suggested that the Government “builds on its plans to locate the public health commissioning function within local authorities, by also identifying the local authority (working closely with GP consortia) as lead commissioner and budget holder for all local children’s community health services”.²⁵⁷

141. **We support the suggestion by I CAN and other children’s representative bodies that the Government consider passing the responsibility for budgets and commissioning of all children’s community health services (including CAMHS and Speech Language and Communication specialist services) to local authorities in order to provide a more streamlined service to young people and their families, bridging the gap between ‘specialist’ and ‘non-specialist’ interventions.**

254 For example see Ev 154, para 6.4, Q 190

255 Ev 146

256 *The Importance of Teaching*, para 5.40

257 Ev 146

Annex 1: Visit to New Woodlands School, 19 October 2010

The Committee visited New Woodlands School, a London Borough of Lewisham-maintained special school and outreach service for children with behavioural, emotional and social difficulties. The Committee held a general discussion with the Headteacher, Duncan Harper, and his deputy, Liz Davis, before splitting into two groups to tour the school and to meet children (one group of primary-age children, one of secondary-age).

The establishment

There are approximately 130 children in the school, 17 of which have a statement of special educational needs. Originally, the school had been a small special school for children with social, emotional and behavioural needs. Most of the school's intake is now of children without statements referred from mainstream schools in the London Borough of Lewisham for short-term spells of alternative provision (i.e. a period of anything between six weeks and several months - typically 5 to 6 months). Initially, the placements of children without a statement of SEN had been unofficial: it was now formalised through use of the "power to innovate" under the Education Act 2002 and subsequent legislation. The model is unique in the Borough: other institutions might have the same philosophy but were constrained by law from offering the flexibility of provision for children without a statement of SEN: attempts to do so in Manchester and Oldham had been blocked by the Department. Provision elsewhere tended to be fragmented, catering for specific age groups. New Woodlands had valued the trust placed in it by the local authority.

At the time of the visit, New Woodlands had 12 classes, staffed by 16 teachers, 13 teaching assistants and nine outreach teachers who work with pupils (as opposed to staff) in mainstream schools. In addition to classroom work at New Woodlands, outreach staff worked in Lewisham schools, managing behaviour within those schools but referring children to New Woodlands if those efforts were not working.

Funding

Fixed costs (including overheads and staffing) were met by the London Borough of Lewisham. New Woodlands has a Service Level Agreement with all schools in the local area who pay to be 'in the club' on a pay-per-pupil basis. This is worth £0.5m per year to the school. Much of the surplus funding is targeted at supporting students to stay in mainstream schools; this includes funding one to one support for a set period, paying for breakfast clubs and after school clubs etc.

Ethos

The School's Mission Statement is "*to provide the same standard of care and education for all our students as we would wish for our own children*". The aim is to instil in children an understanding that, in order to fit in to society, they will need to "learn the rules". To do that, they need to think about how they present themselves, what they should aim for in future and how they could meet that aim. The headteacher described the school's approach

as “quite old-fashioned”: there is an emphasis on strict boundaries, good manners and respect. There is a deliberate effort not to make things too comfortable: exotic adventure activities would not give any incentive to children to return to their mainstream school. Children had to eat lunch at New Woodlands and had to eat together and properly.

The school gives a very strong emphasis to literacy and numeracy. Many of the classes observed during the visit were focusing on basic skills in arithmetic or phonics. New Woodlands’ teachers felt that poor literacy was a major issue amongst the pupils referred to the school. A dyslexia specialist working with a pupil with SEN told Members that many behavioural problems could be avoided if mainstream schools used New Woodlands’ methods for improving literacy, such as teaching phonics.

Incentives are provided through a token economy system: for instance, good behaviour would be rewarded with an activity at the end of the week. Behaviour was partly measured through “true time”, during which staff discussed with individual children their behaviour and invited them to grade it, negotiating towards a mutually agreed grade. This was designed to develop the children’s ability to regulate themselves.

Exclusion is avoided, not least because it releases children from responsibility. Parents are also thankful not to have to expect phone calls notifying them of imminent exclusion.

The headteacher and his deputy had worked together for many years and had a common understanding of what needed to be done. They were willing to take risks.

Re-integration

Easier for children of primary age than of secondary age, simply because there were more alternatives for children for whom a fresh start at a different school was needed. Pupils returning to mainstream education are tracked (for instance through assessments of their reading age). Pupils are not returned to mainstream school until they are completely ready – no time limit is set on their stay at New Woodlands. Success in re-integrating New Woodlands’ pupils in mainstream school is very high.

The children

The large majority are living in one-parent families; many had witnessed domestic violence, sometimes of a very serious nature. Staff had noted an increase in referrals of 5 and 6 year olds.

In a meeting with five primary age children, children’s perceptions were that:

- The environment at New Woodlands was stricter than at their mainstream school, and they were keen to return: children acknowledged that this could happen if they behaved
- There were a lot of fights
- They would like more free time: children acknowledged that this could be earned
- Swearing was done “for fun” or to annoy other children

In a meeting with secondary age pupils, children's perceptions were that:

- New Woodlands teachers were nice and able to talk to pupils at their level
- Pupils learn a lot at New Woodlands
- Lessons are more interactive and more interesting
- Pupils receive more 1-1 attention at New Woodlands – this is welcomed by pupils

Special educational needs

The number of children in Lewisham with a Statement of SEN had reduced; in order to get a statement, there needed to be a clear need, and parents needed to be able to show that they had engaged with efforts to improve their child's behaviour. Perhaps 60% of children at the School had specific language or communications needs, in some cases because they had never spent fruitful time with adults. Local schools are required to work in close partnership with New Woodlands and prove that a pupil has significant learning difficulties before a referral can be made. Referral forms must be used, with the mainstream school being specific about the nature of any behavioural issues which need to be addressed.

Parental engagement

This is recognised as very important. The leadership team had considerable success in engaging all parents and was persistent in its attempts to secure meetings with them, either at the School or in homes, at times to suit parents. Home-school agreements with parents might specify that any television or games console in the child's bedroom should be removed until the child had re-integrated into mainstream provision. Efforts are made to ensure that New Woodlands provides a welcoming and non-judgmental environment for parents and carers. For example, tea and biscuits are offered when parents/carers attend for meetings with staff.

Teaching environment

The Committee saw classes of four or five children at Key Stage 3 and 8-10 pupils at Key Stages 1 and 2, with two or three staff (teacher, teaching assistant and perhaps a behaviour team member), although class sizes would probably rise once autumn term referrals came through. Teaching staff were mostly from a mainstream school background. The senior management team and behaviour staff regularly walked the corridors. Classroom doors were locked during lessons.

The school uses a 'primary' model for teaching secondary age pupils, with the same teacher staying with a class for all subjects.

The fabric of the building

Older parts of the building dated from 1998; an extension had been built for Key Stage 3 children in 2007. All areas of the building were light and spacious and were painted in calm, attractive colours. The headteacher believed that the quality of the environment

mattered. While new premises offered advantages, older Victorian-era buildings in good repair also served well. Shoddy buildings (often those built during the 1960s) merely indicated to pupils that “they didn’t matter”.

Learning from the Woodlands experience

Deputy Headteacher Liz Davis felt that all local authorities should be prepared to devolve more of their responsibilities for behaviour management to schools to allow them to innovate in their local areas. Lewisham Council has devolved to New Woodlands all responsibility for managing the highly challenging behaviour of 5-14 year olds, allowing for much greater central co-ordination of support.

Annex 2: Visit to Leicester, 11 November 2010

Meeting with Leicester City Council

The Committee took part in a panel discussion, led by John Broadhead, Behaviour and Attendance Strategic Lead for the City Council. During the discussion, the following points were raised.

The nature and level of challenging behaviour in Leicester schools

Leicester partners generally agreed that pupil behaviour in schools was good, with pockets of seriously disruptive behaviour from a minority of pupils. The fact that many pupils with behavioural, emotional and social needs and/or disabilities are now more likely to remain in mainstream school (whereas previously they may have fallen out of the school system entirely), may have contributed to a perception in some quarters that behaviour has deteriorated.

Leicester's Education Improvement Partnership

In Leicester, an Education Improvement Partnership, of which all secondary schools are members, was established in 2006. The partnership now focused predominantly on behaviour management, advocacy for headteachers, and providing continuing professional development on behaviour management for staff working in schools. When the Apprenticeships, Skills, Children and Learning Act 2009 placed a duty on secondary schools to form Behaviour and Attendance Partnerships (that is for schools to co-operate with at least one other relevant partner with a view to promoting good behaviour), Leicester formalised its existing partnership arrangements, added new members, and pooled resources. The impact of effective partnership working is considered to be evident in the City's constantly falling permanent exclusion rate, which shows the following decreases year on year:

- 2005: approximately 50 secondary pupils excluded
- 2007: 28
- 2008: 3
- 2009: 3
- 2010: 1

The City partnership holds a common view that permanent exclusion is expensive, ineffective, and curtails pupils' life chances. The partnership aims for a zero exclusion rate.

Partnership working between schools

In Leicester City, there is an established culture of less challenged schools supporting those with greater challenges in terms of pupil behaviour. However, Education Improvement Partnership Director, Bill Morris, pointed out that achieving effective partnership working between schools was easier in a smaller city like Leicester.

Partnership working with Youth Offending Teams

The City has recognised the importance of tackling behaviour outside the school gates as well as in the classroom. Effective partnerships between the local authority, schools and the Youth Offending Team have been instrumental in ensuring this can happen. Central to the YOT's work is its focus on getting families on-side in order to secure better cooperation from young people. The Education, Training and Employment Team within the Leicester City Youth Offending Service (YOS) is grant-funded and has no budget of its own. This funding, which is short term and target specific, has allowed the YOS to play a key role in the 'team around the child' when assessing – and providing support to – pupils with behavioural issues, who are involved with the YOS. The YOS runs parenting groups and Family Support Groups and believes that work on improving self-esteem and pupils' attitudes towards school and work is infinitely more important than focusing on issuing punitive measures such as Parenting Orders. The YOT is confident that it has solid evidence proving the effectiveness of its interventions with pupils and families.²⁵⁸

The future of partnership working

The City's Education Improvement Partnership is a consensual arrangement and has no official legal status. However, the partnership is seeking to become a legal entity in future. It is likely that the EIP will continue as a central commissioning body, with responsibility for providing continuing professional development to schools. The EIP is school-led, and local authority-supported.

With National Strategies coming to an end, the City Council sees its role as being a trainer for school leaders on matters of behaviour and discipline. The expectation is that school leaders will then cascade this knowledge and training down to school staff at all levels. Marie Bush, Vice Principal of Judgemeanow Community College, agreed that this approach would be helpful and added that Judgemeanow Community College could not have become a Lead Behaviour School by working in isolation. The ending of National Strategies was not deemed to be of great concern. Mrs Bush was not concerned by the prospect of her school having to take on a greater role in commissioning and procuring services for the school.

The role of Pupil Referral Units

Historically, the PRU in Leicester offered primary and secondary settings within the same provision. In the primary provision, partnership working with schools has been in place for some time, with use being made of interventions such as managed moves between partner

258 See attached NI 45 performance returns

schools to prevent exclusion. However, Key Stage 1 places in the PRU were often taken up by children coming through from foundation stage learning.

In 2002, the Primary Behaviour Support team was more closely aligned with the primary PRU, to form a Behaviour Continuum. The Primary Behaviour Continuum focus was to build capacity within schools to support pupils with SEBD – this was a major development at the time and allowed for much improved links between schools and services targeted at preventing exclusion. This included an improved ‘outreach’ service from the PRU (PRU teachers and support staff going into mainstream schools to support teachers in managing behaviour). Nurture groups are frequently used, and are seen as a highly effective intervention with younger pupils. Primary interventions also have a heavy focus on improving literacy, as this is a major issue amongst primary pupils.

At secondary level, the situation has been more challenging: getting secondary schools to sign up to partnerships was therefore considered to be critical to addressing the high exclusion rate at secondary level in previous years.

The Secondary Behaviour Support Service and the local Pupil Referral Unit are considered to be one and the same, owing to the fact that the PRU increasingly provides preventative interventions for pupils at risk of exclusion, or displaying poor behaviour. This demonstrates the City’s increasing focus on preventing exclusion, rather than managing those pupils already excluded.

Everyone agreed that school leadership has a significant impact on the nature and level of behaviour in schools. Several of those present agreed that it was very difficult to plan for the impact of a change of leadership. It was therefore considered hugely important for mainstream schools and PRUs to maintain permanent and ongoing communication with each other, not just at times when consideration of exclusion was taking place. It was also agreed that much could be learned from the City’s secondary schools which operate a ‘one campus’ model²⁵⁹ in which concerns, information and resources are shared at all times, to facilitate effective management of pupils across the entire City.

Referrals

The Committee learned how referrals to behaviour support services in Leicester were made. The Council refers to its services as a ‘continuum of provision and support’, with a variety of agencies working together to secure support for pupils. A common referral path would operate as follows:

- Phonecall from school to support service, leading to discussions with either the Education Improvement Partnership Director or the Council’s Secondary Behaviour Support Service. They would in turn liaise, as appropriate, with the Education Inclusion Team, Educational Psychologists, and Integrated Service Managers.
- An *Information Passport* about the pupil under consideration needs to be collated. This ‘single referral form’ avoids the need for all concerned agencies to make multiple

259 The ‘one campus’ model is broadly based on the concept of a ‘virtual school’ in which all secondary schools in Leicester City work together collaboratively, to achieve the best possible outcomes for all young people, for whom the Partnership is jointly responsible and accountable.

separate referrals to support services, and improves the quality of information shared between partners.

- If partners decide that low-level interventions are required, ‘School-Action’-type interventions are put in place, possibly with additional in-school support and advice from support services.
- If higher level interventions are required, the following interventions are considered:
 - Off-site educational provision at a PRU
 - Split timetable between PRU and mainstream school
 - Vocational placements
- For pupils with the highest levels of need (i.e. those at risk of immediate exclusion), the following actions and interventions
 - Pastoral Support Plan meetings and/or Common Assessment Framework process is initiated (a ‘team around the child’)
 - A full-time personal learning programme for the pupil is agreed
 - The City’s Education Improvement Partnership (comprising all City secondary, faith and special schools, the City’s one Academy and the Council’s Behaviour Support Service) would be engaged to consider a managed move.
- At present, it is not possible to refer pupils to the City’s Special Schools without a Statement of SEN. However, the City is in the process of reviewing its current protocols to see if earlier referrals would be beneficial.

Early intervention

Early identification of difficulties was a large part of early intervention. Although witnesses agreed that early interventions were extremely important and had a marked effect on improving pupil behaviour, pupils with more complex needs often required continuing support and intervention at secondary school level. The Targeted Mental Health in Schools Programme (TaMHS) was singled out as having been particularly effective in Leicester as an early intervention.²⁶⁰

Pupils with SEN and Special Schools

Leicester partners commented on a dramatic increase in the number of primary pupils with serious behavioural issues requiring placements in Special Schools. These placements

²⁶⁰ Targeted Mental Health in Schools (TaMHS) is a three-year pathfinder programme, which started in 2008, aimed at supporting the development of innovative models of therapeutic and holistic mental health support in schools for children and young people aged five to 13 at risk of, and/or experiencing, mental health problems; and their families. The programme began in April 2008 when 25 local authorities and their corresponding Primary Care Trusts (PCTs) commenced pathfinder work. It was funded by the then DCSF.

sometimes had to be out-of-city as the primary special school in the city had closed. Many pupils with Statements of SEN are not able to secure appropriate placements in Special Schools and waiting lists in specialist provision are very long.

Educational Psychology Services.

The view from Leicester's EP service was that, whilst behaviour in Leicester's schools was good on the whole, there remain a small proportion of highly disruptive pupils who require support and interventions from outside agencies. The EP service felt that the service provided to schools and pupils from outside agencies could be improved in the following ways:

- Generally 'smarter' working with other partners
- Focusing more on the link between school and home
- Improving statutory SEN assessments, especially through enhanced parental involvement in assessments and increasing capacity in the service to deal with caseloads

CAMHS and Health interventions

CAMHS said that the local CBII (Child Behaviour Intervention Initiative)²⁶¹ had reduced waiting times for CAMHS. In 2006, waiting times for CAMHS were approximately 1.5 years. This has now been reduced to 4 months, with emergency referrals benefiting from a 24 hour emergency service.

CAMHS shares information with schools about pupils accessing its services, although CAMHS is not party to the Information Passport used by the Leicester Education Improvement Partnership. CAMHS is, however, a recipient of information gathered through Common Assessment Framework processes.

Leicester CAMHS is currently investigating what happens to young people who do not meet mental health service thresholds for intervention. The Targeted Mental Health in Schools (TaMHS) has helped to bridge this gap, particularly by up-skilling school and other front-line staff in identifying and working with pupils with low-level mental health problems, therefore keeping them off waiting lists for higher-level CAMHS interventions.

CAMHS pointed out that it is sometimes difficult to persuade parents to accept interventions for their children due to the stigma which can be attached to mental health issues.

261 The Leicester City Child Behaviour Intervention Initiative (CBII) is an early intervention and prevention service for children aged 0-11 years and their families who are vulnerable because of children's behavioural, psychological or mental health needs and where children are prone to underachievement and social exclusion. The team is made up of Family Support Workers, Educational Psychologists, Assistant Educational Psychologists from Children and Young People's Service (CYPs), and Primary Mental Health Workers from Child and Adolescent Mental Health Services (CAMHS). CBII is run as a partnership between the Leicester Children and Young People's Service and Leicestershire NHS Trust (CAMHS).

Speech Language and Communication Needs

Leicester schools have noticed a deterioration in pupils' speech, language and communication abilities, with reading ability and comprehension being major issues. Two thirds of adults in Leicester find reading difficult and the problem seems to be continuing in the younger generation, with experts blaming the home environment (too much television, a lack of conversation) in many cases. Leicester has invested heavily in staff to counter SLCN problems both in schools and out, but it admits that this is a burgeoning problem, with a direct impact on the nature and level of challenging behaviour in schools.

Impact of budget cuts

The Leicester partners agreed that cuts to local authority budgets would create serious challenges. The partnership aimed to deal with cuts by making more joint appointments and sharing expertise between partners more widely. The idea that schools might feel the need to compete for resources was considered to be “regrettable” and all partners concurred that strong partnerships between schools and local authority services would be increasingly important in tough economic times.

Visit to Beaumont Leys School

Peer coaching and mentoring

Beaumont Leys operates a system which it calls Supporting Progression, whereby **all** Year 9 and 10 pupils mentor a Year 7 or 8 pupil. Even the most challenging pupils are expected to take on this mentoring role and the school has found that pupils take the role very seriously. In turn, all Year 11 students are coached by senior staff and the school believes that this has contributed to their improved behaviour and attainment.

Raising aspiration

The school has taken an energetic approach to raising its own profile, and celebrating the achievements of the school and its pupils, to inculcate a sense of ambition and aspiration in all its students. Headteacher Liz Logie believes that developing pride in the school and its community is essential to promoting good behaviour. Careers advice starts at Year 7, at which point pupils are encouraged to think about choices relating to university and future employment.

Exclusions

Beaumont Leys does not use repeated fixed term exclusions to avoid permanent exclusion. Instead it focuses its attention on securing appropriate interventions for pupils at risk of exclusion. The school does not use a ‘sin bin’, although there is a “2 to 5 school” which is used as an alternative to exclusions, where pupils have to work in silence for three hours. Staff believe that mental health issues are a huge factor in the poor behaviour of many pupils. They estimate that mental health problems are a factor in maybe 60% of behaviour resulting in fixed-term exclusions. The school has not permanently excluded a student for three years, but that comes with a significant cost, as the school uses alternative provision.

Special Educational Needs

The school identifies managing the behaviour of pupils with Social, Emotional and Behavioural Difficulties as its major challenge, and the one which absorbs most energy and resources. The school staff provided a case study of a student with Social, Emotional and Behavioural Difficulties and the steps taken by the school to maintain her education. Such children needed a huge amount of teaching, pastoral and specialist support in order to help them make academic progress. The annual cost to the school of staff support for children with SEBD and other special educational needs – excluding the cost of non-teaching pastoral staff – was at least £371,500.

Specialist support

Beaumont Leys spends £170k per year on non-teaching pastoral staff, who support pupils in school and can develop links with pupils' parents and carers – even those who are “hard to reach”. As part of the school's ethos, it adopts the role of what it calls “the wise parent”.

Staff would welcome greater access to more specialist support – from educational psychologists for example – and interventions from therapeutic services. At present the school receives just 30 hours of support per year from educational psychology services. Difficult decisions have to be made about what to prioritise, particularly as processing one statement can take up to six hours of educational psychologists' time, even before writing the report. The educational psychologist therefore has very little capacity to support the school in carrying out preventative work in a more proactive way. The school has considered establishing its own educational psychology service, but has decided that this is not financially viable.

The school highlighted major difficulties in accessing CAMHS. Headteacher Liz Logie said that she had not had any contact with CAMHS in 8 years of her headship. Referrals had to be through GPs or educational psychologists. She stated that the lack of support for young people's mental health problems was a ‘national scandal’, and the school's inability to access CAMHS was described as a “disgrace”. Asked whether the situation would improve if schools were able to commission CAMHS directly, she said this would only be effective if sufficient funds were made available but that it was certainly something to be considered.

The Common Assessment Framework process was working well in the Beaumont Leys area, but witnesses pointed out that this was not the case across the whole city.

Transition

The school pays particular attention to pupils going through the transition between Years 6 and 7 and has a system of mentoring and supporting students who are vulnerable or at risk in some way, in order that their introduction to secondary school goes smoothly. This includes pupils who have behavioural difficulties. There are particular problems with the low levels of literacy of many pupils entering Year 7. The school believes that this contributes to behaviour issues; the result is that the school has to invest significantly in ‘catch up’. Teachers at Beaumont Leys felt that there was still insufficient early identification of specific special educational needs, as opposed to general needs, of children

coming from primary schools. It was suggested that primary schools simply did not have the capacity to undertake what can be a very arduous process.

Curriculum

Staff said that having a high-quality curriculum and schemes of learning to support good teaching engaged students and therefore improved behaviour. For certain subjects, including geography and religious education, Beaumont Leys teachers have largely disposed with text books and re-written the Schemes of Learning to suit the needs of pupils and teachers' delivery style. This was felt to have been highly effective and to have had a positive impact on both attainment and behaviour.

Afternoon session with Leicestershire County Council and partners

The Committee took part in a panel discussion with the full range of partners involved in managing behaviour in Leicestershire. During the discussion, the following points were raised.

Partnership working

Leicestershire is a major proponent of partnership working in the interests of supporting good behaviour in schools. In addition to formal partnerships between schools and a variety of agencies, Leicestershire supports a range of more informal partnerships, such as sports and curriculum partnerships, all of which contribute to the behaviour and discipline agenda. School partnerships have had a significant impact on raising standards in schools which were previously facing more challenging circumstances. It is accepted amongst schools within partnerships that, even if an individual school is funding places in alternative provision but does not benefit from its services (as it has no pupils in need), it is still preferable for schools to operate in a collegiate way in order to protect the best interests of all young people in an area.

Managing behaviour in and out of school

The National Strategies SEAL (Social and Emotional Aspects of Learning) programme has been implemented in most Leicestershire schools. Partners believe that SEAL has been successful in equipping the majority of pupils with the tools and skills they need to manage their own behaviour successfully. However, partners agreed that most behavioural problems can be traced to a pupil's home environment and so interventions are often focused on supporting pupils and their families. Sure Start children's centres were having an effect in teaching parents how to attach to their children.

Preventing exclusions

Numbers of permanent exclusions had reduced from 120 in 2006/07 to 26 in 2009/10. Leicestershire operates five Local Authority Area Placement and Support Panels (previously Hard to Place Panels) in the County. These panels arrange managed moves between schools and also act as commissioning bodies to arrange alternative provision for pupils at risk of exclusion. Leicestershire has noticed that the performance of the Area

Placement and Support Panels varies across the County and work is therefore underway to improve consistency across all areas.

The Key Stage 3-4 Pupil Referral Unit came out of special measures on the day prior to the Committee's visit. The group of local headteachers who ran the PRU jointly as 'Executive Headteachers' believe that the PRU's failings were due to it being used as a "dumping ground" for all permanently excluded pupils. The Executive believe that putting all permanently excluded pupils in the same provision without good quality leadership and planning is "disastrous".

One headteacher told the Committee that, whilst there was a strong commitment to schools working in partnership to prevent exclusion, partners faced particular difficulties in securing alternative provision, especially for pupils aged 15-16. All partners agreed that significant improvements in the availability and quality of alternative provision were needed. Partners also pointed out that it was very expensive to provide a mix of academic and vocational provision to meet the needs of all pupils. They also considered non-school providers to be relatively more expensive.

Children in care

One of the great benefits of partnership working between schools and the local authority is the ability of partners to operate as a 'virtual school' for all children in care. Two youth workers were employed to help children in care improve their self-esteem. Links between schools, pupil referral units and the local authority allow information about children in care to be shared amongst partners and appropriate support provided to young people. Exclusions had fallen from 32.2% in 2007/08 to 12.5% in 2009/10. None were permanently excluded.

Child and Adolescent Mental Health Services (CAMHS)

Liz Mair, CAMHS commissioner, pointed out that mental health problems are common; however, not all children and young people with mental health problems need specialist services. Also there is a commonly held misconception that all CAMH services are specialist. She suggested that up to 35% of all referrals of children and young people to specialist CAMHS need something other than specialist services. The waiting time for specialist CAMHS has recently reduced from an average of 30 weeks to 10 weeks for non-urgent CAMHS assessment and treatment, although the CAMHS partnership accepts that this needs to be reduced further. Urgent cases can be escalated and are seen as a priority, and within 2 days as a maximum. Greater awareness of the differences between mental health problems and conduct disorders is required amongst front-line workers to enable children, young people and families to get the help they need at the earliest opportunity. Partners agreed that the Targeted Mental Health in Schools (TaMHS) programme had been helpful in up-skilling front-line workers, but that the full impact of the 3 year programme would need to be reviewed before deciding on whether to take TaMHS further.

Considerations for the future

The Senior School Development Adviser believed that National Strategies had had a “massive impact”. The focus now was on self-reliance, and the ending of National Strategies was only felt to be a concern for those schools who are currently graded ‘satisfactory’ in terms of behaviour and discipline. Partners agreed that the local authority would need to take on a much greater role in challenging and supporting schools to ensure improvement in this respect.

Funding for ‘Lead Behaviour Schools’ was considered to be invaluable in providing guidance and support for schools with behaviour issues. Partners therefore would be concerned if this funding was to be withdrawn in future.

Cuts in local authority youth service budgets were considered to be a major threat, with serious repercussions for behaviour both in and outside of school. One headteacher said that the threat to initiatives such as school sports partnerships were a “disaster waiting to happen”. Leicestershire partners were also sceptical of the ability of the third sector and volunteers to fill the void left behind as services are withdrawn. The Youth Offending Service added its concerns to the discussion, stating that referrals to Youth Offending Teams have dropped considerably as a result of a wide range of preventative interventions. The YOS also mentioned the street-based work with young people in anti-social behaviour hotspots that has been successful in reducing anti-social behaviour in neighbourhoods.

Conclusions and recommendations

The nature, level and impact of challenging behaviour in schools: perception or reality?

1. Current data does not fully represent the nature of behaviour in schools and the impact this has on staff, pupils, parents and carers. It is very difficult therefore to form an accurate judgment either of the reality of the situation in schools or whether there has been an improvement over time. Data should be collected and published annually by the Department from a representative sample of schools, on the number of serious incidents in schools, including those which do not result in a fixed-term or permanent exclusion. In order that a school's individual interpretation of 'challenging behaviour' is not taken as the only measure in establishing a picture of behaviour, this data should be complemented by survey data from teachers, pupils, parents and carers, on their own experience of bad and disruptive behaviour and its effect on pupils and teachers. The data and questions should remain consistent over time. (Paragraph 28)
2. The proposal in the Schools White Paper for Ofsted inspections to focus more on behaviour is welcome. There are risks in reducing the frequency of inspections for good and outstanding schools, but we support moves to release schools from unnecessary central inspection. The new regime will place increased responsibility on school leaders, teachers and governors to ensure that a culture of self-evaluation and self-improvement is put in place. We are particularly pleased that there will be opportunities for a wider range of views to be covered in inspections: from pupils and parents to classroom teachers. This will help to combat any perceptions that schools leaders might seek to misrepresent the true nature and level of challenging behaviour in their schools. We also welcome the powers being given to parents to call the school to account and the requirement for schools to show that standards of behaviour are maintained at all times. These measures will help to provide a consistent level of challenge to schools in pursuit of constantly high standards. (Paragraph 31)

Enabling and cultivating good behaviour

3. The National Strategies have had beneficial effects; but a new, less prescriptive approach may succeed in giving a new stimulus to teachers in preparing and applying the curriculum in ways which engage children more and which reduce the risk of poor behaviour. Ministers should bear in mind, when developing proposals for the new National Curriculum, that if the future curriculum is to have a beneficial effect on standards of behaviour in the classroom, it will need to meet the needs of all pupils and contain a mix of academic and vocational subjects, while being differentiated and enjoyable. We heard in evidence that pupils who are positively engaged in learning are less likely to have behaviour problems. Therefore we encourage the Government to revisit the issue of vocational and practical learning to ensure a balanced approach. We view this as a matter of considerable importance and plan to address it in future inquiries. (Paragraph 35)

4. Where pupils moving on from primary or first school are still experiencing difficulty, adequate and appropriate support must be provided. Indeed, throughout the school years, schools need to be obsessed with ensuring that children have the reading, communication and comprehension skills they need to get the most out of their education, and providing additional support as needed. (Paragraph 37)
5. Therefore, we encourage the Government to promote language comprehension as well as word recognition and phonics skills throughout the infant curriculum. Appropriate support and interventions should be made available to pupils who do not do well in the six year old assessment. Clear accountability frameworks which require head teachers and senior school leaders to demonstrate how schools respond to any problems picked up in the six year old assessment should be put in place. (Paragraph 39)
6. We acknowledge the new reading assessment for 6 year olds, and we understand the concerns of witnesses representing children with speech, communication and language needs that these pupils' needs may not be identified by this assessment. We recommend therefore that the Government broadens the six year old assessment to include an assessment of speaking and listening ability. (Paragraph 41)
7. Simple approaches to managing behaviour, such as those outlined in Sir Alan Steer's "What Works in Schools", should be incorporated in all initial teacher training and continuing professional development on behaviour, especially for secondary schools where basic issues of classroom management are sometimes overlooked. (Paragraph 45)
8. We welcome the White Paper's proposals for schools to take on greater responsibility for organising training and sharing best practice on managing behaviour. However, in areas where the majority of schools are not performing well, it may be more difficult for best practice to be shared effectively. In these circumstances, it is critical that the local authority has the capacity to challenge and support those schools which are causing concern, looking outside the local authority for expert support where necessary. (Paragraph 48)

Leading and managing good behaviour; challenging poor practice

9. A good school behaviour policy, agreed and communicated to all staff, governors, pupils, parents and carers, consistently applied, is the basis of an effective approach to managing behaviour. (Paragraph 53)
10. Schools should see it as part of their core work to engage with parents and carers, particularly those who are hard to reach. Schools must be proactive in establishing these relationships upfront with all parents and carers, rather than waiting for problems to occur. (Paragraph 53)
11. The inquiry notes written evidence from Ofsted and the Children's Rights Alliance for England on the importance of pupil involvement in creating and maintaining order in schools and recommends that the Government encourages such involvement through its policies and guidance. (Paragraph 54)

12. We support proposals in the White Paper for reforms to the National Professional Qualification for Headship, which should have a clearer emphasis on leading and supporting staff in maintaining and improving standards of behaviour in schools. (Paragraph 57)
13. We welcome training for chairs of governors, which is to be provided by the National College, and hope to see the highest possible take-up. It is vital that governors are able to challenge and support head teachers effectively to ensure that behaviour policies are applied consistently. (Paragraph 62)

Equipping teachers with the skills and tools to manage behaviour: new powers

14. We support proposals in the Schools White Paper to extend powers relating to search and to clarify powers of restraint, in the interests of supporting teachers' authority in managing behaviour. Guidance on use of powers to restrain should include specific advice on restraining pupils with Special Educational Needs or disabilities in the interests of protecting both pupils' and teachers' safety. School staff will only feel confident in using their powers if they are regularly trained and if they sense that they have the full support of school leaders in their use. (Paragraph 68)
15. We believe that the requirement to inform parents of incidents when powers of restraint have been used on their children is in the interests of building trusting relationships between schools and parents. (Paragraph 69)
16. We acknowledge proposals in the Schools White Paper to legislate to abolish the requirement for schools to give parents 24 hours' notice of detentions outside school hours, and trust that schools will make sensible and appropriate use of these powers. Schools must be particularly sensitive to the needs of young carers and those with transport difficulties. (Paragraph 72)
17. We support the retention of Independent Appeal Panels for exclusions. The new proposals for their functioning as outlined in the Schools White Paper will need to be monitored and evaluated to assess whether they strike the right balance in the interests of schools, pupils and their parents and carers when exclusion occurs. We do not believe that schools should be able to abdicate all responsibility for disruptive children. However, it is important that school governing bodies are equipped with the right knowledge and expertise in order to arrive at fair judgments. While the focus should be on justice and reasonableness, governing bodies do also need to be familiar with training on exclusions protocols, which should form part of the training for governors that we endorse in paragraph 62 of our Report. (Paragraph 76)

Equipping teachers with the skills and tools to manage behaviour: teacher training and continuing professional development

18. We welcome the increased focus on the importance of initial teacher training and continuing professional development on behaviour contained in the Schools White Paper and we support the shift towards more school-centred and employment-based training and development—including the introduction of 'Teaching Schools' and

University Training Schools. We have noted Jacquie Nunn's comment that all ITT courses are now very much school-based, whether school or university led, and we have seen that Ofsted has recognised outstanding teacher training in both types of course. However, as trainees on school-led courses are more satisfied with their training in relation to behaviour, there are good grounds for optimism about the impact on behaviour of the proposals in the Schools White Paper. It is also essential that all routes develop strong links with higher education to ensure that teachers maintain up-to-date subject knowledge, access to—and understand of—research, and a solid grounding in theories of child development, particularly for children with special educational needs. (Paragraph 84)

19. The Green Paper on special educational needs and disability should include a clear expectation that schools should invest in training their staff on identification of special educational needs and on links between special educational needs and behaviour. The Department should be able to demonstrate that high quality initial teacher training and continuing professional development is available to equip all teachers with the skills to identify special educational needs, particularly speech, language and communication needs; and it should refresh and disseminate further the Inclusion Development Programme (IDP). (Paragraph 88)

Managing exclusions

20. The Government should actively pick up the work begun by National Strategies in encouraging schools to track the effectiveness of interventions to manage behaviour. (Paragraph 98)
21. We welcome Government plans to extend free nursery care to disadvantaged 2-year-olds, and we urge the Government to improve its efforts to look for the most effective, evidence-based forms of early intervention, taking into account the work of the Rt Hon Frank Field MP and Graham Allen MP in their reports. (Paragraph 100)
22. The Government should clarify how the proposed 4,200 new health visitors will be funded and whether this initiative is also expected to be funded from the Early Intervention Grant. (Paragraph 101)
23. We believe that the value of education welfare services—which prevent the need for later, more expensive interventions—may be under-estimated. The Government should bear in mind, in a climate of increased devolution of responsibility to schools for managing behaviour, evidence which suggests that responsibility for the central co-ordination of education welfare services should rest with local authorities rather than with schools, if the services are to function well. (Paragraph 106)
24. The measures outlined in the Schools White Paper to allow greater freedom for pupil referral units to innovate, and proposals to facilitate access to the alternative provision market to a more diverse range of providers, are welcome in principle. However, in the current economic climate, the alternative provider market may come under pressure from cuts in local authority budgets—particularly in Youth Services. The Government may be being optimistic in expecting that significant numbers of new providers will enter the market for alternative provision. A situation

cannot be allowed to arise where any pupil is left without good quality provision. (Paragraph 114)

25. We recommend that there should be a ‘trigger’ for an assessment of need, which may include special educational need, based on exclusion, for example a number of fixed period exclusions or a permanent exclusion. Not only would this ensure that children with undiagnosed special educational needs do not ‘fall through the net’: it would provide information of use to a future provider in meeting the needs of the excluded child. (Paragraph 119)
26. The proposed pilot to pass responsibility to schools for securing alternative education for permanently excluded pupils may act as a disincentive to exclude; and it may also provide an incentive for schools to work in partnerships to address the behaviour which leads to exclusion and provide alternative education for excluded pupils. We support greater freedoms for schools to commission their own alternative provision and decide how best to spend money to support good behaviour, as long as they are accompanied by robust quality assurance. However, the Government should clarify how schools will be funded to meet the total costs of providing full time provision for permanently excluded pupils, whether through the Pupil Premium or other funding streams. (Paragraph 120)
27. The Government has decided to remove the requirement for schools to be part of a Behaviour and Attendance Partnership (BAP). However, the Government should monitor areas where voluntary partnerships do not exist or are not operating effectively. The Government should be prepared to reverse its decision on BAPs if voluntary partnership working fails to deliver behavioural improvements. (Paragraph 121)

Specialist services

28. We await with interest the outcome of the ministerial advisory group’s study of the future role of local authorities, in particular their role in co-ordinating support to schools for managing behaviour. There is a risk that, as schools go through the transition from being dependent on local authority-provided services to having greater autonomy in purchasing their own support and services, some local authority services may be decommissioned, leaving schools, and more importantly pupils, without access to critical support. We therefore recommend that local authorities should be required to maintain and resource a basic core of provision—particularly that which is targeted at responding to urgent or critical need—until schools’ practice in commissioning and procuring their own support is well established. (Paragraph 125)
29. Educational psychologists provide critical support and training to school staff on a wide range of educational issues including child development, curriculum development and special educational needs. Any diminution of their ability to help schools to maintain and improve standards of behaviour could have far-reaching consequences. The voluntary funding mechanism has proved to be unsustainable. The Government must find a way forward, and one option might be for local

authorities to continue to be responsible for educational psychology services, funded through a compulsory levy on schools. (Paragraph 130)

30. Many young people with behavioural issues or SEN also have mental health problems. Schools face major challenges in securing specialist and therapeutic services in order to make accurate assessments of need and to implement appropriate interventions. Particular difficulties in accessing Child and Adolescent Mental Health Services were raised by a large number of our witnesses. Sir Alan Steer suggested that a national scandal “hovers around” children’s mental health: we are in no doubt that the CAMHS situation is scandalous and that there are very serious shortcomings in access. The Department for Education and the Department of Health must co-operate in order to find a way of allowing schools to have easier and speedier access to Child and Adolescent Mental Health Services. The Department of Health and the Department for Education should pilot with a number of Behaviour and Attendance Partnerships a mechanism by which they can commission CAMHS services accountable to them locally. (Paragraph 133)
31. There is a lack of agreement and understanding between schools, local authorities and health services as to how referrals to CAMHS should work and who should be referred. Having commonly agreed referral mechanisms would go some way to addressing this. Where Behaviour and Attendance Partnerships are in place, they should be directly involved in developing and agreeing these mechanisms. (Paragraph 136)
32. The Government should review the Targeted Mental Health in Schools programme and the SEN Green Paper should set out how it should be taken forward in future. (Paragraph 138)
33. We support the suggestion by I CAN and other children’s representative bodies that the Government consider passing the responsibility for budgets and commissioning of all children’s community health services (including CAMHS and Speech Language and Communication specialist services) to local authorities in order to provide a more streamlined service to young people and their families, bridging the gap between ‘specialist’ and ‘non-specialist’ interventions. (Paragraph 141)

Formal Minutes

Wednesday 26 January 2011

Members present:

Mr Graham Stuart, in the Chair

Nic Dakin

Pat Glass

Damian Hinds

Charlotte Leslie

Tessa Munt

Lisa Nandy

Craig Whittaker

Draft Report (*Behaviour and Discipline in Schools*), proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 141 read and agreed to.

Annexes agreed to.

Summary agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chairman make the Report to the House.

Ordered, That the transcript of oral evidence taken by the Committee on 1 December 2010 be reported to the House.

Ordered, That embargoed copies of the report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 2 February 2011 at 9.15 am

Witnesses

Wednesday 13 October 2010

Page

Tom Burkard, Visiting Fellow, University of Buckingham; **Kate Fallon**, General Secretary, Association of Educational Psychologists; **Professor Pam Maras**, Honorary General Secretary, British Psychological Society and Head of Department of Psychology and Counselling, University of Greenwich; **David Moore CBE**, Former HMI and Divisional Manager, Ofsted, and **Professor Carl Parsons**, University of Greenwich

Ev 1

Christine Blower, General Secretary, National Union of Teachers; **Dr Mary Bousted**, General Secretary, Association of Teachers and Lecturers; **Dr Patrick Roach**, Deputy General Secretary, NASUWT, and **Ian Toone**, Senior Professional Officer (Education), Voice the Union

Ev 9

Wednesday 20 October 2010

Sir Alan Steer, Chair and of the 2005 Practitioners' Group on School Behaviour and Discipline

Ev 20

Sue Bainbridge, Programme Lead for Behaviour and School Partnerships, National Strategies

Ev 30

Wednesday 27 October 2010

Gillian Allcroft, Policy Manager, National Governors' Association; **Mike Griffiths**, Head of Northampton School for Boys and witness for the Association of School and College Leader; **Russell Hobby**, General Secretary, National Association of Head Teachers, and **Charlie Taylor**, Headteacher, Willows Primary Special School and Acting Headteacher of Chantry Secondary Special School, Hillingdon

Ev 36

Virginia Beardshaw, Chief Executive, I CAN; **John Dickinson-Lilley**, Vice-Chair, Special Educational Consortium; **Paula Lavis**, Policy and Knowledge Manager, YoungMinds, and **Jane Vaughan**, Director of Education, National Autistic Society

Ev 47

Wednesday 17 November 2010

Katharine Birbalsingh, ex-Deputy Head; **Daisy Christodoulou**, Teach First Ambassador; **Sue Cowley**, Educational Author, Trainer and Presenter; **Paul Dix**, Lead Trainer and Director, Pivotal Education, and **Tom Trust**, Former Elected Member for Secondary Sector, General Teaching Council for England

Ev 56

Nick Gibb MP, Minister of State for Schools, Department for Education

Ev 66

Wednesday 1 December 2010

Dr John Dunford, Education Consultant; **Bill Gribble**, Behaviour Management Trainer; **Jacque Nunn**, Director of Improvement and Training, Training and Development Agency for Schools, and **Andrew Winton**, Manager, Voice of Young People, London Borough of Havering

Ev 77

List of printed written evidence

1	Tom Burkard	Ev 88
2	The Association of Education Psychologists	Ev 93
3	The British Psychological Society	Ev 97; Ev 104
4	Dr David L Moore CBE	Ev 106
5	Carl Parsons, Visiting Professor of Educational and Social Inclusion, Centre for Children, Schools and Families, University of Greenwich	Ev 108
6	National Union of Teachers	Ev 114
7	Association of Teachers and Lecturers	Ev 118
8	NASUWT	Ev 122
9	Voice: The Union for Education Professionals	Ev 126
10	Sir Alan Steer	Ev 129
11	National Strategies	Ev 130
12	National Governors' Association	Ev 136
13	Association of School and College Leaders	Ev 137
14	National Association of Head Teachers	Ev 141
15	I CAN	Ev 144; 146
16	Special Educational Consortium	Ev 148
17	YoungMinds	Ev 152; 155
18	The National Autistic Society	Ev 157; 163
19	Sue Cowley	Ev 165
20	Department for Education	Ev 166
21	Training and Development Agency for Schools	Ev 171
22	National Association of Social Workers in Education (NASWE)	Ev 174
23	Bill Gribble	Ev 178

List of additional written evidence

(Published in Volume III on the Committee's website www.parliament.uk/education-committee)

1	DEA	Ev w1
2	John Bangs	Ev w2
3	Zacchaeus Trust 2000	Ev w4
4	Alison Peacock, Cambridge Primary Review and the Wroxham Primary School, Potters Bar, Hertfordshire	Ev w8
5	Professor Stephen Gorard	Ev w11
6	Demos	Ev w14
7	Jeff Hardman, Director, European Education Consultants Ltd	Ev w18
8	Incorporated Society of Musicians	Ev w19
9	Dr Sue Roffey	Ev w19

10	Jackie Deasy	Ev w23
11	Dr Simon Gibbs, Senior Lecturer in Educational Psychology, Newcastle University	Ev w23
12	The Adolescent and Children's Trust (TACT)	Ev w26
13	Dr Jeremy Swinson, Principal Educational Psychologist, Witherslack Group of Schools	Ev w29
14	Dominic Boddington, Respect4us	Ev w31
15	John Corrigan, Director, Group 8 Education	Ev w34
16	David Wright	Ev w37
17	Professor David Foxcroft, Professor of Community Psychology and Public Health, Oxford Brookes University	Ev w37
18	Helen Earl, Educational Psychology and Behaviour Support Team Children's Services, Cumbria County Council	Ev w38
19	Dr Richard Crombie, Specialist Senior Educational Psychologist: Social and Emotional Development	Ev w40
20	Edison Learning	Ev w41
21	Food for Life Partnerships	Ev w44
22	Fiona Wallace, Head of Behaviour Support Service, Link Centre	Ev w51
23	The National Association of Social Workers in Education (NASWE)	Ev w52
24	Office of the Children's Commissioner for England	Ev w56
25	National Children's Bureau	Ev w60
26	Institute of Education, University of London	Ev w62
27	Liz Vickerie, Head of Support for Learning, and Kerrigen Marriner, Head of Behaviour Support, London Borough of Tower Hamlets	Ev w68
28	SHS	Ev w70
29	Cornwall County Council	Ev w74
30	Research in Practice	Ev w78
31	Youth Justice Board for England and Wales	Ev w81
32	Joint Epilepsy Council	Ev w83
33	Croydon Department of Children, Young People and Learners	Ev w86
34	British Association for Counselling and Psychotherapy	Ev w89
35	TreeHouse	Ev w90
36	Telford & Wrekin and Shropshire Educational Psychology Service	Ev w94
37	The Association of Directors of Children's Services	Ev w97
38	Granada Learning	Ev w99
39	Children's Food Campaign	Ev w103
40	Oxfordshire County Council	Ev w106
41	The Runnymede Trust	Ev w111
42	Marlborough Family Education Service	Ev w113
43	School Food Trust	Ev w116
44	Teacher Support Network	Ev w117
45	Kent County Council	Ev w120
46	Centre for Studies on Inclusive Education	Ev w122
47	Buckinghamshire County Council	Ev w125
48	West Sussex Educational Psychology Service	Ev w130
49	Pearson	Ev w132

50	Anti-Bullying Alliance	Ev w133
51	Children's Rights Alliance	Ev w137
52	Southampton Psychology Service, Southampton City Council	Ev w141
53	Barnardo's	Ev w142
54	Advisory Centre for Education	Ev w145
55	Paul Bird	Ev w149
56	NFER	Ev w149
57	Birmingham Educational Psychology Service	Ev w154
58	Ofsted	Ev w156
59	Dr Heather Geddes, UKCP Reg Educational Psychotherapist, The Caspari Foundation	Ev w161
60	Parentline Plus	Ev w163
61	Catch22	Ev w164
62	ContinYou	Ev w167
63	Youth Sport Trust	Ev w169
64	Anita Kerwin-Nye, Director, The Communication Trust	Ev w172
65	Incredible Years Wales (IYW) Team, Bangor University	Ev w172

List of Reports from the Committee during the current Parliament

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2010–11

First Special Report	Young people not in education, employment or training: Government Response to the Children, Schools and Families Committee's Eighth Report of Session 2009–10	HC 416
Second Special Report	The Early Years Single Funding Formula: Government Response to the Seventh Report from the Children, Schools and Families Committee, Session 2009–10	HC 524
Third Special Report	Transforming Education Outside the Classroom: Responses from the Government and Ofsted to the Sixth Report of the Children, Schools and Families Committee, Session 2009–10	HC 525
Fourth Special Report	Sure Start Children's Centres: Government Response to the Fifth Report from the Children, Schools and Families Committee, Session 2009–10	HC 768
First Report	Behaviour and Discipline in Schools	HC 516-I and -II