

Exclusion Guidance

September 2017

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Exclusion Guidance – September 2017

1. Introduction

Explanation of Guidance

This guidance is to be used to complement the new DfE Guidance “Exclusion from Maintained Schools, Academies, and Pupil Referral Units in England” – September 2017. 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:

<https://www.gov.uk/government/publications/school-exclusion>

1.2 Details of Local Authority Officer contacts:

For Primary pupils at risk of exclusion schools should contact Special Educational Needs and Disabilities (SEND) Services:

Exclusions Hotline between 2-4pm – Tel: 01353 612812

For more urgent enquires please contact your relevant SEND District team

- South Cambridgeshire & City – 01223 728311
- East Cambridgeshire & Fenland – 01353 612802
- Huntingdonshire – 01480 373470

For Secondary pupils at risk of exclusion schools should contact:

- Their Education Inclusion Officer (EIO)
- Carol Way – County Inclusion Manager

For general queries regarding guidance, process and regulations all schools should contact Carol Way

County Inclusion Manager

Carol Way 01480 376302
carol.way@cambridgeshire.gov.uk

2. Exclusions

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

2.1 Responsibility of the Head Teacher

The responsibility of the Head Teacher is clearly outlined in the DfE guidance. Head Teachers must be able to demonstrate that any exclusion has been clearly thought through and is used as a last resort. The Head Teacher's checklist 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 Head Teachers 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 Plan (**Appendix 4**) and/or an Early Help Assessment (EHA) to enable a range of strategies and support to be implemented.

Information on the use of these documents will be available from your Education Inclusion Officer / SEND Services Early Help District Manager or the County Inclusion Manager.

Where in-school interventions have been unsuccessful schools have powers to direct pupils to offsite provision for reasons of behaviour (**DfE Guidance paragraph 15, page 10**)

2.2 Duty to Arrange Education for Excluded Pupils (see also DfE Guidance page 16)

Head Teachers 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 Head Teacher is responsible for their full time education from the 6th consecutive day.

Looked After pupils should have provision from the first day of any exclusion

For pupils in Primary Schools who are permanently excluded the Local Authority becomes responsible for the full time education from the 6th day.

For pupils in Secondary Schools the devolution of EOTAS funding means that the LA responsibilities as referred to in paragraph 46 of DfE Guidance have been transferred and the individual school or **as set out in the Service Level Agreement**.

2.3 Duty to inform Governing Body and Local Authority (see also DfE Guidance page 12)

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

- A Permanent exclusion
- A fixed term exclusion where the Head Teacher 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 Head Teacher must notify the governing body once a term and the Local Authority through the school's usual recording systems.

In addition it would be expected that for exclusions and serious risk of exclusion schools would notify:

- Secondary Schools - Education Inclusion Officer
- Primary Schools - SEND Services
- For Looked After Children - Designated Social Worker and Virtual School
- For pupils with Education Health Care Plans (EHC Plans) – (Statutory Assessment Team) SAT Casework Officer

2.4 Head Teacher's Checklist

It is important to give consideration to the following questions before deciding to exclude for any period of time. Please consult **pages 10-11 para. 15-24 of the DfE Guidance**, and **pages 48-55 (Annex B – A non-statutory guide for head teachers)**

	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? 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 this pupil had multiple exclusions and if so have they proved an effective sanction?		
Has there been involvement from Education Inclusion Officer (Secondary) / SEND Services (Primary)?		
Has a Pastoral Support Plan been 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 (SEN/Disability/Vulnerable Groups)		
Has the pupil been treated less favourably? Have reasonable adjustments been made for this pupil? Has your school reviewed policies, practices and procedures?		
Does this pupil have Special Educational Needs / Disabilities? Have issues of SEN or a disability been taken into account and reasonable adjustments put in place? (Equality Act 2010)		
Does this pupil have an EHCP? If so, have you contacted the SAT Casework Officer? Has an emergency annual review been called?		

See DfE Guidance page 11		
Is this pupil a (LAC) looked after child? If so, have you contacted the social worker and Virtual School to discuss? See DfE Guidance page 11		
Safeguarding: If this pupil is subject to a Safeguarding or a Child in Need Plan? Have you spoken to the Social Worker?		
Is there an Early Help Assessment (EHA) for this young person? Is the EH District Team or SEN Services involved?		
Where the family's first language is not English – Have you taken steps to ensure that the process is fully understood?		
Appropriate length of exclusion considered? Is this for the shortest possible time?		

2.5 Notification of Exclusion (see section 4, page 12 of the DfE Guidance)

When a Head Teacher has decided to exclude a pupil they **must**:

- Inform the parent/carer, and for a Looked After Child (LAC) the Social Worker by telephone straight away
- Write the appropriate letter to the parents/carers (see model letters Appendix 2). It is a requirement (DfE page 12) to inform parents that their child should not be in a public place during school hours – Head Teacher may wish to use their discretion to amend the suggested wording in line with the age and needs of the pupil.
- 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 DfE Guidance page) 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
 - A link to the statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)

- A link to sources of impartial advice for parents such as the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1 pm during term time); and
- Where considered relevant by the head teacher, links to local services, such as Traveller Education Services, The Special Education Needs and Disability Information, Advice and Support Service (SENDIASS) (formerly known as the local parent partnership). SENDIASS offers impartial advice and support to parents and carers of children with SEND as well as Children and young people with SEND themselves. Information and support is offered regarding exclusions as well as educational, health and social care provision. Please phone 01223 699214 or email pps@cambridgeshire.gov.uk for advice and support
- (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)
- Inform the Local Authority and governing body as appropriate (see page 15 of DfE Guidance)

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 taken into account.

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 **page 11 of the DfE Guidance** and the **SEN Code of Practice (2014)** and the **Equality Act (2010)**, with particular reference to the expectations regarding “reasonable adjustments”.

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 reduced 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 Plan, or an EHA

Cambridgeshire has issued Guidance on Reduced timetables (**appendix 5**)

DfE guidance is that reduced 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. This should be implemented in accordance with the County Managed Moves Protocol (see Appendix 3) unless the pupil has an EHCP where a separate and discrete process is followed. Please contact the SAT Casework Officer to discuss this further.

2.10 Procedures following Exclusion

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 an EHA, Family Support Plan (FSP) or Pastoral Support Plan (please see **Appendix 4**)

- Head Teachers should note however that neither parents/carers nor a pupil can be required to meet specific conditions, sign a contract, etc. before reinstatement.
- An exclusion cannot be extended because a parent fails to attend a meeting or for the behaviour/attitude of the parent at such a meeting.

2.11 Provision of Education during the exclusion period (see DfE Guidance page 16) (and also Appendix 7) – The full-time Education (or the 25 hours) question

The Head Teacher 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 consecutive day of any 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**.
- For pupils in **Secondary Schools** the conditions for the devolution of EOTAS funding mean that the LA responsibilities as referred to in paragraph 46, page 16 of DfE Guidance have been transferred and the individual school or **Behaviour & Attendance Improvement Partnership (BAIP) is responsible for this provision, as set out in the Service Level Agreement**.
- Looked after pupils should have provision from the **1st day of any exclusion**

3. Governing body's duty to consider an exclusion (see DfE Guidance page 18)

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 **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 Head Teachers often discuss concerns with the Chair so impartiality could be an issue. It is also not good practice to have a staff Governor.

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. The County Inclusion Manager and/or a representative from SEND Services may on request be able to attend other Discipline Committees where the situation is particularly complex.

The Discipline Committee is responsible for reviewing the decision of the Head Teacher to exclude a pupil. It may be useful to use the Head Teacher 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
- Head Teacher puts case for exclusion
- Parents/carers may question Head Teacher
- Panel may question Head Teacher
- LA representative may question Head Teacher
- Parents/carers make representation
- Head Teacher 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
- Head Teacher may question LA representative
- Panel may question LA representative
- Head Teacher'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/carers 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.

Where a discipline committee is considering fixed term exclusions the same procedures must be followed, but re-instatement would not normally be an option as the exclusion would have ended before the DC sits (see DfE flowchart **appendix 1** for details). If the DC does not agree with the Head's decision to exclude then a letter stating this should be placed on the pupil's file.

When the exclusion is Permanent the Discipline Committee has powers to either uphold or overturn the Head Teacher's decision to exclude. If the exclusion is overturned the pupil may return to the school – if it is upheld parents may request an Independent Review – please see below.

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 Head Teachers during this time.
- Head Teachers or individuals who have been a Head Teacher 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 page 31)

SEN expert role (see DfE Guidance page 33)

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

Transfer of funding for permanently excluded pupils from Primary School

From April 2017 Cambridgeshire LA will deduct funding in line with school finance regulations (see Appendix 8)

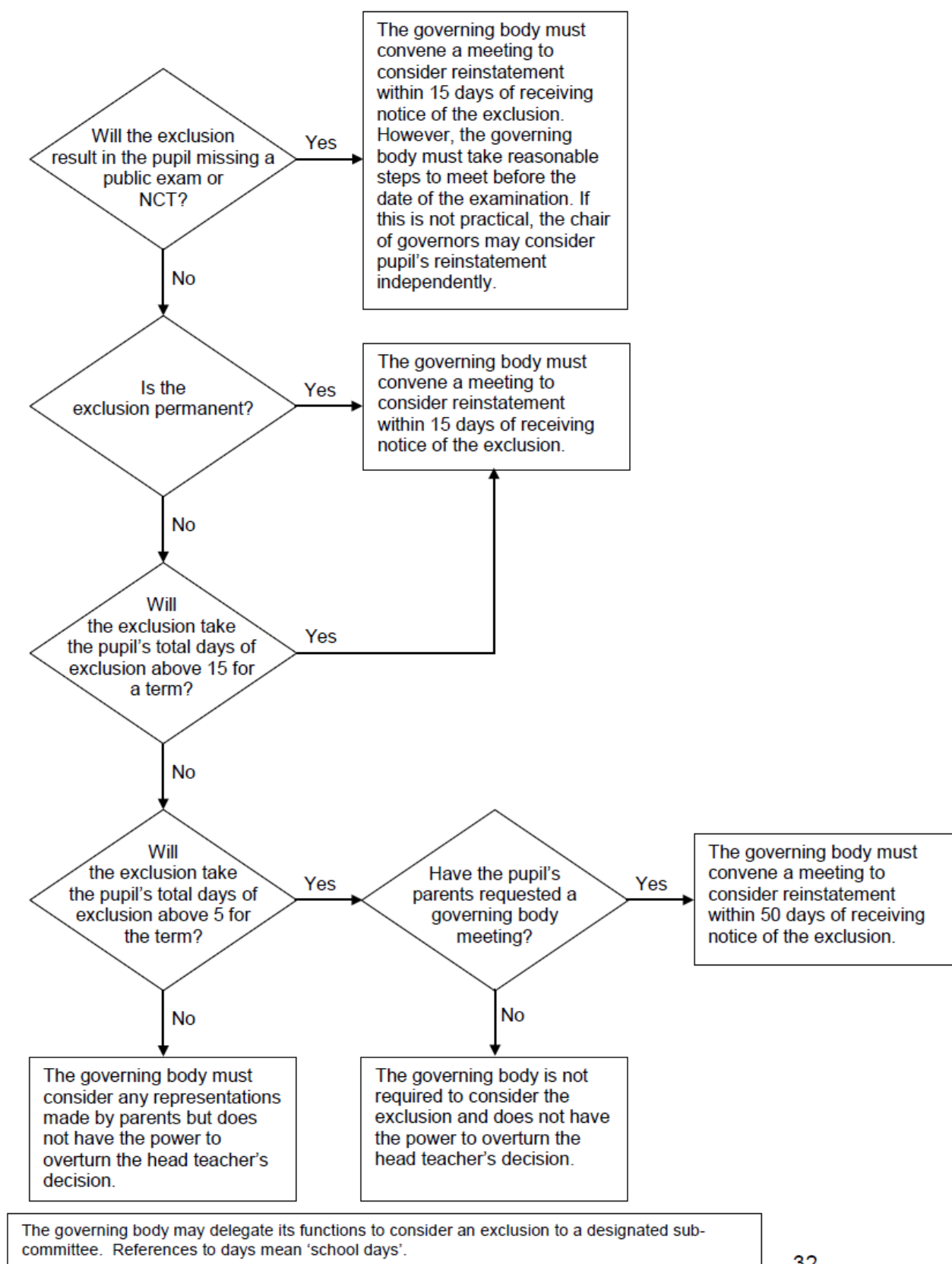
Local Authority Contact for further advice and support:

County Inclusion Manager:

Carol Way
01480 376302
carol.way@cambridgeshire.gov.uk

Appendix 1

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



Appendix 2

Letter A:

MODEL LETTER TO PARENTS/CARERS: FIXED PERIOD EXCLUSION (UP TO AND INCLUDING 5 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

[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:

(Please delete as appropriate when sending your letter)

(for Secondary and Special Schools) - Carol Way - 01480 376302

(for Primary Schools) – SEND Services

Hunts – 01480 373470

SCC – 01223 728311

ECF – 01353 612802

The Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher
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:

(Please delete as appropriate when sending your letter)

(for Secondary and Special Schools) - Carol Way - 01480 376302

(for Primary Schools) – SEND Services

Hunts – 01480 373470

SCC – 01223 728311

ECF – 01353 612802

The Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher
cc. Chair of Governors

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:

(Please delete as appropriate when sending your letter)

(for Secondary and Special Schools) - Carol Way - 01480 376302
(for Primary Schools) – SEND Services
Hunts – 01480 373470
SCC – 01223 728311
ECF – 01353 612802

The Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher

cc. Chair of Governors
Inclusion Manager

Letter D

MODEL LETTER FROM HEADTEACHER TO PARENTS/CARERS FOR A PERMANENT EXCLUSION from a Primary School

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am sorry to have to write informing you of my decision to exclude (James) permanently from this 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

[(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 Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher
cc Chair of Governors
County Inclusion Manager

Letter E

MODEL LETTER FROM HEADTEACHER TO PARENTS/CARERS FOR A PERMANENT EXCLUSION from a Secondary School

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am sorry to have to write informing you of my decision to exclude (James) permanently from this 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 school will provide full-time education for (James). You will be contacted with details of this provision by (insert EIO / school staff name)

[(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 Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher
cc Chair of Governors
County Inclusion Manager

Letter F**MODEL LETTER FROM THE CLERK INVITING PARENTS/CARERS TO DISCIPLINE COMMITTEE MEETING TO REVIEW FIXED PERIOD EXCLUSION**

Dear (Mr and Mrs Smith)

James Smith

I refer to the letter from the Head Teacher 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.

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 Head Teacher, 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 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 Head Teacher's statement.

Letter G

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

Dear (Mr and Mrs Smith)

James Smith

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

The School's Governors' Discipline Committee must meet to review any permanent exclusion in order to decide whether to uphold the Head's decision to exclude or to overturn it.

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.

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 Head Teacher, 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 Head Teacher's statement.

Letter H

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 Head Teacher 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 Head Teacher's decision to exclude (James) was inappropriate.

The Governors Discipline Committee has therefore asked the Head Teacher 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 Head Teacher 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 I

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 Head Teacher 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 Head Teacher'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 J

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 Head Teacher to make contact with you as soon as possible to make the necessary arrangements.

Yours sincerely,

cc. Head Teacher
Inclusion Manager

Letter K

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 Head Teacher'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 and give address for letter)) to confirm your intention to request a review by
[please insert date 15 school days from date of this letter)

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

Yours sincerely,

cc. Head Teacher
Inclusion Manager

Letter L

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:

(Please delete as appropriate when sending your letter)

(for Secondary and Special Schools) - Carol Way - 01480 376302

(for Primary Schools) – SEND Specialist Services

Hunts – 01480 373470

SCC – 01223 728311

ECF – 01353 612802

The Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher
cc. Chair of Governors

Letter M

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 who can provide you with advice on the managed move process is:

(please delete as appropriate when sending your letter)

Primary schools – SEND Specialist Services

Hunts – 01480 373470

SCC – 01223 728311

ECF – 01353 612802

Secondary Schools – EIO – (school to give details)

The Head Teacher should draw attention to relevant sources of free and impartial information – (see page 9-10)

Yours sincerely

Head Teacher

cc. Chair of Governors

Inclusion Manager

Appendix 3

Managed Move Protocol

Note that this protocol does not apply for students with an EHCP 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 co-operation 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. 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 Head Teacher 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 Manager.

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 school 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 potential permanent exclusion should apply, or the Head Teacher 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 an Early Help Assessment (EHA) should be completed for the child concerned, unless a specialist assessment has already been completed e.g. Social Care Assessment.

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 Head Teacher is confident that the school has done all that it can to support the inclusion of the pupil and there could potentially be 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 Education Inclusion Officer or SEND Specialist Services), Personal Education Plan (if the child is looked after) and an EHA 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 so would not sanction a Managed Move).
- 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 EHA 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.

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 EHA process to ensure a high level of support for the pupil on transfer. Reviewing the PSP and EHA 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 Head Teacher 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 EHA processes. The Education Inclusion Officer (Secondary) or SEND Specialist Services (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 Head Teacher 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 Head Teacher 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 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 Head Teachers.

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				Head Teacher	
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 EHA				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																			
GSCE 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 <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> Social Care <input type="checkbox"/> CAMHS <input type="checkbox"/> YOS <input type="checkbox"/> Locality Team <input type="checkbox"/> Health <input type="checkbox"/> Other (please specify) <input type="checkbox"/> </div> <div style="width: 55%;"> Contact: Contact: Contact: Contact: Contact: Contact: </div> </div>																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">Head Teacher Signature</td> <td colspan="2"></td> </tr> <tr> <td style="width: 25%; padding: 5px;">Print Name</td> <td style="width: 45%;"></td> <td style="width: 15%; padding: 5px;">Date</td> <td style="width: 15%;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;">County Inclusion Manager Signature</td> <td colspan="2"></td> </tr> <tr> <td style="padding: 5px;">Print Name</td> <td></td> <td style="padding: 5px;">Date</td> <td></td> </tr> </table>				Head Teacher Signature				Print Name		Date		County Inclusion Manager Signature				Print Name		Date	
Head Teacher 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 necessarily 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 Head Teacher of receiving school

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

Appendix 4

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/carers, 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 Education Inclusion Officer (EIO) and possibly any other professionals working with the young person.

What is an 'Education Inclusion Officer'?

The EIO is not employed by the school but by the CCC District 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 EIO 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:	
EHA 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:

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

Signature:

Print Name:

School: _____

Position: _____

Student: _____

Parents/Carers _____

Education Inclusion Officer: _____

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> 	
Signed: Date:	

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:** _____

Education Inclusion Officer: _____

Review Date:

Temporary Reduced Timetables

Schools have a statutory duty to provide full time education for all pupils. This guidance sets out the Cambridgeshire County Council position in relation to reduced timetables.

Reduced timetables are permissible:

1. When agreed by schools as part of their reintegration approach for pupils who have not attended school for a period of time due to illness, disability, mental health issues, family circumstances, etc.

It is illegal for a school to **impose** a reduced or 'part time' timetable however it is accepted that a reduced timetable may be appropriate, as part of a planned reintegration for pupils who have not attended school for a period of time, provided that the setting can demonstrate that the Best Practice Guidance (see below) has been followed.

2. In limited circumstances reduced timetables are used as a method of managing pupils at risk of exclusion

Cambridgeshire County Council regards reduced timetables as undesirable as a method of managing pupils at risk of exclusion. This method is viewed as highly intrusive and may only be chosen – if at all – after other strategies have been implemented and exhausted and the Best Practice Guidance is adhered to.

A reduced timetable means by agreement with the pupil, parent/carer and school and Local Authority Officer,* the number of hours spent in education are reduced for a time limited period of no more than six weeks. Once a reduced timetable has been agreed, the pupil should be marked as an authorised absence for the part of the day they are not in school.

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

A pupil not attending school during this time should be provided with work which will be marked.

“Local Authority Officer” would depend on the individual’s circumstances but should be one of the Officers listed below:

- Specialist Teacher
- Education Inclusion Officer
- SAT Casework Officer
- Educational Psychologist

Best Practice Guidance

When considering placing a pupil on a reduced timetable, the school or academy:

1. Must be satisfied that a reduced timetable is an appropriate intervention given the needs of the pupil. There must be a clear and evidenced rationale for considering a reduced timetable as an intervention aimed at supporting the needs of the pupil. A detailed assessment through the use of an EHA and PSP (refer point 4), with LA Officers involvement, must be in place to determine additional support required for all pupils on reduced timetables.
2. Must not pursue a reduced timetable without parental permission as this can be construed as an unofficial exclusion which is unlawful as the parent has not requested leave for their child and/or the school could be regarded as preventing the pupil from accessing the curriculum.
3. Must have signed parental permission, evidenced on the pupil file prior to the commencement of a time limited reduced timetable. If the parent does not agree, the reduced timetable arrangements cannot be implemented. In these circumstances the school will have to consider alternative interventions.
4. Must complete a detailed action plan, agreed with the parents and the pupil and involving LA Officer, demonstrating a clear path of planned reintegration from part time to full time provision over a maximum of a six week period, reviewed regularly. The school must ensure the pupil has an active involvement in the process of planning, reviewing and evaluating the planned intervention.
5. Must not put in place a reduced timetable that exceeds a six week period. If the pupil is still on a reduced timetable as the time limit approaches, a multi professional review must be held to organise full time education. A maximum of one further period of six weeks should only be agreed in exceptional circumstances with parental agreement and the plan revised to reflect why an extension was appropriate. The plans must be open to Local Authority inspection upon request.
6. Ensure that where pupils have an EHCP, the Local Authority SAT Team must be involved to ensure it is reviewed and amended where appropriate. An annual review should be convened to make the proposal known. The Local Authority must agree to the intervention and a reduced timetable must not interfere with additional support given to a student due to his/her educational needs.
7. Where English is not the first language and/or there is limited knowledge of the English education system, schools needs to ensure that appropriate systems are in place, e.g. interpreters, etc, so that parental permission is based on an accurate understanding of the situation.
8. Must undertake a risk assessment of the pupil's needs to assess the impact that a reduced timetable would have on the pupil. It is essential that the pupil's welfare during any absence from school is considered. Risk assessments should follow the five steps identified by the Health and Safety Executive:

Step 1: Identify possible hazards

Step 2: Decide who may be harmed and how

Step 3: Evaluate the risks and decide on precaution

Step 4: Record your findings and implement them

Step 5: Regularly review your assessment and update if necessary

The risk assessment should include the safety and wellbeing of the pupil as well as the risk of the pupil engaging in criminal activity or substance misuse whilst not in receipt of education during the school day.

9. School/academies lead on attendance, must keep a central record of all pupils on a reduced timetable. It is recommended that this person sets up a reduced timetable pupil group within SIMs.net. Registration code guidelines are shown in Appendix A

The person responsible for Attendance should provide school documentation relating to pupils on reduced timetables upon request. Education Welfare Officers are legally able to take extracts from schools registers under the Education (Pupil Registration) (England) Regulations 2006.

Parents/carers should receive a copy of this guidance by the school when discussing reduced timetables for their child.

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

- 21 hours at Key Stage 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)

It is illegal for schools to discriminate against pupils on the basis of their SEN and/or disability, including those with BESD

Appendix 6

Advice on Pupil Registers and Attendance Codes

Code B: Off-site educational activity

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

Consortia Schools

Pupils attending consortia schools as part of their course only need to be placed on the registers of their 'main' school rather than on all of the schools they attend. They should be treated as guest pupils at the other consortia schools. The consortia schools however, must ensure they have suitable systems in place for monitoring and reporting the attendance and absence of the pupils involved, which must be shared with the 'main' school.

Code C: Leave of absence authorised by the school

Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each request individually taking into account the circumstances, such as: the nature of the event for which leave is sought; the frequency of the request; whether the parent gave advance notice; and the pupil's attainment, attendance and ability to catch up on missed schooling.

Appendix 7

Entitlement to Full-time Education Guidance

The DfE's guidance on alternative provision (2013) states: ***'While 'full-time' is not defined in law, pupils in alternative provision should receive the same amount of education as they would receive in a maintained school.'*** Generally 'full-time' is accepted as being:

Key Stage 1 (age 5-7) - 21 hours per week

Key Stage 2 (age 8-11) - 23.5 hours per week

Key Stages 3 and 4 (ages 12-16) - 24 hours per week but many schools teach Key Stage 4 pupils for 25 hours per week.

Where pupils are in part time provision, inspectors will be likely to ask why this is, and what the arrangements are to increase this quickly to full time, and to see the reviews of the provision and hours, which should be being carried out on a very frequent basis. If young people attend more than one provider it is crucial that someone in their school, or if they are not on a school roll then in the local authority, has the oversight of what they are achieving in each, and whether they are safe and well looked after. Inspectors are likely to ask for evidence about how this happens."

Appendix 8

My ref: KG/FT
Your ref:
Date: 9 May 2017
Contact: Keith Grimwade
Direct dial: 01223 507165
E Mail: Keith.grimwade@cambridgeshire.gov.uk



Children, Families and Adults Services
Interim Executive Director: Wendi Ogle-Welbourn

To: all Cambridgeshire schools

Box No: SH1210
Shire Hall
Cambridge
CB3 0AP

Fax: 01223 475937

Dear Head Teacher

Subject	Transfer of funding re permanent exclusions and managed moves within schools implemented from 1 April 2017
Summary	Details of new arrangements, as shared with Schools Forum
Audience	To all Cambridgeshire schools

Dear colleagues

This letter sets out the new arrangements, as shared with Schools Forum at their December meeting, for the transfer of funding in relation to permanent exclusions and managed moves within schools implemented from 1st April 2017.

Within the School and Early Years Finance Regulations there is provision for the Local Authority (LA) to remove funding from schools for excluded pupils. The guidance states:

“23.—(1) Where a pupil is permanently excluded from a school maintained by a local authority (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) (“the excluding school”) the authority must redetermine the excluding school’s budget share in accordance with paragraph (2).”

/Continued

9 May 2017

To all Cambridgeshire Schools

Academies and academy trust will have similar clauses in their individual funding agreements:

“2.40. If asked to by an LA, the Academy Trust must enter into an agreement with that LA that has the effect that where:

- a) the Academy admits a pupil who has been permanently excluded from a maintained school, the Academy itself or another Academy with which the LA has a similar agreement; or*
- b) the Academy Trust permanently excludes a pupil from the Academy,*

the arrangements for payment will be the same as if the Academy were a maintained school, under regulations made under section 47 of the School Standards and Framework Act 1998.”

To date, due to the relatively low number of permanent exclusions, the LA has not acted under these regulations. However, following the principle of funding following the pupil, these powers will now be enforced from 1st April 2017 for Primary Schools only. (This is due to separate arrangements within the Secondary sector in respect of the Service Level Agreement with BAIPs for the devolution of Education Other Than at School (EOTAS) funding).

A proportion of the excluding schools basic entitlement and pupil premium will be deducted from the schools budget share and passed onto the admitting school as per the formula set out in the School and Early Years Finance Regulations. Where a primary aged child is not in school, the funding will pass to SEND Specialist Services to provide tuition before the child is placed in another school. **Appendix A** provides further details of the unit values and calculation to be applied.

The DfE’s “Exclusion from maintained schools, Academies and pupil referral units in England” guidance state that this financial readjustment should be made within 28 days of notification of a direction from the independent review panel. Academies should be expected to make payment within the same timescale. If an Academy fails to comply with its legal requirement to pay following a direction from an independent review panel then the LA will be responsible for enforcing this requirement. However, the LA should also inform the Education Funding Agency.

Top-Up funding relating to High Needs pupils will be managed separately as part of the monthly process to reflect and relevant change in school.

/Continued

9 May 2017

To all Cambridgeshire Schools

In respect of managed moves, where the local authority intervenes and attempts to facilitate a managed move to another school prior to an official permanent exclusion, there is an expectation that the original school will make funds available to the receiving school to support transition.

However as managed moves are not specifically covered in the regulations it would require an agreement from the excluding school at the beginning of the managed move process to secure the funding on a similar basis to the permanent exclusion methodology.

If you have any queries or questions in respect of the process please contact Martin Wade, Schools Finance Manager – martin.wade@cambridgeshire.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Keith Grimwade'.

Keith Grimwade
Service Director: Learning

Enc

Appendix A – Permanent Exclusions / Managed Moves Funding Methodology

The excluding school's budget share must be reduced by:

$A \times (B/52) + C$ where:

- A is the amount determined by the authority in accordance with this Part that would be attributable to a pupil of the same age and personal circumstances as the pupil in question at primary or secondary schools maintained by the authority for the full funding period;
- B is either:
 - (i) the number of complete weeks remaining in the funding period calculated from the relevant date; or
 - (ii) where the permanent exclusion takes effect on or after 1st April in a school year(a) at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that school year calculated from the relevant date; and
- C is the amount of the adjustment made to the school's budget share under a financial adjustment order.

The table below shows the funding rates to be applied in the calculation above:

Funding Factor	2017-18 Rate
Primary Basic Entitlement (Years R-6)	£2,714
Pupil Premium Ever6 FSM – Primary	£1,320
Pupil Premium – Ever6 Service Children	£300

Illustrative Example

The following provides an illustrative example of how this would be applied:

- A child in Year 4 who attracts Ever6 pupil premium funding is permanently excluded on the 5th May 2016. The funding deducted from the excluding school is based on the following calculation:
- A (Funding) = Basic entitlement £2,721 + Ever6 Pupil Premium £1,320 = £4,041
- B (Ratio applied to funding) = complete weeks remaining 47 / weeks in the year 52 = 0.9
- Funding recouped from the school = £4,114 x 0.9 = £3,637

Where the school subsequently reinstates the excluded pupil or where another school admits the pupil a funding adjustment will be made based on the number of complete weeks remaining in the funding period calculated from the relevant date.