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## Exclusions and Special Educational Needs across Milton Keynes mainstream secondary schools

### Frequently Asked Questions

#### **Why have you produced this report?**

We heard many stories from parents of pupils with special needs who had been excluded from school for behaviour that, in the parents' view, was a consequence of the pupil's needs not being met. Obviously this is anecdotal and doesn't give a full picture. We heard that parents were often reluctant to come forward and complain, for fear of undermining their child's support or of being seen to blame individual staff, which they don't want to do. We also heard that exclusions were rarely overturned by governors. Most schools are academies and do not have to answer for their policies to the Local Authority. So, we decided to benchmark schools against one another to provide a factual basis for ongoing discussions with them.

#### **Why did you name schools in the report?**

We considered this question at length as we want to work with schools to make improvements for our children. It is possible that this report will have a negative influence on parents' choice of schools for children with SEN. However, we think this information will be helpful in promoting an honest conversation with schools, and provide information that parents can't find for themselves. In the end, we decided that parents had a right to know this information. Some parents of pupils who have been excluded have already reported that they feel validated by this data. It is also the case that schools assume that a pupil's record of exclusions elsewhere will be based on similar decision-making across the City. This report provides evidence that schools do not have similar outcomes on exclusions.

#### **What outcomes would you like to see?**

Schools should already know how their own exclusion rates track across different SEN categories - it is hardly news that, nationally, pupils with SEND are excluded by more than those without (see *What is the national average figure for exclusions?* below). But they will not know how other schools perform on the same metrics. We trust that parents and schools will use this data wisely, as (possibly for the first time) it benchmarks them against each other and allows them to share best practice. We are ready and willing to work with them to achieve this. We believe there is scope to improve behaviour policies to take better and more explicit account of a pupil's special needs.

Overall we would like to see reduced levels of exclusions of Children and Young People with SEND.

#### **Are you going to complete a similar report on primary schools?**

Having completed this report, we think it could be more difficult to do this for primary schools for a number of reasons:

- There are more primary schools, and they are generally smaller, which means the numbers of exclusions and pupils in each cohort will be smaller, and the statistics won't be as reliable. We don't want to start conversations that are not based on sound data.
  - It is most often at primary level that a pupil's SEND is first recognised and support put in place, and this could affect the quality of the data (see below, *If a pupil has an exclusion and then afterwards moves from "No SEN" in the cohort to "SEN Support" or even "EHCP", how is this reflected in the figures?*). Without full access to the LA's database, it would be difficult to unpick this effect.
  - Before we take any next steps, we want to learn from this report. We haven't entirely ruled out a future report on primary schools, so if you think it would be valuable let us know.
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### **Does the report include managed moves, short term transfer, use of internal Inclusion Centres or informal exclusions?**

No, none of these informal mechanisms are reflected in official exclusion statistics that schools are required to report to the Local Authority. This report only considers official exclusions reported by schools to the Local Authority, either fixed term or permanent.

### **Where has the data come from and is it reliable?**

A Freedom of Information Request was made to Milton Keynes Council, which was fulfilled. We understand that the FoI data was downloaded from the Council's database for exclusions as a list, one line for each exclusion stating the school code or name, type of exclusion, number of days (if FTE) and SEN status of the pupil. The total number of pupils within each cohort was based on school census figures provided by the government [here](#). We then analysed this data to give the summary tables in the report. The calculations can be checked by looking at the summary for each individual school. Where numbers of exclusions are small, the actual number is hidden to avoid identification of individuals.

Schools are required to report each exclusion to the council, and that reporting gets fed into the database (and also into national statistics – see below). We have relied on the accuracy of these reporting mechanisms. We asked schools to validate their data in a way that we hoped would use as little of their time as possible, namely to let us know if the total number of exclusions was correct. We welcome (indeed, encourage) each school to check our data and correct it if necessary. If corrections are needed to the report, we will make them.

### **Why did you use historical data?**

Some of the cohorts we considered were small, especially for pupils with an EHCP. If we were to average the number of exclusions for these children over only one or two years, there would be fewer exclusions and the figures would be less reliable, with a higher level of statistical variation. Therefore we chose to average over 5 years. We decided not to include the year 2020/21, since this was a year with continuing school closures and changes of routine. The report was finalised during 2021/22 and did not include data for that year. Therefore we included years 2015/16 to 2019/20 (5 years in total). This does mean that some of the data is old, and some of it predates a change to exclusion case law that occurred in August 2018.

If we want to average over long periods, this will inevitably mean that it represents an out-of-date picture. We realise that some schools may have made significant changes during this time period, especially where there has been a change of senior leadership. We asked schools to provide comments that we would publish in the report to explain the context of their own figures. This opportunity remains open for the online report. If schools would like to provide us with their own up-to-date data, we are happy to include it.

### **What is the national average figure for exclusions?**

This is reported by the government [here](#), for each year. To see the trends over time up to 2017/18, view [here](#). The figures for 2019/20 can be seen [here](#) (but without the trends).

Over the period from 2015/16 to 2019/20, the rate of FTE in mainstream secondary schools in England has gradually increased. However, there was a dip in 2019/20, which we assume was a result of school closures during the summer term. Very few pupils were even in school, and we would expect exclusion rates to be very low. This is confirmed by tables on the government website for 2019/20. The table below shows the exclusion rates for the first and last years of our study, for England as a whole and for Milton Keynes, as reported on the government website.

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**Rates of Fixed Term Exclusion for mainstream secondary schools in England**

Cohort	Rate of exclusion (number of FTE per 100 pupils per year)			
	<a href="#">2015/16</a>		<a href="#">2019/20</a>	
	National	Milton Keynes	National	Milton Keynes
No SEN	6.0	5.4	5.4	4.7
SEN Support	25.3	30.0	20.8	18.8
EHCP	24.9	20.3	22.7	9.6

The table shows that Milton Keynes figures are similar to the national picture. Overall exclusion rates are slightly lower than the national average, and rates of exclusion for those with an EHCP are also lower. The picture for those on SEN support is mixed, but at a similar level.

**If a pupil is moved to another school, placed on a dual (main) roll at another school or otherwise leaves, how would this be reflected in the figures?**

The data report the number of exclusions for a particular school for those pupils who are on roll or “dual, main rolled”. If the pupil then leaves, this would reduce the number of future exclusions for that pupil but would not reduce the number of exclusions recorded up to the date of leaving, in that school. It would also reduce the number of pupils in that school’s cohort for the period after the pupil left. School census data on the number of pupils in each cohort is recorded in January each year.

**Some schools were high excluders of pupils with special needs, whether they were on SEN support or who have an EHCP. Does this simply reflect that those schools have a larger number of high-needs students?**

No. firstly, the league tables use the number of exclusions for a particular cohort divided by the number of pupils in that cohort, to arrive at an exclusion rate. Therefore, high numbers of students in one cohort will simply divide out. Second, we also looked at whether there was a correlation between the proportion of pupils in a cohort and the exclusion rate for that cohort. There was no clear correlation (see *Supplementary data*, below). The numbers of pupils in each cohort can be seen in the data for each individual school, and these were taken from official census data.

**If a pupil has an exclusion and then afterwards moves from “No SEN” in the cohort to “SEN Support” or even “EHCP”, how is this reflected in the figures?**

We believe the Local Authority database records each exclusion against an individual pupil. The FoI request revealed (i) a list of exclusions over 5 years, and (ii) for each exclusion, the SEN status of the relevant pupil *at the time of the FoI request*. (Note that individual pupils were not identified.) Therefore, it is possible that there will be some pupils who started with no SEN and for whom their exclusion prompted a change to their SEN status. This is usually a one-way ticket; it is unlikely that pupils’ SEN status would go down. This would exaggerate the number of pupils who were excluded *while they were officially recognised as having SEN* by a small amount.

**Does this undermine the figures?**

We don’t think so. First, we think this effect would be very small. Second, it should affect all schools about equally, so that when we compare schools with one another, the highest excluding schools are still expected to be the highest excluding, by a similar amount. Third, the Equality Act requires schools to meet a pupil’s needs *in an anticipatory manner*. Therefore, if an exclusion prompts a school to

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increase a pupil's SEN status, then arguably they should have recognised this at the point of exclusion, recognised that the child's needs were not being met, and not excluded the child.

**When were schools contacted?**

We first contacted schools via email on 26<sup>th</sup> April 2022. We provided them with an early copy of the report, in which they could see their preliminary data and where they stood in comparison to other schools, but the other schools were not named at that stage. We asked them for any comments they wanted us to publish in the report, and for them to validate our data. We didn't want to overload them, so we asked them to check whether the total number of exclusions in our figures was correct. Two schools responded to say that they had received the email.

School Heads requested a meeting; we were due to meet with two representatives of Headteachers on 16 May 2022, however only one attended. In this meeting we reiterated our request for validation of their data. We listened to schools' concerns about the report and shared that we would publish any context that the schools provided either as a collective or individual schools. We had a very useful conversation on SEND issues and both sides expressed a desire to work together on behaviour policies for pupils with SEND. We followed up this meeting with an email on the 27<sup>th</sup> of May, however didn't hear back. We rang two of the schools a number of times and left messages, to try and get their context, however we didn't hear back.

Recognising that schools had concerns, we decided to give them more time if they wanted to respond. Finally, we emailed them again on 16 June 2022, asking again for comments and any context and to validate their data. We told them that if they did not respond, we would have to assume that the data was valid.

We have made every effort to engage with schools and will continue to do so, as we firmly believe in co-production.

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## Supplementary data

### Is there a correlation between exclusion rates and the number of children with high needs?

Figure 1 (b) shows that there is clearly no correlation between the proportion of pupils with an EHCP and the exclusion rate for that cohort. Figure 1 (a) shows that if there is a correlation for those with SEN Support, it is weak (and would disappear entirely if one or two schools were removed from the analysis).

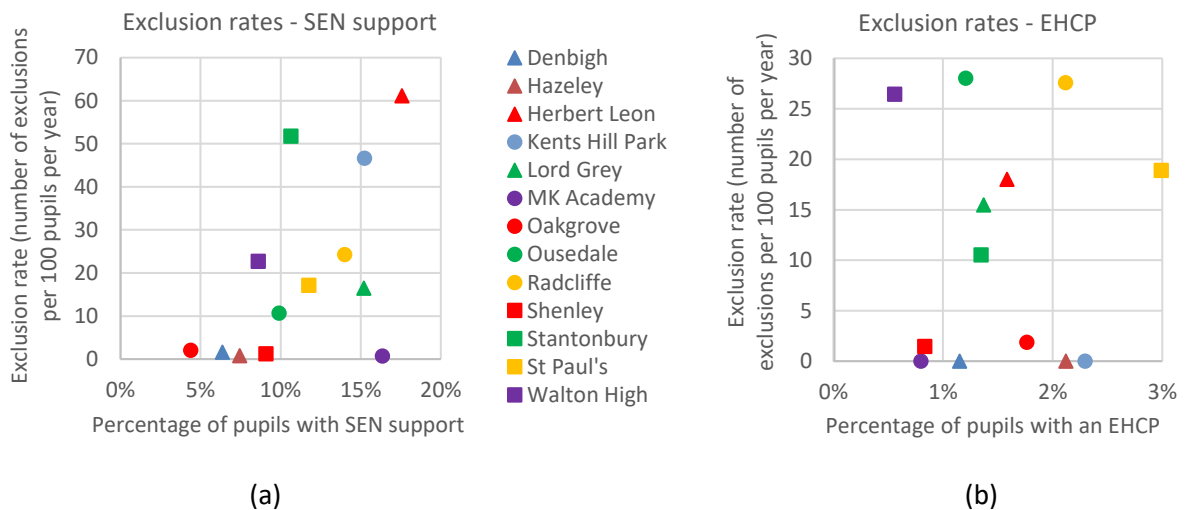


Figure 1. Exclusion rates plotted against percentage of pupils in each SEN category.

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