

Education Committee

Oral evidence: [Alternative provision](#), HC 342

Tuesday 21 November 2017

Ordered by the House of Commons to be published on 21 November 2017.

[Watch the meeting](#)

Members present: Robert Halfon (Chair); Lucy Allan; James Frith, Emma Hardy, Trudy Harrison; Ian Mearns; Lucy Powell; Thelma Walker; Mr William Wragg.

Questions 1-47

Witnesses

I: Professor David Berridge, Professor of Child & Family Welfare, University of Bristol, Kiran Gill, Founder, The Difference, and Philip Nye, Researcher, Education Datalab.

Examination of witnesses

Witnesses: Professor David Berridge, Kiran Gill and Philip Nye.

Q1 **Chair:** Good morning. This is a very important session for our new Education Committee to discuss alternative provision. For the benefit of the tape and for those who are watching the proceedings, could I ask you please—from our left to right—to introduce yourselves and your positions?

Professor Berridge: I am David Berridge. I am from the University of Bristol and I am professor of child and family welfare.

Kiran Gill: I am Kiran Gill. I am an associate fellow at the Institute for Public Policy Research and also the founder of a new charity called The Difference.

Philip Nye: I am Philip Nye, a researcher with Education Datalab.

Chair: I am going to pass on to Lucy but, before I do, I want to thank you very much for coming today and to give special mention to Kiran. Your report is an outstanding piece of work; I understand it has taken you a year to do and we are incredibly grateful. There has not been anything like this for many years. On behalf of the Committee, I express appreciation for the work and studying that you have done.

Q2 **Lucy Powell:** Just to reiterate, thanks for this brilliant piece of work and to all three of you for coming today. We are not here to grill and cross-examine you, as we would a Minister—don't worry—which we regularly do and enjoy. We are here to pick your brains on this very important topic, as the Chair has said. We want to shine a light on this issue.

Kiran, could you start us off and give your view about what is happening currently in the world of alternative provision, with exclusions or non-exclusions, and paint a picture for us of what your report has found?

Kiran Gill: Thank you. Perhaps I could start by thanking the Committee for holding this inquiry into alternative provision. I know that I and lots of people in the sector are so excited to see a spotlight being shone on it.

I will try and think about where to start. I became very interested in alternative provision and exclusion from school because I had noticed that over recent years, exclusions were rising year on year. I think it is often quite a neglected part of the sector that people imagine is very, very small and affecting a very tiny minority of students. Our research showed that, year on year, we are seeing more and more permanent exclusions, with children leaving mainstream school but not being referred on into a special school and being educated in the alternative provision sector. We are also seeing lots of children being educated in the alternative provision sector not via permanent, official and recorded exclusions but by other means.



HOUSE OF COMMONS

One of the key statistics from our report was that there were close to 7,000 permanent exclusions in the last academic year, but at any one time the census showed us that there were 48,000 children being educated in the alternative provision sector, so that is one in 200 students at any one time. This is quite a large part of our education system and, at the moment, it is not quite working in the way that it should.

Typically, alternative provision was primarily pupil referral units that were run by local authorities. Those pupil referral units were intended to be a referral where a child had exhibited some extreme behaviour—they might have been permanently excluded. They would be put into pupil referral units and then potentially reintegrated back into another mainstream provision where they could resume mainstream education, or, if their needs were deemed to be quite great, maybe they should be referred to a specialist provision and go to a special school.

What we have seen over recent years is increasing numbers of students who are excluded in the years running up to their GCSEs and not reintegrated back into mainstream provision, many of whom are not referred on to specialist provision. So, in a system that was initially supposed to be temporary, they are being educated full time.

Our research also showed that we have seen staffing change quite radically in that sector over the last three years, so we are concerned that there is not quite the capacity to support children who are then sitting their GCSEs and going off to future employment—or not, as the case may be—from this sector. We know that 1% of children in alternative provision get five good GCSEs with English and maths, but 99% do not. Close to 50% are immediately not in education, employment or training in the six months after they finish their GCSEs. So we have really shocking outcomes.

Q3 Lucy Powell: That is brilliant. David, what do you think are the drivers behind some of the changes that Kiran has identified in the growth of this part of the sector?

Professor Berridge: I agree with all those comments and I think that is an excellent summary. I also reiterate the value of the Committee looking at this work, looking at the most disadvantaged pupils in this country and making sure they get the best deal possible. We have to acknowledge that teaching is difficult. Teaching a big class is difficult and teaching challenging pupils isn't straightforward. Most teachers do a very good job but, no doubt, some schools and some teachers could do even better.

In addition to what has just been said, what concerns me—and no doubt some children do benefit by going to a smaller provision, which is more intensive, where there is more hands-on work and where there are specialist teachers—is that some children get moved from mainstream schools for the wrong reasons and for reasons that benefit the school rather than the pupil.



HOUSE OF COMMONS

Ofsted has raised concerns about managed moves, whereby some schools might get children out of the school before testing occurs. Children are supposed to stay on the school register but there can be some gaming that happens, and Ofsted is worried about that. We have to be careful that the education system that we are developing doesn't remove some lower attainers in a way that helps schools achieve what they feel are better results.

Much of my research has been on children in care specifically, which I know is a smallish group compared to all pupils, but it is still a very significant one and they are the most disadvantaged children in the country. When we looked at children in care taking their GCSEs, about one in six of them is in alternative education when they take their GCSEs. Five out of six are not, but it is still a substantial minority, and our evidence is that children in care who take their GCSEs in pupil referral units, when you control all factors, achieve 14 grades lower than children in care with similar characteristics who are not in alternative education. No doubt you go to alternative education if you have difficulties, but controlling for prior attainment, key stage 2 results and other factors, there are some concerns about underachievement in some alternative provision.

Q4 Lucy Powell: Philip, I know you are the numbers guy so perhaps we might come on to you a bit later when we do some of the number stuff. Kiran, sticking with you for the moment—but if you want to come in, Philip, just indicate—sometimes we use pupil referral unit and alternative provision in the same way, when these days they have two different meanings. Maybe the pupil referral unit is the more formal setting, whereas alternative provision describes a whole array: sometimes in settings and sometimes at home, as we were discussing before—not home schooling, but alternative provision that is being delivered largely at home. Could you describe this growth in alternative provision, how it is paid for and how it is overseen? In a short way.

Kiran Gill: I will try. The alternative provision sector is really broad and quite difficult for us to get our heads around because lots of different settings are not all in the same datasets. We have pupil referral units and then I class non-maintained settings, which are nevertheless really quite maintained, as “maintained” in my research.

You have pupil referral units and they can be academised. Those are known as AP academies, but are functionally fairly similar to PRUs. Then we have AP free schools that might be set up as an alternative. All of these have similar governance structures and oversight to schools that we are familiar with. We also have independent schools providing a lot of alternative education. Some of these in recent years have become free schools but lots of them operate by providing a subcontracted education for students. Individual schools—mainstream schools—may subcontract alternative provision from an independent provider, but also pupil referral units themselves may also subcontract. That may be because an



HOUSE OF COMMONS

independent provider offers something that PRUs don't. They might offer a particular kind of vocational education. It might be to do with gang violence in the local area and needing children to be in different sites. There are lots of very good reasons why.

As well as independent provision, which is registered—I know that the Committee asked what people thought of oversight and regulation of independent provision—there is also non-registered provision, and that is not the same. If you run a non-registered provision, you don't have to tell the Department for Education that you are doing so; you don't have to register with Ofsted. But they are under certain conditions, so it is providing that you have a certain number of pupils—that is quite small—and providing that you don't have a looked-after child in your care or a child with an education, health and care plan in your care. We don't know how many unregistered providers are providing subcontracted education for children in the country.

Q5 Lucy Powell: Just on that, with the independent providers, both registered and unregistered, their biggest client would still be the public realm. They would be receiving most of their money via the public purse for the individual pupil. They are not like a wealthy parent paying for their child, are they?

Kiran Gill: No. Actually, this is somewhere where I think Philip might want to come in because you have done some work on moves into independent provision.

Philip Nye: Yes. In terms of thinking about the scale of this, we did a piece of work in January of this year called *Who's Left*. That was looking at all of the different types of moves that children can make during their secondary education. We had a couple of main findings that you were talking about.

For example, if we look at the 2015 academic year, there were about 4,800 pupils permanently excluded from secondary school. When we actually looked at all of the moves that pupils were making, we found quite a lot more pupils were in state AP. We looked at the cohort who finished key stage 4 in 2014-15 and we found that about 6,500 pupils were ending up in AP.

Q6 Chair: Are these the hidden exclusions that you talk about?

Philip Nye: As I was saying, those numbers are on a slightly different basis, but on the face of it you have about a third more pupils ending up in state AP than you would expect. It is worth saying that that is strictly state AP. It does make us think that there are other types of moves going on—some of these managed moves, for example. I guess one of the main findings for us was that exclusion and ending up in AP are not synonymous. You have quite a lot of kids who end up in AP not having been excluded.



HOUSE OF COMMONS

That was our look at moves into state AP—as Kiran was saying, that is PRUs, AP free schools and AP academies. We also have all of this other stuff, independent AP. We found in total that there were about 20,000 pupils, from this one cohort that we looked at, who left mainstream secondary school rolls and were never seen on a school roll again. A few things could have happened to them. Some of them may have left England. In a small number of cases some of the children may have died but, other than that, they will have gone to a range of settings. Some will have gone to independent AP, independent special schools or in some cases further education, but there is not much you can say about where they have gone.

Q7 **Lucy Powell:** This is in one school year alone. Basically, you found 6,000 in formal AP and 20,000 off-roll altogether.

Philip Nye: That is right. They have gone somewhere where they are not picked up as being on a state roll again. One of our main findings was that this group of 20,000 pupils, who largely don't get talked about, also have very poor outcomes. Kiran mentioned that of pupils who end up in PRUs, 1% get five good GCSEs. We found of this group of 20,000 pupils—some of whom will have gone to an independent AP—only 6% got five good GCSEs, so there are pretty poor outcomes for that group as well.

Q8 **Lucy Powell:** I don't understand how they could go completely off-roll—20,000 pupils—if it is not an exclusion or they are not going into another state provision. Are they what we might call the home schooled? Maybe Kiran can explain it to me.

Kiran Gill: This is a messy situation.

Lucy Powell: Just help us understand it.

Kiran Gill: Yes. You asked is it paid for by the state. Local authority alternative provision—we are using census data, and that is the category that we are given by the Department for Education—is paid for by the state and we can see where it goes. It is like, say, William is a pupil referral unit and I refer a child to you. You don't have enough space, so Lucy is an independent AP and you send the child to Lucy, but the state is still paying—the local authority that runs the PRU is still paying.

There is another way that you can educate a child out of a mainstream school and not recognise it, which is something called offsite alternative provision. Any school at any time could decide, "We need to educate this child off the site", and it could be temporary and it could be preventative or it could be long-term. So Thelma decides to do that and she asks—

Q9 **Lucy Powell:** But surely with that, the pupil money is still coming to the school?

Kiran Gill: Yes. The money is coming to the school but the school does not have to report that it is doing this commissioning. It doesn't have to report to anybody, so we don't know how many children are in offsite



alternative provision. If you do that, you are supposed to keep the child on the register. They could also come to you, Lucy, and they should be on your and Thelma's register, but actually Thelma could take them off and then where have they gone? They have disappeared.

- Q10 **Lucy Allan:** I want to go back to what David was saying about the number of children in care that are in alternative provision. I was quite shocked to see some of the numbers and to hear what you had to say about the growth in that area. To my mind, children in care should not end up in a pupil referral unit. Can you explain why they do?

Professor Berridge: Virtual school heads now in most authorities, who oversee the education of children in care for a local authority, would become involved usually very soon if there are concerns about a child being excluded. They would want to go to the school to talk about how it can be avoided and what support might be provided to try to hold things up. We know in general in the educational world that there are benefits of inclusion—trying to include pupils, disabled pupils and others, wherever possible in mainstream schooling. Sometimes it would no doubt benefit a child to go to a specialist provision, which is smaller, which has specialist teachers, which is more hands-on, where pupils can cope with a smaller group.

Some children may spend some time in a pupil referral unit and some time in a mainstream school as well, or an alternative provision, so that can happen. If you talked to virtual school heads, I think they would usually say that most schools locally, which are now signed up, want to include children in care and adopted children. There are a few schools that don't. They may take some opportunities to see ways of removing children who are lower attainers or who have emotional or behavioural problems, and who may be resource-intensive or may have an effect of dragging down GCSE results.

- Q11 **Lucy Allan:** What is there to stop that happening? If you are a school head and you are worried about those issues that you have just mentioned, what is to stop you doing that?

Professor Berridge: Government policy over a number of years has made schools more autonomous in this area, so Governments have wanted head teachers to make more of their own decisions about who they teach and who they don't teach. There is legislation about children in care and adoption to try to prevent some of those things happening. Again, there have been various checks and balances that local authorities have exerted over the movement of children in a variety of ways.

The main point is that it is a large sector and children are moving all over the place. We don't know why they are moving. We don't know what happens to them and we don't know whether they benefit or not, so I am pleased the Committee is looking into this and trying to shine some light on this difficult area.



HOUSE OF COMMONS

The concern is a lot of these children are moving late in key stage 4. So, exams are looming, tests are coming up, Ofsted is visiting, tests are visible. You walk down the street or drive down the road now and schools have banners about the proportions of children achieving GCSEs. No doubt, much of that is good in terms of raising attainment and getting the best out of children but, in a way, the PRUs are almost a safety valve for the system that removes the most problematic—

Q12 Lucy Allan: Would you say there are children in alternative provision who should not be there?

Professor Berridge: Yes.

Q13 Lucy Allan: Would you agree with that as well, Kiran?

Kiran Gill: Yes. It is an important point that perhaps children in care should not be in pupil referral units. We looked at the overlapping challenges that a child might face, which might increase their chances of being excluded. We know that there is a huge overlap between pupils in care, children in care, and adolescents with mental ill health and children with mental ill health. We also know that one in two school leaders says to the Government, when asked, that their teachers cannot recognise behaviour linked to mental health. I want to emphasise that there is a teacher capacity and a teacher training challenge here, because then that mental health problem is construed as behaviour and so there is a permanent exclusion and a sanction, rather than a therapeutic intervention.

Also, we need leaders who are committed to inclusion because it is a very challenging time where you are being asked to do more with less. It takes a leader hugely committed to inclusion to do that. To just lightly plug my finding, we want to build that leadership.

Q14 Chair: Following the questions that Lucy was asking, it seems to me that there is huge confusion about the data. Obviously there is some information out there. Surely, it should be a requirement of the schools or academy commissioners or the relevant authorities or the Department for Education—whoever it may be—to publish all the data of formal exclusions, informal hidden exclusions and other different kinds of provision, so that we are able to track in each school what is happening. What is your view about that?

Professor Berridge: Each school is required to keep these children on the register. Ofsted says that some schools do not do that, so that is an issue.

Ian Mearns: It is an important question. Is there not a yawning gap in the legislative framework, though, because youngsters who are permanently excluded become the responsibility of the local authority, and the local authority has to provide an alternative provision within 15 days? For those youngsters, who are off-roll as opposed to being permanently excluded, they just go off-roll and there is no requirement



HOUSE OF COMMONS

for the local authority to do anything about them.

- Q15 **Chair:** You say in your report, “The Difference”, that exclusion has gone up by 40%. That is exclusions we know about—and I want to come on to that in a minute—but then you say these figures significantly underestimate the scale of the problem and you go through some measures trying to identify those. What I cannot understand is why it is not statutory that everybody should have to publish the figures of any kind of exclusion, whatever the excluded pupil and whatever kind of education he or she is doing.

Professor Berridge: They are supposed to but, in a way, there are perverse incentives in the system, whereby Ofsted says that some schools game the situation and find ways of removing children that, in the short term, may make their resource look better and lead to different Ofsted inspections. I don’t think that most schools or teachers do that. Most schools are doing a good job, and teachers are working hard.

- Q16 **Chair:** I am asking if it should be a statutory requirement that the data is there for everybody to see.

Professor Berridge: Yes.

- Q17 **Chair:** Yes. Going on to the 40% increase in the ones we know about, that is a horrific thing but, as you say, it is the ones that we know about. Could the panel give me their views—well, perhaps not Datalab—on why this is happening? Why has there been such a dramatic increase over the past three years?

Kiran Gill: We identified lots of different factors and I think this is one that David would definitely point to. There appear to be increasing numbers of children for whom these overlapping challenges, which make them more likely to be excluded, are occurring, so speech, language and communication needs in early life. We have seen the numbers of children aged four to six with recognised SLCN shoot up, and a lot more children being referred and interacting with social services. There are lots of new challenges that are facing children in schools, in terms of safeguarding and how the internet is affecting that. There are lots of issues that are increasing vulnerability for students, which teachers just do not know how to deal with and might not know how to effectively recognise.

For quite a few years we have heard voices coming out of the sector saying, “We need more training on how to deal with adolescent mental ill health. We need more training on how to change our classrooms to be trauma aware, and this needs to be part of teacher training”.

Then we have also seen challenges meeting those students’ needs. We have spoken to school leaders who have said, “We have to make difficult decisions about whether to retain some staff who work with these students, versus recruit some of the staff that we need to fill core positions”. This is part of a bigger recruitment challenge in education, where a leader needs to give a golden handshake to their science teacher



HOUSE OF COMMONS

or their modern foreign languages teacher. It is difficult to balance that with putting resources into this.

Professor Berridge: I would agree with that. The last statistics I looked at for DfE showed that permanent exclusions went up 18% in a year. I am not sure that children's behaviour has deteriorated by that much within 12 months. There is something else going on. There is a whole contextual situation about schools, the political pressures on schools and so on. In a way, exclusions go up and down over time. Children's behaviour, no doubt, can become more challenging over 10 or 15 years, but I find it difficult to believe that happens in 12 months.

We also know that some local authorities exclude more children than others and use more AP than others; some authorities use twice as much as some others. Some schools exclude more pupils, some schools don't. I am not saying that educating challenging pupils is easy, quite the opposite. In a way, you could see school exclusion as a school problem rather than a pupil problem. Some schools deal with it and manage it and have good teachers, creative solutions, good mental health, emotional behavioural support and others don't.

I am not sure if you will be getting to this. We are talking about permanent exclusions but we also have fixed-term exclusions. DfE data showed—and again I was astonished when I looked at the figures—1,790 fixed-term exclusions each day, which for me, if my arithmetic is correct, is one every 15 seconds. So, if this Committee has been talking for half an hour, 450 children have been sent home from school while we have been talking this morning.

Q18 **Chair:** Why are there more exclusions among certain ethnic groups that you mention?

Professor Berridge: There are some groups that are disproportionately represented in those groups. Boys are disproportionately represented. We know children on free school meals are more likely to be excluded, as are children with special educational needs or education, health and care plans. Black, Caribbean or mixed ethnicity boys are three times more likely to be excluded.

Q19 **Chair:** Why is that? That is what I am asking. Why are those particular ethnic groups more disproportionately represented?

Professor Berridge: That is a complex issue, and I think you should talk to expert witnesses who work in that sector. Many black boys can be disadvantaged in the education sector in the same way that they are within the youth justice system. Black boys are more likely to be stopped and searched, charged, prosecuted and locked up, even for the same offences.

Q20 **Chair:** Kiran, do you have a view?



Kiran Gill: I think it is also a geographical issue. I was formerly working for the Social Mobility Commission and we mapped out educational disadvantage across the country, but it is interesting to see that exclusions don't match that mapping. This is a city problem as much as it is affecting different areas. In some situations we see that there is lots of dysfunction in the schooling system, the schools are really challenged and lots of children are being excluded. But actually, in lots of the higher performing parts of the country, we are seeing large proportions of the local population in alternative provision.

In the top 20 local authorities, with the highest proportion, we have five local authorities in London—Nottingham and Manchester appear—and that is where, disproportionately, we have minority peoples living. So there is also a city angle to that.

Q21 **Chair:** I have a final question before I pass over to Ian and then William. In the opening paragraph of your report—and Lucy has highlighted a bit of this—you highlight all the kinds of children that usually end up in PRUs: those who have recognised mental health problems and so on, those who are more likely to have grown up in poverty. Surely, if we know this, is there not a way that schools can identify, or can we develop a system where you identify, those people who are likely to end up in PRUs or alternative provision at the very beginning, so you stop it happening and give those people the support that they need?

Kiran Gill: I would say, yes, we can and we should identify those students. Tamsin Ford has done some interesting research into what predicts whether or not a child could be excluded, and she has found that indicators, particularly in boys, can be seen in primary school. So it is possible to identify and intervene, but what I would say is that it absolutely hinges on the workforce development. If our teachers and our leaders don't read the signs and don't interpret behaviour as a symptom of mental health from a child who has been adopted and, therefore, is not necessarily someone who they think of having that mental health problem, or if we don't upskill our profession to think about the most disadvantaged students—and I would say have a cadre of people who are specifically passionate about recognising and championing those children in every school—then we are unlikely to do that kind of preventative work.

Professor Berridge: I think many schools do that. Many schools and teachers are identifying vulnerable children earlier that need extra support. Much of this goes back a long way to things like early years provision. Again, early years provision has had a mixed history under different Governments. A little while ago, the Education Committee did some work on nurseries. If we are trying to support children at a very young age, when many of these problems first emerge, there are things about how we do that when children are very young. As you have just heard, many teachers feel that they are underprepared in their training for classroom management. Teaching children in a group is quite difficult



and they feel underprepared about how to do that. Some schools have behavioural management policies, others don't. Again, I don't have much evidence about what approaches are used for behavioural management and working with children with emotional problems. Which of them are effective? Why are they used? How much money are people paying to different providers? There is a lot going on that we don't understand.

Q22 Ian Mearns: It seems to me that a lot of youngsters are falling below the radar. They are not part of the permanently excluded cohort but they are part of a group of youngsters who are moved off-roll by other means. Do you think that there are perverse incentives for schools for doing this? Let's cut to the chase: school league tables. If youngsters who might not achieve the requisite pass grades are moved off-roll, it makes the overall picture within the school look better than it might have been. Do you think that is a potential reason for some of this happening? Or is another reason that schools find removing them off-roll, or moving them on somewhere else to become someone else's problem, is an easy option, as opposed to getting youngsters into school, keeping them there and educating them?

Professor Berridge: Most schools try hard, most teachers try hard and most schools are genuinely interested in every pupil's individual welfare and every individual's learning. The problem is that we can create a system, as you say, that creates perverse incentives, whereby if there is so much pressure from Ofsted, from parents, from governors and from others for a school to receive certain results, one way of achieving that in the short term is by removing children who are going to bring down your scores.

Most teachers in schools that I go to would never do that, but there may be some pressures for some to do that, and Ofsted has reported that it is worried that some schools get involved in gaming, whereby late in key stage 4 some pupils are removed. Again, when we have looked at the evidence for children in care, something like one in six of all children in care who take their GCSEs score zero. It might be that some of those children have severe disabilities. They may not be sitting the national curriculum or they may take their exams and fail them all. It is a lot of children and we are not quite sure where they are and what is happening to them, so there are worries about how the most disadvantaged children in our school system are being let down.

Philip Nye: One of the conclusions from our work was that we felt that, in a minority of cases—and it is fair to say that this is only going to be in a minority of cases—the high-stakes accountability system was leading some schools to losing kids, whether through formal exclusion or through the case being made to them that it is in everyone's best interests that the child leaves and there is no exclusion on anyone's record. That was being done to boost league table performance.

It is worth saying those incentives that there are have changed a little bit. Previously you would have had an incentive in respect of children who



HOUSE OF COMMONS

weren't on track to get a C or above. Now, in the world of Progress 8, there is, to some extent, actually an incentive to lose pupils who are less likely to make the progress that you would expect from primary school.

One of the recommendations we made was that you could tweak the way that the league tables work. Just at the minute, to a large extent, it is a question of who is on-roll at your school in the January of year 11. There are a few little rules that interplay with that one, but that is the fundamental core of it: who is on your books in the January of year 11. We suggested that you could change the way the league tables work and say, "Okay, let's look at all the children who have been on-roll with you at any period of time up to year 11 and let's allocate their results and weight them according to how much time the child spent with you. If they were there for one term, that would only count for a relatively small amount. If they were there up until halfway through year 10 and then left, let's say, those kids count to that extent against your results". We would like to see that considered as an option.

Q23 Chair: Very briefly, what should the aim of alternative provision be? Should it be getting students back into mainstream education or should it be seen as a permanent school placement? If you could answer that briefly and then we will go to William who has been waiting patiently.

Kiran Gill: The challenge that we have is that there isn't clarity over that and the sector is not clear—schools and alternative provision providers—whether the Government want alternative provision to be an alternative education for children who they feel cannot thrive in the mainstream school with things like EBacc, or whether they think that it should be a referral place. It is that confusion that is a challenge.

Just on the incentives, I would like to add that we spoke to lots and lots of school leaders who said to us, "Look, we cannot reach the CAMHS threshold for this pupil. We know that if we permanently exclude them, they will get more money for their provision". That is sometimes an incentive to exclude because it is believed that it is in the right interests of the child. We have talked about a smaller specialist provision. It is definitely the case, anecdotally, that individual children do thrive in a smaller setting but the challenge is, if we don't know what to do in that setting and what quality looks like, then we are not giving the children what they need.

Q24 Mr William Wragg: Good morning, everybody. A lot of the thunder from my question has been taken but I want to turn the question on its head slightly about why children enter alternative provision. Alternative to me, the meaning of it, means that there is a choice. I want to ask whether there is an active choice made or whether it is a forced process. In the context of looking at alternative provision as a choice, could you explain why children enter alternative provision?

Professor Berridge: The Government changed the appeals process some years ago to tilt the balance more in favour of schools and less



towards governors. If a pupil is excluded many parents, I imagine, would want to talk to the school, challenge it and ask why it is happening. If the odds are unbalanced—and many of these children don't have forceful parents who have the time or the confidence to go and challenge a head teacher—then I am not sure how much choice is involved. You are in a very unequal relationship to start arguing. Affluent families could do that but very disadvantaged families may find that much more difficult.

No doubt it may benefit many pupils to go to smaller organisations that are very pupil focused and that have high quality teachers that do a good job. Children can thrive in those circumstances, but the worry is that people are not necessarily buying into this with their eyes open. The odds are tilted and some schools may be doing it for the wrong reasons, to benefit the school rather than the pupil.

Kiran Gill: It is important to say that alternative provision can be an incredible, positive, transformative experience for a child. It can be exactly what they need and it can either help them reintegrate or it can help them thrive and succeed and go on to a positive post-16 destination. There are incredible people working in alternative provision, up and down the country, who are doing just that with children.

The challenge is commissioning the right alternative provision for a child. Sometimes it might be internal, sometimes it might be nearby, sometimes it might be a very specific provision but it is in a certain location, and the challenge is: who is the commissioner? At the moment, it is predominantly schools and sometimes pupil referral units. We know that Ofsted has said that sometimes that commissioning is effective and it has been improving over the last four years, but sometimes it is ineffective.

What we need to do is two-fold. First, we need to improve the capacity of schools to know what good looks like, to effectively commission and to improve their capacity to monitor a child's progress while they are not on the site. Secondly, we need to help alternative providers themselves to know what good looks like. The most recent Government review into this said, "We don't know what good looks like at the moment". That is the challenge.

Professor Berridge: The Ofsted report in 2016 said that progress has been made since their very critical report in 2011 on this sector, which was one of the most critical I have ever read. I think they are saying that the situation has been improving and schools are more aware, but I am not sure most schools are necessarily in the best position to commission specialist resource for challenging pupils. No doubt some are good at it. There are a lot of providers out there, many are doing a very good job, some are probably making quite a lot of money and some may be in it for the wrong reasons, so an individual school needs to know exactly what range of resources are available and exactly who is going to benefit whom.



So far we are rightly talking about children's educational attainment, but there is also a whole social experience of going to a larger school where you meet a range of different people—social justice and social ability are achieved by being within a broader group, and you can see aspirant pupils that you might use as role models. So there are some worries about the type of peer group that you might work with.

- Q25 Mr William Wragg:** Alternative provision is a bit of a euphemism really, isn't it? It is somewhere that you can just dump people that you find difficult, for whatever reason, to deal with in the mainstream system. Therefore, how are we going to change that perception so that alternative provision can be seen as a positive choice and focus on improving it?

Kiran Gill: We need to raise the status of teaching in alternative provision because these are incredible and inspirational practitioners who go into the system to work with children who often have been passed around from school to school to school and rejected. They give that child security. They give that child what they need and they assess what they need beyond just academic needs.

It is a great job and it is incredibly rewarding. That is what The Difference, the programme that I am establishing, is trying to do. It is trying to recruit teachers to specialise in working with these students and to raise the status, so that we can get the professionals there that we need to join up.

Chair: Thelma has been waiting patiently to talk about the quality of alternative provision education.

- Q26 Thelma Walker:** Good morning. Thank you for the great work that you are doing with alternative provision.

Yes, this is about quality education. We know that one in 200 young people are already in alternative provision, which is a high number of young people. One in eight of their teachers are unqualified, currently, and they are twice as likely to have a supply teacher teaching them. How are we to achieve that quality education when we are in this current situation?

Kiran Gill: I don't want to be too repetitive, but I think it is about inspiring a lot of teachers who enter teaching because they want to make a difference with children, particularly children who they know might be on a negative trajectory in life. The relationship that they build with them could change that trajectory. We need to find those teachers and tell them that the alternative provision sector exists. That is exactly it: people thought that it was a tiny sector, but there are lots of students there who are in need of more brilliant teachers to join in that effort.

- Q27 Thelma Walker:** You have talked about upskilling the workforce, the support staff and teachers. My personal experience of working in schools is that often the training to support a child that may have behaviour problems is about safe restraint and team teaching training—it was at



that level. When you talk about upskilling, could you give us some examples of the kind of training you would like to see?

Chair: If I could just come in on that, you say that there has been an increase in the number of unqualified teachers. I am trying to understand what “unqualified” means, for example, in terms of alternative provision. What I was amazed by—and I hope I have this right—is that there is no need for any teacher in an alternative provision school to have special training in terms of looking after special needs children.

Kiran Gill: Yes. Just in terms of what unqualified means, “unqualified” often means “getting a qualification”, so it does not necessarily have to be problematic that you have an unqualified teacher if you have great leaders there who can teach that teacher how to teach. The challenge that we have is we also have large leadership vacancies in alternative provision, so we need to get people in who can do that inspirational training for younger, unqualified and trainee teachers. At the moment, the latest reviews we have into continuous professional development on alternative provision show that there isn’t a lot out there and that this sector is often quite isolated from the developments that are happening in the mainstream sector.

What The Difference programme proposes to do is to create leaders who are upskilled with the latest evidence-based teaching that we have in the mainstream sector, which includes how to intervene with students with low literacy, which we know is co-morbid with extreme behaviour. Lots of the students in pupil referral units will get poor outcomes, partly because they are not able to access the curriculum because of their literacy levels. So it is about literacy and numeracy but also, crucially, a much deeper understanding of special educational needs within different categories: literacy-related special needs and social, emotional and mental health-related special needs.

We need our teachers who we recruit from the mainstream to become much more expert at effective interventions and to help upskill the staff they work with, particularly the support staff who spend a lot of time with students, so that they can effectively deploy them to improve outcomes for students—not just academic outcomes, but social and emotional ones, and in respect of post-16 destinations.

Professor Berridge: These children need the best teachers. These children need the most skilled and the most dedicated teachers. Traditionally in England, the best teachers have wanted to work with the high flyers that may be the most academically rewarding and enriching, but how we can create a system that incentivises the best teachers to go to the areas where they are needed? The west midlands might need some help at the moment, and Knowsley has often had some difficulties. How can we incentivise the best teachers to go to those areas? Do we pay them more? Do we offer them other career incentives? We are not doing that at the moment.



HOUSE OF COMMONS

Q28 Thelma Walker: Would you suggest then that, if the curriculum in mainstream were inclusive and met the needs of children in mainstream, there would be fewer children in AP? Obviously, if it was more inclusive and the staff were appropriately trained, then that early intervention in mainstream would avoid the high numbers that are going into AP.

Kiran Gill: I think that is ideal. David pointed out that within one year it is very unlikely that behaviours would change so rapidly, so if we know exclusion levels were lower, then we know we can return to lower exclusion levels.

Q29 Thelma Walker: If you have senior leaders that buy into inclusivity, the holistic whole-child curriculum and positive behaviour management, then that will prevent—

Kiran Gill: Absolutely. That is our theory of change. As David said, we need to attract people and there need to be incentives. The Difference programme seeks to recruit existing mainstream teachers who are committed to becoming specialists, to upskill them in a placement in alternative provision, and also to broker them for future leadership opportunities back in the mainstream sector. It is that leadership that is an incentive.

Q30 Mr William Wragg: Just on this one, I may be being the devil's advocate, but is there not a battle of ideas between the inclusivity that Thelma rightly highlights and horses for courses in this? Is that a heretical thought to throw into the mix here?

Kiran Gill: Can you explain a little bit about what you mean?

Mr William Wragg: What is the best setting for a child sometimes? It is quite a difficult thing to consider, perhaps.

Kiran Gill: Yes, it is a difficult thing to consider. I think sometimes special education is absolutely needed, sometimes long-term as a placement and sometimes short-term as a placement.

The challenge that we have is that we seem to have a lot of students remaining in alternative provision and not being referred to a longer-term placement. We know, for instance, that only 11% of children in special education don't go on to a destination, whereas nearly 50% in alternative provision don't. There are horses for courses, but I also think you can do something on that within a school and I am really glad that the Committee asked about internal inclusion units. Learning support units during the Excellence in Cities and Education Action Zones era seemed to be very effective according to independent evaluation. They did reduce exclusion and improve attendance for students who were there. There is a way that we can create horses for courses within a school, and we want to create the leaders who are skilled enough to lead those internal inclusion units effectively.



Professor Berridge: Most children can and should be included within mainstream schools. Most children thrive with their peers and most children learn more if they see others around them who are aspirational and higher achievers.

When we interviewed children in our research studies, they told us that some teachers understand their problems, some teachers are supportive and sympathetic, yet others are not. For example, if children come in on a Monday morning having had a terrible weekend—if there is a court battle going on about who they are going to live with, or if they are worried whether their brother who is still living at home is safe—sometimes someone says the wrong things and it all becomes too much. A good school and a good teacher would recognise that and not escalate the situation, but find a way of dealing with it that managed that child to remain within the same school. Some schools do that and some teachers do it, and yet children tell us that others don't.

- Q31 **Chair:** Should there be more parental rights? As I understand it, when a child is excluded parents can appeal to the governors of the school. If they are not happy then the school has to set up an independent review, but it chooses the members of the independent review. The only other recourse is judicial review, which of course most parents would not be able to do. Should there be another way—a more independent way—of making sure that parents, if they want their child to stay in the mainstream school or go to alternative provision, have that right, or do they have enough rights under the existing system?

Professor Berridge: The system did tilt more in schools' favour in recent years. I am not sure that that was the right thing to do, so it would help if there were strong powers of appeal, where people had some individual support to enable them to do that. Even if you go down that road, many parents who advocate for these children are not in a powerful position to do so, are not always confident in a school setting and are often going to come out worst in a challenging meeting with a head teacher or a chair of governors.

Kiran Gill: That is exactly why you need teachers to be those advocates. You have to have street-level bureaucrats to implement something that intends to reduce exclusion and improve parental power. You have to have head teachers who say, "Well, we are going to ensure that we do give parents rights to choose which AP they want".

- Q32 **Chair:** If there is gaming of the system and the parent feels the child is excluded unfairly, surely there should be some kind of independent body, whether it is the local authority or regional commissioner, that helps the parent navigate it or acts as an advocate for the parent and the child that is completely independent of the school?

Kiran Gill: We have two in London and I am not aware of any anywhere else.



Professor Berridge: Yes, I think that is important.

- Q33 **Ian Mearns:** I am trying to get my head around the scale of the problem that we are dealing with here, because we have fairly robust statistics on the destinations of the youngsters who are officially excluded, but are not the youngsters who are off-roll in other ways a greater problem, because they end up being euphemistically educated at home but really not educated at all? We know that quality provision exists but, given the burgeoning numbers of youngsters who are being excluded and off-rolled, are there enough resources in the system to expand that quality provision across the board? I am led to believe from the report that there are postcode lotteries in terms of the quality of provision. Youngsters in my neck of woods are eight times more likely to be educated alternatively in provision that is not regarded as adequate by the inspection systems, so there is a postcode lottery there. Has anybody got their head around the quantitative side of this thing?

Lastly, on your point, Philip, about making schools accountable for exclusions up to the middle of year 10, if things stay as they are would that not bring a danger of moving the problem upstream?

Philip Nye: I will make a couple of points. First, specifically on changing the accountability rules, we are proposing that there would not be any particular cut-off point. You would just look at how long a child has spent there. They might have only spent one term there. They might have spent a whole year at a school. You would count up the number of terms they have spent there. If they left at the end of year 10 and they spent 12 of their 15 terms at the school, then you would count their results: 80% to that school and 20% to wherever they ended up. There would not be a fixed cut-off point where you started saying, "Before that point they count, after that point they don't," unlike the current system.

The other point, just briefly, is that for us the off-rolling is a grave concern. One of the other questions that we have is: do local authorities have the resources anymore? Previously, they would have had educational welfare officers who, when a child left the roll of a mainstream school, would go and inquire where they were and what was happening with them. An open question for us is: do they have the resources to do that anymore? Certainly, anecdotally, we are hearing that maybe they don't, so is that an issue?

- Q34 **Ian Mearns:** Is that likely to deteriorate any further, do you think?

Philip Nye: Given the reduction in resources that local authorities have seen, I think it is inevitable that anything that is seen as not an absolute statutory duty is then trimmed.

- Q35 **Lucy Powell:** The funding formula will reduce that further for local authorities to have a pooled budget.

Professor Berridge: In general, yes, the picture of local authorities is one that is—



HOUSE OF COMMONS

Q36 Ian Mearns: If you can just help me with the statutory basis of this, if a youngster is permanently excluded, there is a statutory duty for the local authority to provide different provision after 15 days, but if they are off-roll in some other way that duty does not exist.

Kiran Gill: We also haven't touched on elective home education and off-rolling is one thing where potentially you are subcontracting a child's education and then you delete them from your own register, which Ofsted has said it is concerned is happening. But elective home education has also increased massively over the last five years. Through freedom of information requests, we have heard that some local authorities believe there has been a big shift in who is home educating their children and why. There has been increased home education of children whose parents are worried they might get sanctioned for non-attendance or where there are behaviour challenges with quite vulnerable students.

I have been hearing similar anecdotal evidence from local authorities: that previously there was a resource to investigate elective home education and find out how well the child was being educated and what exactly that looked like. The people that are doing that—there are few of them—are struggling to fund that service.

Professor Berridge: There are broader issues for school funding in this, and different parties take different views. There are some concerns that home education now is being used more because of a lack of school places, rather than for religious or ideological reasons. The other thing, which we have not touched on at all today, is that we are rightly concerned about children's education and learning, but there are also safeguarding issues. If we don't know where children are and who they are being looked after by, and if small independent providers don't have to register and are not inspected, those teachers are therefore not subject to the right checks. There might be some people who go into this for the wrong reasons. I am sure that the vast majority don't, but there is a safeguarding gap in all this too.

Q37 Chair: Do we have the figures for those who are doing home education because of being excluded?

Kiran Gill: Data is not collected on that. We don't know why people are being home educated. We only know through a freedom of information request that *Schools Week* made.

Chair: That goes back to the original point that these things should be published properly. We are moving on to destination outcomes for children.

Q38 Trudy Harrison: Good morning, everyone. Thank you for this document. I found it really interesting. It has some quite concerning outcomes. I was shocked to see that the figure has doubled of 17-year-olds being admitted to A&E with psychiatric conditions.

The one we hear about quite a lot is that only 1% of these students



HOUSE OF COMMONS

achieve those good GCSEs. Given that the cost of a lifetime of exclusion is £370,000 in benefits and health and all those other implications, do you think that measure of success is appropriate and, if not, what measures of success should we be looking at for alternative provision?

You referred earlier to early years and what preventative strategies we should be looking at. A young person at age 14 or 15 may have been through a system for 10 years that has not been right for them. What can we do to improve that?

Professor Berridge: We have to be careful with the outcome data, in that pupils arrive at pupil referral units very late so there is very little time to transform their education anyway. Some pupils may be on a downward trajectory, so it is not necessarily that the PRUs create it. I think we have to bear that in mind. As I said earlier, the evidence that we look at is that if you try to control like for like and take account of all the factors, pupils still seem to make less progress if they go to a PRU than if they had remained elsewhere. I think there is clear evidence about that. What was your second question?

Q39 **Trudy Harrison:** It was around the measures of success, so 99% of students in alternative provision are not getting good GCSE grades. Is that a reasonable indicator?

Professor Berridge: No. But we have also heard about the Progress 8 measures. We have better ways of measuring the contribution that schools make when you look at children's progress from key stage 2.

You mentioned early years. There were evaluations from the Sure Start initiatives and the investment in early years. In general, investment in children at a very young age seems to have benefits. Also, there were recommendations from this Committee in a previous Parliament about speech and language specialists being employed to work between a range of nurseries, because many children have a poor start at school because of unidentified special educational needs. If there was proper input at an early years stage, we may head off some of those difficulties in getting children started.

Q40 **Thelma Walker:** We have touched on early intervention several times during the discussion this morning, but I just want to come in on what you mentioned about Sure Start centres. We have mentioned the lack of educational welfare staff to check up on families and where children and young people are, but there has also been the closure of 1,000 or so Sure Start centres where there were family outreach workers. That infrastructure was there to prevent stuff happening before it happened. I think that needs to be acknowledged and that needs to be looked into—the correlation with the loss of these staff in local areas as that safety net, which isn't there anymore. If you talk to head teachers, they know that.

Kiran Gill: To answer the question about what kind of measure we ought to be using, when I talk to colleagues in the sector they speak quite a lot



HOUSE OF COMMONS

about attendance being an amazing proxy for a young person's wellbeing and their re-engagement with education. I think it is a really important measure.

We talked about systemic issues that create incentives. Rebalancing accountability is most important nationally. Rebalancing school accountability is most important for the most vulnerable students. We need things like longer-term destinations data, to understand: did that child go on to post-16 and get the qualifications they needed to access education? Did they go into employment? That kind of long-term destinations data is important, as is developing some kind of metric of students' sense of wellbeing and self-regulation. We need more research to understand exactly what a useful comparative metric could be, and the answer is that we don't have that at the moment.

Chair: We are going to take a final question from Lucy, a final question from me and then we are going to end the proceedings.

Q41 **Lucy Powell:** Maybe this one is slightly more for Philip. Some say that Progress 8 will improve things because you then look at a broader measure and a longer-term view of a child. I was at a school in my constituency last Friday; every school in my constituency has 80% of kids on free school meals—challenging schools. They are very inclusive but they had 11 children in offsite provision, but on the roll. Those 11 children are going to put their Progress 8 score through the floor. I wonder whether the incentives are still to take people completely off-roll—to exclude them—because those challenging children bring down the Progress 8 massively, don't they?

Philip Nye: There is a really valid concern that still, under Progress 8, you have some children who there is—if you are so inclined—some incentive to lose. In fact, in some ways, the incentive is greater because with a threshold measure, such as the percentage getting five A* to C GCSEs—

Lucy Powell: They are just 1%.

Philip Nye: They are the 1%. With Progress 8, if you have one child or a few children with really negative scores, that can pull down—

Lucy Powell: The entire thing, yes.

Philip Nye: Yes. I think I am right in saying that the DfE has said they are going to do some work around outliers in Progress 8. The details have not been announced yet but, from 2018, they are aware that a small number of children can significantly change a school's Progress 8 score and we will be waiting with interest to see that.

Q42 **Lucy Powell:** It is the opposite effect of the grammar school. The grammar schools get good Progress 8s, conversely, because they have three or four kids who do really well.



HOUSE OF COMMONS

Philip Nye: Yes. As things stand, in Progress 8 individual children can pull things down quite considerably.

Q43 **Chair:** Am I right in saying that you have said that over 60% of prisoners are from alternative provision? What is the exact figure?

Kiran Gill: It is 63%.

Chair: 63%, that is a horrific figure.

Professor Berridge: It may be that the factors that predict offending and entry to prison also predict low attainment and exclusion. I am not sure it is what the alternative providers are doing that leads to incarceration. It may be that the system isn't working well enough, and I am sure it isn't.

Q44 **Chair:** It sums up the problem very well, whatever the reasons that bring them to prison in the first place. How many of those end up in young offenders' prisons or institutions? Do we have the figures for that?

Kiran Gill: I don't have that data, but I could look for some and provide it.

Q45 **Chair:** Is that something Datalab can help with?

Philip Nye: We generally struggle with access to data on onward destinations, but we can certainly consider what is out there.

Q46 **Chair:** Do you suspect it is presumably very high as well?

Kiran Gill: Yes. Charlie Taylor, who is Chair of the Youth Justice Board, gave a speech—obviously he did an investigation into alternative provision—and he quoted a statistic that 83% of young offenders had been in alternative provision at some point.

Q47 **Chair:** The reason I ask that question is that I wonder if there is a role for the justice system to intervene to help, as well as the education system. Could it intervene early, perhaps through the work that the police often do with potential young offenders and so on, in alternative provision schools?

Professor Berridge: It could certainly help fund early interventions, yes.

Kiran Gill: Yes, I think so, and we need to upskill our workforce in working collaboratively with other agencies. When you mentioned the preventative work, I was thinking of some inspirational head teachers who are building that capacity to work more with health proactively and potentially to work more with youth justice proactively. We need to build that capacity in our schools. I do think for this particular sector we need to think about more nuanced and interesting metrics around the significant dangers that children have as leavers, in order to incentivise more research into how we break that cycle.



HOUSE OF COMMONS

Chair: We are going to formally end the proceedings. Thank you all for outstanding evidence and, literally, you are doing what this report says: all of you are making the difference. We look forward to working with you in our inquiry and as we publish our report over the coming weeks and months.