



Rt Hon Damian Hinds MP

Secretary of State

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Edward Timpson CBE

7 May 2019

Dear Edward,

Thank you for your thorough, wide-ranging and important review of school exclusion. Your review adds considerably to understanding of current practice, and I welcome the recommendations you have made.

The Prime Minister commissioned your review to investigate the variation in exclusion rates between pupils from different ethnic groups, as part of the Government's wider commitment to reduce ethnic disparities. The analysis for your review has found that, when comparing children from ethnic minorities in aggregate with White British children, there is no substantial difference in exclusions rates. You also found that, when other factors about their background are taken into account, children from some groups (such as Black Caribbean children) are more likely to be excluded than White British children, while children from some other groups (such as Indian children) are less likely to be excluded.

Every child deserves to receive an excellent education. This is as true for those in alternative provision as it is for those in mainstream schools; for those thriving at school and for those who may be at risk of exclusion. I know this is an ambition shared by teachers and school leaders across the country.

I want teachers to be free to teach and pupils to be free to learn in a safe and ordered environment. This means supporting head teachers to use their powers to issue fixed-period exclusions ('suspensions') in response to poor behaviour and to permanently exclude ('expel') as a last resort. Like you, I agree that there is no optimum rate of exclusion.

It also means supporting schools to give pupils at risk of exclusion the best chance to succeed, and ensuring that, for those children who are permanently excluded, this is also the start of something new and positive. This matters because the group we are talking about includes some of society's most vulnerable and disadvantaged

children, including children with certain special educational needs (as well as mental health problems) and children that have a social worker.

I attach the Government's response to your review, which includes four core commitments:

1. We will always support head teachers to maintain safe and orderly environments for the benefit of all pupils and staff in their schools;
2. We will support schools and their partners to put in place effective interventions to give pupils at risk of exclusion the best chance to succeed;
3. We will provide greater clarity for school leaders about when and how it is appropriate for children to be removed from their school, and make sure there is sufficient oversight when pupils move around the education system; and
4. We will support schools and providers of alternative provision so that pupils who have been excluded from school continue to benefit from high quality education.

The Government response sets out how we will deliver on these commitments, including our intention to drive a place-based, local, collective focus on the outcomes and experiences of children who are excluded, or who are at risk of exclusion, and to reduce disparities in exclusion rates between different groups. To achieve this:

1. **We will make schools accountable for the outcomes of permanently excluded children.** Over the summer, we will work with education leaders to design a consultation, to be launched in the autumn, on how to deliver these reforms in practice. In consulting, we will consider how to reform school accountability for children who are excluded; and will explore ways to enable schools to fulfil these new accountabilities for permanently excluded children, through reform to commissioning and funding arrangements for alternative provision. We will also seek views on how to mitigate the potential unintended consequences you identify in your review, including how to tackle the practice of 'off-rolling'.
2. **We will establish a practice programme that embeds effective partnership working between LAs, schools, alternative provision and other partners** to better equip schools to intervene early for children at risk of exclusion and to ensure that the most effective provision is put in place for those who are excluded. We will build on the excellent practice you have seen during the review and recent research commissioned by DfE.

3. **We will work with sector experts, led by the Department's lead advisor on behaviour, Tom Bennett, to rewrite our guidance** (including on exclusions, and on behaviour and discipline in schools) by summer 2020, to address the uncertainty you have found and give head teachers confidence when making difficult decisions about behaviour and exclusions.
4. **We now call on Directors of Children's Services, governing bodies, academy trusts and local forums of schools to review information on children who leave schools, by exclusion or otherwise, and to establish a shared understanding of how the data on the characteristics of such children feeds local trends.** In revising our guidance, we will clarify our expectation that this information should be used to inform improvements in practice and reduce disparities, with particular reference to those groups more likely to be excluded nationally, including children with certain special educational needs (as well as mental health problems), and children who have a social worker. To help reduce ethnic disparities in school exclusions, it is particularly important to track patterns of exclusions by ethnicity, including assessing whether pupils of a particular background are more likely to be excluded.
5. **We will work with Ofsted to define and tackle the practice of 'off-rolling'**, whereby children are removed from school rolls without formal exclusion, in ways that are in the interests of the school rather than the pupil. We believe this practice is relatively rare, but we are clear that it is unacceptable. Ofsted will publish its revised inspection handbook shortly and we will continue to work with Ofsted to support its inspection and reporting to uphold the standards of leadership that we expect from all school leaders.
6. **We will extend support for alternative provision (AP).** In the autumn, we will set out plans to go further to improve outcomes for children in AP, including how we will support AP providers to attract and develop high-quality staff through a new AP workforce programme; and how we will help commissioners and providers to identify and recognise good practice.

I attach an annex to this letter which sets out our intention against each of our commitments, as well as a fuller response to each of your recommendations. I want to see these reforms implemented successfully so that no child misses out on the education they deserve and so I will update on the Government's progress in a year's time and regularly thereafter.

Finally, I want to address the issue of violent crime – particularly knife crime – which has tragically taken the lives of so many young people. We know that the issues surrounding serious violence, anti-social behaviour and absence and exclusion from school are complex, which is why we are working with the education and care sectors, Home Office and other departments as part of a comprehensive, multi-

agency response. Whilst exclusion is a marker for increased risk of being both a victim and perpetrator of crime, we must be careful not to draw a simple causal link between exclusions and knife crime, as there is no clear evidence to back this up. I am clear, though, that engagement with – and success in – education is a protective factor for children. That is why we must prioritise measures outlined in your Review, particularly with regards to improving the quality of alternative provision. The measures outlined in this Government response will play a key role in ensuring that every young person is safe and free to fulfil their potential away from violent crime.

I am copying this letter to HM Chief Inspector, Amanda Spielman, who will respond separately to the recommendations you have made to Ofsted. I am also placing a copy of the review in the libraries of both Houses of Parliament, alongside the Government response.

Once again, I would like to thank you, and the schools, local authorities, parents, carers and children who responded to your call for evidence, attended roundtables, or hosted visits from you and your team. In responding to your review, we will take a similarly collaborative and consultative approach. This will allow us to learn from those who carry out valuable and often challenging work teaching, supporting, and caring for excluded children and those who are at risk of exclusion.

A handwritten signature in black ink that reads "Damian Hinds". The signature is written in a cursive, slightly slanted style.

Rt Hon Damian Hinds MP

Secretary of State for Education