

Education Committee

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

Tuesday 6 February 2018

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

Questions 48 – 113

Witnesses

I: Matthew Dodd, Co-coordinator and Policy Advisor, Special Educational Consortium, Cath Kitchen, Chair, National Association of Hospital and Home Teaching, and Jane Pickthall, Chair, National Association of Virtual School Heads.

II: Dr Val Gillies, Professor of Social Policy and Criminology, University of Westminster, Kevin Kibble, CEO, The Nurture Group Network, and Drew Povey, Headteacher, Harrop Fold School.

Written evidence from witnesses:

- [National Association of Hospital and Home Teaching](#)
- [National Association of Virtual School Heads](#)
- [Special Educational Consortium](#)
- [Nurture Group Network](#)

Examination of witnesses

Witnesses: Matthew Dodd, Cath Kitchen and Jane Pickthall.

Q48 **Chair:** Good morning, everybody. Thank you very much for coming today. This is a very important inquiry for our Committee and we are grateful to you for your expertise this morning. Just for the benefit of the tape and those watching outside, from our left to right, could you kindly introduce yourselves and your organisation? Speak as loudly as you can, because the acoustics are not fantastic in the room.

Matthew Dodd: Matthew Dodd, representing the Special Educational Consortium, which is a coalition of organisations working on behalf of children with special educational needs and disabilities.

Jane Pickthall: I am Jane Pickthall. I am the Chair of the National Association of Virtual School Heads. We are all practising virtual school heads and I am from North Tyneside.

Cath Kitchen: Hi, my name is Cath Kitchen. I am the Chair of the National Association of Hospital and Home Teaching. I am representing the staff, children and young people who are in alternative provision because of their medical needs.

Q49 **Chair:** Thank you. What is your view of the state of alternative provision in our country?

Matthew Dodd: I will start. The argument that we are making to you is we are not here to lay it all at the feet of mainstream schools, all at the feet of alternative provision or at the feet of local authorities, but the system for children with special educational needs and disabilities is not working. They are over-represented in permanent exclusion figures. They are referred offsite into alternative provision with no formal assessment of whether it can meet their special educational needs. The outcomes, because of that lack of an assessment, are poor and there is very rarely a good route back into mainstream. We think there needs to be a close look at the accountability for how the system works, right from the beginning of what goes on in mainstream, into AP and back out again. We think we need to look quite carefully at the whole process.

Jane Pickthall: Our concern is that looked-after children are over-represented in alternative provision and that in terms of improving outcomes that is not always the best place for them to be. We know that stability is especially important for looked-after children and that is not just in the care placement, but in the school placement as well. We are keen to see less movement around the system for looked-after children, making sure their needs are fully assessed and that the provision they attend is the right provision for that individual child.

Cath Kitchen: In terms of alternative provision, we feel very much that everything is lumped in together. There is no recognition about the different types of alternative provision. The questions that were raised by



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the Committee very much focused on excluded children and not children with medical needs. Our children do not always have a choice about when they move into alternative provision because they are placed there because of their health needs. There is no choice for parents or for young people because they are moved to a hospital that best meets their medical needs. We are very concerned about the rise in the number of young people with very complex mental health conditions that are coming into tier 4 child and adolescent mental health units, particularly around the time of exams, where stress is at a very high point.

In terms of alternative provision and data, can we just say it is a nonsense? I would say that 98% of the children who are in medical Pupil Referral Units are dual-registered and we do not collect any of the data for them. That goes back to their schools.

Q50 Chair: I think it was the IPPR who said that almost 100% of pupils excluded have mental health difficulties. Is that your view or is it—because of what you have just said about data being very poor—impossible to know?

Cath Kitchen: I would say there are all sorts of reasons for exclusions, but when a young person displays any sorts of behaviours, there is always a reason behind it. I think what has happened is it is a reaction by the schools. I am not being critical of my mainstream colleagues, because they have to respond to keep other children in the school safe, but actually it is a lot more about the data that the school is judged by. It is a very brave head teacher nowadays who is including these young people and standing up for them being in their schools.

Q51 Chair: Is your view that alternative provision has been neglected, not just in the last few years, but for a significant number of years, and that exclusion to an alternative provision is something that is not looked at closely enough by policy-makers and treated seriously enough?

Jane Pickthall: Given the number of vulnerable children that attend those provisions we welcome this inquiry, because outcomes are so important in terms of that long-term economic independence, so it is really important that we get it right. There is some really good alternative provision out there. When it is done correctly, the progression routes then into apprenticeships, into colleges, into other training are very positive, but what we would prefer is that those opportunities come to them post-16, not pre-16. We want our children to have the best options and all the options, not to narrow those options, so the more we can do to support mainstream schools to meet the needs of our children, I think the better the outcomes will be.

In terms of mental health, that is about an understanding of trauma and attachment and making sure that our teachers are equipped to understand what is going on for a child who has had an adverse childhood. Again we are learning, we are always learning, and we are learning a lot more now about the impact of that. It is important that we



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do not lose sight of that and we utilise the expertise that is out there to encourage more staff training so that we can maintain placements in mainstream schools more effectively.

Matthew Dodd: I think it would be unfair to say it has not been on the political agenda. There was the Charlie Taylor Review, which was in 2012, I think. Reform of alternative provision was in the White Paper before the election. It is just the focus has never turned into concrete action. I guess now is the time when it is in the spotlight, whether it is in the mental health Green Paper, around boosting the capacity of mainstream schools to meet mental health needs, the review of exclusions that we are expecting shortly, and this review, so it is about turning that renewed attention into concrete action.

Cath Kitchen: We also used to have an alternative provision reference group, which took place at the Department for Education, and there were about 20 people there representing all different sorts of alternative provision. Some of the evidence I submitted about supporting the transition to post-16 in alternative provision was a piece of work that we undertook for the Department. While we were in that group there were at least conversations that were happening. If the Department had any queries they wanted to ask about alternative provision, they brought it to the group and we took it back to the sector, so there was that communication going on between us.

Q52 **Emma Hardy:** Good morning, everyone. My first question is just for Matthew and Jane. Could you explain why some groups of children seem to be over-represented in alternative provision? You have alluded to it already by talking about looked-after children. I wonder if you would elaborate on the reasons why you think that is.

Jane Pickthall: We have two main groups of looked-after children. We have the younger ones that have had safeguarding concerns from a very early age and they come in. They then achieve permanence or they come in a bit older and they stay in the system. We also have an older group of teenagers that enter the system during Key Stage 4 and what we find is often they are coming into care already in the alternative provision arena. As virtual school heads, we work very closely with all our schools and provisions to ensure that our children get the best outcomes, so we try to prevent exclusions. That is a huge part of our role. We did a survey across our membership last year and reckon that between us we probably prevented about 1,000 exclusions, because each of us had a handful. We know that we can prevent that happening. We know that we can reduce the numbers in alternative provision, but you need the people there in order to do that and to support the schools.

Matthew Dodd: In terms of children with special educational needs and disability, the sort of journey that we see is unmet or unidentified needs quite early on in their school career—possibly speech, language and communication needs or autism that go unrecognised. It then spirals into a child who does not engage in their learning and then that naturally



moves on to the sort of behaviour that does not fit into the norms of what that school is looking for. They then get caught up in the disciplinary procedures of the school when the issue is further back in the teaching and learning. It is that journey that they get caught up in. They then have fixed home exclusions, permanent exclusions, all referred offsite.

Children with special educational needs is a very broad concept. Children with social, emotional and mental health needs are one of the primary areas in SEN, so it is also those children in very challenging circumstances with difficult home environments who fit into that category. By the nature of their needs, they do show challenging behaviour.

Jane Pickthall: In terms of some of the behaviour systems in schools, some of our children seem to climb the ladder of consequences very quickly. Schools are then left stuck at the top rather than having some little offshoots at the bottom. That may be leading to some of the increases in exclusions that we are seeing and it is obviously something we are keen to address.

Q53 **Emma Hardy:** You must have read my mind, because one of the things I am concerned about is the increasing use of extremely strict, rigid, no excuses behaviour policies that are put out by certain large academy chains, in particular in the north. I was going to ask you about these particularly strict behaviour policies and the narrowing of the curriculum. Moving away from that, my second favourite subject is oracy and the fact that children's speech and language is not given the time and space to develop, which creates frustration because they cannot communicate later. What impact do you think those two things are having on the number of kids going into alternative provision? I am including Cath in this question as well because I know you alluded to stress and anxiety for older children.

Cath Kitchen: Children with social, emotional and social communication difficulties will either demonstrate externalising behaviour, which means they will move up that ladder, or they become extremely anxious about trying to make sense of the world. Within our medical Pupil Referral Unit, a lot of us are setting up individual units within our units specifically for those children to try to minimise that anxiety. If you go into those specialised environments you would not know that any child in there has a social communication difficulty. Classically it is girls who are quite good at picking up the social cues and are able to manage until around year 9 or 10. We have talked about those teenagers and extreme anxiety has exactly the same presenting symptoms as social communication difficulties. It is really difficult to unpick it.

Emma Hardy: Matthew, you were nodding about the behaviour policies. Do you want to come in?



Matthew Dodd: I was sent an article about a chief executive of a multi-academy trust who was talking about zero tolerance behaviour policy and in fact talking about how reasonable adjustments were being over-used and were ruining the ability of schools to manage behaviour. The Equality Act and the Disability Discrimination Act before that make it very clear that reasonable adjustments must be made. It is part of the law of this land and it is a bit outrageous if it goes unchallenged that reasonable adjustments for disabled children are somehow a barrier to a good education for all children.

I think zero tolerance behaviour policies might be unlawful anyway—reasonable adjustments must be made to everything that public bodies do—so we would certainly want to see that sort of policy challenged by Government itself. In fact, on curriculum, the same as with behaviour policies, the more rigid you make a structure the more difficult it is for children who are different to fit into that. If you speak to teachers, the rigidity of the new curriculum is a major barrier to inclusive teaching. We are not here to talk about curriculum as such, but I want to make that point.

Jane Pickthall: In terms of looked-after children and adopted children, those on the edge of care, the other thing that happens with these behaviour policies is they are often quite shaming—things like the rainbow with the grey cloud and the child's name gets put on it. That was in the DfE behaviour review that came out with the examples of good practice. That is not good practice for vulnerable children. They carry around inordinate amounts of shame already and then we have their name put on the board or stand-up public humiliation and that in itself then triggers the responses that lead to the more challenging behaviour. It is very much about how we show sensitivity to children who have experienced some of the most awful things that we as adults cannot begin to imagine and how we create a system that enables them to thrive and succeed.

Cognitively, in terms of SEND, very few looked-after children are identified with a learning difficulty as such, but in terms of their social, emotional and mental health needs that is obviously significant. We need to be able to enable them to succeed academically by creating kind and caring schools where staff are given time to build relationships. For us, that is what we are here to promote and encourage.

Q54 **Chair:** Why is it that for every girl excluded in 2015-16 three boys were excluded? Why is it so much more among boys than girls?

Jane Pickthall: If you look at domestic violence, for example, we know that we have a lot of children in the care system who have grown up in a domestic violence environment. I think what they will find is it is either victim or perpetrator and where they may feel attacked, not physically attacked, but if a teacher has shouted at them, for example, their reaction to that may be a very more defensive reaction and may present



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itself in a much more frightening way. In terms of how that behaviour exhibits in schools, it will appear more challenging.

Matthew Dodd: The Office of the Children's Commissioner did quite a good report on exclusions, I think about three years ago now, and it was not just gender, it was race. It was like a young black man from—

Q55 **Chair:** I understand that. I know clearly it shows that those from black Caribbean families are 2.5 times more likely to be excluded, but I just specifically wanted to ask about the boy/girl issue. Given that we know this, what could be done in terms of early prevention, for example?

Cath Kitchen: Can I just add that we see the converse in mental health inpatient units? Predominantly it is three to one girls to boys, so it might be that boys are demonstrating their mental distress externally. It is a very sweeping statement. Girls have a greater tendency to internalise and might show it in depression and self-harming behaviours and so on. Sorry, that did not answer your second question, but I wanted to make that point.

Q56 **Thelma Walker:** Good morning. With alternative provision at the moment, how much would you say or would you agree that it is all linked to a lack of social justice in our society, in the support that disadvantaged children are getting? Could you comment on the link between levels of poverty and the level of support that children are given or the number of occasions that they are referred to alternative provision?

Matthew Dodd: For us, AP is one of the routes for people falling out of mainstream. Home education is another. Education, health and care plans and special schools are another route. How you end up going down one of those routes seems partly down to the ability of your parents to advocate on your behalf. Where you have parents, you may end up in the special school system, where your needs are quite closely monitored and there is a whole legal framework. If you do not necessarily have those parents, you may end up in AP. We do not quite have the data for exactly why those different routes occur.

Q57 **Thelma Walker:** Would you say there should be earlier intervention in mainstream in terms of an index of deprivation and monitoring of that?

Matthew Dodd: Absolutely. Poverty is one of the main risk factors for going into AP.

Thelma Walker: Would anybody else like to comment on that?

Cath Kitchen: If you are ill, it cuts across social class. We did a national qualitative study looking at case studies and came to the conclusion that you cannot predict it. Nobody knows if they are going to get cancer or not. Nobody knows, but we do know what some of the predispositions for developing mental health disorders are and it can be around economic situation. It can be around parental mental health, lack of resilience and all of those kinds of things, which means that you are more vulnerable to



developing mental health issues. It does not seem to follow anything in particular. We have looked, because if we could identify themes, then it would make our job easier. With the medical needs and the mental health, it is not necessarily always about early intervention for medical needs, but it is about schools making those reasonable adjustments to include those children within the community of the school.

Jane Pickthall: Yes. I think social justice is one of our big drivers as virtual school heads, because we do not want a child's history to be a barrier to their future. We want to see more care leavers going to university, but those routes are better through a mainstream provision. We do have a pupil who was at a PRU and is now doing his A Levels and I am sure he will get to university, but he is bucking the trend. If we are going to have good quality alternative provision, those routes still need to be open, those vocational pathways into level 2 and 3 qualifications, foundation degrees, making sure that the progression routes are there wherever a child is being educated. Also I know NNECL have just done some research, tracking care leavers up to 23. We thought around 6% or 7% of care leavers were going to university; it is nearer 12%, but it takes a bit longer.

When we are looking at social mobility indicators it is important to remember that for some children and young people it takes a bit longer. We need to give them a bit longer and not say that these whole free school meals children are not succeeding. They probably are succeeding, but it is taking a bit longer, so we need to be maybe—

Thelma Walker: Flexibility in the system.

Jane Pickthall: Yes, it is about that extended youth that we all know about. We must be aware that for some young people, it just takes a bit longer because of what they have to address.

Q58 **Mr William Wragg:** Good morning, everyone. I have a question specifically for Cath, building on what you were saying there. As you mentioned in the opening remarks, those children who require alternative provision for medical needs are not perhaps spoken up for as often as they should be. Could you tell us what reasons children with those medical needs need to access alternative provision, perhaps focusing on the differences between those with physical medical needs and those with mental health needs?

Cath Kitchen: The children who have physical medical needs most often come into alternative provision because they are admitted to hospital as an inpatient. When they go into hospital, depending on which local authority and what type of hospital, whether it is a regional one or just a local hospital, they will access teaching while they are there. If they have a mental health condition that means it cannot be safely managed within the community, they also are entered into an inpatient provision; they call them tier 4 CAMHS units, where again they are accessed there. If



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their mental health is so severe they may be sectioned under the Mental Health Act and then put in a different type of environment.

If there are no places in tier 4 units, then they may be placed in private hospitals. In private hospitals a lot of the education provision there is not regulated and you do not have a choice about where you go. Local authorities will often end up with a large bill for teaching for which there is no evidence.

Children within the community that are referred to what we call our outreach services are those that are not in school and not managing school full time because of their medical or mental health difficulties. This might be a young person who has suicidal ideation and is managing within the community, but cannot quite manage school. Sometimes it is used as a stepping stone to help them catch up, to feel confident, to give them the coping skills and resilience and we support them back into school to do that reintegration work. As Jane said, the best place for a child's education is within school.

Q59 Mr William Wragg: If there is to be 15 or more days of absence, as I understand it, there is a statutory obligation that an intervention is made by day 6. Is that correct?

Cath Kitchen: The day 6 is the excluded. The 15 days is the medical.

Q60 Mr William Wragg: Is there adequate provision to meet that statutory obligation?

Cath Kitchen: It depends where you are in the country and I think a lot of it is a bit of a postcode lottery.

Q61 Mr William Wragg: Could you maybe give us a good example and a not so good example in your experience, if it is a postcode lottery?

Cath Kitchen: The 15 days may be interpreted by schools in different ways. The statutory guidance clearly says 15 days across the course of the year, so a young person having cancer treatment who every Thursday goes to hospital for their chemotherapy misses one day of school every week, but does not get picked up as needing additional support until you go further in. There are schools that will look to see when attendance is starting to drop. They will ask for our support to try to keep the young people in school and we will work with them, similar to managing trying to make sure the children are not excluded.

Again, the schools may be encouraging—like colleagues said in the last session—about, “Oh, your child is clearly too ill to come to school. Why don’t you home educate them? That would be the best thing.” That is exactly what was raised in the last session about encouraging parents to electively home educate. If you are dealing with your child who is threatening to commit suicide, you are not in a position to make a rational decision about whether to electively home educate and if you



take them home, they become socially excluded and their outcomes are far worse.

Mr William Wragg: That is a very interesting point to end on. Thank you very much indeed.

Q62 **James Frith:** I would just draw attention to my entry on the register of interests. I am a director of an organisation that works with special educational needs disability children in the east of England.

Thank you for your contributions this morning. I have a particular issue in Bury and I would welcome your comments on the model as a way forward. Are pupils being referred to alternative provision without the appropriate assessments or the support being provided in mainstream schools? If so, perhaps you could give some examples of where that is happening.

Matthew Dodd: As I said in my opening remarks, Ofsted, in its latest thematic report on alternative provision, found that in a lot of schools the information that had already been gathered about the child is not necessarily passed on to the new provider and the new provider is not necessarily doing the full assessment of needs that it should be. The comparison we would make here is there is a system in place for children with special educational needs in the Children and Families Act. If a mainstream school cannot meet your needs, you should have an education, health and care plan and then a particular institution is named on that plan to meet your educational needs. There is a legal process and it can be challenged in the tribunal.

Where a child is referred to alternative provision, there just is not that level of regulation—it just happens, sometimes well and sometimes very poorly. We do not see why we have a very tight and regulated system that many children go through and then a completely unregulated system of referrals that another group of children go through. Why one group goes through it and the other does not, we are not entirely clear about. It may be to do with poverty and other factors that allow people to go through one route or another, but it is simply not an appropriate system for children with very significant special educational needs.

Jane Pickthall: What we have often found with looked-after children is that they have had lots of moves. You have transient families, where there are many children on our system whose family is moving between different schools, but with looked-after children that also happens often before they come into care—because once they are in, we do not let them move—and they are not getting a chance to be assessed because they are never anywhere long enough to go through the process. Then their needs are escalating because they are not getting the support they need, so there is something about identifying those needs earlier on.

With looked-after children, one of the concerns we have is that if a child has a plan, the rules are very clear about who funds it, who has responsibility and who has ownership, so where a child lives, where they



are educated and who looks after them is all very clear. If they do not have an EHCP, that is very unclear, so what we have is children that might move into another authority, having been educated in alternative provision, then to access that alternative provision in another authority becomes much harder because there isn't the safety net of a plan and a process and there is so much variation in how alternative provision is run in different authorities.

Some authorities have all the schools commissioning and they have alternative provision. In others, you have private providers and alternative provision. Nearly always you need to be on the roll of a school to access some form of alternative provision. If you are moving a child who has already been in alternative provision, who already has complex needs, schools do not want them. You are then left with the question of who is going to pay the bill for this provision, because we do not have the same rules around children with SEN.

Q63 James Frith: Can I just get in to some of those points that you are raising? Is it your view that these tend to be one-way streets for children—that having left mainstream education they end up in alternative provision? How often is there a route back for these children? I ask because, as I mentioned in my opening question, in Bury we have 136 children being schooled out of borough—136 children at a £5.5 million premium to educate—at a time when schools are counting every penny and having to consider redundancies and other things. How easy is it to assess a system like that and bring young people back into mainstream education, in your opinion? I welcome all your thoughts on that.

Jane Pickthall: It depends on the age of the child and what their presenting needs are. We know that with looked-after children, if you get the support right and if you get the stability right, some of those presenting needs can reduce. You would hope that if a child enters in a crisis situation, the system will support that child and bring them back to a place where they can access that learning. Once a child is in Key Stage 4 that is really difficult because the pressures of the curriculum now are so high that if a child has not been able to keep pace, it makes it very difficult to then return.

Cath Kitchen: That is exactly the same for children with medical needs. If you have a child who has a physical medical need like cancer, schools are very good at transferring information about curriculum and assessment because everybody gets that. There is less sympathy for young people with mental health difficulties. Although we are working hard to try to break down the stigma, there is still stigma around it. Very often before they are referred to alternative provision they have spent a significant amount of time out of school. If they have a condition such as chronic fatigue syndrome, which affects your cognitive ability, and they have been told in year 7 or 8 that they are gifted and talented, they will expect to be at a certain level, but then when you do an assessment the



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impact of the medical condition is that their levels have fallen right down. That is like a double whammy for a child. First of all, you have a difficult condition that you are dealing with and, "Do you know what? You know all those grades you were going to get and go on to university? You might not be able to get those now." Then that leads to a drop in their self-confidence, self-esteem and all of those sorts of things. It is difficult.

I would echo what Jane says: Key Stage 4 is a real challenge. For children who have missed say all of year 10, schools will not want them back because they have an impact on their data. Small numbers of children cause significant shifts in Progress 8 data. If I am honest, some young people are better placed in alternative provision in small groups that are with teachers who are skilled at delivering the curriculum to children with mental health conditions. We can then make sure there is targeted support across the transition to post-16 as well.

Q64 **Trudy Harrison:** With a focus on early intervention, to what extent do you feel that pupils are referred to alternative education because of a lack of support in their mainstream school? I ask that with particular regard to SEND funding and practitioners in any area—that kind of practical provision.

Matthew Dodd: The very fact that 80% of children in Pupil Referral Units have a special educational need tells us that something is going on in mainstream provision that is leading to them being either permanently excluded or referred offsite.

Q65 **Chair:** Can I just come in on that? Kiran Gill gave evidence to us and said they had spoken to lots of school leaders who said, "We cannot reach the CAMHS threshold and so we know that if they are permanently excluded, it means they get the full CAMHS treatment and more money for their provision." Is that happening? If so, what is the solution?

Jane Pickthall: I think CAMHS is not the solution. We need to stop expecting CAMHS to be the solution, because what we are talking about is a group of children and young people who do not meet the CAMHS threshold, but because we are not working with them in a relational way we are not addressing those early life experiences. It is about money, but it does not have to be just about money, because relationships do not have to cost a lot of money. We have a view of what SEN support looks like and it is somebody sitting next to a child all day. It does not have to look like that. It can be somebody who is there, who every hour is just checking in with the child. They can be checking in with 10 children throughout the day and offering the kind of support that could really maintain mainstream placements.

Q66 **Chair:** The suggestion is that students with SEN needs are being excluded because the school does not have the capacity or resources in order to be able to deal with them, so it is easier for the school to exclude these students. If that is true, what is the solution to it?



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Matthew Dodd: All the incentives are stacked in the opposite corner, in curriculum and exams. The incentives are stacked to not include or to exclude once a child is there. I would say in relation to mental health I guess the proposals in the Green Paper that you are also hearing evidence on are about trying to boost the capacity of mainstream schools to meet mental health needs earlier, then there are these new mental health support teams who should act as that bridge between specialist mental health services and schools. Obviously schools will say they need more funding, they need more space in the curriculum to be able to meet these needs, but I guess there is at least some recognition from Government that there needs to be something in between specialist mental health services and the school.

Jane Pickthall: I think as well exclusion costs more long term—it costs more for a specialist placement; it costs more for alternative provision. It is about how we redirect some of that money. The money is in the system; it is about where it best sits.

Q67 **Ian Mearns:** It only costs money if the child ends up in an alternative provision. If they are off-roll and electively home educated, that is a lot less cost to the system.

Matthew Dodd: Can I make a very specific point on funding? The funding for alternative provision comes out of the high needs block, so the designated schools grant goes to local areas and then the schools block goes to schools and the high needs block is reserved for alternative provision and special educational needs support. It is about the relationship between the money that goes to schools and the fact that when a child is excluded, the financial cost for that goes to the local authority. There is a big issue about these blocks of funding and where the incentives are between these two blocks—the schools block and the high needs block.

Q68 **James Frith:** On your point about the disincentives, how the incentives are stacked the wrong way and this relationship between the three funding streams that you have talked about, in many cases schools are expected to contribute £6,000 towards each child they identify with an EHC plan, so there is in fact a disincentive even to do the right thing—that is not a value judgment, but you know what I mean—in identifying them in school rather than excluding them. The former Secretary of State talked about 14% having EHC or special educational need requirements, so you are talking about potentially as much as £80,000, £90,000, £100,000 on top of budgets that are already facing deficit. What are your views on that?

Matthew Dodd: There is a notional SEN budget, which is an expectation that they will pay up to £6,000 for each child. The funding formula is meant to reflect that. A school that is more likely to have children with SEN should get more money, but in reality, with the cuts or challenges to school budgets, one of the first areas they have to look at if they are



going to make savings is support for children with special educational needs. That simply is an unfortunate reality.

Cath Kitchen: May I make just one more point on that? None of this will change unless we change the system by which schools are judged; until we take away the idea that it is all about academic attainment. What about that child maybe who does not have all of the GCSEs, but has moved from actively wanting to take their own life to engaging in society and going on to college? How do we measure that? How do we show that? That is the real value of what alternative provision provides, as well as the academic outcomes.

Within schools with pressed budgets, the first thing that goes are support staff—not the velcroed teaching assistant, but that mentor for checking in with who actually cares, so that the child does not have to continually tell the story about the morning that they had before they got to school.

Q69 **Ian Mearns:** Are mainstream schools doing enough to support children with medical needs without referring them to alternative provision? Are they trying or are they just looking for lines of least resistance?

Cath Kitchen: Again, it is very variable. It very often depends on the ethos and the values of the school. I think it was the medical needs alliance that did a freedom of information request about the fact that all schools should have that policy for supporting children with medical needs in schools. The individual health care plan, which is part of that, is not helpful in that it is too similar in its name to an education, health and care plan, and schools are not using those effectively. Those of us who work in medical needs alternative provision are trying to be externally facing and work with our schools on developing those skills. We have even thought about trying to come up with some sort of benchmark or quality mark, a bit like the inclusion mark—that kind of thing. I include myself in this, but all schools love a badge on the bottom of their paper.

Q70 **Ian Mearns:** You are saying it is a patchwork quilt, it is different in different places and it depends on the ethos of the school. Where would we look for evidence about what the wider picture is out there in terms of exactly what is happening to young people who have medical needs in schools?

Cath Kitchen: I think the Ofsted briefing to inspectors in November had a focus on children with medical needs. Inspectors were being asked to ask the question about children in the register who have lots of “Ms” or “Is” for “ill” and ask those questions. They were directed to a report that was about supporting children with diabetes in schools, which was from one of the other parliamentary groups. Ofsted are one way of doing it. I would say the local authority, but unfortunately the local authorities have less and less people there. The Regional Schools Commissioners should be holding the academies to account. One of the problems is that the children with medical needs are such a tiny proportion of the overall cohort that in our experience they get missed.



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Q71 **Ian Mearns:** Again, it is a patchwork quilt of where the evidence lies?

Cath Kitchen: Yes.

Q72 **Ian Mearns:** It sounds like Ofsted, the local authority and the Regional Schools Commissioner all have a responsibility, but I will bet there is an awful lot of stuff falling through the cracks between the different bodies.

Cath Kitchen: Absolutely. I would completely agree with that. Interestingly, the statutory guidance for supporting children with health needs in school, which came out at the same time as the alternative provision guidance, says that schools can take children off roll in year 11. That is in the statutory guidance.

Ian Mearns: Thank you very much indeed. That is very useful for us.

Q73 **Lucy Powell:** Thank you all very much for coming. My question is fairly broad. Do you think there is sufficient scrutiny in the system about decisions to put children into alternative provision or indeed to take them off roll? Do you think that within that there is sufficient balance between the needs of the school versus children's rights and parents' rights within those conversations and decisions? A two-part question, really.

Matthew Dodd: In terms of scrutiny, no, there is not enough scrutiny at all levels. With the scrutiny of exclusion decisions, for example, the governors hear the first exclusions appeal and then it can go to an independent review panel. We have very little understanding of the experience of people going through that process. We do not know what happens in those review panels, how decisions are made and whether the school is bringing in legal representation. We do not have any data or any research into the quality of those decision-making processes.

In terms of scrutiny of the decision to put a child in a particular Pupil Referral Unit, again, there is very little about parental voice or the voice of the child. We do not understand how those decisions are being made. They cannot be challenged in the same way as other placement decisions, so there is a lack of scrutiny at virtually every level.

In terms of getting kids back from alternative provision into mainstream or for a child who has been permanently excluded, there should be fair access protocols that allow in-year admission. If a child has been excluded they should be able to get back into a mainstream school using these fair access protocols. There is no scrutiny of how they are used. Basically we would say there is no scrutiny virtually at every level in this system.

Q74 **Lucy Powell:** Do you think that has got worse with the greater autonomy that schools have in the system now?

Matthew Dodd: Yes. What we have now is a lack of clarity about who has responsibility for this group. Legally, local authorities still have a responsibility where a child is excluded, but their mandate to be involved in the education system is open to question. Yes, there is a shift in who is



responsible, and obviously the Government proposals a couple of years ago were to give schools total responsibility for this group of children. That was in the White Paper, but following the election, those cannot go forward now. There remains a bit of a vacuum of who is responsible for these children, who has oversight and who should be asking the difficult questions.

Jane Pickthall: Which in the case of looked-after children is us. For looked-after children, the role of the virtual school head offers that level of scrutiny in terms of holding schools to account. It is about accountability as well and it is about moral responsibility. It depends very much on the local authority because I know in some authorities there is a far more collaborative approach. We are working across a very fragmented system and it is about school leaders taking a bit more individual responsibility for reducing the number of children moving around the system.

Q75 **Lucy Powell:** Do you feel you have enough powers to direct that as a virtual school head or are you relying on cajoling and persuading a lot of the time?

Jane Pickthall: It is awful, because we want to work collaboratively, we want to be part of the system and it has become far more adversarial, because it is like, "We want rid of them", and that makes our job very hard. We have pupil premium funding, which we can use in terms of, "What support do you need?" Some of us have teams who can offer schools additional support. Educational psychologists can go in and do assessments, because for us it is, "Why have we got to this point? Why does this child need to leave this school? What has led to this?" It would be lovely if that level of scrutiny and questioning happened across the system, but who should be doing that? You would want head teachers ideally to be saying, "As a school leader, I have a responsibility for these children to succeed and I have to create a school environment in which they can succeed".

Q76 **Lucy Powell:** Where you do not have a head teacher who wants to take on that kind of role or have that attitude or perhaps is under a lot of pressure and cannot—resources, pressure everywhere else—where should that buck stop and who should that be? At the moment, does that person have enough powers to direct?

Jane Pickthall: In our authority our head teachers have a huge piece of work called "Keeping Children in School" because they realised managed moves do not work for the majority of children. The children's needs do not miraculously disappear in another setting. By holding each other more to account they were certainly understanding more about the needs of the children and what they need. We are now reshaping our services in order to better meet the needs and support schools. It is about the approach of different local authorities and how—

Q77 **Lucy Powell:** To get to the nub of our point, sorry, where it works well



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and where you can create that environment, it is all well and good. What perhaps we are interested in is, where that environment has not been created or cannot be created, do we just leave those children hanging or should there be some other body that can direct and require that?

Jane Pickthall: That would be lovely.

Matthew Dodd: I might just add, who is responsible for the education of all children? Is it the local authority, who it used to be—and in a way still is? Is it the Regional Schools Commissioner, who has responsibility for commissioning schools in that area? Is it the Secretary of State, who has taken on direct responsibility for some schools? Yes, there should be a recommendation that says who should be responsible for all these children, some of whom fall out of mainstream.

Q78 **Chair:** Is there a wild west out there in terms of exclusions? Is it like a saloon bar where the landlord can throw anyone out and there do not seem to be fixed guidelines that everyone is aware of? Even when the panel may recommend against a decision made by the school, the head teacher can still ignore that decision. Should there not be a bill of rights for the parents, so you still give the power to the head to exclude pupils, but the parent is aware of the bill of rights, what the procedure is and they have a proper balance in case that decision is wrong and unfair?

Ian Mearns: Quickly on that points, an appeals panel depends on the parent taking up their right to appeal in the first place, and quite often the poorest and the most vulnerable children have the poorest and most vulnerable parents who do not take up that exercise.

Chair: All the more reason for there to be some kind of bill of rights for the child and the parents, and if the parent does not take it up, it may be that the decision remains in the hands of the head in the school. Where the parent does take it up and if a decision is unfair or unjust, it seems to me that the parent has very few rights. What is your view about that and what is the solution? Is a bill of rights necessary?

Matthew Dodd: The Education Act 2011 removed the right to reinstatement, so an independent review panel cannot enforce a reinstatement, so we opposed that at the time. Anything that makes it clearer to parents what their rights are in relation to this is welcome, because the current law around independent review panels is very muddled. There are all these quasi-legal considerations that need to be taken into account. Anything that sets out very clearly what rights parents have, what rights children have, we would welcome.

Q79 **Emma Hardy:** Cath, this is to you. I am concerned about attendance data for Ofsted and the fact that so many children who do not have a diagnosis are being forced to attend school when they are too poorly. I just wondered what your thoughts were.

Cath Kitchen: I completely agree with what you are saying. Within alternative provision we calculate attendance according to the hours they can offer and they are able to take up, otherwise it is too demotivating



for them. But it is another one of the measures for schools that means that they will write them as B, educated offsite, when they have been sent work home, or M or I. It is around the coding of attendance, but it does not encourage schools to get that gradual reintegration to school where you need a part-time timetable to build up your standards.

- Q80 **Lucy Allan:** From what you have been saying this morning, it seems to me that the problem is that we are treating all excluded children as a generic category rather than identifying specific needs. There will be some children that do need specialist provision and there will be others that are better off reintegrated. There is insufficient assessment of all the children that are excluded to identify their needs. Does that reflect your experience?

Cath Kitchen: Yes, and I would also bear it in mind some of the children who have not been physically excluded are socially excluded because they are being encouraged to be taken off roll.

- Q81 **Lucy Allan:** Is it a big mistake to say medical exclusions and behavioural exclusions—everything is treated as a single entity and category?

Cath Kitchen: I think it is a mistake to include everything as a single entity, but you might look at the routes in, rather than calling them medical exclusions. You have gone into alternative provision because of a medical need, because of mental health need, because of SEN need.

Matthew Dodd: I completely agree. We would add to that scrutiny at all levels of the decision-making process. We should also see AP within the bigger context of children being pushed out of mainstream school and ending up home educated, in AP, in special schools or in the youth justice system. Fifty thousand kids missing education altogether was a recent figure published by National Children's Bureau. As well as being nuanced within AP, we should be looking at it within the whole context.

Chair: Unless anyone else has anything, we are finished for this session. I am incredibly grateful to you for this. It will form a very important part of the evidence for our report, thank you.

Examination of witnesses

Witnesses: Dr Val Gillies, Kevin Kibble and Drew Povey.

- Q82 **Chair:** Good morning, I very much appreciate you coming today. For the benefit of the tape and for those watching on the internet and on Parliament TV, please could you just give your names and positions?

Drew Povey: Good morning. Drew Povey, Head Teacher at Harrop Fold School.

Dr Gillies: Val Gillies, Professor of Social Policy and Criminology at the University of Westminster.



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Kevin Kibble: Kevin Kibble, Chief Executive of the Nurture Group Network.

Q83 **Thelma Walker:** If you had a school that had the correct provision, the right ethos, a broad and balanced curriculum, trained staff, a trained mental wellbeing designated person and enough funding, would it be possible to not need alternative provision? With in-house, in-school provision and the right ethos in a school, is there a possible scenario where there would be no need for alternative provision? I just want your thoughts on that.

Drew Povey: It is possible to do that. Harrop Fold as a school is an extraordinary place born from an extraordinary history. Because of the difficulties that we have been through, we have had to learn to do things differently, whether that is leadership or dealing with our finances. We have also had to look at the way we structure our behaviour management at the school. Around 10 years ago we had an open conversation with staff at the school with regards to the point of education, which was very important to us—about what education is for. It was a conversation about whether it is about preparing people for work, but we stripped it further back and said it is about preparing young people for life. As a result of that, we shifted our mindset to move from, “We cannot exclude young people” to, “We do not exclude”. That was extremely powerful for us as a school and we are very proud to say that we have not excluded a student, fixed term or permanently, now for over 10 years.

Dr Gillies: It is possible, but very, very difficult in the current system. Schools can be quite difficult, hostile places for many struggling children.

Q84 **Thelma Walker:** Just coming in on that, when you say “hostile places”, could I have your thoughts on nurture groups? Being a former head, I have had experience of that and the outcomes. I just would be interested to know.

Dr Gillies: I have done research on in-school exclusion units, not including nurture groups. Personally I can see the value for having groups with a very defined remit for year 7 to help with transition, but often it goes a bit beyond that and that can be a bit problematic.

Kevin Kibble: If we can keep children in school, then as we have heard previously, it is the best place for them to learn. If we can provide an alternative provision within the school setting then that is an ideal scenario. It does not necessarily have to be an alternative provision. If the school has the right kind of nurturing ethos all the way through, there is a way of de-escalating a lot of the problems that end up with children being excluded at an earlier stage. With the right training for teachers and teaching staff and the right support, that can be achieved and is achieved in many schools. Drew’s school is an example of that. There does not necessarily have to be a nurture group within the school to



achieve that if the school has the right kind of approach from the word go.

Q85 Thelma Walker: With learning support units and behaviour support units?

Dr Gillies: Schools should be inclusive, welcoming places, but very often they are just not. Sometimes there is a reason for taking young people out of that very kind of pressurised environment and that can be a good thing, but it comes with risks if you take young people out.

Maybe I should tell you a bit about the kind of units that I was researching in, because the best way to look at them is to see them as alternative provision, but run by and within the schools themselves. Very often they are run slightly separate from the main school building, so often they are in a separate block or in a portacabin. Often they run their own separate timetables, so they have different breaks and different lunchtimes from the mainstream school. Sometimes there is even a fenced-off playground to prevent mixing across.

Inside the units they spend a lot of time building social and emotional skills, things like circle time, anger management and that kind of thing. Teachers come into some of the units to deliver core lessons in English and maths. In other units the young people are set work, so there are not qualified teachers in the unit at all and they just have to get on with the work they are given. In some other instances, young people attend the units on a part-time basis one or two days a week.

Q86 Thelma Walker: How is their reintegration following that?

Dr Gillies: Where there is that segregated model, of course they are not keeping up with what is going on in the classroom. The provision in terms of education can sometimes be very poor. They may be in a unit where there are not any trained teachers, and even where the teachers are coming into the unit, that is usually given to supply teachers. It does not tend to be a very popular job. Teachers do not want to go into the unit and teach them, so they do not have an opportunity to build a relationship with the teachers in the first place. The longer they are in those units, the harder it is then to reintegrate back in to mainstream.

The other issue is that they end up carrying a certain level of stigma because the teachers know where they have been. They have a reputation. The teachers then end up seeing them as potential trouble. They watch them more closely, they call them out. They are more likely to call them out over things that then can make the young person feel quite resentful and persecuted and then—

Q87 Thelma Walker: That is reinforcing the original point about getting the ethos right and that shared purpose of what education is about.

Dr Gillies: Yes, absolutely.



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Q88 Emma Hardy: A quick question, particularly for Drew. One of the things I am keen to do is to celebrate the schools that are inclusive. When we had Amanda Spielman in, we talked about whether Ofsted can do some kind of recognition for schools that are inclusive and try to go against the incentive, it seems at the moment, to get rid of children because they might affect their grades. I wondered what you thought about having that recognition and how it could work.

Drew Povey: People have already said that we like a badge in education and we like a badge in life, don't we? There is an opportunity to do that. It would be good to reward schools because it takes a big call from governors to say, "We are not going to exclude", and a big call from staff to say, "We will take a hit on our results in a performance-driven world". That is going to be a reality, but you have to then strip it back to what I was saying before. We got into this job to give young people the absolute best and putting them into the wrong type of provision is not going to do that. Therefore we should not be doing it and it is about putting the argument together and having that conversation with Ofsted to say, "Look, this is what we believe in. We have created this environment. It is the best thing for these young people, therefore this is what our data looks like". But it is difficult because it will not be represented in things like league tables. Therefore, the school could be seen in a certain light.

But we have fantastic support from our local community as well that gets what we are doing. That is about the way that we communicate what Harrop Fold is about. One of the reasons we did the TV series was to celebrate the things that happen in the school because we are different, for all the right reasons, I think. We are very proud of what we have been able to produce and having a school centred on the needs of all young people, regardless of the background, has been key for us.

Q89 Chair: Have you been able to assess the impact of the fact that you have not excluded children and the better behavioural outcomes and better outcomes for those children who would have been excluded, who have not been?

Drew Povey: It is probably hard to assess because they do not go into alternative provision. But what I would say is if you take one of the students in the series, Kodie—

Chair: Aggression?

Drew Povey: Yes. Her progress was phenomenal. She did have her challenges at school and I am absolutely certain in many other settings she would have been permanently excluded. But we believed that she could turn a corner. We have tiers of provision within the school that are slightly different from what you might see elsewhere and it is perfect for our young people. We got Kodie through to the end. She did not break any records when it came to exam results, but she did well and she went on to college. She will be coming back to Harrop to train as an apprentice as a teaching assistant.



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Q90 **Chair:** How many children in other schools would have been excluded roughly a year that you have not excluded?

Drew Povey: Again, it is hard to say because we have not been excluding for a long time, but when we rewind back when the school was having particular difficulties 10, 12 years ago, there would have been about 486 exclusions a year in our school.

Q91 **Chair:** Of all those children you have not excluded who have difficulties, would you say the vast majority of them have been able to progress significantly by not being excluded?

Drew Povey: Hugely so. Not always academically, but we do a lot of case studies with our student development team, which is a non-teaching pastoral structure. That has been key for us to be able to monitor where we have impact as a school. Through a number of case studies we can show huge progress and life progress for these young people, which might not always show up on academic—

Q92 **Chair:** Do you check their outcomes when they leave the school?

Drew Povey: Absolutely.

Chair: For how long?

Drew Povey: As long as we can. We have somebody who is in charge of student futures at the school and that is monitored into the future. Because the school did have a difficult time around 10, 12 years ago, there is a group of young people—

Q93 **Chair:** What do the outcomes show?

Drew Povey: For?

Chair: You said you checked the outcomes. Obviously you can send us more information if that would be better, but in general terms what do they show?

Drew Povey: It is whether they are in a college placement or work and that they have been able to go out and have a positive impact in the local community. Again, we still have a group of young people that we feel we have to go back to that are aged between 25 and 30. We have aspirations to do some kind of provision locally that can re-engage them with education and probably do the job that we should have done over 10 years ago. We do track them right the way into the future because we know the families, because they live in the area.

Q94 **Chair:** If it is okay to call you by your first names, Val, why aren't more schools doing this—this school has shown that it can be done properly—and could they?

Dr Gillies: Could they do it in the same way?

Chair: Could they do it in the same way and why are they not doing so?



Dr Gillies: Schools are very pressurised places. Schools have been squeezed, teachers are squeezed, young people and children are squeezed in terms of the pressures on them and you end up pushing some children out. Schools have the wider agenda of the best interests of the school and it is not always in the best interests of particular marginalised young people, so their interests are set apart. Sometimes it is better for the school to have a young person put into a unit so they are not sucking up all the resources in the classroom and they can concentrate on young people who are finding it easier to achieve. There are other functions of those units as well, in that they operate sometimes as a way to threaten young people to say, "You will end up in there if you do not behave".

Drew Povey: Not all young people—I need to be very clear on this—will make it through their time at Harrop Fold. We will give all young people a go and that includes people that might have been excluded from other settings. It is about finding the right provision for young people as well, rather than exclude the students. For example, we had a young person last year that we managed to get into therapeutic care because they could do a better job than we could have done with the resources and the skillsets that we have in school. Another young man went on to the School of Military because that was the right setting. But for us at Harrop, we believe that the label of the permanent exclusion can impact negatively on an already very difficult situation.

Q95 **Chair:** Do the new Progress 8 measures give an incentive potentially for more exclusion because of the weighting if a child fails?

Drew Povey: Yes, absolutely, it does. If you have a student that is not going to reach levels of progress for a myriad of different reasons, you will see significant impact on the school's overall—

Q96 **Chair:** What is the solution to that—changing the weighting or making sure that the school has to track the student all the way through? You could have a system, for example, where the school was accountable for the student even if he had been excluded, and it could either be fully accountable or partially accountable in terms of the grading and so on. Is that a solution or not?

Drew Povey: It could work. People talk about the outliers now both positively and negatively, but we could do more with that work to say you are allowed a certain percentage. It would be useful to look at case by case to say which students have the school done a good job with in terms of social progress as well as academic progress. That would definitely shift the balance. But it is very difficult for school leaders to be in a position where you have to make a difficult call and the impact and the stakes are so high. It is a very difficult environment for school leaders to make those kind of decisions.

Q97 **James Frith:** I have to go to another meeting, but I am fascinated by the contribution. I absolutely agree it has to start with an approach that



says, "This is our goal", as opposed to, "Let us just minimise exclusions", and everything flows from that. It is quite evident that that approach is working in your case—practical reasons or practical answers to how in-school alternatives work alongside alternative provision. I am interested in my constituency adopting in-school provision and bringing young people that have been educated out of borough back into borough. What are some of those practical ideas? That is to the whole panel.

Kevin Kibble: In terms of understanding the reasons why children are excluded and exhibit the behaviour they do, when we understand that and when we can measure that, teachers have a better idea of how they can work with their children. We can de-escalate these situations if we understand the social and emotional pressures that children are under, and where they are in their lifecycles. The earlier we start the better.

Teachers can do a lot more in schools and it does not take a massive shift of emphasis. Most teachers want to do the best for pupils and most head teachers want the best for their schools and their pupils. What we need to do is to be able to measure that social and emotional development, as well as the academic element as well. We can do that. That is readily available. We do that and change the emphasis and the way schools look at pupils. From an early stage we can prevent a lot of these issues, particularly when they get to the secondary school stage. If we work in nursery and primary much earlier we can short-circuit a lot of this.

Dr Gillies: Unless there is a very clearly-defined objective for these units they can end up as a dumping ground for difficult and challenging young people. Certainly that is what I saw in my research. I looked at three schools in particular and all three of them had policies around how long these young people should be in the units for; it was between four and six weeks. In reality, young people stayed in there for far longer. In one school they were there for years. In fact, young people would come in from primary school and never touch the mainstream; they would go straight into the units. These were very often young people with SEN needs, possibly undiagnosed SEN or coping with all kinds of particular challenges.

Q98 **Chair:** Drew, you do not have these internal units, do you?

Drew Povey: Yes, we have different tiers of intervention, so we do. We have three. We have an area we call the reflect area, which is around self-referral students with mental health issues or maybe medical issues self-referring to that area of the school. We have the refocus room, which is more about behaviour concerns, a directive from teachers, and that is about relationships and restorative justice. Then we also have the refresh unit, which students can come to if they have been accessing something externally or they have gone to another school for a respite placement and they come back in.

It is about that level of reintegration that I think is the key point you were making there. We have to reintegrate them into school life correctly



because if you are to have a caring environment and the students being in a certain setting, just bringing them in and putting them in the general population is not going to work and it is certainly not the best thing for the young people.

I think having those areas, training the staff and having the significant understanding of staff that this is what the school is about, with that mindset that you mentioned there, has given us the ability to flex our systems to do the very best thing for young people. Young people will bring you challenges and we will have to flex our systems again and that is the reality we face. I do not think we will be able to keep going just like this much longer. We will be looking for new ways of doing things into the future as well. But I think that is all based on that premise we are coming from: that we do not exclude at Harrop.

Q99 **Thelma Walker:** Just to come in there, it is all about choice and flexibility, is it not, and the young person being at the centre of that?

Drew Povey: Yes. You never quite know what a young person is going to present and where they are coming from.

Q100 **Thelma Walker:** But they have a voice in it. This is what we said earlier. It is about that idea of the thematic approach to the curriculum as well. It is all part and parcel. It is not one thing.

Drew Povey: No, there is not one thing. There is never a one size fits all and therefore your behaviour management structure should not be a one size fits all. This should be situational and bespoke to the needs of the young person. Some people have looked at our reflect set-up, which is a student counsellor—we do have financial constraints at Harrop, particularly with our deficit—and at our link area. Some people might say, superficially, “Well, the kids can just take themselves there and just get out of lessons”. You get quicker and better at understanding if a person does that. It is about finding the right support for that young person and understanding why they need that level of support. That is the crucial question.

Q101 **Ian Mearns:** It is undoubtedly true you are doing a good job. From our perspective, it is good to know there is good practice happening in one school, but we need to generalise across the piece. I am looking for answers to these questions. Are schools increasing or decreasing their use of in-school alternatives? If they are, what are the reasons for that and if they are not, why do you think that is?

Kevin Kibble: In terms of the work we do, we have found that there are more nurture groups in schools now than there ever have been. We train more specialist teachers now than we ever have done. We have a tool called the Boxall Profile that assesses children’s social and emotional development. We developed that as a web-based app two years ago and now we have hundreds of schools and hundreds of users using that to assess. I think we assessed 29,000 children last year. Through that we can track a child’s social and emotional development as well. There is



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more going on, but there needs to be more done. We would like to see more schools taking a whole school approach to this kind of identification of children and working with children and the kind of interventions that Drew uses as well. It does not have to be a separate unit within school to be an alternative provision in school. It can be a different kind of support for children.

A structured programme that we would recommend is all about inclusion and it is all about reintegration. The whole way we train teachers is about working with the child's needs, and we would work for maybe two to four with our process. The child stays part of their mainstream class at the same time and works within the mainstream class on subjects where they are more comfortable perhaps and can perform better.

There is a lot more going on, but it needs to be more structured and it needs to have an impetus from perhaps the Department or from Government to say this works. We have the evidence that this works. Why are we not doing more of it? That is where we would like to see a move to.

Q102 Ian Mearns: Kevin, you have talked about hundreds having an intervention with your programme, but there are over 4,000 secondary schools and increasingly now children manifesting behavioural difficulties in primary schools as well that are difficult to deal with. That is hardly scratching the surface from that perspective.

Kevin Kibble: Yes. We have 2,000-odd schools with nurture groups, so there is a lot more to be done.

Dr Gillies: That is quite a difficult question to answer because there are no central records kept of how many schools have these kinds of units. We do not know what kinds of children are being sent to them. There is no profile in terms of SEN or ethnicity or whether they are care leavers. We do not know why they have been sent there and we do not know how long they are there for.

Q103 Ian Mearns: There is no across the piece mapping being done of exactly what is happening out there.

Dr Gillies: No.

Drew Povey: It is important to say what gets measured gets done, and because the exam system is so heavily measured I think that is where you will see most of the focus. That is a shame because this piece of work—and I think it is great that we are having this conversation today—is so important because there are so many young people affected by it.

I also think there is so much good practice. I realise the figures are staggering and worrying, but I also know there are a lot of schools doing some fantastic work and they are not being asked about what is being done. I understand that negativity bias will concentrate on those things,



but I do think we could shine the light on some of the good work that is happening across all schools, particularly in this area.

Q104 Ian Mearns: Overall, is the quality of provision in schools improving or is it deteriorating? Are too many schools taking the easy alternative?

Drew Povey: In terms of exclusions the data would suggest so. Again, I think if you go back to that concept of what does get measured gets done, if we are so monomaniacal on performance in terms of exam performance, certain elements of a rounded education are going to be lost. That is without doubt something that is happening within this area of alternative provision.

People have made some really good points that alternative provision is not just a unit tucked away or a room that certain young people have to go to. It is part of the general population of the school and a young person might go to study history with their peers, but go into a different classroom, even studying a different exam board for history. That would be alternative provision and we need to normalise it as much as possible so that everybody feels they are part and parcel of that system.

Q105 Ian Mearns: Alternative provision has existed in schools for donkey's years. Billy Bunter was in the remove, wasn't he, most of the time? What additional support do schools need to provide good quality in-school alternatives? This is the \$64,000 question.

Dr Gillies: I have a list. The issue about SEN is obviously so important. I think young people end up in the internal units possibly for three main reasons. First, SEN, and that should not be the case, or perhaps they have undiagnosed SEN or they have been struggling and they have fallen behind or there are other issues going on in their lives. Sometimes they need a break in terms of school rather than the intensive, relentless focus on academic performance.

Someone mentioned mentors. They are a great resource and they are the first to go in terms of education cuts at the moment, but because teachers are so pressured they often do not have an opportunity to get to know young people or understand the various different challenges that they might be dealing with, so mentors can operate as a really important bridge.

I think greater value should be placed on teachers who have experience of working with more challenging pupils, who are often very skilled—that is not recognised. A massive resource would be to provide parents with some kind of advocacy support because often they fight tooth and nail for their kids, but the power imbalance is just too much. Everything is stacked in favour of the school.

Q106 Chair: If there is a support unit in the school when Ofsted goes to inspect, what happens? Do they look at that separately or do they just measure the whole school?



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Dr Gillies: They measure the whole school. The other issue is around the different understandings of inclusion because inclusion used to and can be attached to a social justice agenda. It means an institution being more inclusive and welcoming to all pupils, but it has increasingly come to mean taking young people and working on them to try to make them more includable, so they are excluded to be included. That is happening a lot, but often is still carries the gloss of the first understanding of inclusion.

Q107 **Chair:** If a school does have a unit within the school—you were talking earlier about some students being kept there for a couple of weeks or some for years on end—should it be taken into consideration? Should there be some special measurement by Ofsted in terms of whether those units are doing their work properly and succeeding for the pupils?

Dr Gillies: I think certainly there should be some measure of how many there are. We have no idea what their progress is. I have an inkling, but there are no records kept anywhere so that would be quite important.

The other issue I wanted to mention though was the impact of poverty. I do not think we recognise at the moment the quite enormous impact that poverty and poor housing and other kinds of disadvantages can have on young people's ability to learn and to engage in the classroom. The young people I was working with were coping with a whole array of challenges that I think would floor many adults. If you are coming into school and you are hungry, if you do not know where you are going to be living from one day to the next, if you are caring perhaps for very sick parents, if you are being threatened by a violent local gang in the area—all these issues—it is not going to help to be taken away into a separate unit to work on your social and emotional skills.

Q108 **Chair:** Do the others, because of time, want to comment briefly on the question I just posed about how these units should be possibly inspected or measured in terms of whether they are achieving what they are supposed to?

Kevin Kibble: Everything should be measured to some extent when it involves a child's education. Within Nurture we use the Boxall Profile to gauge progress among developmental abilities, social and emotional development as well as behavioural development. That is quite easy to monitor and to measure progress against, and Ofsted do recognise that it is a good measure of how to understand a child's progress. Also that is something that is easy to install in schools. It is easy to use. It takes a little bit of skill to interpret the results, but it is a very easy thing to bring into schools as a way of measuring those kinds of interventions.

Chair: Thank you. Concisely, if you can.

Drew Povey: I think there are some really good pieces of work going on at the moment. Kiran Gill, who was here the other week, is running The Difference programme and that is a good way of upskilling specialism both in mainstream and in different settings. Sharing of best practice



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would be crucial. I think funding should be put more in terms of pastoral staff. The amount of times people have come into our school and said to us, "You could deal with some of the finance issues that are a legacy debt that you have been left with by getting rid of your pastoral structure", and we have said, "That would be the most stupid thing we could possibly do".

I would say it is possible to create an inclusive environment because it is not just about students that might be looking at alternative provision for behaviour. A whole myriad of needs should be catered for. We have students with visual impairment, hearing impairment, physical disabilities. It is about welcoming all young people into that community and once the staff has that mindset, the students have that mindset and there is a collective responsibility for everybody to look after each other.

I know I have invited the Committee up to Harrop Fold. It is a brilliant place that is doing some quite inspirational things. That is not me as head teacher; that is the brilliant students that come and the fantastic staff that work there too.

Q109 Chair: Can I take very brief answers to a question on in-house provision for students with mental health difficulties? Is it your view that it is appropriate or not appropriate? Are there groups of pupils for whom in-house alternative provision just is not right?

Drew Povey: From our perspective we are doing everything we can at the moment, but we are seeing that group of students grow in number. We do have a link group and we do have a trained counsellor onsite, but we probably need to look to expanding that to two counsellors. We do have conversations with the local authority. We up our threshold within the local authority so we manage a lot more in-school than possibly others might, but it is certainly an area of growth.

Chair: Just briefly, if you can.

Kevin Kibble: Certainly. You can, and you can de-escalate a lot of the issues, but there will always be people with mental health needs that cannot be addressed in school and need specialist provision. There are some fabulous therapeutic schools—Drew mentioned one earlier on—that do the kind of work that is just beyond school staff. It is just a fact of life that those kinds of mental issues are so severe that they do need that absolute specialist provision, but a lot can be dealt with within the school setting with the right support and training.

Chair: Do you want to comment on this?

Dr Gillies: I will just say that I think obviously there are some mental health needs that need to be dealt with outside the school. We do need to recognise as well that schools have an enormous impact on young people's mental health.

Q110 Chair: Before I pass on to Trudy for the final question, you will have



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heard it in the previous session when I raised this issue about making sure there is some kind of bill of rights for pupils and parents—not that you should take away autonomy from head teachers, but just so there is some kind of level playing field and a genuine right of appeal that has to be listened to. Could we have your concise views on that?

Drew Povey: It is a good idea, but I am not sure that will give a better level of understanding. From my perspective, I think we need a better level of understanding from parents, head teachers, local communities and the understanding of the league tables.

Q111 **Chair:** At the moment there is no understanding at all, so at least that would be one step towards it, an incremental step perhaps.

Drew Povey: Yes, potentially.

Dr Gillies: I think it would be very important. The relationship between parents and teachers in schools sometimes can be very, very poor and can become quite corrosive and break down entirely, so I think that would help prevent that, and advocacy support would do that as well.

Kevin Kibble: That could provide a framework for a better understanding between the school and its community, its wider community, parents and pupils alike. Anything that gives that framework structure that parents really understand the process a bit more clearly would be a benefit.

Chair: We will take a final question from Trudy.

Q112 **Trudy Harrison:** I am going off the subject slightly. We have talked a lot about the human factor. I am just interested to know to what extent does the physical design of schools impact on their ability to provide alternative provision? I am looking at you in particular, Drew, because you have talked about different rooms and units. I wondered how important the architecture was in being able to do that.

Drew Povey: I think you work with what you have in a school. We were fortunate. We went in 2008 to a very traditional build that works for us. I do know of head teacher colleagues that have had an absolute nightmare with open plan areas because they felt that was not right for the type of provision they wanted to put in. I would say for us we are very happy with our building. We would like it to be a bit bigger. I think every head teacher would say that. We are happy with it, but it does mean that we can have areas where young people can go and feel safe. I think that is the difficulty sometimes with open plan.

Q113 **Trudy Harrison:** As we move forward, do we feel the architects involved with the DfE in building new schools are taking that into account?

Drew Povey: I would like to think they would look at the British system and the schools we have in Britain as opposed to going abroad to a completely different part of the world and a completely different mindset



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and then trying to mirror what they have done. That is where we have probably fallen foul of this in the past.

Kevin Kibble: Certainly with nurture provision, we like the nurture to be an integral part of the school and as much in the centre of the school as possible, so they are not seen as a different part of the school. It is really important that these pupils feel as though they still remain part of the school community as a whole and they are not being singled out to be shunted off to maybe a portacabin at the end of the playing field. That is a real major element of inclusion, making sure people stay part of everything that is going on in the school community.

Drew Povey: All our reflect, refocus and refresh rooms are right in the centre of our school.

Dr Gillies: If you are in a block, separate from going through school, you are out of sight and out of mind.

Chair: A very important question to end with, thank you. Could I thank you? We have nothing but admiration for the work you do and our predecessor panel that came this morning as well. You are all highly respected. Our report definitely will reflect much of the evidence that all of you have given today. We wish you every success.

Ian Mearns: You have obviously been constrained by time. If there is anything you think we should have asked and did not and you would like us to have the answer to it in evidence, please send it forward.

Thelma Walker: Can I just point out before we finish that Drew pointed out three areas: funding, sharing best practice and engaging with the research? Those are the three things I am taking away with me and that I think we should take away.

Chair: We wish you every possible success in your work. Thank you.