

Exclusion Guidance

September 2012

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Exclusion Guidance – September 2012

1. Introduction

Explanation of Guidance

This guidance is in addition to the DfE Guidance “Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England” – April 2012 which comes into effect in September 2012. All decisions about exclusion must be made with reference to this document which outlines statutory responsibilities and guidance.

1.1 DfE Guidance

See link below:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012>

1.2 Details of Local Authority Officer

County Inclusion Manager	Carol Way	01480 376302
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2. Exclusions

This section must be read in conjunction with the above DfE guidance.

2.1 Responsibility of the Headteacher

The responsibility of the Headteacher is clearly outlined in the DfE guidance. Headteachers must be able to demonstrate that any exclusion has been clearly thought through and is used as a last resort. The checklist below should help with ensuring that exclusions have been carefully considered.

Cambridgeshire County Council views exclusion from school as a last resort when other approaches have been unsuccessful and would encourage Headteachers and senior staff to carefully consider alternatives.

For many pupils exclusion is viewed as a rejection, and often an opportunity for a day away from an environment they already find difficult. This sometimes has the unintended consequence of pupils repeating or escalating their inappropriate behaviour in order to have more time away from school.

To support a student deemed to be at risk of exclusion, it would be appropriate to consider having a Pastoral Support Programme (Appendix 5) and/or a Common Assessment Framework (CAF) to enable a range of strategies and support to be implemented.

Information on the use of these documents will be available from your in school support staff / specialist teaching team, educational psychologist, locality manager or directly from the County Inclusion Manager.

The Local Authority has drawn up a Policy on the Effective Management of Behaviour and included in its guidance examples of best practice in addressing behavioural difficulties. This includes the implementation of Restorative Approaches within schools which has positive evidence demonstrating reduction in exclusions and improvements in behaviour, attendance and attainment.

2.2 Duty to Arrange Education for Excluded Pupils (see also DfE Guidance paras 43 – 49)

Headteachers need to make sure that work is provided and marked for the first 5 days of any exclusion. If a pupil is fixed term excluded for more than 5 days the Headteacher is responsible for their full time education from the 6th consecutive day.

If a pupil is permanently excluded the local authority becomes responsible for the full time education from the 6th day for pupils in Primary Schools.

For pupils in Secondary Schools the school or Behaviour & Attendance Improvement Partnership (BAIP) is responsible for this provision.

2.3 – Duty to inform Governing Body and Local Authority (see also DfE Guidance paras 38-42)

The Headteacher must, without delay, notify the governing body and the Local Authority of:

- a permanent exclusion
- a fixed term exclusion where the Headteacher has indicated to the parent/carer that following further investigation it may be made permanent
- exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term
- exclusions which would result in the pupil missing a public examination or national curriculum test.

For all other exclusions the Headteacher must notify the governing body once a term and the Local Authority through the school's usual recording systems.

2.4 Headteacher's Checklist

It is important to give consideration to the following questions before deciding to exclude for any period of time. Please consult Section 3 pages 5 - 7 of the DfE Guidance.

	Yes	No
Has the pupil committed the offence?		
Has there been a serious breach or breaches of the school behaviour policy?		
Does the pupil's presence seriously harm the education/welfare of pupils/others?		
Is this as a last resort following a wide range of other strategies that have been unsuccessful? (see paragraph 2.1 above) Or Is this a serious first or 'one off' offence?		
Is exclusion the appropriate response? Factors to consider: <ul style="list-style-type: none"> • Exclusion has not been considered in the heat of the moment? • Has a thorough investigation been carried out? • Has the evidence been considered in light of policies and discrimination? • Has the pupil's version of events been encouraged / heard / recorded? • Are there any mitigating circumstances or any provocation relevant (bullying, harassment etc)? 		
Has there been involvement from In School Support Staff (secondary) / Specialist Teaching Team (primary) or Educational Psychologists and a pastoral support programme implemented?		
Have alternatives to exclusion been considered (e.g. restorative approach, mediation, internal exclusion, alternative provision, managed move)?		
Standards of proof: On the balance of probabilities, did the pupil do it?		
Special Considerations		
Does this pupil have a statement of special educational needs (SEN)? Have you contacted the SEN Caseworker? Has an emergency annual review been called? <i>See DfE Guidance para 22-24</i>		
Is this pupil a looked after child as supported by Education Support (ESLAC)? If so have you contacted the appropriate ESLAC teacher and social worker to discuss? <i>See DfE Guidance para 22-24</i>		
Safeguarding: Is this pupil subject to a Safeguarding or a Child in Need Plan? Have you spoken to Social Care?		
Is there a CAF for this young person?		

Is the locality team or SEN Services involved?		
Have issues of SEN or a disability been taken into account and reasonable adjustments put in place? (Equality Act 2010)		
Appropriate length of exclusion considered? Is this for the shortest possible time?		

2.5 Notification of Exclusion (see section 4 of DfE Guidance)

When a Headteacher has decided to exclude a pupil they must:

- Inform the parent/carer by telephone straight away
- Write the appropriate letter to the parents/carers (see model letters Appendix 2)
- This letter should be sent by first class post to arrive the following day or be hand delivered, and must contain the following information:
 - the reasons for the exclusion
 - the period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent
 - Parents'/carers' right to make representations about the exclusion to the governing body (in line with the requirements set out in paragraphs 50 to 57) and how the pupil may be involved in this;
 - how any representations should be made
 - where there is a legal requirement for the governing body to consider the exclusion, that parents/carers have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend
- Inform the Local Authority and governing body as appropriate (see Section 4.3 of DfE Guidance)
- (see model letters Appendix 2)

It is important that as much information about the decision to exclude is detailed in the letter that is sent to parents/carers. This should include all the strategies that have been used to prevent an exclusion occurring. It should also clearly state how any SEN or disability has been taken into account. Providing this information at the outset helps to make the situation clear for all parties. It also demonstrates that the exclusion has been thoroughly considered and all circumstances considered.

2.6 SEN / Disability / Vulnerable Group Considerations

If the pupil being considered for exclusion has SEN or any disability the following must be taken into account. Children with SEN may not necessarily have a

disability. The definition of disability is not the same as the definition of special educational needs but there may be overlap between those who have SEN and those who are disabled. Please refer to paragraphs 20-24 of the DfE guidance and the SEN Code of Practice (2001) and the Equality Act (2010) with particular reference to the expectations regarding “reasonable adjustments”.

Children with SEN	Yes	No
Does this pupil have a statement of special educational needs? <ul style="list-style-type: none"> • Has the SEN Caseworker been contacted? • Has an emergency annual review been called? 		
Is this pupil on school action or school action plus? <ul style="list-style-type: none"> • Has extra assistance from the LA been explored (specialist teachers, Educational Psychologists, In Support Specialist Teaching, etc)? 		

Children with Disabilities	Yes	No
Does this pupil have a statement and/or disability? i.e. do they have a mental or physical impairment that is: <ul style="list-style-type: none"> • Adverse • Long term • Substantial • Affects their ability to carry out normal day to day activities? (mobility, manual dexterity, physical coordination, continence, ability to lift, carry or otherwise move everyday objects, speech, hearing or eyesight, memory or ability to concentrate, learn or understand, perception of risk of physical danger) 		
Has the pupil been treated less favourably? i.e. would/has a pupil without a disability have been dealt with in the same way? You will need to consider <ul style="list-style-type: none"> • What is less favourable treatment? • What is the reason for less favourable treatment? • Is the reason directly related to their disability? • Can less favourable treatment be justified? • Is the justification material and substantial? 		
Have reasonable adjustments been made for this pupil? You will need to consider: <ul style="list-style-type: none"> • Would failure to make reasonable adjustments place the pupil at a substantial disadvantage? • Could the need to make reasonable adjustments have been anticipated? • Has your school reviewed policies, practices and procedures (continuing responsibility)? • Do reasonable adjustments involve removal/alteration of physical environment? • Could the school have been reasonably expected to know about the disability (confidentiality, lack of knowledge)? 		

2.7 Unofficial / Illegal Exclusions

The procedures described above and in the DfE Guidance must always be applied when a pupil is sent home; ‘cooling-off periods’, asking parents/carers to take a child home to avoid an exclusion etc, are illegal and could be subject to challenge.

This also applies to lunchtimes; if a child is asked by the school to go home at lunchtimes this must be treated as a half day exclusion for each lunchtime.

2.8 Part-time / reduced timetables

It is illegal for a school to impose a reduced or “part-time” timetable.

In some cases, if a child or young person has been out of school, unwell, or excluded, a part time timetable may be used as short term measure towards achieving full reintegration, building back up to full time hours as long as parents/carers, Local Authority staff, and other agencies where involved are all in agreement and a written plan is put into place. This would be most appropriately done through a Pastoral Support Programme, or a Common Assessment Framework (Please see Appendix 6).

DfE guidance is that part time timetables should not be used as a solution to behavioural problems and/or as a sanction.

2.9 Managed Moves

A Managed Move is recognised as a possible alternative to a Permanent Exclusion. These should be implemented in accordance with the County Managed Moves Protocol (see Appendix 3) unless the pupil has a statement when a separate and discrete process is followed. Please contact the Statutory Assessment and Resources team (START) team to discuss this further.

DfE Guidance states that: “the threat of a permanent exclusion must never be used to influence parents to remove their child from the school” (DFE Guidance 3.14).

Where a parent/carer with a child of secondary school age chooses to request a place at another school the Mid-Phase Transfer Request Protocol will be implemented. (see Appendix 4)

2.10 Procedures following Exclusion

The 2012 DfE Guidance no longer has a requirement for a Reintegration Interview to be held on readmission. It would, however, be good practice to have a meeting with parents/carers, the pupil, and appropriate support services to be put a plan in place to support the pupil and avoid future exclusions. This could include a CAF or Pastoral Support Programme (please see Appendix 5)

Headteachers should note however that neither parents/carers nor a pupil can be required to meet specific conditions before reinstatement.

2.11 Provision of Education during the exclusion period (See DfE Guidance paras 28-30 and 43-49)

The Headteacher must also inform the parents/carers of the arrangements for the pupil's education during the period on the exclusion. For the first five days of any exclusion the school must provide work to be done at home and during this time parents/carers must ensure the child is not present in a public place during school hours without reasonable justification. If parents/carers fail to enforce this they may be subject to a fixed penalty notice or prosecution.

From the 6th day of any single exclusion the school must provide full-time education in an appropriate setting.

If the exclusion is permanent the Local Authority must provide education from the 6th day for primary age pupils, and the school or BAIP is responsible for this provision for those of secondary age.

3. Governing body's duty to consider an exclusion (see DfE Guidance paras 50-57)

These responsibilities would usually be delegated to a sub-committee of at least three governors, the Discipline Committee.

See flowchart **Appendix 1**

3.1. Responsibility of Discipline Committee

Where required or requested (see Flowchart Annex A, appendix 1) the governing body must hold a Discipline Committee within the required timescale.

This should consist of 3 or 5 governors who should have no previous knowledge of the case. It is not recommended that the Chair of the Governing Body should be part of this committee as Headteachers often discuss concerns with the Chair so impartiality could be an issue.

Ideally the Discipline Committee should be clerked by a person who is not a member of the school staff and will have had appropriate training (please contact Governor Services for details of courses).

The County Inclusion Manager should be invited to all Discipline Committees where the exclusion is permanent, and may on request be able to attend other Discipline Committees where the situation is particularly complex (please contact Carol Way to discuss).

The Discipline Committee is responsible for reviewing the decision of the Headteacher to exclude a pupil. It may be useful to use the Headteacher checklist in reviewing the exclusion as well as considerations below.

3.2 Fair Hearings and Natural Justice

It is important that the Discipline Committee provides all parties with a fair hearing and that the rules of natural justice are adhered to. Every effort should be made to ensure that this happens.

- Case should be clearly stated and evidence produced
- Confidentiality should be respected
- All parties should:
 - Have time to prepare and right of reply
 - Have the right to be represented or accompanied
 - Be able to ask questions and call witnesses
 - Be given reasonable opportunity to state case without unreasonable interruption
- All written material presented must have been seen by all parties
- If a new issue arises during the hearing, parties should be offered the opportunity to consider/comment
- No panel member should have
 - Any involvement in earlier stage of proceedings or
 - Been party to the original decision or
 - Have vested interest in the outcome of the proceedings

3.3 Discipline Committee Agenda:

- Chair welcomes and introduces all parties
- Headteacher puts case for exclusion
- Parents/carers may question Headteacher
- Panel may question Headteacher
- LA representative may question Headteacher
- Parents/carers make representation
- Headteacher may question parents/carers
- Panel may question parents/carers
- LA representative may question parents/carers
- LA may make representation
- Parents/carers may question LA representative
- Headteacher may question LA representative
- Panel may question LA representative
- Headteacher's concluding remarks
- Parents'/carers' concluding remarks
- Committee makes decision

3.4 Considerations for the Discipline Committee

The following checklist may be of assistance for the Discipline Committee in reviewing an exclusion. In balancing the needs of the individual against the broader interests of the other pupils and staff within the school, it is recommended that governors should consider:

1. **Quality of Evidence** - have the facts been established? Was a full investigation, involving appropriate witnesses, carried out? To what extent are the facts agreed between the relevant parties? How did the incident relate to the School's Code of Conduct / Behaviour Policy?

Was the pupil responsible for the behaviour that led to the exclusion? If there is serious doubt (governors should consider matters on 'the balance of probabilities') a reinstatement should be directed.

2. **Proportionate Response** - Was exclusion a reasonable and proportionate response to the behaviour? Was it fair in respect of sanctions imposed on any other pupils involved in the incident?
3. **Alternative Strategies** - If the exclusion was a response to an ongoing pattern of deteriorating behaviour, was it used as a 'last resort' after other strategies, including the involvement of outside agencies and support services, had failed?
4. **Mitigating Circumstances** - are there any factors arising from parental/carer representation e.g. special/medical needs, domestic circumstance; genuine remorse, loss of external examination opportunity?

It is particularly important that the Discipline Committee consider issues relating to disability, SEN, race, children in need and looked after children.

The Discipline Committee has limited powers to either uphold or overturn the Headteacher's decision to permanently exclude. No conditions can be attached to these decisions.

4. Independent Review Panels

This section must be read in conjunction with section 8 of the DfE guidance

This Review Panel replaces the old Independent Appeal Panel.

Following a Governors' Discipline Committee decision to uphold a permanent exclusion the LA or Academy Trust must, if requested by parents/carers, arrange for a review panel to be held within 15 school days of the parent / carer's request.

The panel must consist of 3 – 5 members representing each of the categories below:

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer.
- School governors who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or Headteachers during this time.
- Headteachers or individuals who have been a Headteacher within the last five years

In addition a clerk must be appointed who should not have served as clerk to the governors' Discipline Committee meeting, and should have the training required

by law and an up-to-date understanding of developments in case law, legislation and guidance which are relevant to exclusion. (See DfE Guidance paras 101-116)

SEN expert role (see DfE Guidance paras 117-125)

The new guidance requires that, if requested by parents/carers, the LA or Academy Trust must appoint an SEN expert to attend the panel. Parents/carers have a right to request the attendance of a SEN expert at a review, regardless of whether the school recognises that their child has SEN.

Remit of the Independent Review Panel

An independent review panel does not have the power to direct a governing body to reinstate an excluded pupil. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing body to reconsider its decision. If the governing body does not subsequently offer to reinstate a pupil, the panel will be expected to order that the school makes an additional payment of £4,000. This payment will go to the Local Authority towards the costs of providing alternative provision

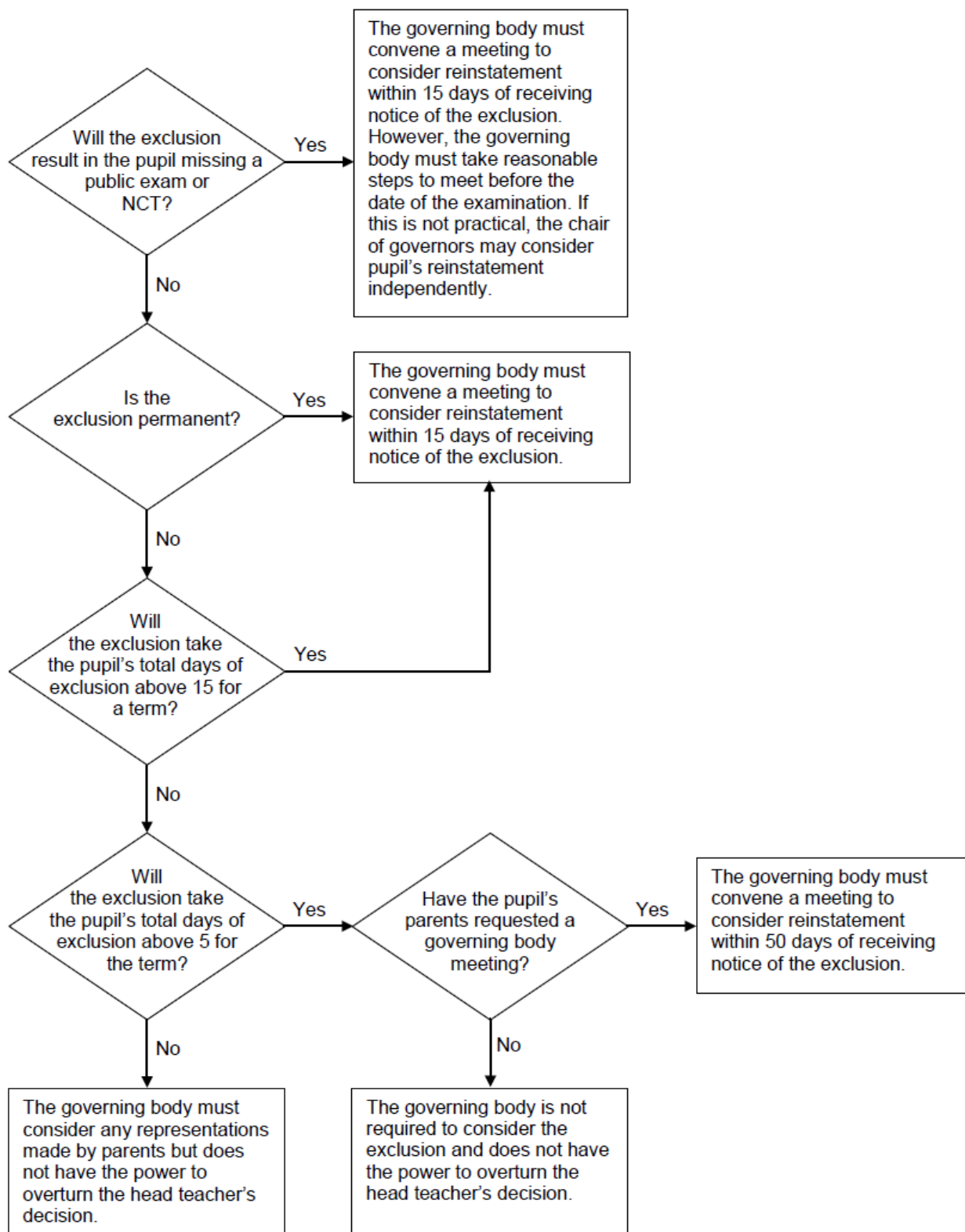
Local Authority Contact for further advice and support:

County Inclusion Manager:

Carol Way
01480-376302
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Appendix 1

Annex A – A summary of the governing body’s duties to review the head teacher’s exclusion decision



The governing body may delegate its functions to consider an exclusion to a designated sub-committee. References to days mean 'school days'.

Appendix 2

Letter A: MODEL LETTER TO PARENTS/CARERS: FIXED PERIOD EXCLUSION (UP TO AND INCLUDING 5 DAYS IN ANY ONE TERM)
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Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to exclude (James) for a fixed period of..... days. He has been excluded for the following reasons:

.....
.....

We have taken the following steps to try to avoid this exclusion:

.....
.....

[This brings the total days excluded this term to]

This means that (James) should not attend school until

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this – include if appropriate

.....
.....]

I will arrange for (James) to have school work during his exclusion and for this work to be marked. Please contact [.....] regarding these arrangements.

[You are invited to a meeting to discuss how James will be supported on his return to school on at

You have a right to make written representations to the Discipline Committee of the governing body. If you wish to make representations you should contact The Clerk to The Governors Discipline Committee at the school.

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice of £50 issued by the Local Authority.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Headteacher
cc. Chair of Governors

Letter B

MODEL LETTER TO PARENTS/CARERS FOR A FIXED PERIOD EXCLUSION (MORE THAN 5 DAYS UP TO AND INCLUDING 15 DAYS IN ANY ONE TERM)

Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to exclude (James) for a fixed period of days. He has been excluded for the following reasons:

.....
.....

We have taken the following steps to try to avoid this exclusion

.....
[This brings the total days excluded this term to]

This means that (James) should not attend school until.....

[You are invited to a meeting to discuss how James will be supported on his return to school on at]

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this)

.....
.....]

I will arrange for (James) to have school work during the first five days of his exclusion and for this work to be marked. Please contact [.....] regarding these arrangements.

If the exclusion is for longer than 6 continuous days the following should be included:

[From the sixth day (.....) until the end of this exclusion (.....) (James) is required to attend (insert details of location/venue) at these times (insert details of times) in order that he might access the full-time education which is being provided whilst he is excluded.]

You have the right to request a meeting of the Governors' Discipline Committee at which you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is [no later than 50 days from the date of the exclusion]. Please let us know as soon as possible if you wish to meet the Committee, or make a written statement, by contacting the Clerk to the Discipline Committee at the school.

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the first five days of the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice of £50 issued by the local authority.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Headteacher
cc. Chair of Governors
Inclusion Manager

Letter C

MODEL LETTER TO PARENTS/CARERS: FIXED TERM IN THE FIRST INSTANCE PENDING FURTHER INVESTIGATION/REFLECTION (signals possibility that exclusion may become permanent)

Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you that I am excluding (James) for a fixed period of days, in the first instance, to give me an opportunity to investigate the incident fully and decide if s/he should be permanently excluded. I shall be writing to you again in the next few days, [following the completion of my investigations], to explain my decision on what should happen next. The earliest that (James) should return to school is.....

(James) has been excluded for the following reasons:

.....

We have taken the following steps to try to avoid this exclusion

.....

[This brings the total days excluded this term to]

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this:

.....

.....

I will arrange for (James) to have school work during his exclusion and for this work to be marked. Please contact [.....] regarding these arrangements.

If the period of exclusion is likely to be six or more days this paragraph should be included:

[From the sixth day (.....) until the end of this exclusion (.....) (James) is required to attend (insert details of location/venue) at these times (insert details of times) in order that he might access the full-time education which is being provided whilst he is excluded.]

You have the right to:

- make written representation to Governors' Discipline Committee (if 5 days or fewer)
- request a meeting** of the Governors' Discipline Committee (if 6 – 15 days) where you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is..... [no later than 50 days from the date of the exclusion]. You may make a written statement in addition to, or instead of, meeting with the Committee.

(**school to delete as appropriate)

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the first five days of the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice of £50 issued by the local authority.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Headteacher

cc. Chair of Governors
Inclusion Manager

Letter D

MODEL LETTER FROM HEADTEACHER TO PARENTS/CARERS FOR A PERMANENT EXCLUSION

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am sorry to have to write informing you that I shall be recommending to the governors that (James) is excluded permanently from the school.

You will appreciate that this is not a decision taken lightly, but I believe it is necessary for the following reasons:

.....
.....

We have taken the following steps to try to avoid this exclusion

.....
.....
.....

[We are aware of (James) SEN. The following steps have been taken to make reasonable adjustments for this:

.....]

The exclusion comes into effect immediately and (James) should not return to school until the governors' Discipline Committee has met to consider the matter.

The Clerk to the Discipline Committee will be arranging this meeting within the next 15 school days, and you will be invited to attend. You will have a right to make a statement to the Committee, either orally or in writing. I will also be providing a full report to the meeting which will be forwarded to you by the clerk to the discipline committee. It is perfectly acceptable if you wish to be accompanied by a friend or be represented.

In the meantime, I am arranging for (James) to have school work to do at home for the first five days of this exclusion, and for this work to be marked. Please contact [.....] who will discuss the practical details with you.

From the sixth day of this exclusion onwards

- (insert date) the local authority will provide full-time education for (James). You will be contacted with details of this provision (for Primary Schools)
- (James) should attend for his education; will contact you with details of this provision (for Secondary Schools)

[(where the pupil lives in a local authority other than the excluding school's local authority) I have also informed (name of officer) at (local authority) of your child's exclusion and he/she will be in touch with you about arrangements for (James') education from the sixth day of exclusion.]

You have the right to see your child's school records. If you wish to pursue this in advance of any Discipline Committee meeting, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the first five days of the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice of £50 issued by the local authority.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January.

Yours sincerely

Headteacher
cc Chair of Governors
Inclusion Manager

Letter E

MODEL LETTER FROM THE CLERK INVITING PARENTS/CARERS TO DISCIPLINE COMMITTEE MEETING TO REVIEW FIXED PERIOD OR PERMANENT EXCLUSION

Dear (Mr and Mrs Smith)

James Smith

I refer to the letter from the Headteacher dated concerning James' exclusion from school.

The School's Governors' Discipline Committee must meet to review any exclusion which exceeds fifteen days in any one term, and will meet at the request of parents/carers where an exclusion exceeds five days/permanent exclusion.

The meeting to review (James') exclusion will be held aton at the school. You may bring a friend or be represented. (James) will also be welcome to attend.

[For permanent exclusion: The Governors' Disciplinary Committee must meet to decide whether to reinstate (James) or confirm the Headteacher's decision, and this meeting will be held at.....]

If you intend to submit a written report, please send it to be received no later than..... This will enable me to circulate it to all parties in advance of the meeting, together with relevant information from the Headteacher, which I will be sending to you at the same time. Please send your report to:

The Clerk to the Discipline Committee,
(School Name and Address here)]

[Please return the slip below to advise us whether or not you will be attending.]

Yours sincerely,

Clerk to the Governors' Discipline Committee

Reply slip here if appropriate

NOTE

It is important is to ensure that all parties receive information at the same time, in advance of the hearing. This enables parents/carers the opportunity to prepare fully in response to the Headteacher's statement.

Letter F

MODEL LETTER TO PARENTS/CARERS FOLLOWING MEETING OF DISCIPLINE COMMITTEE TO WHICH PARENTS/CARERS HAVE MADE REPRESENTATION AND GOVERNORS DECIDED FIXED TERM EXCLUSION WAS INAPPROPRIATE (signed by the Chair or Clerk)

Dear (Mr and Mrs Smith)

James Smith

I refer to the meeting of the Governors Discipline Committee which took place on.....when the question of (James') fixed term exclusion from this school was considered.

The Governors Discipline Committee considered the case presented by the Headteacher very thoroughly. They [also considered the representations made by yourself and the representative of the Local Education Authority and] came to the conclusion that in the circumstances the Headteacher's decision to exclude (James) was inappropriate.

The Governors Discipline Committee has therefore asked the Headteacher to attach the following note to the letter recording (James') exclusion on his file.

The Governor's Discipline Committee which met on..... to consider the fixed term exclusion of (James Smith) decided not to support this exclusion for the following reasons

.....
.....
.....
.....
.....

and instructed the Headteacher to attach this note to the record of exclusion on his file.

[Thank you for taking time to meet with the Governors]. We are pleased that (James) is now back in school and hope that he continues with his school career in a positive and purposeful way.

Yours sincerely

Clerk to the Governors Discipline Committee

Letter G

MODEL LETTER TO PARENTS/CARERS FOLLOWING MEETING OF DISCIPLINE COMMITTEE TO WHICH PARENTS/CARERS HAVE MADE REPRESENTATION AND GOVERNORS DECIDED FIXED TERM EXCLUSION WAS APPROPRIATE (signed by the Chair or Clerk)

Dear (Mr and Mrs Smith)

James Smith

I refer to the meeting of the Governors Discipline Committee which took place on, when (James') fixed term exclusion was considered.

The Governors Discipline Committee considered the case presented by the Headteacher very thoroughly. They [also considered the representations made by yourself and the representative of the Local Education Authority and] came to the conclusion that in the circumstances the Headteacher's decision to exclude (James) was appropriate. The Governors came to this decision for the following reasons:

.....
.....
.....
.....
.....

[Thank you for taking time to meet with the Governors]. We are pleased that (James) is now back in school and hope that he continues with his school career in a positive and purposeful way.

Yours sincerely

Chair/ Clerk to the Governors Discipline Committee.

Letter H

MODEL LETTER FROM CHAIR OF GOVERNORS' DISCIPLINE COMMITTEE TO PARENTS/CARERS CONFIRMING REINSTATEMENT FOLLOWING PERMANENT EXCLUSION HEARING

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith),

James Smith

I refer to the meeting of the Governors Discipline Committee on [.....], when the question of (James') exclusion was considered.

I am pleased to be able to inform you that after careful consideration the governors agreed that (James) should be reinstated for the following reasons

.....
.....
.....

I have asked the Headteacher to make contact with you as soon as possible to make the necessary arrangements.

Yours sincerely,

cc. Headteacher
Inclusion Manager

Letter I

MODEL LETTER FROM THE GOVERNORS' DISCIPLINE COMMITTEE TO PARENTS/CARERS CONFIRMING PERMANENT EXCLUSION (signed by the Chair or Clerk)

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I refer to the meeting of the Governors Discipline Committee on [.....], when the question of (James') permanent exclusion was considered. You are aware that the governing body has the power to order re-instatement, but I regret to inform you that on this occasion the panel has decided that the Headteacher's decision to exclude should be upheld.

The governors have come to this decision for the following reasons

.....
.....
.....

You have a right to make representations to an Independent Review Panel where you can make oral and written statements.

In addition if you believe the exclusion relates to your child's special educational needs you may request that the Local Authority / Academy Trust should appoint an independent SEN Expert to attend the Panel; this SEN expert's role is to provide impartial advice on how SEN may be relevant to the exclusion.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

You will need to write to the Local Authority (for Maintained Schools) or The Academy Trust (for academies) (Schools to delete as appropriate) to confirm your intention to request a review by [this should be 15 school days from notification of decision].

[You have a right to make this request even though you did not attend the meeting of the Discipline Committee].

Yours sincerely,

cc. Headteacher
Inclusion Manager

Letter J

MODEL LETTER TO PARENTS/CARERS FOR A LUNCHTIME EXCLUSION

Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to exclude (James) **at lunchtime** for a fixed period of days. He has been excluded for the following reasons:

.....

We have taken the following steps to try to avoid this exclusion

.....

[This brings the total number of days excluded at lunchtime this term to]

This means that (James) should not attend school at lunchtime until

[We are aware of (James) SEN. The following steps have been taken to make reasonable adjustments for this:

.....]

You have a right to make [written] representations to the Discipline Committee of the governing body. If you wish to make representations you should contact The Clerk to The Governors Discipline Committee at the school.

(Lunchtime exclusions ‘count’ as half a day, so if the lunchtime exclusion extends for a period in excess of 10 school days the following paragraph should be substituted:

You have the right to request a meeting of the governors’ Discipline Committee at which you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is [no later than 50 days from the date the Committee is notified]. Please let us know as soon as possible if you wish to meet the Committee, or make a written statement, by contacting the Clerk to the Discipline Committee at the school.)

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[(You should also be aware that if you think the exclusion relates to your child’s SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

A Local Authority officer, with responsibility for exclusions who can provide you with advice on the exclusions process is:

Carol Way 01480 376302

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Headteacher
cc. Chair of Governors

Letter K
MODEL LETTER TO PARENTS/CARERS FOLLOWING AGREEMENT OF A MANAGED MOVE

Dear (Mr and Mrs Smith)

James Smith

Following our meeting on [date of meeting where managed move was agreed] I am writing to confirm to you that we will be seeking a managed move for (James). This means that, if successful for the first fifteen weeks, (James) will be permanently transferring to another school.

(James) is being managed moved for the following reasons:

.....

We have taken the following steps to try to avoid this managed move:

.....

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this:

.....

.....]

Whilst (James') managed move is being arranged he will remain on our roll. His education will be provided (insert here how the student will receive education. It may be that they remain in school, attend off site provision etc. It must be clear how the student will access their education).

A Local Authority officer with responsibility for exclusions who can provide you with advice on the managed move process is:

Carol Way 01480 376302

Yours sincerely

Headteacher
cc. Chair of Governors
Inclusion Manager

Appendix 3

Managed Move Protocol

Note that this protocol does not apply for students with a statement of special educational needs who are subject to separate guidance.

1. Purpose

The purpose of a Managed Move is to provide a positive alternative to permanent exclusion. A carefully planned transfer to another school, with the agreement and cooperation of all involved provides the opportunity to secure a more positive and creative outcome for everyone. It is important to recognise that this process will not happen overnight but that the transfer should not take longer than 6 weeks from initial discussion to beginning at another school. During this period the pupil remains on the roll of the original school and that school retains responsibility for providing appropriate education.

Managed Moves will be underpinned by a data collection exercise designed to ensure that, in compliance with the Code of Practice on Admissions, there is fairness in the number of approaches made to individual schools. This data will be available to schools on request and will be published on a termly basis via CPH and CSH Inclusion groups. No one school is expected to admit a disproportionate number of students with challenging behaviour over time.

This protocol applies to all Cambridgeshire Schools with the exception of Special Schools. Pupils reintegrating into a mainstream school from an EOTAS school will only be counted against an EOTAS school if they are solely registered there. If the reintegration to a new school is as the result of a failed reintegration to their original school the Managed Move will be logged as a move from the original school.

The process of a Managed Move and Request Form can be found later in this document.

2. Definition

A Managed Move is where a student may transfer to another school or provider where the Headteacher believes that the criteria for permanent exclusion have been met, but that at the same time believes that the pupil could succeed in another mainstream setting.

Guidance regarding the Managed Move process and the steps which must be followed before a Managed Move can be agreed can be found in this Exclusions Guidance.

It requires the agreement of the parent/carer of the pupil, the current school, and the Local Authority Inclusion Officer.

A Managed Move involves the pupil remaining on the roll of their original school while trying a time limited fresh start opportunity at another near-by school. This time limit will usually be for a period of 15 weeks from the time they are admitted

on a full-time basis to the new school. If successful the pupil transfers from the roll of their original school to that of the receiving school. If unsuccessful the pupil returns to their original school where they have remained on roll. Both schools are responsible for the success of the Managed Move and are equally responsible for the Managed Move arrangements alongside the LA.

Prior to a Managed Move taking place, it is the responsibility of the school and the Inclusion Officer managing the case, to inform the parents/carers of their rights in this process. Parents/carers, the school and the LA are required to agree to the Managed Move before it can take place. This must be confirmed by both the Managed Move Referral Form being completed and signed by all parties, and the letter confirming the Managed Move being issued by the school.

Where a Managed Move is being considered either grounds for permanent exclusion should already apply, or the Headteacher feels that a Managed Move is the last remaining option in order to avoid this eventuality, and it is felt by the parties concerned that the child can succeed in mainstream education. In all cases a Common Assessment Framework (CAF) should be completed for the child concerned, unless a specialist assessment has already been completed e.g. Social Care Assessment.

Where the parent/carer or the LA does not agree to a Managed Move the Headteacher must decide if the permanent exclusion process would apply. Parents/carers should never be pressured into removing their child via a Managed Move from a school under threat of a permanent exclusion. Discussion around a permanent exclusion or Managed Move should not come as a surprise to a parent/carer as they should be involved in any ongoing discussion and planning about their child and his/her behaviour. The exception to this will be where there has been a one off serious incident that may necessitate a move.

3. Situations where a Managed Move may be appropriate

A Managed Move will normally only be considered when all of the following are in evidence:

- The Headteacher is confident that the school has done all that it can to support the inclusion of the pupil and there are valid grounds for permanent exclusion. This should include exhaustion of all school strategies as outlined in the PSP and the Individual Education Plan (IEP) (with involvement from the In School Support Staff or Specialist Teaching Team), Personal Education Plan (if the child is looked after) and a CAF is in place. DfE guidance suggests that a PSP must have been in place for some time (16 weeks example guide) unless a serious and unexpected breach of the school Discipline Policy occurs. The exception to this is where there has been a serious one-off incident.
- The LA must agree with this position. This will be agreed either by the County Inclusion Manager or the appropriate Managed Move Officer (It may on rare occasions be the case that the LA disagrees with the school's assessment. The LA would not sanction a Managed Move in such circumstances but expect the school to exclude the pupil permanently so that the school's decision could be tested through formal processes);

- The parent/carer of the student has agreed to a managed move. A parent/carer can withdraw their support for a Managed Move at any point if they are unhappy. Should this happen the pupil will return to the referring school;
- Professionals working with the student believe that a change in school may result in improved behaviour;
- There is a consensus that mainstream education is still appropriate.

4. Process for submitting a Managed Move Referral Form for consideration by the In Year Fair Access Panel.

All referrals for Managed Moves should be authorised by the County Inclusion Manager, and all documents sent to her electronically.

This email will be forwarded to the Clerk to the Panel, confirming that this should be processed.

The Clerk to the Panel will check for the completeness of the referral, which includes;

- The fully completed and signed referral form;
- A copy of the CAF for this child;
- A copy of the letter from the referring school confirming that a Managed Move has been agreed; and
- Further information relevant to the case, including full details of the events which have led up to decision to a Managed Move being made.

5. Criteria for selection of receiving school

It is important that all schools are asked to admit a balance of pupils under the In Year Fair Access Protocol (IYFAP). The Managed Move protocol forms part of this Protocol.

The identification of a possible alternative school will be determined by the In Year Fair Access Panel (Panel), using the preferences expressed by the parent/carer on the Managed Move Referral Form. The process and criteria for determining the appropriate school is shown in the In Year Fair Access Protocol Appendix 9 (Officer Panel – Constitution and Terms of Reference).

The identity of the school to be approached will be communicated to the County Inclusion Manager, by the Clerk to the Panel. Coordination and monitoring of the Managed Move will be undertaken by the County Inclusion Manager or a named LA officer, if this is felt to be more appropriate. Further details are available in the flow chart later in this document.

The Panel will make a decision on the basis of the following factors and taking account of professional advice from the referring school and “possible” schools, the Managed Move form and appropriate professionals:

- Parental/carer preference;
- Geographical proximity and potential transport costs;
- Frequency of approach to alternative schools.

- The number of inward moves in the relevant year group under IYFAP
- The number of moves in proportion to the size of the school

A parent/carer does not have a choice of school but parental preference should be taken into account in this process where possible. If a parent/carer is supportive this is more likely to make the placement successful and parents/carers may have relevant reasons for preferring specific schools (e.g. previous relationships between pupils). These considerations should be included on the managed move form that is completed once the move has been agreed. A parent/carer can withdraw their support of a Managed Move at any point. If this happens the child will revert to their original school.

- Transport will be provided where the alternative provision is beyond statutory walking distance or the walking route to school is deemed unsafe (in accordance with the County Council's Home to School transport Policy) **and** there is no appropriate provision available within statutory walking distance or via a safe walking route.
- When transfer to the receiving school is agreed by all, the student will be placed on that school's roll from the day they start. Categories of registration are listed below.
- The receiving school should continue, or commence, the PSP and CAF process to ensure a high level of support for the pupil on transfer. Reviewing the PSP and CAF regularly should make up part of agreed transfer meetings to assess how the move is working.

6. Responsibilities, Funding and Registration arrangements during a Managed Move

While a managed move is being arranged the original school retains responsibility for full time education of the child. Education can take place either on or off site. It must be clear where the education is being provided and how it will be provided. Attendance registers will be marked accordingly. Until the Managed Move is complete (i.e the pupil has fully transferred onto the roll of the new school) only the Headteacher of the referring school is able to exclude the pupil.

An agreement must be drawn up at the beginning of the Managed Move to make clear the roles and responsibilities of all parties, timescales, strategies/sanctions to be used etc. This should be part of the PSP and CAF processes. The In School Support Service (Secondary) or Specialist Teaching Service (Primary) must be involved in this to support the move.

A decision must be agreed in regard to school uniform for the transferring child. This agreement should be part of planning prior to the move.

If a child has had any fixed term exclusions at the original school the number of days exclusion for that academic year must follow the child. It is important that this is clear so that the receiving school are aware of any possible trigger points for calling a Discipline Committee.

During the initial 15 week period the original school maintains the pupil's record with an Enrolment Status of "M" (Main dual-registration).

The receiving school maintains the pupil's record with an Enrolment Status of "S" (Subsidiary dual-registration). The receiving school must liaise with the original school re: provision and attendance so that both rolls can be accurately marked. It is the responsibility of both schools to ensure that the pupil is correctly registered so that it is clear where the student is attending.

Funding in the form of AWPU will follow the pupil at the current agreed rate. When a pupil is placed in another school, through a Managed Move, the receiving school will invoice the referring school for the appropriate pro-rata amount at the end of the next calendar month after transfer.

If the pupil placement breaks down within the agreed timescales the pupil will return to the original referring school. If the move is successful the pupil should fully transfer to the roll of the receiving school at the end of the initial 15 week period, or earlier if everyone is in agreement with this. Schools must make sure that their roll is updated accordingly.

7. Other school responsibilities

- Schools **must not** suggest to parents/carers that they should seek another school via an In Year Application to avoid permanent exclusion or Managed Move. It is the responsibility of the Headteacher to ensure that this does not happen.
- Schools are expected to respond positively to requests to accept students on managed moves.
- When an exit strategy is thought necessary the Headteacher must discuss this with the County Inclusion Manager before any action is taken in this regard

8. Monitoring and quality assurance arrangements

The LA will collect and publish information termly on the number of managed moves made and accepted on a school by school basis.

The LA will collect and publish termly the number of transfers being made on a school by school basis where the address of the student has not changed.

Whilst the principles set out above will continue to apply, the LA will from time to time review the detailed arrangements in consultation with Headteachers.

9. Responsibility for the coordination of Managed Moves

LA Responsible Officer: Carol Way
Managed Move process

MANAGED MOVE REQUEST FORM

<u>Type of Move:</u>						
1. This section should be completed and passed to Admissions before any school is approached as a possible receiver						
<u>Part A – To be filled in by referring school</u>						
Date of Request						
LA Managed Move Officer		Headteacher				
Name of Pupil		DOB				
Ethnicity		Sex				
Name of Parent/Carer		Relationship to child				
Address of Parent/Carer						
Contact Numbers: Home: Mobile: Work:						
Current School		School Year				
School Contact Person		Contact Details				
Pupil's SEN Status		Statement				
Is the Pupil Looked After?						
Does the Pupil receive free school meals?						
Date of CAF		Lead Professional:				
Date of PSP						
Number of Reviews		Most Recent Review to Date				
Previous schools attended (including those outside of Cambridgeshire) if known:						
Name			To		From	
Name			To		From	
Name			To		From	
<u>Concerns</u>						
Incidents in school that have given rise to concern:						
Other (Please Specify):						
Total Number of Exclusions this Academic Year:						

Strategies

Please briefly outline what positive strategies have been used to support the inclusion of this pupil prior to Managed Move request and any sanctions that have been used:

Any issues that may affect the success of a Managed Move at any school. Please give reasons:

Academic Ability – Teacher Assessments

Please comment upon the pupil's progress in the following subjects with reference to National Curriculum attainment levels. Please also give a general comment.

KS 1/2/3 (See KS 4 separately)

Key Stage Level	
-----------------	--

Subject	NC Level	Teacher Assessment/comment
---------	----------	----------------------------

English		
---------	--	--

Maths		
-------	--	--

Science		
---------	--	--

ICT		
-----	--	--

Overall Estimate and other appropriate information		
--	--	--

KS4 Only

GCSE etc currently being undertaken by the pupil. Please list subjects and include details of examination board/syllabus etc

Current assessment of performance – please indicate most recent assessment results, for example modular tests and portfolio assessments

Agency Involvement

Please indicate if the following agencies are involved with the pupil

Social Care	<input type="checkbox"/>	Contact:
CAMHS	<input type="checkbox"/>	Contact:
YOS	<input type="checkbox"/>	Contact:
Locality Team	<input type="checkbox"/>	Contact:
Health	<input type="checkbox"/>	Contact:
Other (please specify)	<input type="checkbox"/>	Contact:

Headteacher Signature	
------------------------------	--

Print Name		Date	
-------------------	--	-------------	--

County Inclusion Manager Signature	
---	--

Print Name		Date	
-------------------	--	-------------	--

Part B – To be filled in by the Pupil’s parent/carer

I have attended a review meeting of my child’s progress and agree that a Managed Move to an alternative school is my preferred option. I would like to express a preference for the following school. I understand that my preference will not necessary be able to be met.

Preferred alternative school:			
Parent/Carer Signature		Date	
Parent/Carer Signature		Date	
Pupil Signature		Date	

2. This section should be completed by the Admissions Team with assistance from Education Transport and passed back to Senior Admissions Officer

Admissions Officer				
Contact Number				
Possible Receiver Schools				
School	Distance from home (miles)	Place available?	Method of transport	Cost – per annum & for planned time at that school

3. This section should be completed by the Senior Admissions Officer

Part A – to be filled in by Admissions

Identified School/Schools			
Please give reasons as to why this school has been identified to be able to accept this child and any reasons as to why any other possible receiver schools should not take this child.			
Signature of Senior Admissions Officer:		Date	

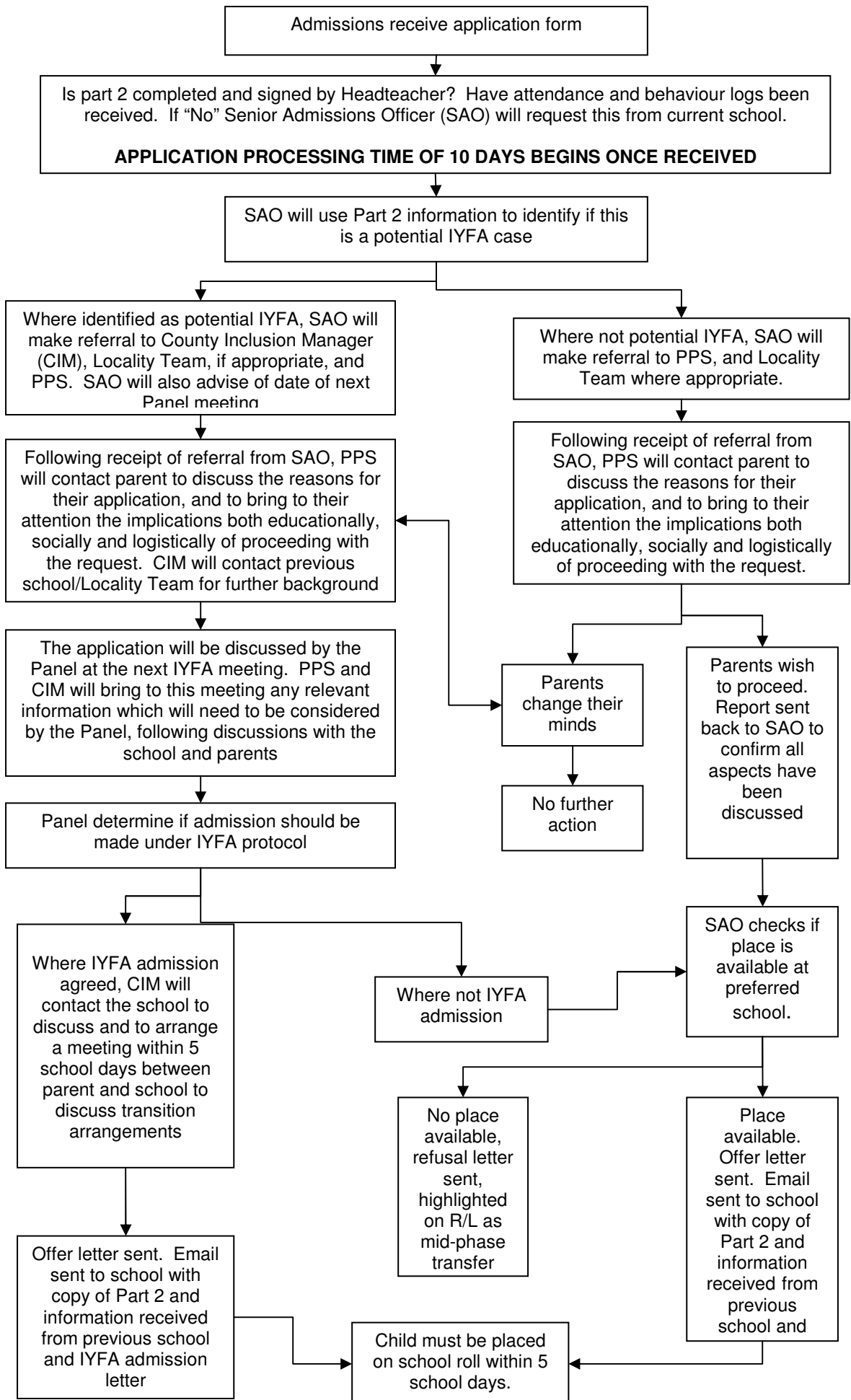
Part B- to be filled in by Admissions

Date of contact with proposed school by Admissions	
Date transfer to proposed school is agreed in principal	
Date Information passed to Managed Move Officer to take forward	

4. This section to be completed by Managed Move Officer and Headteacher of receiving school

Name of Receiving School			
Headteacher			
School Contact Person		Contact Details	
Date of meeting to agree planning and start date for Managed Move		Agreed Start Date for pupil	
Headteacher's Signature		Date	
Managed Move Officer Signature		Date	

**Appendix 4
PROCESS FOR MID-PHASE TRANSFER REQUEST – WHEN NO HOUSE MOVE**



Use of Pastoral Support Plan

When to use

The CCC PSP should be used when school based support systems appear to be having little or no effect on a student's behaviour and the student is at risk of permanent exclusion. Time should be given to having a genuine look at all aspects of the student's life so that new strategies and support mechanisms can be developed.

Before the meeting:

- Send parent/carer invite to meeting and 'Parents' Questions Answered'
- Complete basic data part of the PSP form (admin task)
- Complete questionnaires with student and parents/carers (done by ISST?)
- Check out learning needs with SENCO and if necessary test student appropriately
- Have up to date information from subject teachers as to student's progress

Attendance at PSP meeting:

- Student (All or part of meeting, depending on students ability to cope in this formal situation)
- Parent/s/carer/s
- Member of pastoral team/SENCO - as appropriate
- School/College Senior Leader
- In School Support Teacher
- Representatives of other agencies – as appropriate

Running a PSP meeting

- Most appropriate person to chair (Senior Leader/In school support teacher)
- Where possible maintain a clear separation between the 'Return from Exclusion' meeting and the PSP meeting (Different time, different personnel)
- Seating to reflect shared aims, not blocks of interests
- How is the child supported during the meeting – sympathetic adult?
- Start by introducing people (if necessary LABEL them)
- Clarify roles and responsibilities
- Tight, concise chairing

During the meeting

- Start from a position of student strengths
- Discuss
 - Interests
 - Concerns
 - Support Strategies- school, parent/carer, other agencies
 - Targets: Based on pupil perceptions of problems, not imposed by school/college
 - Rewards
 - Sanctions
 - Time frames: Duration of programme and frequency of meeting
(Appoint lead person to be responsible for monitoring and reviewing)
- Summarise at the end and confirm all parties know what they have agreed to do. (Make sure all attendees receive a copy of the PSP)
- Ascertain by sensitive questioning that the young person has understood the process and their role.
- Confirm review dates and channels of communication

Parent's Frequently Asked Questions - Primary



What is a PSP?

The Cambridgeshire County Council (CCC) Pastoral Support Plan is designed to support a child at risk of being permanently excluded from school. It is a plan to help ensure that all adults involved in the child's education understand their role in supporting him /her and that the child knows what is expected of them, the support that is available for them and the targets they need to reach.

When is it used?

This is used when many strategies will have been put into place already, such as the school's usual behaviour support systems and there have been a number of fixed term exclusions. In some cases it may follow one very serious incident.

Whose plan is it?

It is drawn up jointly by the school, the parents or carers, the Specialist Teacher from the Support for Learning Team and possibly any other professionals working with the young person. The child is encouraged to participate in the process at an age appropriate level.

What is a Specialist Teacher?

This is a teacher who is not employed by the school but by Cambridgeshire County Council. They have wide experience in a variety of schools and form part of a countywide service with expertise in managing behaviour and inclusion. Their job is to provide advice and support to the school for identifying strategies to help the child develop more acceptable ways of behaving and to engage with learning.

Will we really get a chance to put our views?

The Specialist Teacher will get the views of parents and carers and the child in separate discussions before the plan is drawn up. This will ensure that everyone's view is heard. When the meeting gets underway there will be further opportunity for your views to be taken into account.

How does it work?

After listening to the views of all concerned there will be a discussion. Targets will be agreed to address the key areas of concern taking into account the views previously given by the child. Everyone will be asked to identify the contribution they are going to make to support the child in achieving their targets. This may involve incentives, rewards, sanctions, it might identify additional staffing that the school may be able to allocate for supporting the pupil, for example by offering a key person to act as a mentor within the school. A date will be made for the first in a series of formal reviews of the plan involving the same group of people.

When does it work best?

When parents, carers and the school can agree on the plan and follow it through.
When the child is engaged in the process and strategies agreed are applied consistently.

Parent's Frequently Asked Questions - Secondary

What is a PSP?

The Cambridgeshire County Council (CCC) Pastoral Support Plan is designed to support a young person at risk of being permanently excluded from school. It is a plan to help ensure that the young person knows what is expected of them, the targets they need to reach and what support they will have around them.

When is it used?

This is the last resort before a student is required to leave the school. It is likely that many strategies will have been put into place already, such as isolation, fixed term exclusions, the schools behaviour support strategies. In some cases it may follow one very serious incident.

Whose plan is it?

It is drawn up jointly by the school, the young person and their parents or carers, the In School Support Teacher and possibly any other professionals working with the young person.

What is an 'In School Support Teacher'?

This is a teacher who is not employed by the school but by the CCC Locality Team. They have wide experience in a variety of schools and form part of a countywide service with expertise in managing behaviour and inclusion. Their job is to be an ambassador for the young person, help them with strategies to improve their behaviour and to negotiate with the school.

Will we really get a chance to put our views?

The In School Support Teacher will get the views of parents and carers and the young person in separate discussions before the plan is drawn up. This will ensure that everybody's view is heard. When the meeting gets underway there will be further opportunity for your views to be taken into account.

How does it work?

After listening to the views of the school there will be a discussion. Following this the young person will be invited to suggest targets for improvement. These are written down. Everybody will be asked to identify the contribution they are going to make to support the young person in achieving their targets. This may be by offering a key person to act as a mentor within the school, it might involve sanctions, rewards, incentives, an amended timetable – and in some cases extra resources can be identified to support the student. A date will be made for the first in a series of formal reviews of the plan involving the same group of people.

When does it work best?

When parents, carers and the school can agree on the plan and follow it through. When the young person really wants things to get better and is prepared to make some changes.

Pastoral Support Plan – PSP



School:	Date of Meeting:	Name of Student:	Gender	
			M	F
Form / Tutor Group:		Date of Birth:		
SEN Status: School Action/School Action Plus		Statement	Current Hours of Support: ____	
No. of FTE in last 12 months: ____		Days of Internal Isolation in last 12 months: ____		
Is the Child Looked After: Yes / No By Local Authority		Ethnicity	Interpreter: Yes / No	
			Language:	
CAF	Yes/ No			
Lead Professional:		Contact No.		
Parent/Carer:		Contact No.		

KS1	Grade	KS2	Grade	KS3	Grade	KS4	Grade
English		English		English		English	
Maths		Maths		Maths		Maths	
Science		Science		Science		Science	

Reading Age	Spelling Age	Tests Used	Date Tested

Other Agencies Involved:	Name of Contact:
Education Welfare Service	
Educational Psychologist	
Social Worker	
Youth Worker	
CAMHS	
Youth Offending Service	
Parent Support Advisor	
Other (please specify)	

Cont'd...

STUDENT STRENGTHS
(School, parents/carers, student, peers, others)

CURRENT CONCERNS AS IDENTIFIED BY SCHOOL/COLLEGE:

STRATEGIES USED TO DATE:

Cont'd...

PLAN:

<p>Student: Key Targets for Improvement:</p>	
<p>Support to be provided by School/College:</p>	<p><u>Action By:</u></p>
<p><u>Support to be provided by Parent/Carer:</u></p>	
<p><i>This PSP is set up for _____ weeks</i> Review date: _____ Interim review arrangements with student: _____</p>	

Signature:

Print Name:

School: _____

Position: _____

Student: _____

Parents/Carers _____

In School Support Teacher: _____

Pastoral Support Plan

Parent / Carer Questionnaire

School:	
Name:	Form/Tutor Group:
<p>What do you think are <i>(child's name)</i> best qualities:</p> <p>What sorts of things worry you about <i>(child's name)</i>?</p> <p>How is <i>(child name)</i> behaving at school?</p> <p>What do you think could be done to help <i>(child's name)</i> at school?</p> <p>How is <i>(child's name)</i> behaving at home?</p> <p>What else would you like us to know?</p> 	
<p>Signed: Date:</p>	

Pastoral Support Plan



Student self-assessment sheet

Name Tutor Group

The school has major concerns about your behaviour. Information will be gathered from your teachers and parents/carers and a plan will be drawn up to support you staying in mainstream education. We would like to consider your views.

My best lesson is: This is because
(please tick)

- I can do the work
- I like the teacher
- I like the way we learn
- I am interested in the subject
- The teacher makes me work
- The teacher makes me behave
- I think the subject is important for my future
- I have been told I am good at this subject
- I have been given rewards in this subject
- I have TA help

Other lessons I like are:

Subjects

Reasons I like this subject

.....

.....

.....

My worst lesson is: This is because
(please tick)

- I find the work too hard
- The lesson is boring
- The work is too easy
- The teacher lets people behave badly
- I feel embarrassed in this subject
- I have been told I am no good at this subject
- I do not get enough help
- I do not get on with the teacher
- I do not think the subject is important for my future.
- Other lessons I dislike are:

Subject**Reasons I do not like this subject**

.....

.....

.....

Your teachers are giving us information. Which of these behaviours do you think they will have seen from you? Please tick and be as honest as you can.

- Arriving late to lesson
- Poor attendance
- Truancy
- Lack of equipment
- Slow to settle to work
- Incorrect uniform
- Talking to friends when teacher is talking to class
- Calling out answers
- Tapping or making noises
- Refusing to accept help
- Looking sleepy
- Interfering with property of others
- Wandering around the classroom
- Intimidating other students
- Assaulting other students
- Not cooperating with other students
- Refusing to follow instructions
- Arguing with staff
- Little or no effort made
- Using foul language
- Not attending detentions

At break/lunchtime and around the school:

- I get into fights with other students
- I am bullied
- I have something to eat
- I have nowhere to go
- I do not get into trouble
- I get into trouble because I smoke
- People pick on me
- I like to be active
- I get bored
- I would like somewhere quiet to go

Your parents/carers will be giving us information too.

Tick the following if it applies to you:

- I usually behave well at home
- I always behave well at home
- I do chores to help out at home
- I have trouble getting to sleep
- I am not at home very often
- I spend most of my time in my room
- We go out as a family
- I mostly get on with my sibling/s
- I have fights with my sibling/s
- My parents/carers always believe what the teachers say
- My parents/carers usually back me up
- My friends are very important to me
- I am often tired
- My family are more important than my friends
- I can talk to a parent/carer about my problems
- Nobody understands me at home
- My parent/carers are strict
- I know how to get round my parents/carers

Do you find it difficult to do homework?

- I have never done homework
- I do not care if I get behind at school
- I do not have anywhere to work at home
- I do not have a set time I do homework
- Nobody gives me any help with my homework
- Other reasons:

Please choose and tick the following to show what you feel:

- My parents/carers would be pleased if I did better at school
- My friends would tease me if I changed my behaviour in lessons
- I don't care about school
- I would like to do better at school

Teachers could help me by

.....
.....
.....
.....
.....

My parents/carers could help me
by.....

.....
.....
.....
.....

My friends could help me by

.....
.....
.....
.....
.....

Student signature

Date



PASTORAL SUPPORT PLAN REVIEW SHEET

Name of Student: **Date:**

Progress on targets:	Met	Working Towards	Little or No Progress
Target 1: Comment:			
Target 2: Comment:			
Target 3: Comment:			
Target 4: Comment:			

Current issues of concern:

New Targets:

Signature: _____ **Print Name:** _____

Position: _____ **School:** _____

Parent/Carer: _____ **Student:** _____

In School Support Teacher _____

Review Date:

Guidance for Schools on the use of part-time timetables

1. Purpose

- 1.1 This guidance is to support senior staff in schools on the appropriate use of part-time timetables within the current legal and safeguarding framework.
- 1.2 It has been prepared to assist in ensuring that pupils on part-time timetables receive their full entitlement to education in an accessible way, whilst acknowledging the needs of schools to have a range of options to offer disaffected young people.
- 1.3 It also aims to ensure that schools fulfill their legal and safeguarding responsibilities by the correct use of registration codes.

2. Safeguarding

- 2.1 Schools have a duty of care for all pupils who are on their roll. They must ensure that when pupils are not expected to attend the school site there is a clear agreement with parents or alternative education providers about who is carrying out that duty of safeguarding the pupil at each session.

3. Children Missing from Education

- 3.1.1 The Local Authority has a statutory responsibility to identify and track pupils missing from education or at risk of becoming missing from education. Pupils on part-time timetables are vulnerable to becoming missing from education. The effective monitoring of these pupils requires robust information sharing between schools and CYPS in order to identify and track vulnerable pupils.

4. Scope

- 4.1 This guidance relates to:
 - Pupils for whom schools wish to establish a part-time timetable as a temporary means of managing the impact of their challenging behaviour or responding to and preventing increasing disaffection;
 - Pupils subject to a planned reintegration into school following a period out of school, e.g. following an extended fixed term or permanent exclusion, an extended period of school-refusal or a managed transfer between schools;
 - Re-integration of pupils following a change of placement e.g. SEN pupils, EAL pupils new to the country, home tuition during prolonged medical absence
- 4.2 The guidance **is not** intended to be applied to those pupils where a flexible learning programme has been put in place (See section 9, Alternative Curriculum) or where flexi-schooling has been requested by the parent and formally agreed to by the school.

5. Legal Position

- 5.1 The Local Authority has a statutory duty to secure a full-time education, appropriate to their needs, for all pupils deemed fit for school.

(The LA Medical Needs Policy needs to be followed for those deemed not fit to attend school)

- 5.2 All pupils should receive full time education consistent with their key stage

21 hours at Keystage 1

23.5 hours at Key Stage 2

24 hours at Key Stage 3

24 hours at Key Stage 4 (Year 10)

25 hours at Key Stage 4 (Year 11)

(Every day on which a school meets is divided into 2 sessions. Schools must be open to students for no less than 380 sessions per year.)

- 5.3 There is no statutory basis upon which to establish a part-time timetable for pupils other than for the purpose of re-integration following long term absence.
- 5.4 It is illegal for schools to discriminate against children on the basis of their SEN and/or disability, including those with SEBD.

6. Good Practice

- 6.1 Schools wishing to establish a part-time timetable need to consider their position within the context of the legal requirements outlined above. In particular, schools should ensure that the decision is taken as part of a planned strategy that:

- Is taken in the best interests of the child and attracts the understanding, approval and written agreement of parents/carers or in the case of a Looked After Child, the allocated social worker;
- Has as its principal purpose the successful reinstatement of the pupil's full-time school attendance, re-integration and inclusion;
- Is undertaken within the context of a Pastoral Support Plan (PSP) or Individual Education Plan (IEP); or a separate document. Plans should include liaison with the child and take into account the facilities to support the re-integration process, including Learning Support Units and outreach support where available;

- Complies with the health and safety needs of the pupil, i.e. the school is satisfied that suitable arrangements are in place to meet the pupil's care needs when not at school;
- Complies with the statutory responsibility for safeguarding and promoting the welfare of pupils;
- Provides appropriate work for the pupil when not in school which is then marked and relevant feedback provided;
- Is time limited, with a clear target of resuming full-time attendance within a period no longer than a term, preferably over a period in which the time in school increases steadily and incrementally in order to prevent further disaffection;
- Ensures annual reviews are held at the appropriate time for all pupils with a Statement of SEN.

- 6.2 Pupils in the primary phase are at high risk, both under the safeguarding agenda and in terms of developing good routines for school attendance following transition.
- 6.3 In some cases where schools may be considering a part-time programme for a pupil it may be appropriate that an assessment be completed using the CAF process.
- 6.4 When a school is considering a part-time programme a risk assessment should be carried out prior to implementation. The risk assessment should include:
- The safety and wellbeing of the child
 - Any CIN/CP concerns (Social Care should be consulted)
 - The risk of the pupil engaging in criminal activity (Youth Offending Team should be consulted in the case of known offenders),
 - The risk of substance misuse (Substance Misuse Service should be consulted in the case of known substance misusers) while not in receipt of education during the school day.

7. Recording, monitoring and review

- Where a part-time programme is identified as a strategy for re-integration, the plan should be reviewed by a member of the senior staff. The designated member of staff should be identified and known to parents, pupils and other agencies
- The designated member of staff should be responsible for reviewing the programme fortnightly, checking progress against incremental increases in attendance and recording outcomes and amendments.

- Support and advice should be sought from appropriate agencies in the establishment and review of the plan eg Locality Team, Youth Offending Team, Specialist Teaching Team, etc.
- There should be a clear agreement with parents/carers regarding transport issues, particularly in rural schools.
- Consideration should be given to any transition issues, particularly in Yr 6

8. Alternative Curriculum in Key Stage 4

- 8.1 In Key Stage 4 an alternative curriculum may be on offer which includes some attendance at school alongside workplace learning, college provision etc. Provided that the school has a mechanism in place for ensuring that the pupil is attending the alternative provision and the pupil's total programme is full-time, this arrangement would not be considered a part-time timetable. (See section 10 for appropriate registration codes)
- 8.2 Flexible timetables may include sessions for an individual pupil being delivered outside the normal timetable. Provided the offer meets the appropriate full-time hours for the pupil this would not be considered a part-time programme.

9. Registration Codes

Schools should ensure that DfES regulations on appropriate registration codes are followed. All sessions when a pupil is not expected to be on school premises should be marked as authorised with the appropriate code.

9.1 Part-time timetables - C code when not attending school

- If a pupil has an agreed part-time programme which includes a session which does not involve attendance at any provision then the school should mark this session as authorised absence 'C' (other circumstances).
- In this case the statistical meaning would be 'absence' and this will be counted as such in calculating the school's attendance and PA figures.

9.2 Educated off-site - B code

- If the pupil is receiving alternative provision then the register should be marked with a 'B'. The school is responsible for ensuring that this is only marked when it is clear that the pupil has attended the alternative provision. This would have a statistical meaning as 'present'.
- When attending another school for particular lessons the DCSF guidance is that the main school keeps the attendance register for the pupil and subsequently the attendance of that pupil is only attributed to

the 'main' school. Therefore, pupils attending other consortia schools as part of their diploma do not need to be dual registered.

- Where they attend particular sessions at another school they are marked in the school register as attending an approved educational activity (code 'B'). It is vital though, for both educational and safeguarding reasons, that schools ensure they have in place arrangements whereby other 'guest' schools in the Diploma Consortia can notify the 'main' school of any absences by individual pupils so that they can record the pupil absence.
- Attendance could be verified through a letter, fax or email between schools at the end of each week, particularly where there is no unexplained or unexpected absence. Schools and providers must inform each other of any unexpected or unexplained absence as soon as it happens.
- Marking children correctly is not only a legal requirement but essential in safeguarding. Any child marked as 'B' should be present in another institution or at a supervised activity.
- Any such programmes must be agreed by the parent/carer.
- 'B' can only be used for pupils 'working at home' if the child is undertaking an on-line learning programme where sessions can be electronically monitored.

9.3 Dual Registered - D Code

- The law allows for dual registration of pupils at both a PRU or special school and another local school. Where a pupil is dually registered at institutions X and Y, institution X marks the pupil approved educational activity 'B' while they are attending institution Y and vice-versa. Both institutions share responsibility for the child. Failure to attend either institution at the proper time without good reason is unauthorised absence.
- As above, procedures should be in place to share attendance information and follow up absence.

9.4 Work Experience - W Code

- Schools must ensure that they check on the attendance of the pupil at the work experience placement and mark the register accordingly.
- Work experience undertaken as part of an alternative curriculum or alternative provision should not be recorded using this code. Such work experience is legitimate education "off site" and should be recorded using Code B.