



RACE ON THE AGENDA

**COVID-19 and the issue of informal
exclusion from school**

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Background

Since before the COVID-19 lockdown hit all education services in March 2020, ROTA has had concerns about children excluded from school. Our research, which began in 2018, focused on informal exclusions, with specific regard to BAME and Gipsy, Roma and Traveller (GRT) communities who are disproportionately affected by this practice.¹ The differences between formal and informal exclusion are essentially that:

‘Formal exclusions of pupils from mainstream education are officially notified and recorded. Parents are told and have a right to appeal against a decision to exclude their child from school. Alternative educational provision must be made for excluded pupils. All local authorities are obliged to keep data on formal exclusions.

Informal exclusion of pupils from mainstream education happens when pupils are removed from class unofficially. This can take various forms, from being sent to a separate classroom, sent out of school, taken off roll, put on ‘exam leave’, moved to another school by arrangement, sent to a Pupil Referral Unit for an ‘interim’ period or sent home as part of an ‘elective home education’ deal.’ (ROTA, 2018.)

Please see our previous research on informal exclusions, at [rota.org.uk/UnofficialUnrecordedIllegal](https://www.rota.org.uk/UnofficialUnrecordedIllegal)

Prior to lockdown, ROTA was gathering evidence to challenge and change the illegal practice of informal exclusion. Since lockdown, we have been constrained in our ability to carry out some of the activities, i.e. focus groups and interviews with teachers and young people in the community, but a substantial number of activities have continued over the phone and in online discussions.

This brief report sets out the evidence ROTA has collected during COVID-19 and the effect on young people informally excluded from school.

Not in the same boat: vulnerable young people most at risk of educational disadvantage

The disruptive effect of COVID-19 on education has been severe. All young people, except for those for whom some exceptions have been made, e.g. children of key workers and those defined as vulnerable, are now out of school.

It might be assumed that they are ‘all in the same boat’ in what has become, in effect, Home Education for all. Not so. In mid-April it was recognised that additional measures were required to support some groups of pupils.²

¹ ROTA. 2018. Unofficial, Unrecorded and Illegal: What can be done about informal exclusions from school? <https://www.rota.org.uk/UnofficialUnrecordedIllegal>

² Gavin Williamson, Education Secretary announced educational support for disadvantaged pupils on remote learning, outlined as links to government lists of online educational resources to support pupils with SEND and disabilities; the Oak

A Government Briefing gave guidance to educational settings and local authorities on social care support for vulnerable young people, who were identified as being in receipt of free school meals, having a social worker, an EHC plan, SEND or children and young people otherwise vulnerable e.g. in care, in AP, young carers or 'others at the Educational Provider's and Local Authority's discretion.'³

Although extra support was offered for those in this identified group, ROTA found a lack of clarity as to who were the 'others'. This view was shared by the Children's Society which suggested that those 'falling through the cracks' would include 'Migrants, refugees and asylum seekers, those at risk, children who do not meet the threshold for social care intervention and children no longer in schools'. Based on evidence recently gathered, ROTA would add Gipsy, Roma and Traveller children and children excluded from school prior to lockdown.⁴

Young people not receiving educational provision or support

It is thought that for many young people at risk, an educational setting or school can provide a 'safe haven', but that for others, who do not meet the 'vulnerability' criteria as set out, there should be ways of making sure that they continue to be supported.

'It is important that those who do not meet the threshold for social care intervention and are therefore not entitled to school support of children no longer in schools, still remain on the radar of services'. Children's Society. April 2020.⁵

ROTA has found that for young people who do not meet the threshold, 'remaining on the radar' is open to question. The guidance from Government to those responsible for care and monitoring during the COVID-19 outbreak is mainly advisory, i.e. based on a degree of 'expectation' that these children have been attending an educational setting; a reliance upon the individual 'judgment' of education providers to make decisions about whether they should be there, at home, in care or elsewhere and 'encouragement' to keep records of attendance, such as 'a short daily return'. (Government Briefing, April 19th, 2020).⁶

According to the Children's Commissioner, statistics show that only 1 in 20 children identified as eligible to attend some form of schooling during lockdown are doing

National Academy Online video lessons for Reception to Y10 pupils; laptops for disadvantaged pupils sitting key exams next year and provision of 4G routers to access the Internet. Gov.UK. 19th April 2020.

³ Supporting vulnerable children and young people during the coronavirus (COVID-19) outbreak. Updated April 19th 2020. Gov.uk. April 2020. <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>.

⁴ Traveller Movement. 2019. https://travellermovement.org.uk/phocadownload/TTM%20Good%20Practice%20Guide%20Education_web.pdf
Traveller Movement 2016. Never Give Up on Them
https://travellermovement.org.uk/phocadownload/TTM%20Good%20Practice%20Guide%20Education_web.pdf

⁵ Children's Society, 2020. The Impact of Covid-19 on children and young people. Ch.3. Young People at Risk. April 2020.

⁶ Gov.uk. April 2020. Is attendance required and what should educational settings, local authorities and social workers be doing to track and encourage attendance? <https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>.

so. Pupils not attending might include 'Children previously at risk of being excluded or who had high levels of absence'. The reasons for them not being accounted for is a matter of conjecture until systems to follow up and monitor these children are in place. There is particular concern about Y11 pupils previously in Alternative Provision: 'Children in AP may risk falling out of education and training at Y11' and that 'A gap in educational provision has been noted for these young people, some of whom are already looking for jobs or working in the gig economy'⁷

Although the Children's Commissioner does not explicitly say so, working in the gig economy exposes young people, especially those considered more vulnerable, to risk of exploitation, poor working conditions, a lack of regulation, safeguarding, health and safety concerns.

Children previously excluded from school are the most at risk of being overlooked

If this was not concerning enough, ROTA is aware of other groups of young people who, despite having all the characteristics of being vulnerable, are not defined as such and have dropped off the radar completely. These are children excluded from school prior to lockdown, and includes those on permanent or fixed-term exclusions and those informally excluded.

A report, issued by the Royal Society of Arts (RSA) in March 2020 before schools were closed, analysed gaps in data on young people missing from school who are not included in the permanent and fixed term exclusions statistics. It looked at the legal position, obligations of schools and local authorities' accountability for monitoring and reporting and found this wanting.⁸

Actions previously deemed obligatory for local authorities to carry out – albeit incompletely or insufficiently in some cases - are now it seems, not so much as obligatory but only 'reasonable'. In assessing and making provision for vulnerable children, including those 'not formally recognised as vulnerable' guidance from the Government states:

'It is reasonable for schools and local authorities to take a judgment on including those pupils...FSM eligibility should not in itself be a determining factor in assessing vulnerability' (Government Briefing. April 23rd 2020.)

Where a lack of data existed before the COVID-19 outbreak, the situation has hardly changed now and is likely to be worse. Because data on these young people do not exist does not mean that the young people themselves do not exist. Yet looking at the

⁷ Children's Commissioner. April 2020. Tackling the disadvantage gap during the Covid-19 crisis. <https://www.childrenscommissioner.gov.uk/wp-content/uploads/2020/04/cco-tackling-the-disadvantage-gap-during-the-covid-19-crisis.pdf>

⁸ RSA. March 2020. Pinball Kids: Preventing School Exclusions. Laura Partridge, Fran Landreth Strong, Eli Lobleby and Danni Mason. The report observed the following: the risk of pupils ending up in unregistered AP, where there is very little data available; small, part-time AP providers going unregistered and possibly operating illegally; home schooled pupils not being accounted for; the lack of clear monitoring of managed moves; the need for better monitoring of internal exclusions; the lack of access to school-level data, which local authorities require, and which some have requested, in order to carry out monitoring of internal exclusions; the problem of self-exclusion/self-absenting from school, which cannot be assessed properly, not least because Academies are not required to submit this kind of data to local authorities.

Government's Actions for Schools briefing (issued 19th April, updated 23rd April 2020) it is hard not to come to this conclusion.

Recommendations

- **Clarification is required for schools and local authorities as to which pupils may be in need of extra support to continue their education during the COVID-19 outbreak.** This group of pupils, currently described as 'Others' or 'otherwise vulnerable' should include the children of migrants, refugees and asylum seekers, children from GRT communities and children who were excluded from school, either formally or informally, prior to lockdown.
- **Less ambiguous guidance is needed for schools and local authorities to monitor, record and follow up pupils during the COVID-19 outbreak.** Systems should be put in place to help schools and local authorities to monitor and follow up pupils who are not attending any form of schooling, who were previously at risk of exclusion or who had high levels of absence. This should include Y11 pupils previously in Alternative Provision.
- **The Government's Actions for Schools should state clearly the duties of schools and local authorities during the COVID-19 lockdown towards young people missing from school.** Those who do not appear in the permanent and fixed term exclusions statistics include informally excluded and self-absenting pupils.
- **Local Authorities should continue to assess and make provision for vulnerable children, including 'those not formally recognised as vulnerable' during the COVID-19 outbreak.**
- **The COVID-19 outbreak has served to highlight faults in the system of data collection and monitoring of young people excluded from school which could be reviewed now.** It is particularly true for pupils informally excluded. This period of lockdown may afford an opportunity to consider how schools and AP providers can improve their systems of registration, monitor internal exclusions and make data available to local authorities. This would help to identify the pupils - referred to as 'Others' or 'not formally recognised as vulnerable' who are - at any period in time - most at risk of being unable to access support.

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