

*Appendix 1.*

# **Suspension and Permanent Exclusion Guidance**

**September 2022**

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# **Suspension and Permanent Exclusion Guidance – September 2022**

## **1. Introduction**

### **Explanation of Guidance**

**This guidance is to be used to complement the DfE Guidance ‘Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement’ Guidance for maintained schools, academies, and pupil referral units in England July 2022.**

All decisions about exclusion must be made with reference to this document which outlines statutory responsibilities and guidance.

### **DfE Guidance**

**See link below:**

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

### **Details of Local Authority Officer contacts:**

**For Primary and Secondary pupils at risk of exclusion schools should contact:**

- Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough  
[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)  
07881426870
- Jason Wing – Senior Exclusions Officer  
[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)  
07786171619

## **The Headteacher's power to suspend or permanently exclude**

The government supports Headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating a calm, safe, and supportive environment in which pupils can learn and thrive. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school.

### **1 The Headteacher's powers to use exclusion**

1.1 Only the Headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

1.2 A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a Headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

1.3 When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The Headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.

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1.4 Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given

support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. Whilst an exclusion may still be an appropriate sanction, the Headteacher should also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the Behaviour in Schools guidance.

## **Suspension**

- 1.5 A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.
  - 1.6 A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.
  - 1.7 A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, Headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.
  - 1.8 It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom, Oak National Academy or other suitable providers. The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.
  - 1.9 A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the Headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.
  - 1.10 The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come
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to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

### **Permanent exclusion**

1.11 A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken:

- In response to a serious breach or persistent breaches of the school's behaviour policy; and
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.
- For any permanent exclusion, Headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered. Paragraph 8 provides further guidance on utilising online pathways and the potential significance of SEND law.

### **Cancelling exclusions**

1.12 The Headteacher may cancel an exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;
- Parents should be offered the opportunity to meet with the Headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
- The pupil should be allowed back into school.

## **2.1 Responsibility of the Head Teacher**

This section must be read in conjunction with the DfE guidance Suspension and Permanent exclusions 2022.

The responsibility of the Head Teacher is clearly outlined in the DfE Suspension and permanent exclusion guidance 2022. 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.

Peterborough City 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, Early Help District Manager or The County Manager for Alternative Education Provision and Inclusion.

Where in-school interventions have been unsuccessful schools have powers to direct pupils to offsite provision for reasons of behaviour (**DfE Suspension and Permanent Exclusion Guidance 2022 page 20**)

## **2.2 Duty to Arrange Education for Suspended and Excluded Pupils (see also DfE Suspension and Permanent Exclusion Guidance 2022 page 32)**

1. Head Teachers need to make sure that work is provided and marked for the first 5 days of any exclusion. If a pupil is suspended for more than 5 days the Head Teacher is responsible for their full time education from the 6<sup>th</sup> consecutive day. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

Looked After pupils (Children in Care - CiC) should have provision from the first day of any exclusion.

For pupils in Primary and Secondary Schools who are permanently excluded, the Local Authority becomes responsible for the full time education from the 6<sup>th</sup> day.

### **2.3 Duty to inform Governing Body and Local Authority (see also DfE Suspension and Permanent Exclusion Guidance 2022, page 26)**

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

- A Permanent exclusion
- A suspension where the Head Teacher has indicated to the parent/carer that following further investigation it may be made permanent – this should now be reported to Jason Wing – Senior Exclusions Officer
- Suspensions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term - this should now be reported to Jason Wing – Senior Exclusions Officer The local authority must be informed without delay of all school suspensions regardless of the length of the suspension. Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion the fact that it is permanent.  
**Peterborough City Council requests this information in a standardised format by completing the Suspension form (appendix??) and submitting it to: [Suspensions@peterborough.gov.uk](mailto:Suspensions@peterborough.gov.uk)**
- For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the headteacher must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay. The headteacher must also inform the governing board once per term of any other suspensions of which they have not previously been notified.
- Suspensions which would result in the pupil missing a public examination or national curriculum test.

For all other suspensions the Head Teacher must notify the governing body once a term and the Local Authority through the recording system using [Suspensions@peterborough.gov.uk](mailto:Suspensions@peterborough.gov.uk)

In addition it would be expected that for suspensions and for those pupils at serious risk of permanent exclusion schools would notify:

- Secondary Schools – Behaviour and Inclusion Officer
- Primary Schools – Behaviour and Inclusion Officer

- For Looked After Children - Designated Social Worker and Virtual School Head
- For pupils with Education Health and Care Plans (EHC Plans) – SAMS (Statutory Assessment and Monitoring Service) 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 **DfE Suspension and Permanent Exclusion Guidance 2022 page 19. (Annex B – A non-statutory guide for head teachers)**

	YES	NO
Did the pupil's behaviour directly result in the incident?		
Was the behaviour significantly out of line with the school's 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' incident?		
Is exclusion the appropriate response?  Factors to consider: <ul style="list-style-type: none"> <li>• Exclusion has not been considered in the heat of the moment?</li> <li>• All options to ensure that an appropriate, engaging curriculum has been explored?</li> <li>• Has a thorough exploration of circumstances been carried out?</li> <li>• Has the situation been considered in light of policies and discrimination?</li> <li>• Has the pupil's perspective and account of events been encouraged / heard / recorded?</li> <li>• Are there any mitigating circumstances or any provocation relevant (bullying, harassment etc)?</li> </ul>		
Has this pupil had multiple exclusions and if so have they proved an effective intervention?		
Has there been involvement from Behaviour and Inclusion Officer?		
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?		
<b>Special Considerations (SEN/Disability/Vulnerable Groups)</b>		
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? <i>See DfE Exclusion Guidance 2017 - page 11</i>		

Is this pupil a (LAC/CiC) Looked After Child/Children in Care? If so, have you contacted the social worker and Virtual School Head to discuss? <i>See DfE Exclusion Guidance 2017 - page 11</i>		
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?		
Where the family's first language is not English – Have you taken steps to ensure that the process is fully understood?		
<b>Appropriate length of exclusion considered?</b> <b>Is this for the shortest possible time?</b>		

## 2.5 Notification of Exclusion

(see DfE Suspension and Permanent Exclusion Guidance page 26)

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

- Inform the parent/carer, and for a Looked After Child (LAC)/Children in Care (CiC), the Social Worker and Virtual School Headteacher (VSH) by telephone straight away
- Write the appropriate letter on school headed paper to the parents/carers (see model letters Appendix 2). It is a requirement (**DfE Suspension and Permanent Exclusion Guidance 2022 - 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 suspension
  - The period of the suspension or, for a permanent exclusion, the fact that it is permanent
  - Parents'/carers' right to make representations about the suspension to the governing body (in line with the requirements set out in **DfE Suspension and Permanent Exclusion Guidance 2022 page 26**) 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 can be contacted on 01206 714650 ([www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)) or ACE Education (<http://www.ace-ed.org.uk>) - the advice line number is 03000 115 142 on Monday to Wednesday from 10 am to 1 pm during term time) (*please note, this is a limited service and doesn't always run*)
- Where considered relevant by the head teacher, links to local services, such as The Early Help District Team.
- (<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](mailto: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 26 of DfE Suspension and Permanent Exclusion Guidance 2022**)

It is important that as much information about the decision to suspend is detailed in the letter that is sent to parents/carers. This should include all the strategies that have been used to prevent a suspension 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 suspension has been thoroughly considered and all circumstances taken into account.

**Headteachers may cancel an exclusion that *has not been reviewed by the governing board*. This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the governing board and the local authority should be notified, and if relevant, the social worker and VSH. Further information of other actions that should take place after an exclusion is cancelled is set out in 2.12 below.**

## **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 (May 2015)** 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 Suspension and Permanent Exclusion Guidance 2022** 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 a 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, reduced timetable agreement or EHA. **A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit too by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised**

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

DfE Suspension and Permanent Exclusion Guidance 2022 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 PCC Managed Move Protocol (see Appendix 3) unless the pupil has an EHCP where a separate and discrete process is followed. Please contact the SAMS Casework Officer to discuss this further. A managed move is used to initiate a process which leads to the *transfer of a pupil to another mainstream school permanently*. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction (**as outlined in DfE Suspension and Permanent Exclusion guidance 2022 page 20**) should be used. Managed moves should only occur when it is in the pupil's best interests

## 2.10 Procedures following Exclusion

DfE Exclusion Guidance 2017 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 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 Exclusion Guidance 2017- 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 6<sup>th</sup> 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 6<sup>th</sup> day for **primary and secondary age pupils**.
- Looked After pupils/Children in Care should have provision from the **1<sup>st</sup> day of any exclusion**
- Any exclusion which would be longer than 5 days, please contact your Senior Exclusions Officer – Jason Wing

## **2.12 Cancelling Exclusions**

- 2 The headteacher may cancel an exclusion that has already begun, but this should only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:
  - 2.2 Parents, the governing board, and the LA should be notified without delay and, if relevant, the social worker and VSH;
  - 2.3 Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
  - 2.4 Schools should report to the governing board once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight and;
  - 2.5 The pupil should be allowed back into school.

### **3. Governing body's duty to consider an exclusion (see DfE Exclusion Guidance 2017 - 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 Senior Exclusions Officer, one of the Behaviour and Inclusion Officers should be invited to all Discipline Committees where the exclusion is permanent. Senior Exclusions Officer 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 exploration of circumstances involving relevant people involved, 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 behaviour causing concern, was it used as a 'last resort' after other strategies, including the involvement of outside agencies and support services, had failed?
4. **Mitigating Circumstances** - are there any factors arising from parental/carer representation e.g. special/medical needs, domestic circumstance; genuine remorse, loss of external examination opportunity?

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

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 Exclusion Guidance 2017 flowchart **appendix 1** for details). If the Discipline Committee 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 Exclusion Guidance 2017**

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 Exclusion Guidance 2017 - page 31)

#### **SEN expert role (see DfE Exclusion Guidance 2017 - 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**

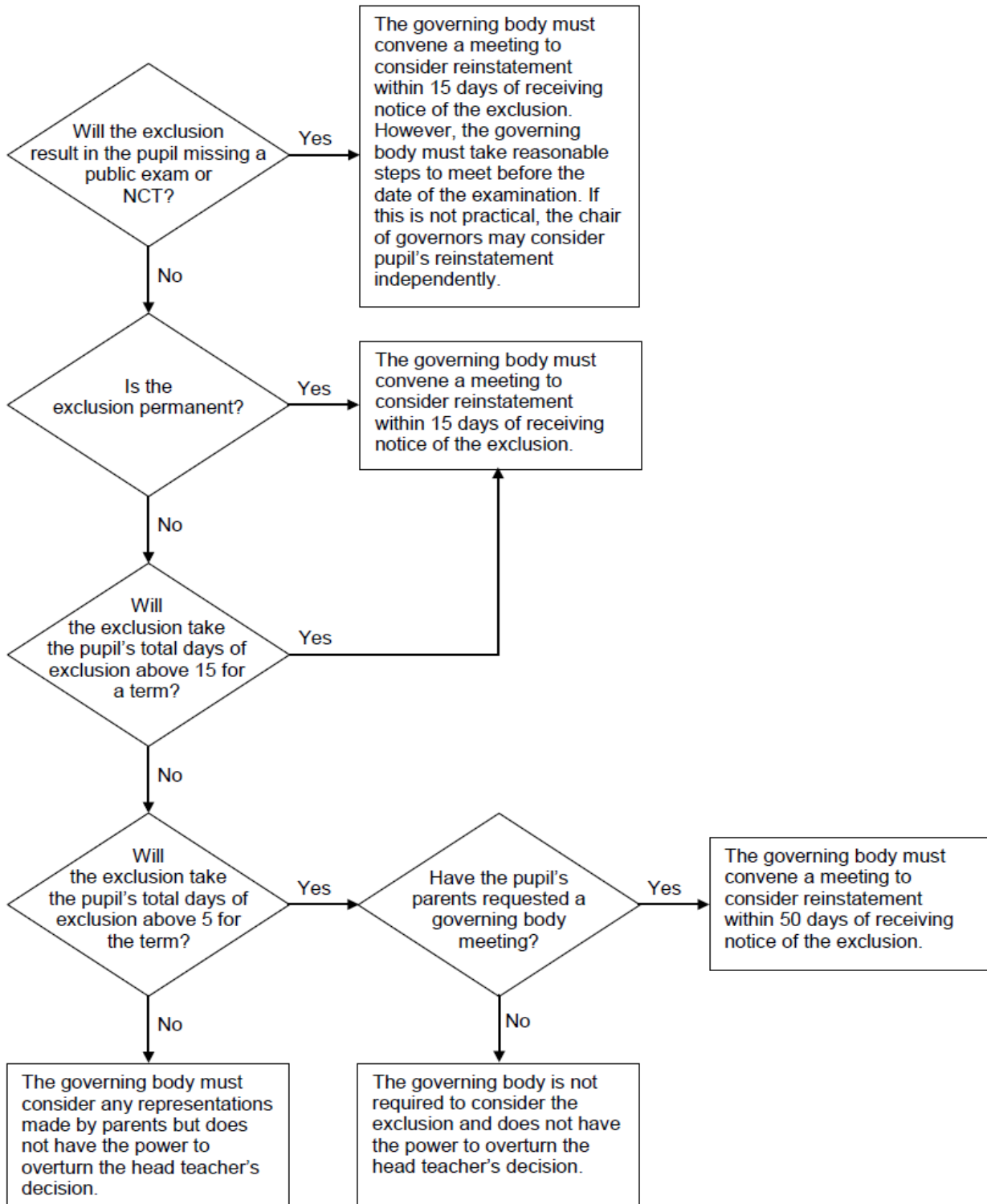
From April 2017 Cambridgeshire LA will deduct funding in line with school finance regulations (see Appendix 8)

#### **Local Authority Contact for further advice and support:**

- Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough  
[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)  
07881426870
- Jason Wing – Senior Exclusions Officer  
[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)  
07786171619

## Appendix 1

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



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

## Appendix 2

### Letter A:

MODEL LETTER TO PARENTS/CARERS: SUSPENSION (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 suspend (James) for a fixed period of..... days. He has been suspended for the following reasons:

.....  
.....

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

.....  
.....

[This brings the total days suspended 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 suspension 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 suspension 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 suspended 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)***

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Exclusions Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619

**For Special Schools – Statutory Assessment and Monitoring Service**

[senteam@peterborough.gov.uk](mailto:senteam@peterborough.gov.uk)

01733 863996 - 01733 863934

*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 SUSPENSION (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 suspend (James) for a fixed period of ..... days. He has been suspended for the following reasons:

.....  
.....

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

.....  
[This brings the total days suspended 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 suspension and for this work to be marked. Please contact [.....] regarding these arrangements.

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

[From the sixth day (.....) until the end of this suspension (.....) (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 suspend can be reviewed. The latest date the Committee can meet is ..... [no later than 50 days from the date of the suspension]. 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 suspension 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 suspended 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)***

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Inclusion Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619

**For Special Schools – Statutory Assessment and Monitoring Service**

[senteam@peterborough.gov.uk](mailto:senteam@peterborough.gov.uk)

01733 863996 - 01733 863934

*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: SUSPENSION 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 suspending (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 the evidence has shown and outline next steps. I must inform you that should the evidence outline that the incident was more serious than first regarded, the suspension may be followed, immediately by a permanent exclusion. (Name of school) is an inclusive and supportive environment and this suspension is focused on avoiding the immediate consequence of a permanent exclusion. The earliest that (James) should return to school is.....

(James) has been suspended for the following reasons:

.....

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

.....

[This brings the total days suspended 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 suspension and for this work to be marked. Please contact [.....] regarding these arrangements.

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

[From the sixth day (.....) until the end of this suspension (.....) (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 suspension]. 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 suspension 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 suspended 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)***

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Inclusion Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619

**For Special Schools – Statutory Assessment and Monitoring Service**

[senteam@peterborough.gov.uk](mailto:senteam@peterborough.gov.uk)

01733 863996 - 01733 863934

*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  
Anna Wahlandt  
Jason Wing

## **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:

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Exclusions Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619

*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  
Anna Wahlandt  
Jason Wing

## **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:

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Exclusions Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619

*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  
Anna Wahlandt  
Jason Wing



## **Letter F**

### **MODEL LETTER FROM THE CLERK INVITING PARENTS/CARERS TO DISCIPLINE COMMITTEE MEETING TO A SUSPENSION**

Dear (Mr and Mrs Smith)

**James Smith**

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

The School's Governors' Discipline Committee must meet to review any suspension 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') suspension will be held at .....on ..... 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 at .....on ..... 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 H

MODEL LETTER TO PARENTS/CARERS FOLLOWING MEETING OF DISCIPLINE COMMITTEE TO WHICH PARENTS/CARERS HAVE MADE REPRESENTATION AND GOVERNORS DECIDED SUSPENSION 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') suspension 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 suspend (James) was inappropriate.

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

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

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

and instructed the Head Teacher to attach this note to the record of suspension 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 DECIDE SUSPENSION 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') suspension 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 suspend (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  
Anna Wahlandt  
Jason Wing

## 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:

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk) / 07881426870

Jason Wing – Senior Exclusions Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk) / 07786171619

#### **For Special Schools – Statutory Assessment and Monitoring Service**

[senteam@peterborough.gov.uk](mailto:senteam@peterborough.gov.uk) / 01733 863996 - 01733 863934

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

## Letter L

### MODEL LETTER TO PARENTS/CARERS FOR A LUNCHTIME SUSPENSION

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 suspend (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 suspension

.....

[This brings the total number of days suspended 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 suspensions 'count' as half a day, so if the lunchtime suspension 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 suspend 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 suspension 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 suspensions who can provide you with advice on the suspensions process is:

***(Please delete as appropriate when sending your letter)***

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

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**For Special Schools – Statutory Assessment and Monitoring Service**

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01733 863996 - 01733 863934

*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)***

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*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

### Managed Move Protocol 2021

**Note that this protocol does not apply for students with an Education Health Care Plan who are subject to separate guidance.**

#### 1. Purpose

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

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

This protocol applies to all Peterborough Schools with the exception of Special Schools.

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 the “Exclusions Guidance – January 2021”.

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

A Managed Move involves the pupil remaining on the roll of their original school while trying a time limited fresh start opportunity at another near-by school. This time limit will usually be for a period of 15 weeks from the time they are admitted on a full-time basis to the new school. However, this period can be extended if all involved believed that this will be appropriate, it is agreed within a review meeting and deemed in the best interests of the young person. 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 Education Inclusion Officer, to inform the parents of their rights in this process. Parents, 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. At this stage transport should have been confirmed and agreed before offer is made to parents and school.

Where a managed move is being considered either grounds for permanent exclusion should already 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 considered for the child/family concerned, unless a specialist assessment has already been completed e.g. Social Care Assessment.

Where the parent or the LA does not agree to a Managed Move the school must continue to provide appropriate education. Parents 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 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.

Managed Moves for students from the second term of year 10 and beyond will not be considered by the panel unless it is deemed a one off incident or in extenuating circumstances.

### **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 student and there are valid grounds for permanent exclusion. This should include exhaustion of all school strategies as outlined in the PSP and the Individual Education Plan (IEP) individual risk management plan and Access Plan Do review documents (with involvement from the Behaviour and Inclusion Officer, Personal Education Plan (if the child is looked after) and an EHA is in place. DfE guidance suggests that a PSP / individual plan 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 LA must agree with this position. This will be agreed by the Behaviour and Inclusion Officer. In this meeting evidence must be provided as previous interventions and assessments undertaken that have led to support in order to prevent permanent exclusion (see appendix A for checklist).
- The parent/carer of the student has agreed to a managed move. A parent can withdraw their support for a Managed Move at any point if they are unhappy. Should this happen the referring school must provide appropriate education.

- Professionals working with the student believe that a change in school may result in behaviour that results in fewer difficulties for the young person and/or improved attendance.
- 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 Move should be sent by email to the Education Inclusion Officer and Clerk to the Fair Access Panel for discussion.

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 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.
- Managed Moves will not be heard by panel unless they are presented by an Education Inclusion Officer or by the referring school after the Managed Move has been agreed by that officer and paperwork completed.

#### **5. Criteria for selection of receiving school**

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

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 preference;
- Geographical proximity and potential transport costs;
- Frequency of approach to alternative schools.
- The number of inward moves in the relevant year group under FAP
- The number of moves in proportion to the size of the school

A parent does not have a choice of school but parental preference should be taken into account in this process where possible. If a parent is supportive this is more likely to make the placement successful and parents 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 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 City 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.
- Both schools involved should continue to support the PSP / individual plan (e.g. IRMP and APDR) and/or EHA process to ensure a high level of support for the pupil on transfer. Reviewing the PSP / individual plan and EHA regularly should make up part of agreed transfer meetings to assess how the move is working.

The identified receiving school will be approached by either the Education Inclusion Officer.

## **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.

A plan must be put in place 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 Behaviour and Inclusion Officer must take a lead on this to support the move.

- Education Inclusion Officer's will chair Managed Move meetings both initial and reviews for the duration of the move. Education Inclusion Officer's will be responsible for sending meeting notes and agenda to all parties involved.

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 day's 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 student 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 student 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 student placement is at risk of breaking down within the agreed timescales, a review meeting must be held in order to discuss support needed for success before the student's return to the original referring school. If the move is successful the student 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**

### **Terminating a managed move**

If it reaches the point where it should prove untenable for the move to continue, the Head teacher of the proposed school must contact the referring school and the Behaviour and Inclusion Officer by phone if possible, detailing the reason for considering terminating the arrangement. This should be followed by an emergency review meeting involving all parties where new targets are considered to enable that young person to have every chance of success prior to termination being considered.

### **The one-off incident**

Occasionally, a Head teacher will be faced with possible incident that warrants a permanent exclusion of a pupil in response to a serious one off offence. Such situations will mean that a Managed Move ends immediately. These incidents may include:

*Serious violence against another pupil or a member of staff (i.e. behaviour which results in another pupil or member of staff being seriously hurt)*

*Sexual abuse or assault (i.e. sexualised behaviours (verbal or physical) resulting in another pupil or member of staff being seriously threatened, intimidated or hurt)*

*Supplying an illegal drug*

*Carrying an offensive weapon with intent to harm*

When such incidents occur the Local Authority requests that a discussion takes place with the Behaviour and Inclusion Officer to explore the context around the above.

- Schools **must not** suggest to parents 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 Behaviour and Inclusion Officer before any action is taken in this regard
- It is not expected that a Managed Move would have been deemed to have failed due to low level behaviours or poor attendance. In these instances school should follow their usual process.

## **8. Monitoring and quality assurance arrangements**

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

Whilst the principles set out above will continue to apply, the Local Authority will from time to time review the detailed arrangements in consultation with Head teachers.

## **9. Responsibility for the coordination of Managed Moves**

Anna Wahlandt – County Manager for Alternative Provision and Inclusion, Cambridgeshire and Peterborough

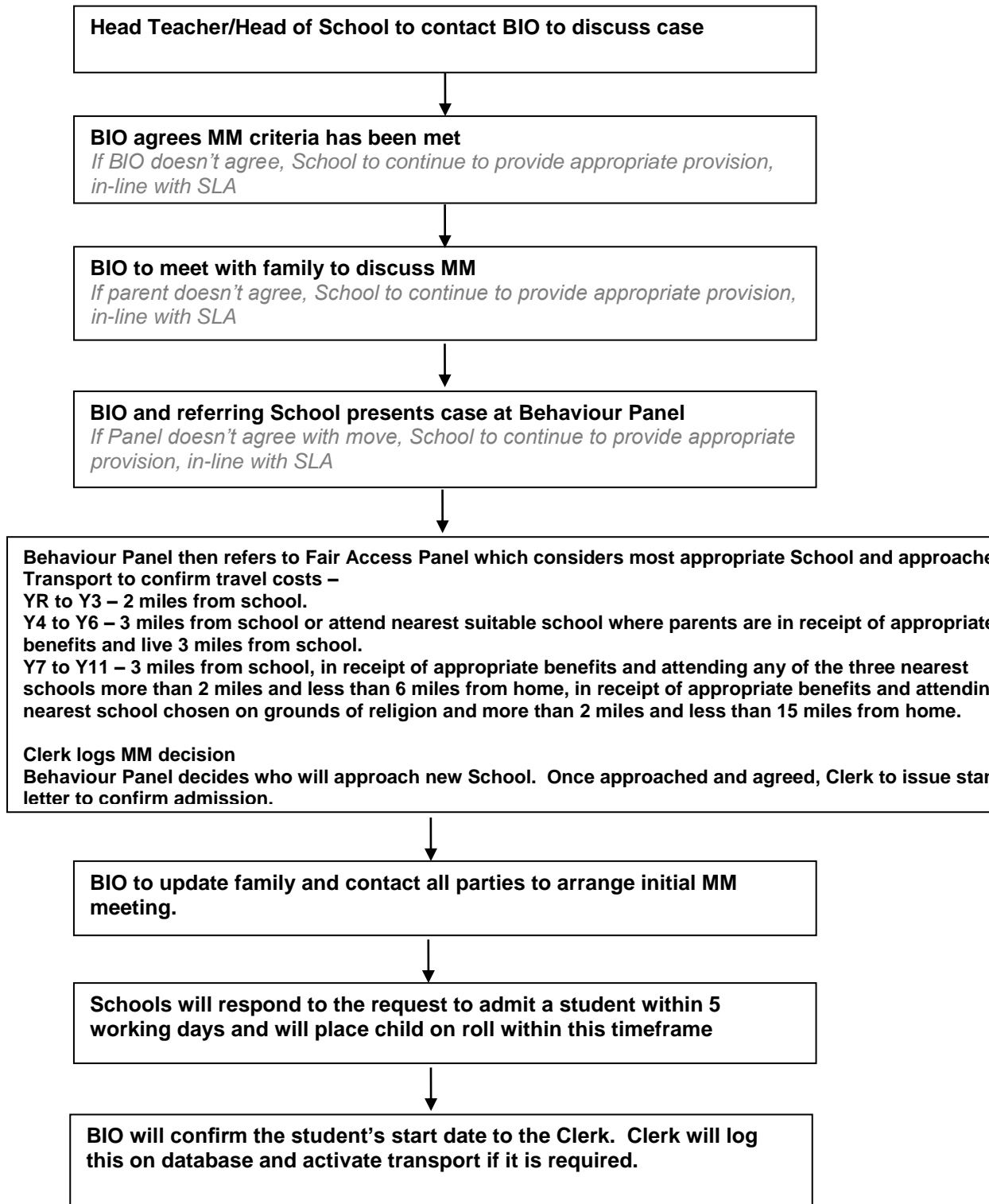
[anna.wahlandt@cambridgeshire.gov.uk](mailto:anna.wahlandt@cambridgeshire.gov.uk)

07881426870

Jason Wing – Senior Inclusion Officer

[jason.wing@peterborough.gov.uk](mailto:jason.wing@peterborough.gov.uk)

07786171619





## MANAGED MOVE REQUEST FORM

<b><u>Type of Move:</u></b>			
<b>Section 1: This section should be completed and passed to Admissions before any school is approached as a possible receiver</b>			
<b><u>Part A - To be filled in by referring school</u></b>			
Date of Request			
LA Managed Move Officer		Head teacher	
Name of Pupil		DOB	
Ethnicity		Gender	
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			
Is the Student Looked After?	Yes / No		
Pupil Premium?	Yes / No		
Date of EHA		Lead Professional:	
Date of PSP			
Number of Reviews		Most Recent Review to Date	

**Previous schools attended (including those outside of Peterborough) if known:**

Name		To		From	
Name		To		From	
Name		To		From	

**Concerns**

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 the 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.

Please also give a general comment.

KS 1/2/3 (see KS4 separately)

Key Stage Level		
Subject	NC Level	Teacher Assessment/comment
English		
Maths		
Science		
ICT		
Overall Estimate and other appropriate information		
<b>KS4 Only</b>		
GCSE etc. currently being undertaken by the pupil. Please list subjects and include details of examination board/syllabus etc.		
<b>GCSE</b>	<b>BOARD</b>	<b>CURRENT LEVEL</b>
		<b>PREDICTED LEVEL</b>
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 Student

Social Care	Yes / No	Contact:
CAMHS	Yes / No	Contact:
YOS	Yes / No	Contact:
Early Help District	Yes / No	Contact:
Health	Yes / No	Contact:
Other	Yes / No	Contact:

**Head teacher Signature****Print Name****Date****Behaviour and Inclusion  
Officer Signature****Print Name****Date****Part B – To be filled in by the Student'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 preference option. I would like to express a preference for the following school. I understand that my preference will not necessarily be met.

Preferred alternative school:

**Parent/Carer Signature****Date****Parent/Carer Signature****Date****Student Signature****Date****Section 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

<b>Section 3. This section should be completed by the Senior Admissions Officer</b>	
<b><u>Part A – to be filled in by Admissions</u></b>	
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 another possible receiver schools should not take this child

<b>Signature of Senior Admissions Officer:</b>	
<b>Date:</b>	

<b><u>Part B- to be filled in by Admissions</u></b>	Date
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	

<b>Section 4. This section to be completed by Managed Move Officer and Head teacher of receiving school</b>	
Name of receiving School:	Contact details:
Head teacher:	Agreed start date for pupil:
School contact person:	
Date of meeting to agree planning and start date for Managed Move:	
<b>Head teacher's signature</b>	<b>Date:</b>
<b>Managed Move Officer signature</b>	<b>Date:</b>

**Appendix A completed and attached**

**Yes / No**

## Appendix A

### Intervention Checklist to evidence support before request for Managed Move

Intervention	Date completed	Comments
Strengths and difficulties questionnaire		
Social and communication descriptors		
Dyslexia assessment		
Counselling		
Educational Psychologist		
CAMH		
EHA		
Speech and language assessment		
PSP Reports		
Amended timetable		
Discussion with BIO		
Working with external agencies		

## **Appendix B**

### Initial Managed Move Meeting Agenda

#### Attendees:

- BIO
- School staff from receiving school
- School staff from referring school
- Parent
- Carer
- Student
- Other agencies e.g. CAMH, YPW, Family Worker

#### Agenda

- Introductions
- Explanation of Managed Move by BIO
- Student view
- Parent view
- Referring school view
- Expectation of receiving school
- Practicalities – transport, school uniform, support to be put in place
- Review dates agreed

## Appendix C

### Managed Move Initial Meeting Form

Name of Student		Year:
Lead Staff for Original School		BIO:
Lead Staff for Receiving School		BIO:
Other Professionals involved (E.g. YPW, School Nurse, CAMH, CASUS)		

PSP and/or EHA (Y/N & state which)		Lead Professional:	
Date of next PSP/TAF Review			

Present at Meeting:	Date:
Name	Role

Student's Strengths (Subjects, extra-curricular etc.)	
Contribution from Student	
Contribution from Original School	
Contribution from Parent/Carer	
Contribution from BIO (if relevant)	
Strategies/Interventions discussed to support Move (list all strategies)	



Person Responsible	
--------------------	--

Any Concerns (from student, parent/carer or School)	What can be done to support/resolve	Person responsible
Uniform to be provided by:		
Transport arrangements:		
Arrangements for first day (including date and start time)		
Staff contact for student/parent (from Receiving School)		

Actions	Person responsible	Timescale
Signature		Date
Original School:		
Receiving School:		
Student:		
Parent/Carer:		

BIO:	
------	--

Date of first Managed Move Review

## Appendix D

### Managed Move Review Form

Name of Student			Year:
Date of next PSP/TAF Review (if relevant)			
Present at Review:		Date:	Week No:
Name		Role	
Update from Receiving School (Including successes/improvements/progress etc)			
Student's Voice (What's going well? What are they enjoying? Anything they're finding difficult?)			
Contribution from Parent/Carer			
Contribution from BIO (if relevant)			

Strategies/Interventions currently in place to support Move (list all strategies)		
Additional Strategies /Interventions agreed (if above isn't working)		
What's in place to promote Positive Behaviour	Successful (Y/N)	If No, what else can be done
Any Concerns (from student, parent/carer &/or School)	What can be done to support/resolve	Person responsible
Actions	Person responsible	Timescale

Date of next Managed Move Review:

Signature	Date
Original School:	
Receiving School:	
Student:	
Parent/Carer:	
BIO:	

## Appendix 4

# Use of Pastoral Support Plan

### When to use

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

### Before the meeting:

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

### Attendance at PSP meeting:

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

### Running a PSP meeting

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

## During the meeting

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

## Parent's Frequently Asked Questions – Primary

### **What is a PSP?**

The Peterborough City Council (PCC) 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 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 an Individual Risk Management Plan?**

Many Peterborough schools have received STEPS training. STEPS is a therapeutic approach to behavior management and an Individual Risk Management Plan (IRMP) is a tool used within this way of working.

The IRMP details the approach all staff will take to support both the pro social behaviours and difficult or dangerous behaviours.

### **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.

### **Will anyone else be involved?**

The following professionals may be involved;

Education Inclusion Officer - Their role is to provide advice and support for schools in supporting children who are at risk of exclusion. They work across a number of schools within Peterborough City Council.

Educational Psychologist- they may provide advice and support to school regarding childrens psychological needs. This will be agreed between school and the psychologist for that school.

Specialist Teacher- they may provide advice and support to school regarding Childrens needs and strategies to support needs. This will be agreed between school and the psychologist for that school.

### Risk Assessment Calculator

Name	
DOB	
Date of Assessment	

Harm/Behaviour	Opinion Evidenced	Conscious Sub-conscious	Seriousness Of Harm A	Probability Of Harm B	Severity Risk Score
	O/E	C/S	1/2/3/4	1/2/3/4	A x B
Harm to self					
Harm to peers					
Harm to staff					
Damage to property					
Harm from disruption					
Criminal offence					
Harm from absconding					
Other harm					

<b>Seriousness</b>	
<b>1</b>	Foreseeable outcome is upset or disruption
<b>2</b>	Foreseeable outcome is harm requiring first aid, distress or minor damage
<b>3</b>	Foreseeable outcome is hospitalisation, significant distress, extensive damage
<b>4</b>	Foreseeable outcome is loss of life or permanent disability, emotional trauma requiring counselling or critical property damage
<b>Probability</b>	
<b>1</b>	There is evidence of historical risk, but the behaviour has been dormant for over 12 months and no identified triggers remain
<b>2</b>	The risk of harm has occurred within the last 12 months, the context has changed to make a reoccurrence unlikely
<b>3</b>	The risk of harm is more likely than not to occur again
<b>4</b>	The risk of harm is persistent and constant

*Risks which score 6 or more (probability x seriousness) should have strategies listed on next page*



### Individual Risk Management Plan (Doc 1)

Name	DOB	Date	Review Date
------	-----	------	-------------

Photo	Risk reduction measures and differentiated measures (to respond to triggers) <div style="position: relative; height: 300px;"> <span style="position: absolute; top: 50%; left: 50%; transform: translate(-50%, -50%) rotate(-45deg); opacity: 0.1; font-size: 100px; pointer-events: none;">EXAMPLE</span> </div>
-------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Pro social / positive behaviour	Strategies to respond
Anxiety / DIFFICULT behaviours	Strategies to respond
Crisis / DANGEROUS behaviours	Strategies to respond
Post incident recovery and debrief measures	

Signature of Plan Co-ordinator..... Date .....

Signature of Parent / Carer..... Date .....

Signature of Young Person.....Date.....

## **Parent/Carer's - Frequently Asked Questions - Secondary**

### **What is a PSP?**

The Peterborough City Council (PCC) 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 Behaviour and Inclusion Officer (BIO) and possibly any other professionals working with the young person.

### **What is an 'Behaviour and Inclusion Officer'?**

The BIO is not employed by the school but by the PCC Behaviour and Inclusion 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 BIO 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.

### **What is an IAEP?**

A personalised plan for intervention should be prepared by the commissioning school, alongside the pupil and their parent/carers using the Individual Alternative Education Plan (IAEP), setting clear objectives for improvement and attainment, timeframes, arrangements for assessment and monitoring progress, and a baseline of the current position against which

to measure progress. Plans should also be linked to other relevant information or activities such as 'Education, Health and Care Plans' for children with SEN.

Commissioners should maintain a full record in the form of an AP register of all placements they make, including a pupil's progress, achievements and destination following the placement. Central records will be held electronically and should be updated under the direction of an appointed person in each school.

The IAEP's should be made available to the Local Authority through the Education Inclusion Officers every half term so the County Central AP Register can be updated.

The process should include the pupil's own assessment of their placement (See IAEP Review)

## Pastoral Support Plan – PSP

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

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...

<b>STUDENT STRENGTHS</b> (School, parents/carers, student, peers, others)
<b>CURRENT CONCERNS AS IDENTIFIED BY SCHOOL/COLLEGE:</b>
<b>STRATEGIES USED TO DATE:</b>

Cont'd...

**PLAN:**

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

**Signature:**

**Print Name:**

**School:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Student:** \_\_\_\_\_

**Parents/Carers** \_\_\_\_\_

**Behaviour and Inclusion Officer:** \_\_\_\_\_

## Pastoral Support Plan

## Parent / Carer Questionnaire

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

## Pastoral Support Plan

### Student self-assessment sheet

Name ..... Tutor Group .....

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

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

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

Other lessons I like are:

**Subjects**

**Reasons I like this subject**

.....

.....

.....

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

- ☐ I find the work too hard
- ☐ The lesson is boring
- ☐ The work is too easy
- ☐ The teacher lets people behave badly
- ☐ I feel embarrassed in this subject
- ☐ I have been told I am no good at this subject
- ☐ I do not get enough help



- ☐ I do not get on with the teacher
- ☐ I do not think the subject is important for my future.
- ☐ Other lessons I dislike are:

Subject

Reasons I do not like this subject

.....

.....

.....

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

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

At break/lunchtime and around the school:

- ☐ I get into fights with other students
- ☐ I am bullied
- ☐ I have something to eat
- ☐ I have nowhere to go
- ☐ I do not get into trouble
- ☐ I get into trouble because I smoke
- ☐ People pick on me

- ☐ I like to be active
- ☐ I get bored
- ☐ I would like somewhere quiet to go

*Your parents/carers will be giving us information too.*

*Tick the following if it applies to you:*

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

Do you find it difficult to do homework?

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

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

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

Teachers could help me by

.....

.....

.....

.....

.....

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

.....

.....

.....

.....

My friends could help me by

.....

.....

.....

.....

.....

Student signature .....

Date .....

# **PASTORAL SUPPORT PLAN REVIEW SHEET**

**Name of Student:** .....**Date:** .....

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

**Current issues of concern:**

**New Targets:**

**Signature:** \_\_\_\_\_ **Print Name:** \_\_\_\_\_

**Position:** \_\_\_\_\_ **School:** \_\_\_\_\_

**Parent/Carer:** \_\_\_\_\_ **Student:** \_\_\_\_\_

**Behaviour and Inclusion Officer:** \_\_\_\_\_

**Review Date:** \_\_\_\_\_

## INDIVIDUAL ALTERNATIVE EDUCATION PLAN (IAEP) AND REVIEW OF PLAN 2021 - 2022

To be completed at a meeting with parents/carers and student when a student is placed on an Alternative Education Provision programme – added to the Schools AEP Register and a copy sent to the Local Authority to be added onto the County AEP Register.

Student Details			
Name:		D.O.B	
Address:			
Name of Parent/Carer			
Parental responsibility (if not parent above):			
School:		Year Group:	
Member of school staff overseeing this plan:			
Other Professionals involved:			
Current and previous status: (Please tick as appropriate)	Current	Previous	
EHA			
PSP			
LAC			
FSM			
CIN/CP			
Details of reason for AP Provision:			
Alternative Provision Details			
Total hours per week:			
If the total number of hours is less than 25 please state the barriers to full time:			
Outline the plan to build up to 25 hours with timescale:			
Total number of hours on school site in internal alternative provision:			
Total number of hours off site in external alternative provision:			
Details of External Provider:			
Quality assurance details undertaken by the school:			
Has this Provider been quality assured by the Local Authority:	Yes	No	(Please circle)

		If yes, what stage of quality assurance has been undertaken?			
		Stage 1   Stage 2   Stage 3   Stage 4 (Please circle.)			
<b>Desired outcomes for this plan: (Please circle)</b>					
Reduced risk of exclusion		Increased attendance		Reintegration to mainstream	Improved learning
Reduced risk of becoming NEET		Improved outcomes		Others -	
<b>Timetable</b>					
Day	Monday	Tuesday	Wednesday	Thursday	Friday
Location and subject					
Morning					
Afternoon					
After school					
<b>Subject Details</b>					
Subject	Qualification working towards	Current level	Predicted grade	Provider (School or AP Provider)	
English					
Maths					
Science					
Other subjects					
<b>Support Required:</b>					
Who will provide pastoral support from school?					
Who will provide pastoral support from provider?					
Who will be the main contact in school for the provider and parents/carers?					
Who will be the main contact from the provider for school and parents/carers?					
Additional support required?					
Transport Arrangements:					
Arrangements for FSM (if student is eligible)					

<p>If the student is in Y11 s/he may benefit from additional support from the District Team's Senior Transitions Adviser, who with specialist career knowledge, can assist with Post-16 EET plans for next year</p> <p>If you would like to be considered for this support, please tick this box and ensure that a copy of the IAEP is sent to the relevant District Early Help Team <input type="checkbox"/></p>			
<b>Review of plan details</b>			
Estimated duration of plan?			
Review date of plan – (date to be set at this initial meeting and should be no longer than six weeks' time.)		Review date:	
Outline the plans for recording and feeding back daily attendance?			
Outline the plan for providing feedback regarding behavior, progress, achievements etc (To be provided weekly, by written report, verbally, at the review meeting?)			
Who should attend the review meeting?			
<p>This IAEP has been drawn up to define the Alternative Education programme agreed at a meeting attended by the parent/carer, the student, the designated representative of the school and where appropriate, the Provider. A copy of the plan has been provided for the parent/carer and a copy will be retained to inform IAEP review and quality assurance processes. Details of the updated IAEP will be recorded on the schools and the Local Authorities County AEP Register.</p>			
<p><b><i>As part of this agreed plan your son/daughter may be accessing a part-time provision to ensure that they are receiving education and are able to study for appropriate qualifications.</i></b></p> <p><b><i>May I take this opportunity to remind you that during the school day, if a student is not at (agreed provision)....., parents /carers must ensure their child is not present in a public place during school hours without reasonable justification.</i></b></p> <p><b><i>By agreeing to this education plan you are taking responsibility for the safeguarding of your son/daughter should there be periods of time where they are expected to be at home.</i></b></p>			
<b>Students/Parents Carers views/comments</b>			
Students views/comments on the proposed IAEP: (To be reviewed at the next meeting)			
Parents/Carers views/comments on the proposed IAEP: (To be reviewed at the next meeting)			
Students signature: Copy of this plan provided		Date:	
Parent/Carers signature: Copy of this plan provided		Date:	
Signature on behalf of the school:		Date:	
Signature of Provider if present:		Date:	

## REVIEW OF IAEP PLAN 2021-2022

Name of Student:		DOB:	
Date of IAEP Review:			
Address:			
Name of Parent/Carer			
Parental responsibility (if not parent above):			
School:		Year Group:	
Member of school staff overseeing this review :			
Other Professionals involved:			
Students views/comments on current provision:			
Parent/Carers views/comments on current provision:			
Schools views/comments on current provision:			
Providers vies/comments on currents provision:			
<b>Review of Alternative Provision Details</b>			
Total hours per week:			
If the total number of hours is less than 25 please state the barriers to full time:			
Review the plan to build up to 25 hours with timescale:			
Total number of hours on school site in internal alternative provision:			
Total number of hours off site in external alternative provision:			
Details of External Provider:			
Plan and timescales to return to mainstream provision:			
<b>Report on subject progress</b>			
Maths			
English			



Science					
Other subjects					
Report on attendance					
Behaviour and attitude to learning					
Pastoral support					
Areas of concern					
Other areas to discuss					
<b>Details of any changes to be made to original provision/timetable</b>					
Timetable					
Day	Monday	Tuesday	Wednesday	Thursday	Friday
Location and subject					
Morning					
Afternoon					
After school					
Students views/comments on the reviewed IAEP:					
Parents/Carers views/comments on the reviewed IAEP:					
Date of agreed next review of IAEP:					
Students signature: Copy of this review plan provided			Date:		
Parent/Carers signature: Copy of this review plan provided			Date:		
Signature on behalf of the school:			Date:		
Signature of Provider if present:			Date:		

## Appendix 5

### Temporary Reduced Timetables

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

Reduced timetables are permissible:

1. When agreed by schools and parents 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

Peterborough City 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 signed 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
- SAMS Casework Officer
- Educational Psychologist
- Team Leader – SEND Service
- Access and Inclusion Coordinator

## Best Practice Guidance

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

1. All schools **must refer all children** who they wish to place on a reduced timetable to the **Peterborough City Council Behaviour Panel**. The panel will meet on a weekly basis to discuss any requests for the introduction of a part-time timetable. The following **information must be presented** at the meeting:
  - A completed referral form outlining if this is new referral. If it is not a new referral then the number of cycles of the reduced timetable must be included
  - Rationale for implementing the reduced timetable including any **initial strategies** that have been employed before seeking a reduced timetable.
  - A reintegration timetable is required for any student/pupil who has been out of mainstream education for an extended period of time
  - A completed **Individual Alternative Education Plan (IAEP)** with details of the proposed reduced timetable including review dates of no more than six weeks
  - A **signed parental consent** form outlining that the reduced timetable has been discussed with parents/carers and that they understand the implications of the reduced timetable including the regular review date

### Please see the points below for further detail regarding setting a short-term reduced timetable for individual pupils and students.

2. 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.
3. 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.
4. 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.

5. Must complete an Individual Alternative Education Plan, agreed with the parents and the pupil and involving LA Officer through the Behaviour Panel, 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.
6. 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.
7. Ensure that where pupils have an EHCP, the Local Authority SEND 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 and schools **must discuss the situation and detail with SAMs** and inform them of any pressures that may be linked to the delivery of the EHCP. SAMs will provide advice and guidance.
8. 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.
9. 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.

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

**Any Secondary aged child who does not have an EHCP on a reduced timetable of more than 20% of their mainstream timetable, needs to have an IAEP and be placed on the schools AP register.**

## **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: JL/PermEx  
Your ref: PermEx  
Date:  
Contact: Jonathan Lewis  
Direct dial: 01223 727994  
E Mail: Jonathan.lewis@cambridgeshire.gov.uk

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

To: all Peterborough schools

Sand Martin House  
Bittern Way  
Fletton Quays  
Peterborough  
PE2 8TY

Dear Headteacher

<b>Subject</b>	<b>Transfer of funding re permanent exclusions within schools</b>
<b>Audience</b>	<b>To all Peterborough schools</b>

This letter is a reminder of the arrangements for the transfer of funding in relation to permanent exclusions within schools implemented from 1<sup>st</sup> 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 re-determine the excluding school’s budget share in accordance with paragraph (2).”*

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 1<sup>st</sup> September 2018 for Primary Schools only.

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 the Local Authority 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 decision from the Discipline Committee. Academies should be expected to make payment within the same timescale. If an Academy fails to comply with its legal requirement to pay following the decision to uphold the permanent exclusion, 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.

If you have any queries or questions in respect of the process please contact xxxxx

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jonathan Lewis', with a long horizontal stroke extending to the right.

Jonathan Lewis  
Service Director: Education

## **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:

<b>Funding Factor</b>	<b>2019-20 Rate</b>
Primary Basic Entitlement (Years R-6)	£2,763
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 2019. The funding deducted from the excluding school is based on the following calculation:
- A (Funding) = Basic entitlement £2,763 + Ever6 Pupil Premium £1,320 = £4,083.00
- B (Ratio applied to funding) = complete weeks remaining 47 / weeks in the year 52 = 0.9
- Funding recouped from the school = £4,083.00 x 0.9 = £3,674.70

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.

- Funding recouped from the school = £4,102 x 0.9 = £3,691.80

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.