



## **Falling through the net**

Illegal exclusions, the experiences of families with disabled children in England and Wales (2013)

## About this report

*"It started with the school asking me to bring him home at lunchtimes every day. We were also asked to collect him 30 minutes before the end of the school day. He was never allowed on trips and he was often sent home or put into isolation during OFSTED visits. During his last weeks at that school I found out he was in isolation on a daily basis. I ended up having to fight for everything. I problems within the family, work was impossible for me and my son suffered health problems and lost a lot of confidence. He's in a new school now and in the last 18 months has only been sent home once for illness. I still can't adjust to the phone NOT ringing and still feel on edge thinking I can't leave the house until the end of the day just in case the school call<sup>1</sup>."*

Based on our experience of working alongside families with disabled children, Contact a Family knows that illegal exclusions are common. We wanted to find out more - how often do illegal exclusions happen and the impact of family life?

We conducted a survey of open and closed questions, which ran from the 8 November 2012 to 21 January 2013. We have used surveymonkey.com to collect and analyse the results. Hard copies of the survey were also available.

The survey was targeted at parent carers who recognise their child with a disability, SEN or additional need has been illegally excluded in England or Wales. This report provides a summary of both the quantitative and qualitative results.

Ashamed Break care need **collect** **Cope** cost **depression** husband isolated Job life  
**marriage** siblings stress **unable to work** **phone**  
**rang** upset Child suffered short notice family lunchtime **easy**  
**way** education system **relationship** school trip nervous breakdown  
**identify needs** trust teacher **seek help**<sup>2</sup>

Contact a family would like to thank all the parent carers who completed this survey.

<sup>1</sup> All quotes used throughout report from parent carers who responded to survey

<sup>2</sup> Illustration of most frequently used words by respondents to open ended questions in the survey

## Key findings

*"I was asked to pick my child up from school at least once a week when he was at primary school. The school wanted him to stay home at lunchtime due to his behaviour. As a result I was unable to work and my son fell behind with his school work. At the time I didn't even know what the school was doing was illegal! I never had any letters stating he was being formally excluded. I had to give up work due to the stress."*

404 parents<sup>3</sup> told us that their child with a disability, SEN or additional need has been illegally excluded from school.

70% have a child who has a Statement of Special Educational Needs.

### Reasons for illegal exclusions:

- 53% are because the school does not have enough staff to support disabled child. Of these, 49% say this happens every day or every week
- 56% are because a class activity or trip is not suitable for disabled child. Of these, 51% say this happens once a month or term
- 62% are because the child needs to 'cool off' after an incident. Of these, 35% say this happens every week
- 70% are because the school suggests it is for child's 'own good' as he or she is having a bad day. Of these, 45% say it happens every day or every week
- 60% are because the disabled child has been put on a part-timetable.

### Frequency of illegal exclusions:

- Most frequently illegal exclusions are occurring every week (22%), with one in seven (15%) happening every day.<sup>4</sup>

### Impact on disabled children and young people:

- 53% are falling behind with school work
- 43% say it causes their child to feel depressed
- 67% say their child gets upset
- 55% say their child feels left out of friendship groups.

### Impact on parent carers:

- half (50%) say they are unable work
- nearly a third (32%) of those that do work are having to take a lot of time off
- 63% say it causes conflict with school/teachers
- 66% have challenged the school regarding an illegal exclusion, often resulting in no action, excuses and denials by the schools of any wrong doing. Changing schools is often the final outcome.

*"I have become depressed and have constantly high anxiety. I feel like a failure. My daughter feels like a failure. We feel the 'odd ones out', with children, teachers and other parents. My family don't understand the impact it's had. I have tried to train for work, do courses, all affected by the illegal exclusions."*

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<sup>3</sup> This includes mothers, fathers and grandparents

<sup>4</sup> Based on reduced survey sample of 321 responses

## Recommendations

*“My son was excluded at lunchtimes for more than three years, this had a huge impact as I had to walk for more than two hours a day back and forth from the school picking him up and dropping him off. As a result of this, his younger brother was just carted around in his buggy pretty much all day - and we missed opportunities to go to toddler groups and suffer a lot of isolation in the community.”*

- A child with a disability, SEN or additional need should never be barred from school or college, a classroom activity or trip because of insufficient support. Schools need swift access to specialist support services, and all agencies including the school, health and local authority must work together **in partnership with the parent** to ensure the pupil gets the help they need to succeed.
- We urge the government to consider our findings in order that the Children and Families Bill achieves policy intentions of *transforming the system for children and young people with special educational needs (SEN), including those who are disabled, so that services consistently support the best outcomes for them*<sup>5</sup>. Contact a Family would recommend that parents have the right to trigger an Education, Health and Care assessment.
- The most frequently excluded children with a disability, SEN or additional need are those who have conditions which affect behaviour. Schools should take early action to tackle the underlying cause, and to put in support before a crisis occurs. There should be an obligation on schools to consider moving the pupil to the next level of school based support, and/or requesting a statutory assessment.
- Where exclusion is necessary, statutory procedure must be followed in order to ensure decisions which are lawful, reasonable and fair, minimise the disruption to a pupil's education and safeguard the rights of pupils and families.
- Part time timetables may occasionally be appropriate. However, schools need more explicit guidance to ensure such arrangements are agreed with parents, benefit the pupil and are subject to regular review.
- Exclusion can have a wider financial, social and emotional impact on the family. Families under pressure are often less able to support their children. The well-being of the family should always be taken into account when disciplinary decisions are made.

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<sup>5</sup><http://www.education.gov.uk/aboutdfe/departamentalinformation/childrenandfamiliesbill/a00221161/children-families-bill>

- Ofsted has an important role in identifying unlawful practice in the course of an inspection<sup>6</sup>. School should be offered additional support to help them improve their practice<sup>7</sup>. A grading of “inadequate” should be considered if schools continue to illegally exclude children with a disability, SEN or additional need.
- Further research with schools and headteachers is needed to identify what they need to stop this unlawful practice.
- Parents must seek advice about their rights regarding support for their disabled child at school, particular if they think their child has been illegally excluded.

*"My child was illegally excluded from school every week when he was in year four. I was regularly asked to collect my child from school and told to keep him at home without an official letter from the school. My child was also put on a part time timetable for about six weeks and I was told that the school couldn't cope with my son.*

*There were endless phone calls to go and sit in the class with him or to bring him home. It was draining both mentally and physically as I was always up and down to the school. I kept him at home for three days when the school were having their OFSTED inspection."*

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<sup>6</sup> As recommended by ["They never give up on you" Office of the Children's Commissioner School Exclusions Inquiry - Full report](#)

<sup>7</sup> This could range from practical help like tightening up Individual Education Plan (IEP) targets to more training and robust measures to ensure school publicises their disability equality strategy and demonstrates how they are following it. Teachers/schools may also need advice about understanding their duties under the Equality Act.

## Summary

*'It is unlawful to exclude...for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet....'Informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.'*<sup>8</sup>

Unofficial exclusions are unlawful - even with the parents' consent. Typical scenarios include

- Parent called by the school to pick up their child because they are misbehaving
- Parents told that their child should remain at home while the rest of the class take part in a planned activity such as a school trip
- Parents who are not consulted before school puts their child on a part-time timetable
- Parent asked to collect child at lunchtime due to lack of support. Usually younger children without a Statement where teaching assistant support has to be shared out between children. Child may enter reception class with needs which have not been assessed, or are not apparent until the transition to primary school.
- A child has been officially fixed term excluded but parent told they won't be allowed back when it's finished.

A child can only be legally excluded from school for disciplinary reasons. Headteachers must formally tell parents and carers that their child will be excluded by giving them the following details in writing:

- the length of the exclusion
- the reason for the exclusion
- information about parents' rights to contest the exclusion and attend a school governors' meeting if relevant
- that during school hours, the child is not allowed in a public place for the first five days of the exclusion
- and the arrangements for provision of full time education from their child's sixth day of exclusion.

Our survey results show that children with a disability, SEN or additional need are too often *falling through the net*. For some, illegal exclusions are occurring every

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<sup>8</sup>Statutory guidance and regulations on exclusions issued by the Department for Education  
<http://media.education.gov.uk/assets/files/pdf/s/exclusion%20from%201%20sep%202012%20guide%20for%20those%20with%20legal%20responsibilities%20in%20relation%20to%20exclusion%20june.pdf>

week (22%), with one in seven (15%) happening every day.<sup>9</sup> As a result, children are isolated at home, sometimes for months, with very limited education or none at all. For children who already need more support than their peers, this withdrawal of education can have a devastating impact on their progress and attainment, as well as their confidence, friendships and mental health.

Illegal exclusions undermine opportunities for children with a disability, SEN or additional need to fulfil their potential and achieve good outcomes. Parents are concerned that illegal exclusions are preventing early identification of needs and support. All of which are key drivers behind the Children and Families Bill<sup>10</sup> in England.

For their parents, the use of illegal practices by school mean they are unable to have a career they would want. Their marriages are suffering and other children in the family are put at a disadvantage because their parents' time is taken up with constant trips to school.

*"I have been unable to work for eight weeks due to his part time timetable. I have had to increase the amount of anti-depressants I am taking. I feel very isolated. The situation has added to the stress and strain that my partner and I are already under and there have been times when I thought my family was going to fall apart."*

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<sup>9</sup> Based on reduced survey sample of 321 responses

<sup>10</sup> Government Bill was presented to Parliament on 4 February 2013. For more information <http://www.education.gov.uk/aboutdfe/departmentalinformation/childrenandfamiliesbill/a00221161/children-families-bill>

## **Our concerns**

*"I've started five different college courses because each time I have had to leave half way through because of the amount of time I've had to take off to collect my son from school. I am unable to commit to anything as I could get a call at a moment's notice. Time spent dealing with illegal exclusions and the emotion wasted on them also means my other children lose out - I just don't have the time or energy to play with them. Because the school refuses to officially exclude my son we are unable to get a statement because the panel can't see what his needs are because nothing has been documented! It's a lose-lose situation."*

Our expert SEN parent advisers receive a number of enquiries each month from parents concerned that their child has been illegally excluded from school. Between January and October 2012 our SEN National Advice Service received 80 calls where unofficial exclusions were the primary reason for the parent's call.

But this is not the full picture. Because families don't always realise illegal exclusions are happening, they often do not present this as the main issue when they call our helpline. Other parents will mention that it has happened in the past. Schools often present the situation as something that is good for the child – for example, your child is distressed you need to come and pick him or her up. There may be many more families who accept the situation and don't complain or ask for advice as they believe the school is allowed to do this, or they are overwhelmed with caring responsibilities.

Fixed term and permanent exclusion is a legitimate sanction schools may use to discipline pupils who seriously breach the behaviour policy. Sometimes exclusion is appropriate and although exclusion can be difficult for families to deal with, if schools follow the correct procedure, there is more chance of a speedy resolution. The process ensures continuity of the pupil's education, a parent's right to make representations about the exclusion and depending on the length of the exclusion, to challenge it. Official exclusion statistics also have to be reported to the local authority.

However, if schools practise illegal exclusions, families are placed under additional stress. In addition:

- The decision is not subject to review or external monitoring and as there are no statutory timescales and no formal end point to the process, an unofficial exclusion can drag on indefinitely.
- If the pupil is out of school, the immediate problem has been removed and there is less incentive for the school to take steps to address the problems which gave rise to the situation.

*"The part time timetable made me and my disabled daughter feel like we were different from other people, we had to leave through a back door to avoid seeing the other kids at playtime, I felt anxious every time I walked to school and she blamed me for taking her home so soon (11am) and our relationship suffered a lot."*



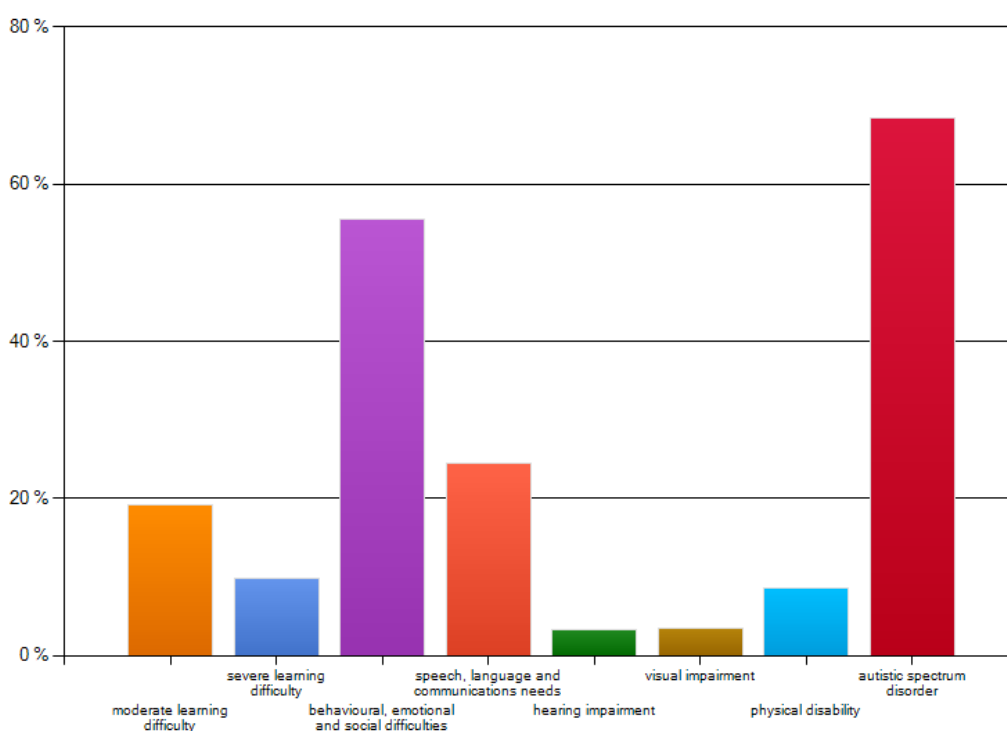
## About the respondents

*"I am unable to work. It is very upsetting to leave your child only to know that at some point you are likely to get a phone call."*

*"It wasn't put to me as an exclusion - more in a nice way - he can calm down and rebalance...cool off so as not to cause him upset."*

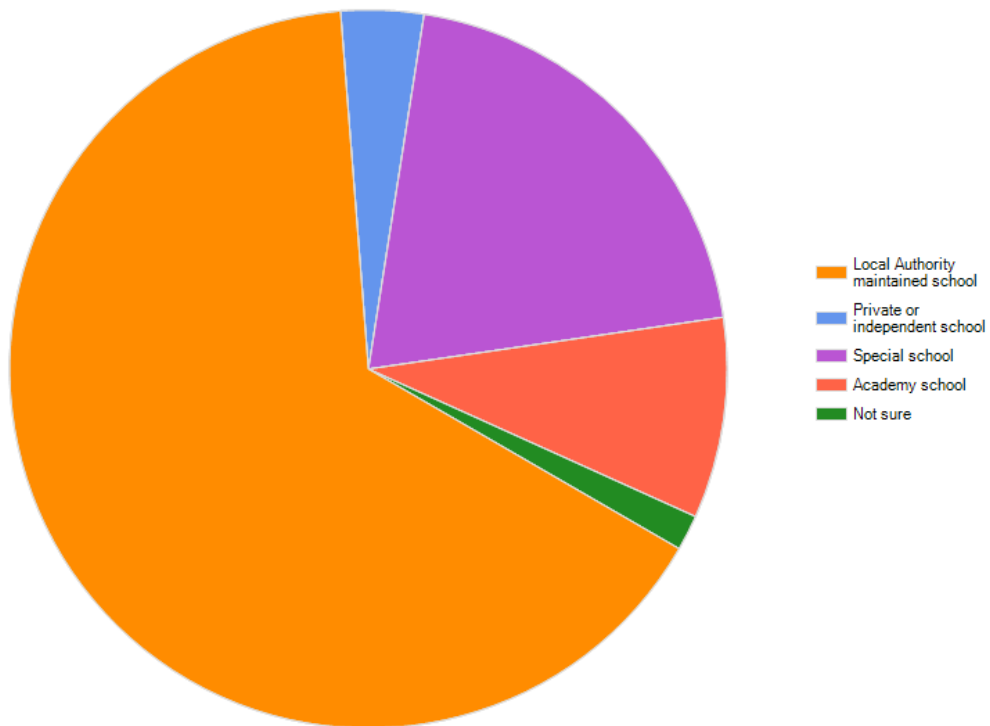
Respondents are all parents of children affected by a disability or additional need, figure 1 shows the breakdown.

**Figure 1: Breakdown by child's disability or additional needs**



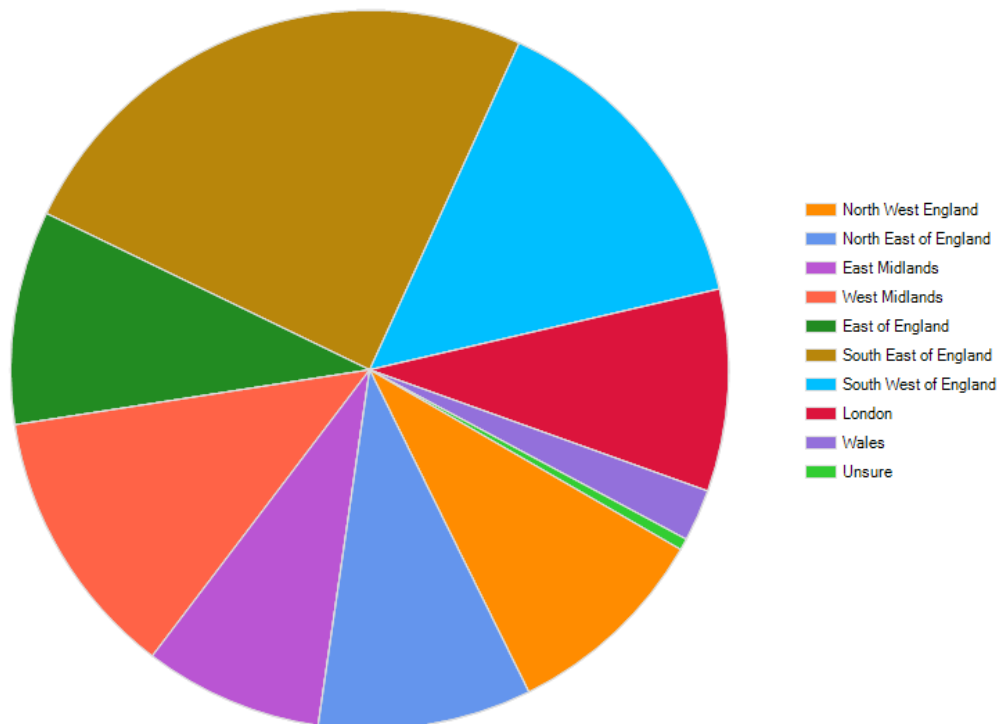
More frequently respondents are parents of children who have conditions which affect behaviour such as autism. Figure 2 shows that children mostly attend maintained mainstream schools - 65% - and 20% attend a special school.

Figure 2: Breakdown by type of school



70% of respondents indicated that their child has a Statement of Special Educational Needs. Figure 3 shows that respondents live across England. A very small sample of respondents are from Wales (9).

Figure 3: Breakdown by region



*“His special school suggested that on days he is more emotional it may help him if he stays at home as his ability to cope is reduced and school staff time is limited. It does sometimes feel there is an expectation he should stay at home if he's having a bad day. This obviously impacts on our jobs and his grandparents who have at times had to step in to help us.”*

### **Reasons and frequency**

*“My son was excluded from a residential trip – the highlight of the school year for most children – as the venue was not accessible.”*

404 parent carers told us that their child with a disability, SEN or additional need has been illegally excluded. Figure 4 shows the reasons schools give to parent carers when they ask them to collect their child during the school day (including lunchtimes) or told to keep them at home without an official exclusion letter.

<b>Figure 4: Reason given by school for illegal exclusion</b>	<b>Percent response rate</b>
School suggested it is for your child's own good as he or she having a bad day	70%
So your child can ‘cool off’ after an incident	62%
A class activity or school event is not suitable for your child eg school trip, sports day	56%
There are not enough school staff available to support your child	53%
Other reasons e.g. health & safety, behaviour	32%
So you can give your child routine care due to their condition or disability e.g. medication, toileting	17%
An official exclusion has ended but the school does not want your child to return	14%

Figure 5 shows how often illegal exclusions are taking place. Most frequently illegal exclusions are occurring every week (22%), with one in seven (15%) happening every day.<sup>11</sup>

<sup>11</sup> Based on reduced survey sample of 321 responses

Figure 5: Frequency of illegal exclusions

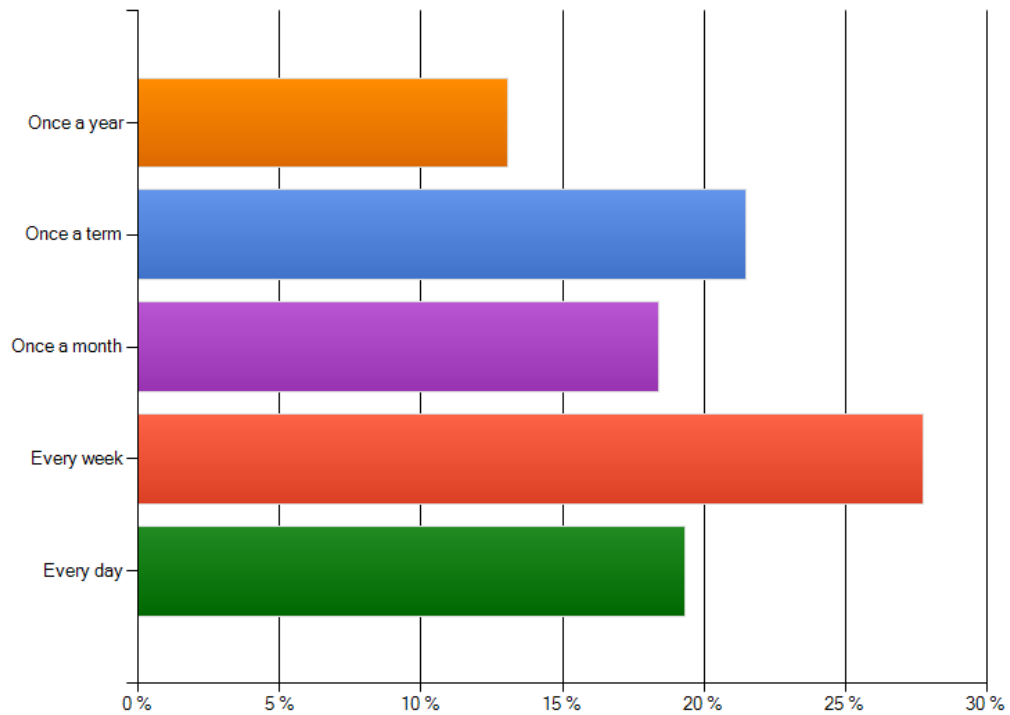
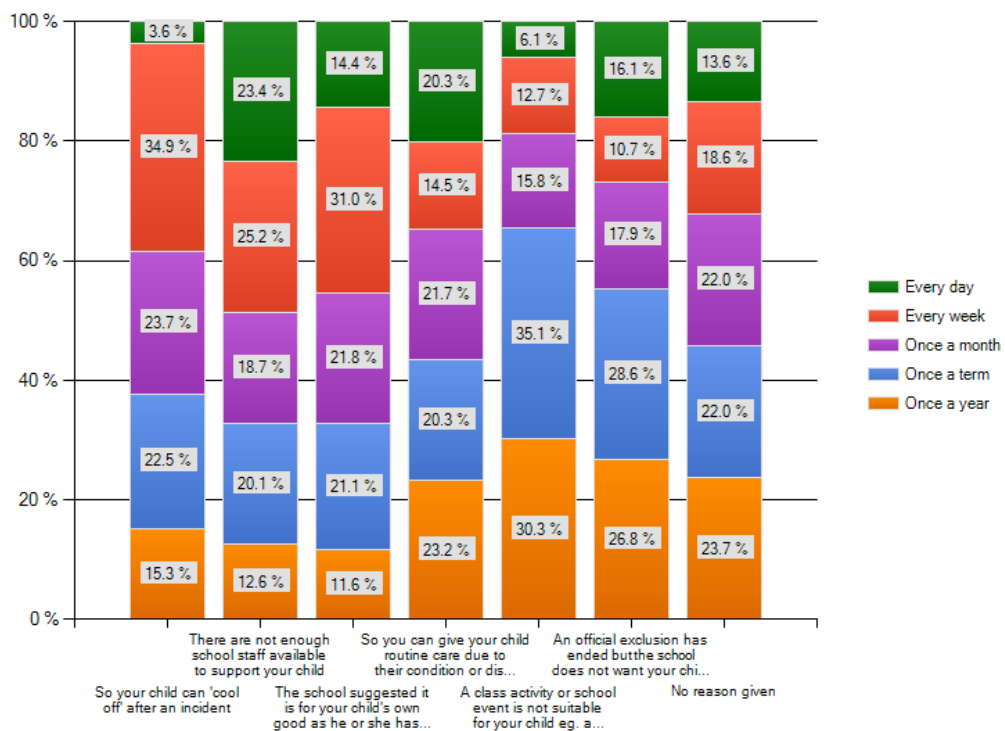


Figure 6 illustrates reasons for illegal exclusions and frequency. Risk to other pupils and behaviour issues are common other reasons given. Parents also tell us that health and safety issues are also often used as a reason to exclude.

Figure 6: Reason and frequency of illegal exclusion



Feedback from parents to this survey also shows that they were unaware that these reasons were examples of illegal exclusions.

*"My son was kept in at lunch times and made to sit in the headmaster's office and play with puppets. He was also allowed to sit in a large cupboard to have time out when he needed it. I had to sit with him at the Xmas lunch and then take him home, as he was told he would not be able to cope with the party."*

*"My son is illegally excluded from school every month. I told the school that they had to stop calling me to collect him from school unless they were officially excluding him. They said his behaviour didn't warrant an official exclusion so I told them that if it wasn't bad enough for an official exclusion then they should keep him - this is still a work in progress and they still phone me...."*

### **For the child's 'own good' or to cool off**

*"My son is illegally excluded from school at least once a term - to cool off or because a class activity is seen as unsuitable for him. I have tried to challenge the school but I've been patronised to the point that I have given up arguing as I don't want my child to be more disadvantaged than he already is.*

*It feels like the school simply can't be bothered to deal with my son - like they just don't want him there. He becomes more distressed and more upset the more he is excluded from lessons and activities with the rest of his classmates."*

Our survey findings show that the most frequent (70%) illegal exclusions are a result of a school suggesting it is for a child's 'own good' as he or she is having a bad day. Children attending special schools are also most commonly being illegally excluded for this reason (74%).

62% are sent home to 'cool off' after an incident. Responses show this is often due to a behavioural issue. Parents say they often agree to take their child out of school to ensure that their child doesn't have an official exclusion on their school record. However, many say the school sells them the idea as if they are doing their child a favour by not following official procedures.

*"Made to feel like my five year old was a risk. Had to pick her up when Ofsted came in and new parents visited the school, so that my daughter did not disrupt the class. Spent a year upset, unable to concentrate at work as I went in upset virtually every day."*

## **Lack of support**

*“He is often sent home from school because they couldn't cope. My life in particular has been hugely sacrificed as at the drop of a hat I could be randomly called by the school and asked to drop everything I'm doing to collect my son for inexcusable reasons.”*

In all school types - mainstream, special and academy schools - children with a disability, SEN or additional need (53%) are subject to illegal exclusions because the school does not have enough staff available. This would be unacceptable for any pupil but for children with a disability or SEN this adds further barriers to their learning, participation and success at school.

The responses also indicate that parents feel that illegal exclusions are taking place because the school is not able to manage the child's disability or SEN. 17% have to collect their child to give routine care due to their condition or disability, for example medication or toileting. Parents are also reporting that when their child's statement does provide for full-time support, a school will ask them to collect their child during the unsupported hours.

*“I feel unable to rejoin the workforce for fear of extra pressures due to time off. It is very upsetting to leave your child only to know that at some point you are likely to get a phone call. The exclusion discussed was totally unnecessary and due to lack of access to support needed for my child. Once this was in place (a teaching assistant) there were no problems at all.”*

*“They initially said he was poorly and full of cold so we collected him. However, it became clear he was physically fit and well. We discovered he'd been presenting with difficult behaviour that morning and his teaching assistant was off sick that day.”*

## **School trips or class activity**

*“All children in year six attend a residential trip for four nights. We were advised that our child couldn't attend unless we accompanied her on the trip (as this is what had happened in previous years with other children). The school made no attempt to find a solution to obtain the extra care our daughter needed. We were unable to attend as we had younger children but we also felt it was wrong that we had to go as our daughter needed the experience of being away from us, possibly more than her mainstream peers.”*

56% of disabled children are being unlawfully excluded from a class activity such a sport day or school trip. Parents are often told that unless they attend the trip that their child will have to stay away. For parent who work or have other children to care for this isn't an option. Some parents talk about the schools making no attempt to find a solution to obtain the extra care or to make reasonable adjustments.

*“...he becomes more distressed and more upset the more he is excluded from lessons and activities with the rest of his classmates. He is constantly isolated over and over again. He doesn't know where he is from one day to the next with them!”*

### **Part-time timetable**

*“The entire year 3, half days for most of year 4, early collection ‘before rush hour’ throughout year 5 and 6. The school phoned the evening before term started and asked not to take him in as ‘they weren’t ready for him’ despite having a Statement.”*

60% of parent carers tell us that their child has been put on a part-timetable, for example the school recommends a child only attend for half days or a few hours a day. When asked how long a part-time timetable lasts, for some it’s for a short period - a week or two. More often, children with a disability or SEN have been denied full-time education for several terms into years.

Reasons schools give parents for being put on a part-time timetable are most commonly associated with behaviour, not enough staff or funding for the school to cope with needs. Parents are often told their child cannot cope full time, or that it would avoid a permanent exclusion.

*“In year 6 I had to collect her every lunch time as they said they had no staff to support her and it would help her manage herself. In year 8 she had two unofficial exclusions as they said they didn’t want it on her file and they did a part time timetable for three months. I had to change my working hours to fit in with the plans. My daughter has suffered depression and self harms.”*

Anxiety **Behaviour** Cause Disability Disrupting the  
Class **Full Day** Half Day Limit **Manage Permanent Exclu**  
**sion Staff** Staffing Issues **Support Teacher Tire**  
**d** Toileting Transition **Unable to Cope**<sup>12</sup>

<sup>12</sup> Illustration of most frequently used words from parent responses on overall impact of illegal exclusion

## Impact on child

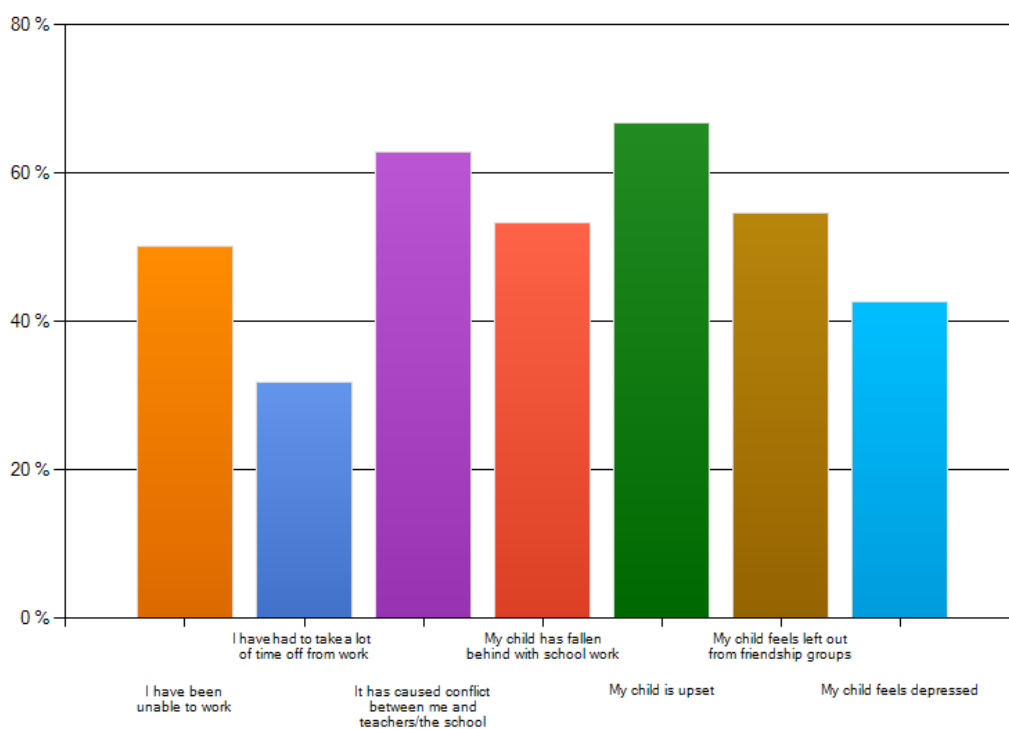
### Well-being

*“My child has been left feeling unwanted, is suffering with low self esteem and significant depression. He no longer meets up with friends and is actually unsure who his friends are.*

*“It shattered his confidence, self esteem, had severe depression did not want to leave the house and talked a lot about wanting to end his life. “*

The results indicated the distress illegal exclusions are causing children with a disability, SEN or additional need. Their confidence, friendships and mental health are suffering as shown by Figure 7. Parents are also concerned that illegal exclusions are preventing early identification of needs and support.

**Figure 7: Impact of illegal exclusions on family life**



*“My child stopped wanting to go to school. It was a huge struggle to get her into school. The way she was being treated was impacting on her psychologically and she was starting to feel ill every day. Her needs were not being met as the school refused to acknowledge her disabilities and difficulties.”*



### **Success at school**

*“We felt that our daughter was falling behind, and that her social skills were suffering. It has caused a steep reversal in the progress my daughter was making.”*

For children with a disability, SEN or additional need that already need more support than their peers, the withdrawal of education can have a devastating impact on their progress and educational attainment. Our survey result show that 53% of parent carers believe their child is falling behind with school work due to illegal exclusions.

A key concern for families with disabled children is education. The high demand for Contact a Family’s SEN National Advice Service echoes findings of a survey of parent carers Contact a Family carried out in spring 2012, which showed that their child’s education – both now and in the future – was their main concern. Our results show how easy it is for disabled children or those with SEN to fall through the net.

*“My son missed his reception year and year 1 so missed all of the phonics and was hugely behind academically particularly with regard to his reading. Also this time was hugely distressing and emotional as a family. I could not work as he was home more often than at school. He’d go to school on a Monday and be excluded for the rest of the week before lunch time.”*

### **Impact on parents**

#### **Employment**

*“I felt unable to return to work as I was concerned that my work reputation would be destroyed by continual pressures to attend school to collect my child. My heart was in my mouth every time the phone rang when he was at school, thinking - here we go again.”*

Our survey finding also show the devastating impact that illegal exclusion have on parents (in particular the mother’s) ability to maintain a career and/or seek paid employment. Half (50%) say they are unable work and nearly a third (32%) of those in paid employment say they have to take a lot of time off.

Illegal exclusions mean responsibility for the child during the school day shifts to the family who may already be under strain because of their child’s additional needs.

This adds to the challenges families with disabled children already face combining paid employment and caring responsibilities compared to families with non – disabled children, such as high childcare costs and lower earning potential.

Families with disabled children are often under enormous practical and emotional pressures. Research shows that this group of families are disproportionately affected by sleep deprivation and marital breakdown. They are also at greater risk of living in poverty. Contact a Family’s *Counting the Costs 201*<sup>13</sup> report shows that families with disabled children are persistently going without essentials such as food and heating.

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<sup>13</sup> Counting the Costs 2012: The financial reality for families with disabled children across the UK

*“For the first six weeks we had to juggle collecting our son from school and transporting him so lost 90 minutes in the middle of the day as we had to give him lunch too. I lost my career and feel my skills are wasted.*

*“I have had to give up work due to this and also have been extremely close to a nervous breakdown.”*

### **Conflict with school**

*“He was not allowed to go on a school day trip because they 'didn't have the staff to supervise him' and they would not allow me to attend with him, and he was made to sit and watch the Christmas party without being allowed to take part. That was the day I emptied his locker and removed him from the school. When I did this they threatened to report me to the Education Welfare Officer, I told them I had already contacted them myself and told them why. I found a new school the same day and the headmaster saw me that afternoon and helped me settle him and my other son in after Christmas, it was the best decision I ever made.*

*I did try to challenge the school but they refused to acknowledge that they were in the wrong. I complained to the local authority and the school governors but I never received a reply.”*

63% say it causes conflict with school/teachers and 66% have challenged the school regarding an illegal exclusion, often resulting in no action, excuses and denials by the schools of any wrong doing.

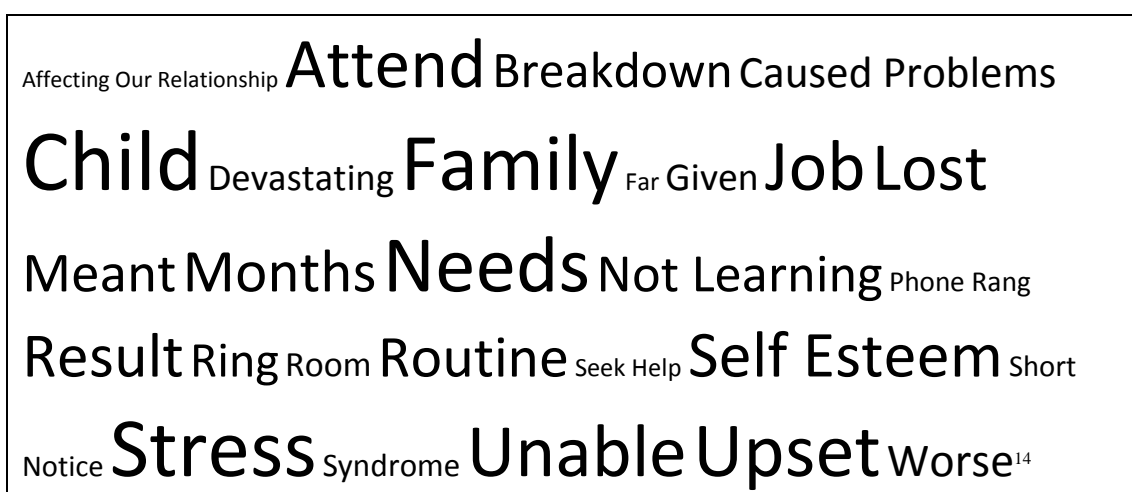
Some cases did result in official exclusions, however for some parents they felt changing schools was the only option. Where parents understood their rights they felt the schools did improve their procedures although for some it meant battling to enforce their rights. For others they felt the illegal exclusion had delayed the identification of their child's additional needs or disability. Parents feel that although distressing, an official exclusion is better because this can often trigger a Statutory Assessment.

*“It was the start of a very fraught and adversarial relationship with the school which manifested itself in all sorts of other ways later on. The school denied they had ever said this but they said it to another family at the same time! They just weren't prepared to think outside the box; they were complacent and we were regarded as unreasonable.”*

### Impact on relationships

*“My daughter, who is two, isn't able to attend playgroups or have any proper time with me as I'm always going to the school to collect my disabled son. It's caused endless problems between my husband and I because we're so stressed and upset that the school ignores and blames us.”*

When we asked parents to tell us more about the impact of illegal exclusion, qualitative analysis of the survey's open-ended questions reveal that as well as have a detrimental affect on the well-being of the disabled child, the whole family's resilience and well-being was affected. In particular, parents repeatedly and frequently talked about the additional pressure put on couple relationships. Parents also acknowledged and are concerned about the negative effect on siblings.



*“You feel worthless. I feel there is a stigma with it - bad child, bad parent. School can be very negative towards me and my child. It caused conflict with my husband.”*

*“We feel that we are being punished for challenging the illegal exclusions, it has been very depressing and draining, very stressful.”*

*“I even had to re-arrange pregnancy scans twice due to the illegal exclusions. I feel my time is never my own, and each day I cannot plan anything or go out of the area, just in case school ring. If I challenge school, they say I'm being uncooperative.”*

<sup>14</sup> Illustration of most frequently used words from parent responses on impact on family life

## Next steps

*“Being a pupil with any level of Special Educational Needs provision has a stronger effect on the odds of being excluded than gender, Free School Meals eligibility or ethnicity<sup>15</sup>.”*

The total numbers of permanent school exclusions for all children and for those with SEN are both falling, showing that there is good practice in schools. However, the proportion of children with SEN permanently excluded is actually rising up from eight times more likely to be excluded if you have SEN to nine times. The number of children with statements of SEN receiving one or more fixed period exclusions is six times higher than for children without SEN.<sup>16</sup>

The positive cuts in overall exclusion numbers may be masking the continued use of other ways of excluding children, including different forms of illegal exclusions as our survey findings have uncovered. Parents with disabled children often don't realise this type of exclusion is unlawful. For this reason, we fear that this is just the tip of the iceberg and many more children with a disability, SEN or additional needs are falling through the net.

A child with a disability, SEN or additional need should never be barred from school or college, a classroom activity or trip because of insufficient support. Schools need swift access to specialist support services, and all agencies including the school, health and local authority must work together **in partnership with the parent** to ensure the pupil gets the help they need to succeed.

Schools should take early action to tackle the underlying cause, and to put in support before a crisis occurs. Schools should be offered additional support to help them improve their practice. This could range from practical help like tightening up Individual Education Plan (IEP) targets, to more training and robust measures to ensure school publicises their disability equality strategy and demonstrates how they are following it. Teachers and schools may also need advice about understanding their duties under the Equality Act. Many parents feel that teachers should have access to training to help them understand different conditions or disabilities, including how to support personal and health care needs.

If like the parent carers in this report, you have been asked to collect your child during the school day or been told to keep them at home without an official exclusion letter you should seek advice.

If you need advice or information about your situation, please contact our SEN National Advice helpline on 0808 808 3555 and talk to one of our parent advisers.

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<sup>15</sup> DfE. A profile of pupil exclusions in England. Education Standards Analysis and Research Division. Research Report DFE-RR190.

<sup>16</sup> DfE. Permanent and Fixed Period Exclusions from Schools and Exclusion Appeals in England, 2010/11. SFR 17/2012. Tables 9&10.

## About us

Contact a Family provides advice, information and support to UK families with disabled children and young people regardless of the disability, health condition or special educational need (SEN).

Our helpline is staffed by experienced parent advisers and is a one-stop advice shop for parents, professionals and other family members caring for a disabled child. It is a confidential service offering information and advice on issues including welfare rights, short breaks and local support. In October 2011, Contact a Family was awarded the Department for Education (DfE) contract to establish a new helpline and online service for families of children with special educational needs (SEN).

## Getting in touch with us

Helpline 0808 808 3555

Open Mon-Fri 9.30am – 5.00pm

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