



School Exclusion Campaign

Response to the Department for Education's school exclusion & behaviour guidance consultation

The school exclusion campaigners met with the Department for Education on the 22nd March 2022 to share their views on the draft exclusion and behaviour guidance as part of the consultation. The young people were given an overview of both pieces of guidance and why the Government are consulting. The DfE had a list of questions that they posed to the young people on the areas of school exclusions, removals, behaviour, relationships and online behaviour. Below are the responses from the campaigners on the different questions that they were asked.

School Exclusions

What is your experience of suspension/permanent exclusion?

The young people spoke of their experiences of exclusions and permanent exclusions. They spoke of how school exclusions do not achieve the desired aim and how disruptive the entire experience was to them, their well-being, social life and family life.

"Suspensions and school exclusions are disruptive. Schools fail to realise the negative impact this has on the rest of a young person's life. It impacted my home and social life. It wasn't just an exclusion; it was a disruption. One that stemmed from a lack of communication. I wasn't involved in process, and I wasn't informed of the reason for the decisions or what my rights were. It was confusing for a young person that lacked support and parental care, as I was under local authority care."

- JfKL Campaigner

"I was excluded from year 7 to year 12. It disrupted my education at the time. I didn't get the support I needed. It just kept happening and I didn't understand the process. Excluding pupils was my school's number one 'go-to' when disciplining pupils. Most of my peers were excluded - it was a cycle from year 7 to year 11. It also disrupted my family life. It made me very angry and didn't allow for good relationships with my teachers as I felt like I was being picked on. I had a label on me from year 7 that stayed with me till year 11. A lot of my friends that went through the same process as I did went into other lifestyles and didn't

manage to continue with their education. It wasn't because they didn't have the ability, school exclusions were stopping them. Exclusions wasn't a deterrent, but it was used as a threat."

- JfKL Campaigner

"I had experienced a lot of bullying. I stopped going to school by the time I was excluded. I had a lot going on at home, things that were quite serious that no one ever asked about. By year 9, I had detentions every day. Sometimes I was excluded for fights or for not turning up or being defiant."

I was excluded for a week, and I loved it. I had a lot of social issues and was being bullied badly. I also come from a care background and people made comments about my mum, my skin tone and my weight. I moved to a secondary school on the other side of London for my protection. Additionally, my trauma wasn't being dealt with and I got bad insomnia. The teacher's solution was to put me in detention. I was selectively mute and had speech issues.

I was also put in isolation. I was put in a cell with a door that locked. It was like a prison. My bullying was so severe that people took pictures of me and the whole year had it as their screen saver. The school were blaming me as the problem, but they wouldn't solve the actual problem."

- JfKL Campaigner

"I was excluded for something I didn't do. When I came back, my mindset had changed because I was out of education for so long. I was out of education making money and hanging around with someone else. Older boys said to me 'school don't make you money'. Teachers would say 'it won't be long till you are excluded again' and I said go on then and threw a chair. But this is due to a lack of teachers understanding what I was going through.

Teachers only think I'm aggressive because of the colour of my skin. Because I am a black boy. If I was white, they wouldn't have said it.

Teachers don't listen and try to teach in a way they think is acceptable. If the child doesn't learn how they would like, it is then seen as disobedience or bad behaviour. Teachers used to pick on me. I had ADHD and I can't sit down for too long, but they said it was bad behaviour if I moved around. If I got excluded and I told my reason for getting excluded, it wouldn't matter. It comes down to what the teacher told the headteacher. My word wasn't valued.

It is difficult for a child to attend school and do the work if they are not going to be heard. School is all about the child's learning and how to adapt around the child and not around the teacher. They should ask the child how they want to learn. If you come to the school and love your job and are not just thinking about being paid, you are going to take more

care and pride and will not want to exclude a child because you'll be aware of where the child might go or who they might hang out with if they are excluded. "

- JfKL Campaigner

Communication between teachers and students

There was a lack of communication between teachers and students, and you were not informed of your rights. What would have helped? Is it as simple as someone having a conversation with you?

The process of an exclusion is often not explained to pupils. They are not given a voice, have little to no understanding of their rights throughout the process or the steps that schools are supposed to take before a child is excluded. It was suggested that children should be informed that there is a behaviour guidance and what this entails, as schools often resort to exclusion first after an incident has occurred. Knowledge of the behaviour guidance would ensure that children are aware of their rights throughout the exclusion process. The young people are concerned that there is a lack of communication between schools and students and a lack of focus on the relationship between teachers and pupils.

"I am surprised that there is a behaviour guidance and an actual step-by-step process that schools are supposed to be following because exclusion seemed like the 'go-to' response from schools. Children should know that there is a behaviour guidance because so many schools are going straight to exclusion...The schools are not having a relationship with the young people that are in their care. They should be having conversations with young people who are vulnerable to prevent any further issues. If I wasn't simply off rolled and a step-by-step process was taken, communication should have and would have prevented their decision-making in line with the DfE guidance."

- JfKL Campaigner

"One day I found out that I was being excluded and I couldn't come to school. There was no support or intervention. There was no working relationship between the student and the school. The guidance was not followed. Young people are not aware of the steps that are in place. The assumption is that if young people do anything, they will get excluded. It is not seen as a last resort."

- JfKL Campaigner

"By the time I was excluded I was very disconnected by then. I knew nothing about the legal process then compared to what I have learned now."

- JfKL Campaigner

What do we need to do to help young people understand their rights and the process?

"We need a young person friendly version of the system."

- JfKL Campaigner

Did you feel like the reasons for being excluded were explained?

It is important that adults help children understand what they may have done wrong. If schools persistently punish a child, you keep reinforcing the notion that the child is a problem. Therefore, schools must do better at communicating with children and creating a safe space where they can be listened to and share their experiences from their own perspective.

"I understood why but I didn't agree with the reason. The school didn't understand the gravity of my emotions. I was usually very quiet and distant and found it difficult to pay attention. I was also dealing with bullying. If I defended myself then I got punished. If the school had actually understood what I was going through, then they could have supported me."

- JfKL Campaigner

You weren't able to give your side of the story. What could have changed this or helped you do this?

"Teachers actually believing in their students. Ask the child what they want to do, don't force something onto them. With education and children, teachers need to understand that you cannot force a child to do something they don't want to do, but if you build it around something they want to do then you have a greater chance of getting them to learn. The child will be more willing to learn. Believing in a child will enable the child to believe in themselves and their ability to achieve and do well in school and life."

- JfKL Campaigner

"Teachers shouldn't have the power they have. We should relinquish some of the control that teachers have over young people. Children should have some autonomy. The child has no say on what is done to them. There needs to be space for young people to have a degree of control over themselves. The more you push a young person who disagrees with you, the more they will disagree. There also needs to be mutual respect between children and teachers. There needs to be more done to support the young person. The point of the school is to support the young person, no matter what their needs are. You shouldn't deny them an education because they have a disability or can't hear properly or because they have an issue where it is hard for them to understand language or accents. You are denying them a right to education. You shouldn't have that choice without the person themselves being involved in that process."

- JfKL Campaigner

Looking back now, what did you feel you needed? What would have helped you during the process?

"It would have helped to have someone to listen to me and acknowledge that I was going through something and that not everything was my fault. I would have liked if they were more empathetic and understood that I was trying. I would have appreciated it if they tried to understand that and weren't so dismissive. A greater understanding of mental health would have really helped and made things easier for me. My grades are affected now because of this.

Teachers need to understand the symptoms and signs of distress and trauma. Teachers seem to praise you when you cover up that going through trauma. If young people are going through trauma and exhibiting behaviours that show they are distressed, this should be addressed, it shouldn't be ignored. In this instance, trying to force an education when this is happening to you is almost impossible."

"We need a mentorship programme or scheme where older students could support younger students. This could be easily implemented with the right resources. It would help other students relate to somebody in a way that they can't with the teachers. This could have helped me personally because it would have been really accessible to me. Sometimes it is hard to relate to teachers, and this shouldn't be forced upon young people who find that difficult."

- JfKL Campaigner

Stigma & Stereotypes

It was expressed that there is a stigma placed on children that have been excluded. The stigma was likened to that placed on someone who has committed a crime and is therefore always seen as a criminal. The campaigners shared concerns that exclusion is simply a tool used to get rid of students who misbehave, rather than finding ways of providing the child with the support they need.

"With the police, when they see someone they know as a criminal they work to get rid of that person. If someone has that stereotype [of being badly behaved] from year 7, they work to get rid of the child rather than support them through school. There's no real relationship where we are working together, through the exclusion or isolation process. To improve the behaviour of the school they get rid of certain students in the school. Are we teaching them to exclude them as a means for good behaviour and to deter peers from it?"

- JfKL Campaigner

Was it a clean slate when you came back or did the exclusion hang over you?

Below the campaigners express what it was like to have been excluded and then return back to school. They describe feeling as though the exclusion stuck with them and influenced their relationships with teachers and how they were reintegrated back into the classroom.

"Whenever there has been an issue between the child and the teacher, we are all humans so there is always going to be that feeling of discomfort or feeling uncomfortable. The child has been accused of doing something to another human being so there is automatically going to be that conflict. This is where professionalism stands in. I have seen levels of unprofessionalism from teachers towards students as young as in primary school because they have been in trouble for something, and the teacher can't shake it off and do their job. That's where the stigma and issues and conflict can start from, the unprofessionalism of teachers and the unresolved. How have they been reintegrated? How are they made to feel like everything is fine moving forward? Because of what they've done, they've come back to school and teachers do not trust them, so they are being further punished such as being told to sit at the back of the class. This is one thing that creates barriers for young people."

- JfKL Campaigner

Another campaigner expressed the following:

"There is no such thing as a clean slate. From year 7 I got my first exclusion, and that stereotype was on me straightaway. It always felt like I was on my last chance. It wasn't the sense of getting a new opportunity. This dictated and affected my relationship with teachers. Teachers are human beings, and we all have unconscious bias and stereotypes. It's sad that these things can lead to exclusion. When someone has that stereotype or label, it sticks on them."

- JfKL Campaigner

They also spoke of how race plays a huge role in how children are stereotyped:

"When I moved to a different sixth form, there wasn't a lot of ethnic minorities there and I was stereotyped as the big black guy – we have to consider these things. When the stereotype of bad behaviour is on you, it is really on you."

- JfKL Campaigner

The campaigners gave an example of being labelled a criminal and how this dictates the relationship between the police and the individual. In that same way, schools treat children as criminals rather than children and the stereotype that a child is badly behaved, dictates the relationship between the child and teacher moving forward.

"The stereotype of bad behaviour is what led to exclusions. I have less chances than everyone else because there is no such thing as a clean slate. It is like a criminal record."

- JfKL Campaigner

Education during an exclusion

Do you remember work being set in the first 5 days? Did someone check in on you?

Work is often not set after the 5th day for children that have been excluded. This means that they miss out on vital education, education that their peers have accessed. Some of the young campaigners shared that they also were not checked on during their exclusion.

"The feeling was close to one of abandonment. Nobody checked in, there was no work set. It was just a process of being punished, you are just sent home. For internal exclusions you are just sent to a room and told to write lines. There was even a teacher that made you sit in a corner and wear a dunce hat. Who is overseeing the teacher's behaviour?"

It just felt like we are being sent home to a home that's not even being checked. Children make mistakes and adults are there to guide and teach them. But teachers are just objectifying the young people and seeing them as a paycheque. A lot of young people don't have a voice. The punishment and lack of support in the process doesn't seem like adult to child, it is more like adult to adult or adult to subject."

- JfKL Campaigner

"There is a big problem. There was never a time where I was in exclusion internally or externally where I was doing work. Teachers don't have the capacity or resources to send work to excluded children – they might, but they don't do it. Some exclusions happen unfairly. I was excluded for 81 days in sixth form and no work was set for me. I was abandoned for those 81 days. They are not looking at a child as a child, but as a criminal. Teachers are not setting children who are excluded work, that is, the work that is happening in the class."

- JfKL Campaigner

To help students understand their rights and the school exclusion process, it was suggested that schools develop an initiative where students are shown videos explaining their rights and the process. The DfE also shared plans of making a parental guidance.

"If you are looking into making parental guidance, it would be useful to bear in mind that not all parents have the capacity or have English as a first language so this could be a barrier. Some children are also under local authority care, so please look into parental guidance more."

Reintegration

Reintegration following a period of exclusion is incredibly important. It is at this stage where you can prevent further instances of exclusion. However, schools are not doing enough to effectively reintegrate students back into the classroom.

"Schools should work with teachers to develop a system that integrates students back into the class better and more efficiently. Ensure they are meeting up with someone once a week. The reintegration process is important. It is the only time you have to deter further exclusions."

- JfKL Campaigner

Relationships

Relationship building with teachers is an important aspect of the school experience for children and for improving behaviour in schools. Schools should seek to ensure that positive relations are nurtured and built throughout the school so that children have the right care and support around them.

"I felt comfortable talking to a teaching assistant as she took the time to listen, she didn't just dismiss my needs and I wasn't left feeling that my concerns didn't matter. We need to allow young people to learn in a way that's comfortable for them. Some people don't learn in a school environment well and they're told it's their fault. This is not a healthy way of raising somebody."

It is important to respond in a positive and effective way to young people experiencing themselves and their emotions, if you don't then it can cause them to develop a way of looking at themselves that isn't healthy. This isn't taken into account."

- JfKL Campaigner

The young people shared their views on what needs to be changed to improve the relationship between teachers and students.

"There needs to be more empathy between teachers. They need to create space. Teachers apply for the jobs they are doing. Teachers need to understand that whatever students are going through isn't a choice. If they are choosing to be a teacher, they need to understand that what they might do will change someone's life."

The approach in school needs to be less about punishing behaviour that is negative. Teachers need to ask questions. There needs to be a space for the young person to talk as they often don't have anyone to talk to at home."

A lot of young people have suffered abuse that isn't picked up at home, where nobody did anything. That needs to change. Schools have a duty to protect the young people at the school. Teachers should also understand the differences in mental health. Some

children don't have many friends. I often liked to work at my own pace and this wasn't a choice."

- JfKL Campaigner

Did they ever ask you what would help you?

When asked this question, one member answered:

"No, they didn't."

- JfKL Campaigner

Were decisions made without you?

"They never asked me why I was not turning up at school. The school already had an excuse. If I turned up late, the school decided the reason and either placed me in detention, isolation or temporarily excluded me. This disrupted my education and the potential you have for yourself changes. It would be good for young people to have more of a say."

- JfKL Campaigner

Managed Moves

We think for some young people managed moves might be the right option. But schools need to be better at explaining how they work and giving people the right help to transition. One campaign group member said:

"Managed moves won't necessarily help by moving them somewhere new where they don't know anyone."

- JfKL Campaigner

"Having been on a managed move myself; I must say it is not clear how it works. I failed my managed move and had to return back to my school. The head of my year group did not follow any procedure in telling me I was no longer wanted at my new school. Because there is a lack of clarity around the guidance on managed moves, it becomes very informal. I wasn't integrated into my new school, I felt like an outsider on trial. Managed moves should be scrapped or reconstructed so children get a fair chance in their new school."

- JfKL Campaigner

Behaviour

When you were at school, what did the school do help you understand what their expectation of your behaviour was?

The campaigners shared how more can be done to help young people understand what is expected of them. Some of the campaigners said:

"Some teachers started the lesson by introducing the rules for the class. But you mostly learned on the job by getting it wrong."

- JfKL Campaigner

"They didn't do much. It was surface level guidance on how they expected us to act as children. My individual comprehension of that is different and will be different to every other child. I experienced a lot of individual guidance on how my behaviour should be from different teachers, but there was never an overall guidance on how we should act. It was never really set or explained, just bits and pieces from different teachers and this wasn't always consistent between teachers, it was confusing."

- JfKL Campaigner

What do you think schools can do well to help young people understand what they need to do when they get to school in terms of behaviour?

"Having that space and time at the start of class or having a conversation with students about what is expected, not just writing it down and expecting children to memorise it."

- JfKL Campaigner

"At the start of the lesson through speech but also apply that standard to every pupil in different types of settings so it isn't easier for one student to get kicked out of class compared to another. But also have reasonable adjustments."

- JfKL Campaigner

Should schools have the same approach to every pupil? What does it mean to be consistent and fair?

"Yes, but with reasonable adjustments for SEND students, children who are vulnerable and those who need the extra support. If everyone is treated equally there is no negative feelings. If that can't happen, schools need to look at their capacity in terms of what they can take on. Children are suffering due to the schools not having the facilities to take care of them and teach them properly. Being consistent and fair means having the right teachers in place who are well trained to look after these children. When parents send their kids to school they believe they are sending them to a safe space with professionals."

- JfKL Campaigner

"It is good to talk about being consistent and fair but what does that actually mean and how are schools actually applying this? This doesn't exist at the moment in the way children are treated. Once you have a bad behaviour approach, that consistent and fair approach stops there and then. A lot of children who might be badly behaved might be vulnerable and have learning difficulties and if you're not considering these things, you are being discriminatory too. In reality, this approach doesn't apply to every student if they are stereotyped as a bad pupil."

- JfKL Campaigner

"A lot of young people don't feel comfortable sitting still for hours. A lot of young people also don't learn in a school environment. If you don't respond in a positive way to children it can cause them to develop in a way that's not healthy."

- JfKL Campaigner

What advice should we give to teachers on how to best support pupils who have been in trouble at the start of the school year and to stop expecting bad behaviour from pupils?

"Give them a fresh start and support. Focus on integrating that child back into the class, back into that fair and consistent approach. Don't put them on report when they return back to school, put them on a scheme that allows them to catch up on their work. Something that looks different as report is a negative term. All these schemes to improve behaviour comes from a way to scrutinise their behaviour rather than help them. Come up with a different system for returning from exclusion."

- JfKL Campaigner

Were you judged at school? Did anyone ever forget about your behaviour?

"Sometimes, it feels like the teacher wants you to react. Is the teacher trying to improve the child's behaviour once they have a reputation of bad behaviour or are teachers trying to get rid of the pupil? Once I was stereotyped, I was judged."

- JfKL Campaigner

"There should be a guidance in place for teachers. There should also be an emphasis on confidentiality where teachers are not allowed to spread rumours about children. Teachers should maintain their professionalism once they step into the staff room. There should also be sanctions in place for teachers."

- JfKL Campaigner

What do you think about the approach to building school cultures around values and helping children feel part of the community and how is behaviour part of this?

"It is more important that the teachers focus more on this than the students. It would be better if teachers thought about behaviour and what is good behaviour. Having a very strict way to behave is very limiting. There needs to be more openness and less barriers between teachers and pupils where teachers have all the authority and can dictate anything over a child. In instances where I was bullied, nobody took anything seriously and the reason why nothing was taken further was because teachers always had the authority to do what they wanted. This can make you more defiant and more likely to disengage if you do not feel respected by the teacher."

- JfKL Campaigner

Do you see a place for pupils to have their say in creating this culture? Would this have a positive impact?

"To have any positive change in schools pupils need to be involved. Allowing the headteachers to make all the decisions would most likely have the opposite effects as they usually do not understand. Their understanding of what discipline is and the effects of it will be different from a young person within that environment. It is important to understand what the other side wants."

- JfKL Campaigner

Removals

How do you think removal from the classroom should work?

The consultation changes the term isolation to removal. Removal is now defined as "where a pupil, for disciplinary reasons, is required to spend a limited time out of the classroom, at the instruction a member of staff". The guidance says: "The use of removal should allow for continuation of the pupil's education in a supervised setting". The campaigners shared their views on the use of removals and isolations:

"Isolation and removals never work. It was a step to being excluded. You have to change it. It can't be a prison. It felt like a prison. They make you write lines, you don't go out, they bring your lunch to you. You need to change the name from isolations and removals to something different. The whole point of removals is to remove them from the class for a certain amount of time, hoping that they will come back into the class, but for me, exclusion was the next step not coming back into the class. Isolation doesn't work to bring children back into the classroom. If you are going to withdraw someone from the classroom, make sure they are doing the same work as those in the class. Also, a pastoral leader should be the first point of contact. Isolation doesn't calm

students down. For example, as soon as they are removed, a pastoral leader should meet with them to calm the situation down and speak to the child.”

- JfKL Campaigner

“It is hard to fathom how the change in name benefits young people. Changing a word makes it more difficult for people to adapt to and removal is as negative a word as isolation. Young people who are looked after children have already experienced removal from their home outside of school. This needs to be taken into consideration.

They should be used in circumstances where children are extremely angry or a cause of harm to themselves or others. Isolation rooms mirror prison cells. It should be an environment where the child feels safe and comfortable. As soon as they are removed, they should be seen by a professional who is trained to deal with challenging behaviour. Consideration should be taken so that the process of removal is done humanely. Schools should also implement having more teaching assistants in the classroom.”

- JfKL Campaigner

Online Behaviour

We are giving schools confidence to deal with this. Was it an issue? What is your take on this?

A campaigner shared their views on how schools should deal with online behaviour below.

“The school wasn’t supportive at all and often took my phone when I was listening to music which helped me when I was being bullied because it was my time to be on my own. There were two instances where a photo was taken of me and shared and put on everyone’s screen saver. The teachers claimed it wasn’t as bad as it was.

The risks outweigh the benefits of bringing a phone to school because you cannot control what happens when something gets on the internet. This needs to be taken into account. They are useful when going to and from school and to contact parents or guardians for example, but to replace this, it might be a good idea to have games in schools to stop people feeling like they need to have their phone 24/7. The main aim of phones at schools should be for calling those you need to call but there should be an enrichment there that replaces the need for phones at schools.

Schools should also have the ability to call social workers, youth mentors or therapists.

- JfKL Campaigner

What kind of involvement should schools and teachers have in instances that occur between pupils online?

"I agree that schools should take control over what is happening online regarding bullying and negative things that happen online during school time or from reports that are made by students regarding online bullying. If it isn't dealt with by the school, it is rarely going to be dealt with by anyone else. The sanctions that should be put in place needs to be analysed as I can see it being used as another way for teachers to exclude children. The result shouldn't be to exclude children, but schools should put sanctions in place.

Schools should involve everyone that is responsible for the child. Children are children and we need to stop looking at them as adults. There are people that need to be responsible for these children. The guidance needs to reassert the responsibility of parents and those who care for students."

- JfKL Campaigner

"There is a lot of abuse happening online but when it is harming another student in the school, the school should be involved."

- JfKL Campaigner

Final Remarks

"Stop exclusions. It doesn't work. It never works. If you met me in school before, people said he would never change. It is a total difference to now and it's because someone believed in me and I believed in myself. But when I was in school, I felt like I was fighting against everyone. I wasn't feeling like this is a place of learning, I was feeling like this is a battlefield that every day I have to fight a different battle with someone else. You get paid to teach, so teach. You don't get paid to exclude a child. The child you exclude could be the next Einstein. Pay attention and be willing to learn how the child wants to learn."

- JfKL Campaigner

"Children are the future; we need to nurture them not criminalise them. It is possible to change, children aren't doing this purposely."

- JfKL Campaigner

"Children have a right to education and that weighs above any law regarding school exclusion."

- JfKL Campaigner

Contact details: If there's anything in this response you'd like to discuss further, please get in touch with Ayomide (ayomidesotubo@justforkidslaw.org) or Michaela (michaelarafferty@justforkidslaw.org) at Just for Kids Law