

Exclusions and Alternatives to Exclusion

Information for Schools

September 2019

Contents

Summary	3
A. Exclusion	3
Introduction	3
Legal Background	4
Aims	4
Process	5
Allocation of Pupils	7
Support for Reintegration	8
Monitoring and Review	8
B. Alternatives to Exclusion	9
Managed Moves Between Schools Protocol	9
Introduction	9
Legal Background	9
Aim	10
Principles of Operation	10
Exceptions	11
Process	11
Monitoring and Review	13
Direction Off-Site	14
Introduction	14
Legal Background	14
Process	14
Monitoring and Review	15
Quality Assurance	15
C. Useful Links	16
Appendix 1 Permanent Exclusion Process Flow Chart	17
Appendix 2 Permanent Exclusion Reporting Form	18
Appendix 3 Data and Tracking Panel Flow Chart	27
Appendix 4 Managed Move Referral Form	28

Summary

This document from Newham Borough Council provides a guide to the government legislation and Newham processes and protocols for exclusion. This document is for all primary and secondary maintained schools, pupil referral units, academy schools, free schools, alternative provision academies and university technology colleges in Newham.

This document is not a substitute for legislation. All using this document must have regard to the law when carrying out their functions in relation to exclusions.

This document will be kept under review and updated as necessary.

A. Exclusion

Introduction

1. Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports Head Teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, 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 in the school¹.
2. The decision to exclude a pupil must be lawful, reasonable and fair².
3. Whilst an exclusion may still be an appropriate sanction, the head teacher should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying³.
4. All children have the right to an education⁴.

¹ Department for Education, September 2017, *Exclusion from maintained schools, academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion* Page 6

² *ibid* 6

³ *ibid* [18]

⁴ *ibid* 6

Legal Background

5. Newham's *'Exclusions and Alternatives to Exclusions: Information for schools'* has been based on the Department for Education's *'Exclusion from maintained schools, academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion'* published in September 2017. This is statutory guidance and relevant decision makers must have regard to it when carrying out their functions.

6. There is additional relevant legislative and statutory guidance contained in *'The Education Act 2002'*, *'The Education and Inspections Act 2006'*, *'The Education Act 1996'*, *'The Children and Families Act 2014'*, *'The Human Rights Act 1998'*, *'The Equality Act 2010'* and associated regulations, including in particular *'The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012'*, *'The Education (Provision of Full-Time Education for Excluded Pupils (England) Regulations 2007'* and the *'Special Educational Needs and Disability Code of Practice 0-25'* and the *'Alternative Provision Guidance: January 2013'*.

Aims

7. To allow for the best possible collaboration between schools and the Local Authority in meeting the needs of pupils.

8. To ensure permanent and fixed term exclusions are carried out in line with the statutory guidance.

9. To ensure that children who are excluded or at risk of exclusion are not disenfranchised from the right to education.

10. Parents should never be pressured into removing their child from school under threat of exclusion. This is unlawful.

11. Where appropriate, the principles of Early Help, parental engagement and the SEND Code of Practice's *'Assess, Plan, Do, Review'* model should be followed.

12. The head teacher should, as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child. As well as having disproportionately high rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impacts of exclusion⁵.

13. In all cases where permanent exclusion is likely, alternatives should be considered, such as:

- A Pastoral Support Plan (involving the Behaviour Support Service whenever possible);
- Formal assessment of the child's needs;
- A managed move to another school;
- Direction off-site to improve the pupil's behaviour.

⁵ *ibid* [23]

Process

14. Only the Head Teacher⁶ can make the decision to exclude a pupil on disciplinary grounds (Appendix 1).

15. When establishing the facts in relation to an exclusion the Head Teacher 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'⁷.

16. Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity or gender reassignment. **For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids**⁸.

17. The Head Teacher and Governing Board must comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEND Code of Practice⁹.

18. If a pupil who is Looked After or has additional needs is under threat of exclusion, it is highly recommended that an emergency interim review is held. All relevant professionals (including a representative of the Newham Virtual School for Looked After Children) need to attend this review and consideration should be made for additional support or for an alternative placement.

19. 'Informal' or 'unofficial' exclusions, such as sending a pupil home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded¹⁰.

20. When a Head Teacher excludes a pupil, they must **without delay** let parents know the type of exclusion and the reason(s) for it. They must also, without delay, provide parents with the following information in writing:

- The reason(s) for the exclusion;
- The length of the exclusion;
- The parents' right to put forward their case about the exclusion to the governing board, how they should go about doing this and how the pupil can be involved;
- When relevant, what alternative provision¹¹ will be provided from the sixth day of a fixed-period exclusion¹².

⁶ In a maintained school, 'head teacher' includes an acting head teacher by virtue of section 579(1) of the Education Act 1996. An acting head teacher is someone appointed to carry out the functions of the head teacher in the head teacher's absence or pending the appointment of a head teacher. This will not necessarily be the deputy head teacher: it will depend who is appointed to the role of acting head teacher. In an academy, 'principal' includes acting principal by virtue of regulation 21 of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012. *ibid* 8 Footnote 3.

⁷ *ibid* [65]

⁸ *ibid* [9]

⁹ *ibid* [12]

¹⁰ *ibid* [14]

21. Template letters to send to parents/carers are available on Newham Connect or by contacting the Exclusions and Reintegration Officer.

22. For fixed-term exclusions over five days, alternative provision must be provided on the sixth day by the school. The Governing Board does not need to meet to consider reinstatement for a fixed-term exclusion unless:

- The parent has made representations;
- The fixed-term exclusion would bring the pupil's total number of school days of exclusion to more than 15 days in a term; or
- It would result in the pupil missing a public examination or national curriculum.¹³

23. For permanent exclusions, the Head Teacher must notify the Local Authority **without delay**¹⁴ using the Permanent Exclusion Reporting Form ([Appendix 2](#)). The Permanent Exclusion Reporting Form is available on Newham Connect or by contacting the Exclusions and Reintegration Officer.

24. The Permanent Exclusion Reporting Form includes a current risk assessment for the pupil and their behaviour. If the exclusion involves sexualised behaviour, an AIM Assessment must be completed prior to placement at alternative provision.

25. When recording an exclusion, the Local Authority recommends that a school should use the 'Other' category sparingly. The Exclusions and Reintegration Officer will be able to advise a school as to which category best fits the incident. As an example, possession of a knife or other offensive weapon should be recorded as 'Verbal abuse/threatening behaviour'.

26. The Local Authority has the statutory duty to arrange suitable full-time education for the pupil to begin no later than the sixth school day of the permanent exclusion.

27. If the permanently excluded pupil lives in another borough, the pupil's 'home authority' takes the responsibility of providing full-time education.

28. If the permanently excluded pupil is a Looked After Child, the Virtual School and the Local Authority should work together to arrange alternative provision from the first day of an exclusion.

29. Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of an exclusion, the school should take reasonable steps to set and mark work for the pupil. Work that is provided should be accessible and achievable by the pupil outside school¹⁵.

¹¹ For the purposes of this guidance, the definition of alternative provision is as follows: education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour. Definition from the Department for Education, January 2013, *Alternative Provision: Statutory guidance for local authorities* Page 3

¹² Department for Education, September 2017, *Exclusion from maintained schools, academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion* Page 57

¹³ Ibid [18]

¹⁴ Ibid [40]

¹⁵ Ibid [51]

30. Within fifteen school days of a permanent exclusion, the school's Governing Board must hold a meeting to review the decision to exclude. The parent/carer must be invited to this meeting.
31. For maintained schools, a Local Authority Representative will be present at this meeting.
32. For academies and free schools, a Local Authority Representative can be invited by the parent/carer or by the school to this meeting.
33. In most cases, the primary task of the Governing Board is to consider whether to reinstate the pupil.
34. If the Governing Board upholds the exclusion, the parent/carer has the right to ask for the decision to be reviewed by an Independent Review Panel (IRP).
35. If no review request is made by the parent/carer, the pupil is removed from the school roll after the final date a request could be made. This date is fifteen school days after the Governors' decision was made. The Exclusions and Reintegration Officer will notify the school as to whether a review has been requested or not.
36. If a review request is made, the pupil must stay on the school roll until the process is complete.
37. Once per term, the school should update the Local Authority on any exclusions that the Local Authority has not already been made aware of¹⁶. For fixed-term exclusions, this can be done through Newham Pupil Service's Data Sharing Agreement (DSA). If a school has not signed up to the DSA, alternative arrangements will need to be made with the Exclusion and Reintegration Officer. Information provided must include the reason for the exclusion (refer to *Department for Education's School Census Guide*) and the length of time.

Allocation of Permanently Excluded Pupils

38. After a six week placement at alternative provision, the pupils will be presented at Newham's Data and Tracking Panel. Newham's Data and Tracking Panel will consider if the pupil is ready to return to mainstream school. Evidence will be presented to the panel by the alternative provision (e.g. assessment reports, intervention reports, academic achievement, attendance log). If the pupil is ready to return to mainstream school, schools will be consulted and the pupil's case will be brought to the Pupil Placement Panel ([Appendix 3](#)).
39. For more information on the allocation of permanently excluded pupils and the Data and Tracking Panel, please refer to the *London Borough of Newham's Pupil Placement Panel: Terms of Reference*, September 2019 and *London Borough of Newham's Data and Tracking Panel: Terms of Reference*, September 2019.

¹⁶ *ibid* [41]

Support for Reintegration

40. Advice and guidance to support an effective reintegration into the named school will be provided by staff from the alternative provision the pupil attended.
41. A staff member from the pupil's alternative provision should be invited to the admissions meeting and any relevant professionals meetings.
42. Once admitted, as part of their reintegration package and for a successful transition, the pupil will be on a six week trial placement at their named school. During this trial, the pupil will remain dual registered at the alternative provision. If during this trial placement issues of negative behaviour arise, the school should contact the alternative provision immediately for advice and support. If the trial period is a success, the pupil will become single registered at the school.
43. The Behaviour Support Service can offer support for a pupil with SEMH needs.

Monitoring and Review

44. A 'Starters and Leavers' database will record permanent exclusions and allocations of permanently excluded pupils. The database will include total numbers for the current and previous academic year. This database will be circulated to all schools prior to PPP. This database will be the responsibility of the Exclusions and Reintegration Officer.
45. At fortnightly Data and Tracking Meetings, permanently excluded pupils will be monitored and assessed for progress, attainment and attendance and whether they are ready to return to mainstream school ([Appendix 3](#)).
46. The placements made at PPP will be reviewed at each monthly PPP meeting. The Local Authority will monitor and record the success of each PPP placement.
47. Schools are accountable to each other, to Newham Association of Secondary Heads (NASH) and Newham Association of Primary Heads (NAPH).

B. Alternatives to Exclusions

Managed Moves Between Schools Protocol

Introduction

48. This protocol is intended to support inclusion in the widest sense and reduce permanent exclusions. It has been agreed between Newham Head Teachers and the Local Authority. It is intended to be clear, fair and transparent to comply with relevant legislation and guidance.

49. Managed moves are placements made outside of the normal published admission arrangements. Managed moves sit alongside other alternatives and methods of avoiding exclusion, such as, Pastoral Support Plans (PSPs), formal assessment and direction off-site to improve behaviour.

Legal Background

50. 'Managed Moves' were first mentioned in July 1999 by the Department for Education and Skills as a consideration for a pupil on a Pastoral Support Programme. It suggested that, *'A fresh start, with the opportunity to develop new relationships, can have a positive impact on a child's progress'*¹⁷.

51. In September 2008, the government developed the idea of a managed move being used as an alternative to permanent exclusion. The guidance suggested that a Head Teacher could use a *'managed move to another school to enable the pupil to have a fresh start in a new school. The head teacher may ask another head teacher to admit the pupil. This should only be done with the full knowledge and co-operation of all the parties involved, including the parents, governors and the LA, and in circumstances where it is in the best interests of the pupil concerned'*¹⁸

52. This has been reinforced by the latest government guidance in September 2017, where it states, *'A pupil at any type of school can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents and the admission authority of the school. However, the threat of exclusion must never be used to influence parents to remove their child from the school'*¹⁹.

¹⁷ Department for Education and Skills Social Inclusion: *Pupil Support Circular 10/99* July 1999 and revised in June 2004

¹⁸ Department for Children, Schools and Families *Improving behaviour and attendance guidance: guidance on exclusion from schools and Pupil Referral Units* September 2008

¹⁹ Department for Education *Exclusion from maintained schools, academies and pupil referral units in England: A guide for those with legal responsibilities in relation to exclusion* September 2017

Aim

53. To enable pupils, who would benefit from a 'fresh start', to maximise their chances of educational engagement and achievement.

54. To ensure managed moves for pupils at risk of permanent exclusion are carried out in line with the statutory guidance, are distributed equitably and are undertaken for appropriate reasons.

55. To enable effective, collaborative decision-making in relation to a pupil's managed move.

Principles of operation

56. Managed moves between schools are brokered by the Local Authority.

57. After consultation with the school, the Local Authority decides if a managed move is suitable.

58. Every pupil deserves another chance. Any pupil at risk of permanent exclusion may be considered for a managed move. However, it is not recommended that a pupil should have more than one managed move in their academic career.

59. The principle of openness, honesty and transparency between schools, the Local Authority and other stakeholders underpins this protocol. A receiving school should have full access to records held by the original school at the earliest opportunity. The pupil's current school must give full and honest appraisal of the pupil being referred and the reasons for seeking a managed move.

60. Head Teachers have committed to sharing all relevant information and have agreed that the protocol will only operate effectively on the basis of trust and co-operation between participating schools.

61. Managed moves should only take place with the full knowledge and co-operation of all parties, including parents, schools and the Local Authority.

62. Managed moves should only take place where it is in the best interests of the pupil concerned.

63. Managed moves should generally only be considered when the pupil has been involved in a one-off incident and is likely to reintegrate successfully to a new school.

64. Planning for success is key for addressing the pupil's difficulties. There should be a detailed plan and/or support package in place to ensure the move is successful.

65. Parents should never be pressured into removing their child from the school under threat of a permanent exclusion and a pupil's name should never be deleted from the school roll on disciplinary grounds unless formal permanent exclusion procedures have been adhered to or a Managed Move has been agreed as successful by all relevant parties.

66. Placements will be made without reference to the published admission number or number on roll to protect schools with high mobility and/or vacancies.

Exceptions

67. Pupils fulfilling the following, will not normally be considered for a managed move to a mainstream school:

- Pupils in Year 6: unless they have been involved in a serious one-off incident and the current school recommends an immediate fresh start in a new school without PRU support;
- Pupils in Year 11: unless they have been involved in a serious one-off incident and the current school recommends an immediate fresh start in a new school without PRU support;
- Pupils who have already had a managed move;
- Pupils undergoing statutory assessment;
- Pupils with an existing Statement, EHCP or where placement in a special school is being considered.

Process

68. The Head Teacher should review the pupil's school record and decide from the evidence available whether the pupil would benefit from a fresh start.

69. A professionals meeting could be arranged to fully share background information with all services involved with the pupil and/or their family and to agree if a managed move is the most appropriate way forward.

70. The school should make the process of a managed move clear to parents/carers so that they can make an informed decision.

71. Parents/Carers should be made aware that they will be responsible for any new travel arrangements, uniform requirements and any associated costs.

72. The Head Teacher should complete all sections of the Managed Move Referral Form ([Appendix 4](#)) including the parental preferences. This should be then signed by the parent/carer and the Head Teacher.

73. The complete Managed Move Referral Form should be sent to the Local Authority.

74. Using the Managed Move Referral Form, the Local Authority will approach a Newham school. The Local Authority will consider:

- Parental Preference;
- Proximity to home;
- The pupil's needs;
- Other recent managed moves between schools.

75. Schools are welcome to bring managed move cases direct to the PPP if they wish the case to be discussed with other school representatives rather than brokered by the Local Authority. Relevant paperwork must be submitted to the Exclusions and Reintegration Officer within the specified time constraints for documentation to be processed and distributed at least five school days before the meeting. The school representative must attend that meeting to present the case.

76. During the time of deliberation, the original school must continue to provide suitable education for the pupil.

77. The new school must arrange an admissions meeting with the pupil, their parents/carers and a member of staff from the current school.

78. In best practice, this admissions meeting should be held within five days of the date the move was agreed by the chosen school.

79. If the parent/carer refuses to accept the place offered, the case will be referred back to the Local Authority to reassess and consider naming a different school. If the Local Authority decides that the original offer was suitable and the parent/carer continues to refuse the place, the case will be referred back to the pupil's original school. The Local Authority may decide the case needs to be brought to PPP for discussion.

80. There is a six week trial period. During the trial period, fortnightly reviews are held by the new school with the parent/carer. The trial can be terminated by agreement at any of the reviews.

81. During the trial period, the pupil remains on the original school's roll and is marked in the register as a Code D (dual rolled)²⁰. The new school will code the pupil's attendance in accordance with the national codes in the Department for Education guidance.

82. When it has been agreed by all parties that the move has been a success, the pupil can be removed from the roll of the original school and be single registered on the new school's roll.

83. The Behaviour Support Service can offer support for a pupil with SEMH needs.

84. If the Managed Move trial is unsuccessful, this needs to be acknowledged in a 'no-blame' culture. However, if it is shown that the referring school misrepresented the case, it will be referred to the Local Authority and/or PPP for discussion.

85. Where new information becomes available which would render a decision inappropriate, for example a risk is identified, the case will be referred to the Local Authority and/or PPP for discussion.

86. If the managed move is deemed unsuccessful, the pupil's original school must either:

- Take the pupil back;
- Permanently exclude; or
- Consider other alternatives.

²⁰ Department for Education, November 2016, School attendance: Guidance for maintained schools, academies, independent schools and local authorities

Monitoring and Review

87. The Local Authority must be made aware of all managed moves between schools.

88. A 'Starters and Leavers' database will record the total number of managed moves between schools. The database will include the number of managed moves for the current and previous academic year. This database will be circulated to all schools prior to PPP.

89. All managed moves will be reported at PPP and will be reviewed at each monthly PPP meeting. The Local Authority will monitor and record the success of each Managed Move.

90. Schools are accountable to each other and to their relevant constituent groups e.g. NASH and NAPH.

Direction Off-Site

Introduction

91. The Head Teacher has the right to direct a pupil off-site to improve their behaviour.

Legal Background

92. In January 2013, the government released *Alternative Provision: Statutory guidance for local authorities*. This document provides guidance for educational professionals on the statutory duties and powers concerning the use of alternative provision.

93. This guidance should be read in conjunction with the government statutory guidance.

Process

94. It is the school's responsibility to contact the alternative provision directly to make arrangements for the pupil to be directed off site.

95. The school will be financially responsible for the directed placement.

96. Where possible, parents/carers should be engaged in the decision taken by the school to direct a pupil off-site²¹. The parent/carer should be given clear information about the placement: why, when, where and how it will be reviewed.

97. The school and the alternative provision must meet at the start of the placement to agree objectives, timeframes and arrangements for reviews.

98. Reviews should be frequent enough to provide assurance that the off-site education is achieving its objectives and that the pupil is benefitting from it²². If a child at the alternative provision suffers from poor attendance, the school and the alternative provision will agree on who takes responsibility for the day-to-day monitoring of absence, and then who is responsible for interventions should the child's attendance continue to be unsatisfactory.

99. The focus should remain on ensuring that a child continues to receive a good education on par with their mainstream peers whilst the needs which require intervention are being addressed. Therefore, the length of time a pupil spends in alternative provision will depend on what best supports the pupil's needs and potential educational attainment²³.

100. Pupil's should be dual registered from the beginning of the first day at the commissioned alternative provision. For the purpose of the school census, a pupil

²¹ Department for Education *Alternative Provision: Statutory guidance for local authorities* January 2013 [42]

²² *ibid* [24]

²³ *ibid* [43]

should be dual *main* registered at their school and *dual* subsidiary registered at the alternative provision.²⁴

101. The placement can be terminated at anytime by the school, Local Authority and alternative provision. However, as far as possible, the pupil's education should not be disrupted.

102. It is expected that pupils will normally return to their school. Throughout the placement, pupils should be encouraged to continue to feel part of the school.

103. Schools should have processes in place to support and successfully reintegrate the pupil at the end of the placement.²⁵ This reintegration plan could include other services (e.g. Behaviour Support Service, Social Care, Headstart).

104. The school should obtain from the alternative provision a final report on the pupil's achievements during the placement including academic attainment and progress, attendance records and evidence of change in behaviour. The pupil's views on the success of the placement should also be sought.²⁶

Monitoring and Review

105. Commissioners should maintain a full record of all placements they make, including a pupil's progress, achievements and destination following the placement. This should also include the pupil's own assessment of their placement²⁷. Further responsibilities of the commissioners, are covered in the *Department for Education's Alternative Provision Statutory guidance for local authorities*, page 11.

106. Alternative provision should be good quality, registered where appropriate, and delivered by high quality staff with suitable training, experience and safeguarding checks²⁸.

107. The Data and Tracking Panel will monitor the use of Directed Placements at Newham's alternative provisions. The Data and Tracking Panel will challenge schools if it is believed that due process in the use of Directed Placements have not been followed.

Quality Assurance

108. It is the responsibility of the school to conduct annual Quality Assurance inspections.

109. The Alternative Provision should show evidence to the school and the Local Authority of their arrangements to safeguard and promote welfare under Section 11 of the Children Act 2004²⁹ and the Awarding Bodies of their own quality assurance outcomes.

²⁴ Ibid [40]

²⁵ Ibid [44]

²⁶ Ibid [45]

²⁷ Ibid [33]

²⁸ Ibid [38]

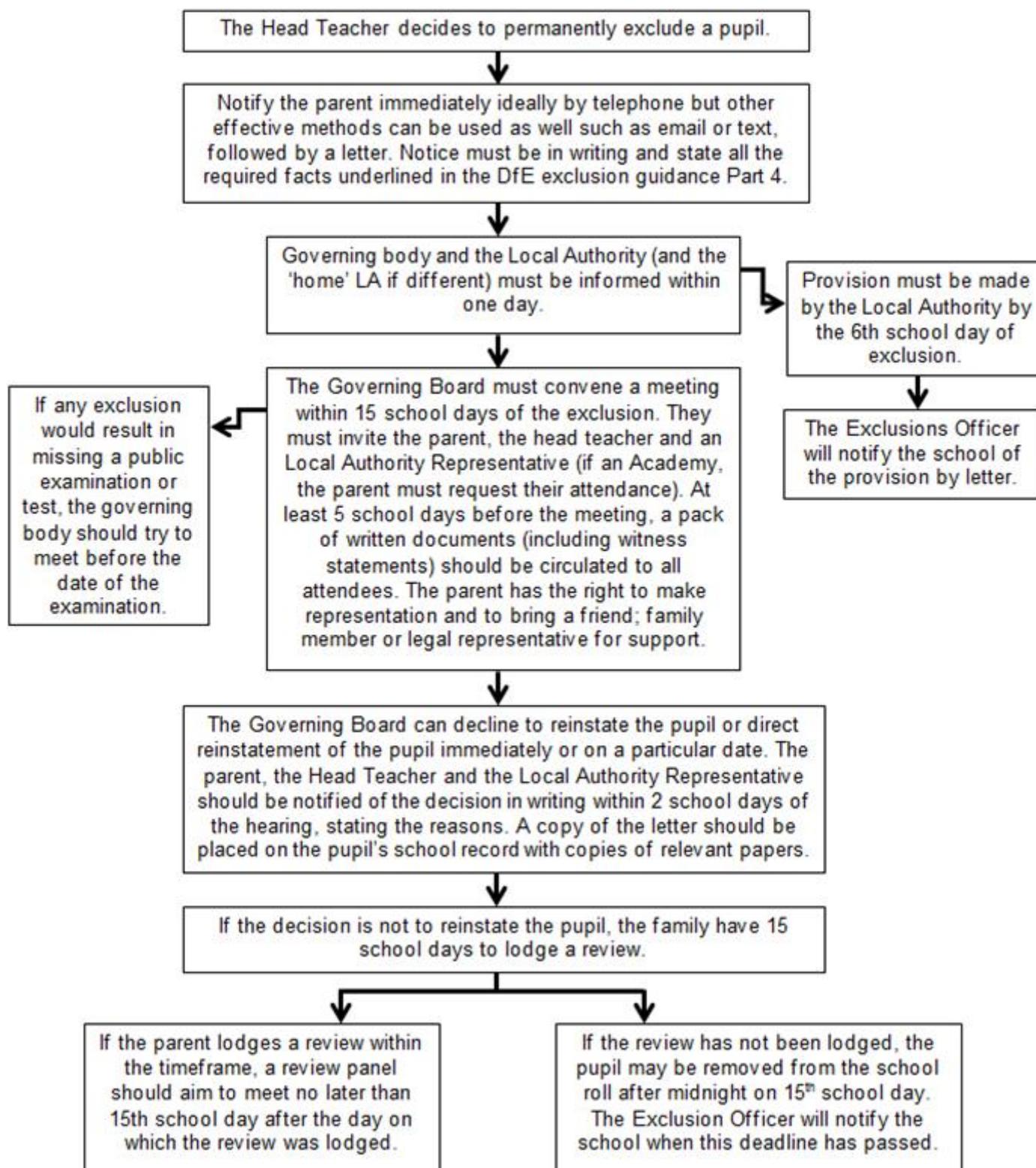
²⁹ For further detail, refer to Section 11 of the Children Act 2004, Page 9

C. Useful Links

- Go to www.gov.uk for the following documents:
 - Department of Education, September 2017, *Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion*
 - Department for Education, January 2013, *Alternative Provision Statutory guidance for local authorities*
 - Department for Education, November 2016, *School attendance: Guidance for maintained schools, academies, independent schools and local authorities*
- Tracy Jones, Newham Pupil Services, *Determined School Admission Arrangements for Secondary Schools For entry from September 2019 and School Admissions Fair Access Protocol* www.newham.gov.uk
- <https://childlawadvice.org.uk>
- <http://www.coram.org.uk>
- Improving behaviour and attendance: guidance on exclusion from schools and Pupil Referral Units September 2008 Department for Children Schools and Families <http://dera.ioe.ac.uk/8486/1/Exclusion%20guidance%202008.pdf>
- Circular 10/99: The Secretary of State's Guidance on pupil behaviour and attendance Department for Education and Skills <http://webarchive.nationalarchives.gov.uk/20050302015244/http://www.dfes.gov.uk/behaviourandattendance/guidance/Revised/Social%20Inclusion.cfm>

Appendix 1

Permanent Exclusion Process



Appendix 2

Permanent Exclusion Reporting Form 2018/2019

Instructions

- Please ensure you have read the Newham's *Exclusions and Alternatives to Exclusion: Information for Schools* (September 2018) and, if necessary, the Department for Education's *Exclusion from maintained schools, academies and pupil referral units in England* (September 2017).
- This form must be fully completed and signed by the head teacher or teacher in charge.
- If you need any support when completing the form, please contact exclusions@newham.gov.uk
- A copy of the letter(s) sent to the parents/carers about the permanent exclusion of the pupil must be signed by the head teacher or teacher in charge and sent with the form.
- Additional paperwork can also be provided with the form in relation to the permanent exclusion.
- Please provide every detail as requested on this form. If a request has no relation to the permanent exclusion, please state '**non-applicable**' or '**no**'.
- Once the form is fully completed, please email the document securely using Egress to exclusions@newham.gov.uk or via USO to *sbugeya2.316*.

Section 1 - Pupil Details

First Name	
Last Name	
Date of Birth	
Year Group	
Gender	
Address	
Postcode	
Current School	
Previous Schools	
Name of Parents/Carers	
Relationship to Pupil e.g. mother, father	
Home Telephone Number	
Mobile Telephone Number	
Ethnic Background	

Home Religion	
Family Home Language	

Date on Roll	
UPN or ULN	
Attendance Up Date	

Has the pupil been referred to Children's Triage?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Has the pupil been referred to Multi-Agency Risk and Vulnerability Panel?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Has the pupil been referred to the Multi-Agency Sexual Exploitation Panel?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Is the pupil on a Child Protection or Child in Need Plan?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does your school receive pupil premium for the pupil?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil in the care of the Local Authority (pupil in public care)?	YES <input type="checkbox"/> LA Responsible: Social Worker:	NO <input type="checkbox"/>
Does the pupil have a long term medical condition?	Yes <input type="checkbox"/> Condition:	NO <input type="checkbox"/>
Is the pupil currently eligible for Free School Meals?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil from a Gypsy, Roma, Traveller, Refugee or Asylum Seeker Family?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil on a Pastoral Support Plan (PSP)?	YES <input type="checkbox"/> Date:	NO <input type="checkbox"/>
Has the pupil got a Statement of SEN / EHCP?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil on the SEN Code of Practice?	YES <input type="checkbox"/> Stage: Reason:	NO <input type="checkbox"/>
Does the pupil have a physical disability?	YES <input type="checkbox"/> Details:	NO <input type="checkbox"/>

Education Attainment

<u>Assessments</u>	<u>English</u>	<u>Maths</u>	<u>Science</u>
KS1 Test Results			
KS2 Test Results			
KS3 Test Results			
Current Levels/ Predicted Grades			

Teacher Assessments

<u>Strengths Core and Non Core Subjects</u>	<u>Weaknesses Core and Non Core Subjects</u>

Pupil Information Key Stage 4

Key Stage 4 Programme					
Subject	Examination Boards Specifications/ Levels	Current Levels	Predicted Grade	Coursework Completed	Coursework Outstanding
Name of Diploma Course:		Centres attended & contact details:		Can pupil continue on course? Yes/No	
Other Vocational Courses:		Centres attended & contact details:		Can pupil continue on course? Yes/No	
Post 16 Progression Route:					

Section 2 - Details of the Permanent Exclusion

Day and date of permanent exclusion:
Day and date parent was notified:
Day and date of official letter to parent: Please include a copy of this letter when reporting it to the Local Authority
Day and date Local Authority was notified:

Main Reason for Permanent Exclusion (please tick one box only)

This exclusion is in response to a serious breach of the school's behaviour policy	<input type="checkbox"/>
OR This exclusion is in response to persistent breaches of the school's behaviour policy	<input type="checkbox"/>
AND Allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school	<input checked="" type="checkbox"/>

Please see Point 16, Page 10 in the DfE Exclusions Statutory Guidance

<u>Category</u>	<u>Code</u>	<u>Please tick one box only</u>
Physical assault against a Pupil <i>Includes fighting, obstruction and jostling, violent behaviour, wounding</i>	PP	<input type="checkbox"/>
Physical assault against an adult <i>Includes obstruction and jostling, violent behaviour, wounding</i>	PA	<input type="checkbox"/>
Verbal abuse / threatening behaviour against a pupil <i>Includes aggressive behaviour, carrying an offensive weapon, homophobic abuse and harassment, swearing, threatened violence, verbal intimidation,</i>	VP	<input type="checkbox"/>
Verbal abuse / threatening behaviour against an adult <i>Includes aggressive behaviour, carrying an offensive weapon, homophobic abuse and harassment, swearing, threatened violence, verbal intimidation,</i>	VA	<input type="checkbox"/>
Bullying <i>Includes verbal, physical, homophobic bullying, cyber bullying</i>	BU	<input type="checkbox"/>
Racial Abuse <i>Includes derogatory racist comments, racist bullying, racist graffiti, racist taunting and harassment, swearing that can be attributed to racist characteristics</i>	RA	<input type="checkbox"/>
Sexual Misconduct <i>Includes lewd behaviour, sexual abuse, sexual assault, sexual bullying, sexual graffiti, sexual harassment</i>	SM	<input type="checkbox"/>
Drug and Alcohol Related <i>Includes alcohol abuse, drug dealing, inappropriate use of prescribed drugs, possession of illegal drugs, smoking, substance abuse</i>	DA	<input type="checkbox"/>
Damage <i>Includes damage to school or personal property belonging to any member of the school community, vandalism, arson, graffiti</i>	DM	<input type="checkbox"/>
Theft <i>Includes selling and dealing in stolen property, stealing from local shops on a school outing, stealing personal property (pupil or adult), stealing school property</i>	TH	<input type="checkbox"/>
Persistent Disruptive Behaviour <i>Includes challenging behaviour, disobedience, persistent violation of school rules</i>	DB	<input type="checkbox"/>
Other <i>Includes incidents which are not covered by the categories above. This category should be used sparingly</i>	OTH	<input type="checkbox"/>

In School Additional Support

e.g. Learning Support, Behaviour Support, Mentoring, Social Skills Group, Anger Management, Circle of Friends

Support	Date	Reason for Support	Outcome	Report Attached
				<input type="checkbox"/>

External Additional Support

e.g. Social Services, Youth Offending Team, Behaviour Support, Police, Families First, Educational Psychologist, CAHMS etc:

Agency	Date	Reason for Referral	Outcome	Report Attached
				<input type="checkbox"/>

Key issues relevant to the exclusion

Is this a one off incident?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>If no, please provide the dates and main reasons of previous incidents to be considered:</i>		
Does the pupil already have a permanent exclusion record?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>If yes, please provide the date, name of excluding school and main reason for the permanent exclusion:</i>		
Was the pupil considered for a managed move before the permanent exclusion?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>Please explain reasons:</i>		

<p>Please explain the reasons for the permanent exclusion in further detail: <i>If the permanent exclusion includes an illegal drug, please specify the drug. If the permanent exclusion includes a weapon, please specify the weapon and how it was used.</i></p>
--

<p>If the reason for the permanent exclusion was a criminal offence, was the incident reported to the police? <i>If so when, by whom, incident number and what was the outcome e.g. arrested, verbal warning, no investigation:</i></p>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
--	------------------------------	-----------------------------

If the reason for the permanent exclusion was sexualised behaviour or if this is a concern, an AIM assessment must be completed. What are the outcomes on the relevant AIM checklist? *Please consult your Safeguarding Lead for guidance on completing the AIM checklist. It should only be completed by a trained member of staff.*

Please provide any other information that may clarify the permanent exclusion or aid professionals in suggesting appropriate provision e.g. gang post code issues, inappropriate sexualised behaviour, known to the police for criminal behaviour etc:

How many internal exclusions has the pupil received since starting your school?	Total number:
How many fixed term exclusions has the pupil received since starting your school?	Total number:

Have other alternatives to exclusion been used before for the pupil in response to a breach of your school's behaviour policy such as restorative justice, mediation, detentions, behaviour report, directed placement to an alternative provision etc:

Risk Assessment

The following tables are designed to quantify the risk and operate like a times table grid, balancing the potential severity of an incident with the likelihood of it occurring. Mark on the table where the pupil would be at each different time of day.

Below is an example of the level of detail that should be included.

Example: During Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input checked="" type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

---EXAMPLE---	What is the risk?	<i>If J is bored in lessons, his behaviour deteriorates and can lash out and distract those nearby</i>
	Who is at risk?	<i>Pupils in the vicinity and any adult that tries to intervene</i>
	What reduces the chances of this happening or de-escalates the situation?	<i>Careful consideration of where J sits in class – i.e. sit at front of class, not near PM. He benefits from a stress ball to squeeze whilst listening and he needs differentiated resources to support the curriculum that meet his speech and language needs. J feels threatened if an adult stands too close in front of him, so needs adults to approach from the side and speak in a calm, low voice.</i>

During Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Transition between Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Break, Lunch, Free Time

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Out of school (including travelling to and from school)

Risk		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Review of Risk Assessment

What has been effective and have the risks changed? Does the plan need changing?
Would the head teacher or teacher in charge recommend an immediate fresh start in a new school without interim placement in a Pupil Referral Unit? <i>Please explain reasons why:</i>
If more than one pupil is being excluded for the same offence, could they be educated together or do they need to be separated?

Additional Information to be included with the Reporting Form

Please indicate if included

<u>Documents</u>	<u>Tick</u>
Education Psychologist Report (EP)	<input type="checkbox"/>
Last School Report	<input type="checkbox"/>
Details of Code of Practice (SEN)	<input type="checkbox"/>
Attendance (Last Two Terms)	<input type="checkbox"/>
Pastoral Support Plan (PSP)	<input type="checkbox"/>
Individual Education Plan (IEP)	<input type="checkbox"/>
Behaviour Log Sheet	<input type="checkbox"/>
Other	<input type="checkbox"/>

Section 3 – Parental Preference and Signature

School will need to contact the parents/carers to find out their preferred choices.

<u>School Preferences</u>	<u>First name, surname and date of birth of any sibling already attending the school</u>	<u>Reasons for Preferences * (Optional)</u>
Preference 1 Borough -		
Preference 2 Borough -		

* Parents may wish to use the column on the right, ***only*** if they wish to give reasons for the preference for any school, they do not have to supply a reason but we would recommend they do so. These might include religious, philosophical or any other reasons.

Even though every effort will be made to take the reasons into account when making a decision, all school places are offered in accordance of the Pupil Placement Panel Terms of Reference (September 2018).

Section 4 - Form completed by:

Full Name:

Position with School:

Signature:

Date:

Head Teacher or Teacher in Charge Name:

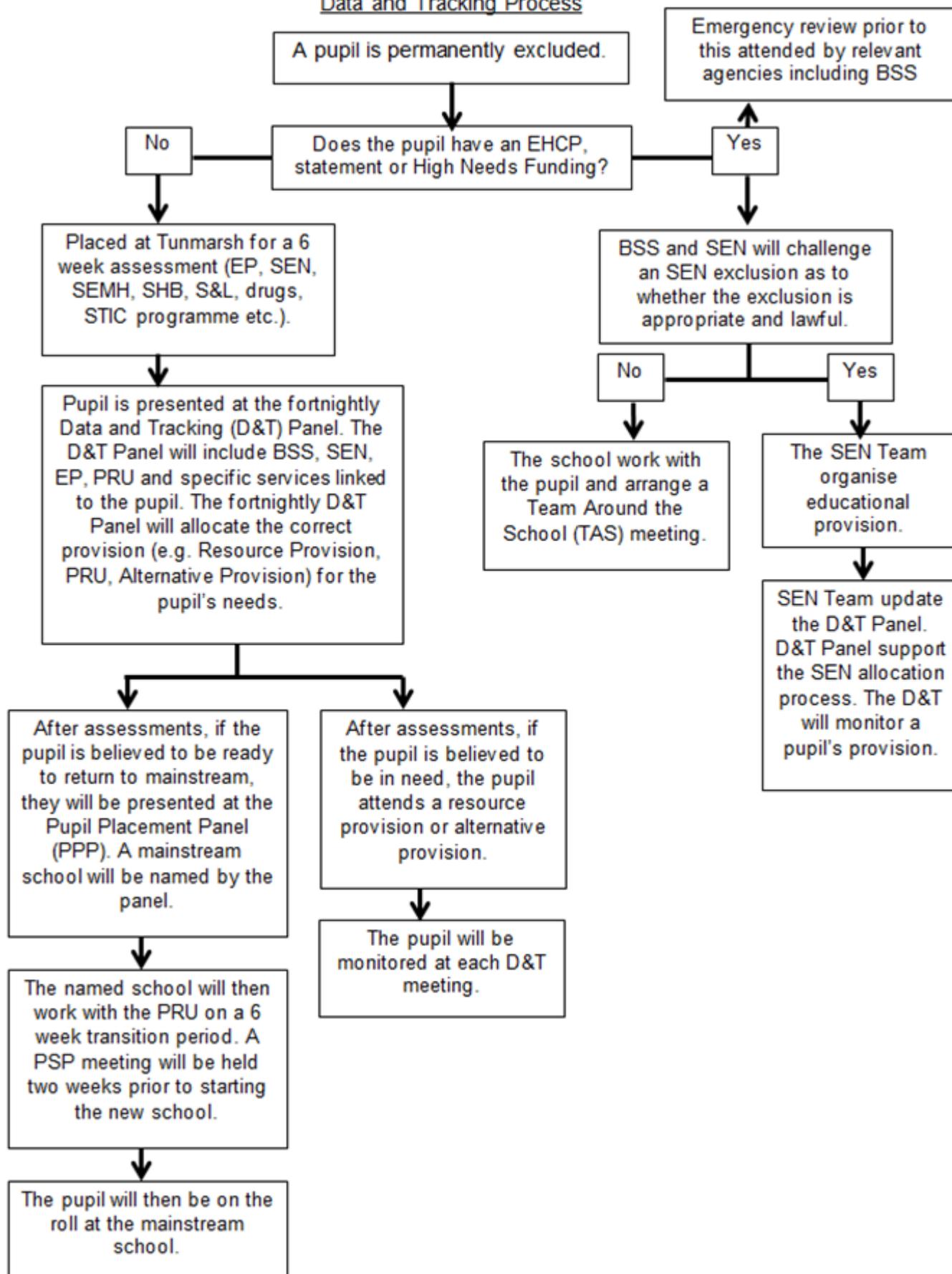
Position with School:

Signature:

Date:

Appendix 3

Data and Tracking Process



Appendix 4

Managed Move Referral Form 2018/2019

Instructions

- Please ensure you have read the Newham's *Exclusions and Alternatives to Exclusion: Information for Schools* (September 2018).
- This form must be fully completed and signed by the head teacher or teacher in charge.
- The form must be signed by the parent/carer. If the form is not signed, it will not be considered.
- Additional paperwork can also be provided with the form in relation to the permanent exclusion.
- Please provide every detail as requested on this form. If a request has no relation to the managed move, please state '**non-applicable**' or '**no**'.
- Once the form is fully completed, please email the document securely using Egress to exclusions@newham.gov.uk or via USO to *sbugeya2.316*.

Initial Criteria for a Managed Move

Is the pupil ready for a fresh start in a new school?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Do the parents/carers agree to a fresh start in a new school?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Has the pupil already had a managed move? If yes, please provide details:	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Section 1 - Pupil Details

First Name	
Last Name	
Date of Birth	
Year Group	
Gender	

Address	
Postcode	

Current School	
Previous Schools	

Name of Parents/Carers	
Relationship to Pupil e.g. mother, father	
Home Telephone Number	
Mobile Telephone Number	

Ethnic Background	
Home Religion	
Family Home Language	
Date on Roll	
UPN or ULN	
Attendance Up Date	

Has the pupil been referred to Children's Triage?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Has the pupil been referred to Multi-Agency Risk and Vulnerability Panel?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Has the pupil been referred to the Multi-Agency Sexual Exploitation Panel?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
	Date: Outcome:	
Is the pupil on a Child Protection or Child in Need Plan?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Does your school receive pupil premium for the pupil?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil in the care of the Local Authority (pupil in public care)?	YES <input type="checkbox"/> LA Responsible: Social Worker:	NO <input type="checkbox"/>
Does the pupil have a long term medical condition?	Yes <input type="checkbox"/> Condition:	NO <input type="checkbox"/>
Is the pupil currently eligible for Free School Meals?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil from a Gypsy, Roma, Traveller, Refugee or Asylum Seeker Family?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil on a Pastoral Support Plan (PSP)?	YES <input type="checkbox"/> Date:	NO <input type="checkbox"/>
Has the pupil got a Statement of SEN / EHCP?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Is the pupil on the SEN Code of Practice?	YES <input type="checkbox"/> Stage: Reason:	NO <input type="checkbox"/>
Does the pupil have a physical disability?	YES <input type="checkbox"/> Details:	NO <input type="checkbox"/>

Education Attainment

<u>Assessments</u>	<u>English</u>	<u>Maths</u>	<u>Science</u>
KS1 Test Results			
KS2 Test Results			
KS3 Test Results			
Current Levels/ Predicted Grades			

Teacher Assessments

<u>Strengths Core and Non Core Subjects</u>	<u>Weaknesses Core and Non Core Subjects</u>

Pupil Information Key Stage 4

Key Stage 4 Programme					
Subjects	Examination Boards Specifications/Levels	Current Levels	Predicted Grade	Coursework Completed	Coursework Outstanding
Name of Diploma Course:		Centres attended & contact details:			Can pupil continue on course? Yes/No
Other Vocational Courses:		Centres attended & contact details:			Can pupil continue on course? Yes/No
Post 16 Progression Route:					

In School Additional Support

e.g. Learning Support, Behaviour Support, Mentoring, Social Skills Group, Anger Management, Circle of Friends

Support	Date	Reason for Support	Outcome	Report Attached
				<input type="checkbox"/>

External Additional Support

e.g. Social Services, Youth Offending Team, Behaviour Support, Police, Families First, Educational Psychologist, CAHMS etc:

Agency	Date	Reason for Referral	Outcome	Report Attached
				<input type="checkbox"/>

Section 2 – Reasons for Managed Move

Please explain reasons for the managed move.

Please be as detailed as possible:

Key issues

Is this a one off incident?	YES / NO
<i>If no, please provide the dates and main reasons of previous incidents to be considered:</i>	
Does the pupil already have a permanent exclusion record?	YES / NO
<i>If yes, please provide the date, name of excluding school and main reason for the permanent exclusion:</i>	
Has the pupil previously been managed moved?	YES / NO
<i>If yes, please provide the date, name of the previous school, the reason for the move and the reason it failed:</i>	

Please explain the reasons for the managed move in further detail:

If the permanent exclusion includes an illegal drug, please specify the drug.

If the permanent exclusion includes a weapon, please specify the weapon and how it was used.

If the reason for the managed move was a criminal offence, was the incident reported to the police? <i>If so when, by whom, incident number and what was the outcome e.g. arrested, verbal warning, no investigation:</i>	YES / NO
--	----------

If the reason for the managed move was sexualised behaviour or if this is a concern, an AIM assessment must be completed. What are the outcomes on the relevant AIM checklist?
Please consult your Safeguarding Lead for guidance on completing the AIM checklist. It should only be completed by a trained member of staff.

Please provide any other information that may clarify the managed move or aid professionals in suggesting an alternative school e.g. *gang post code issues:*

How many internal exclusions has the pupil received since starting your school?	Total number:
How many fixed term exclusions has the pupil received since starting your school?	Total number:

Have other alternatives to managed move been used before for the pupil in response to a breach of your school's behaviour policy such as restorative justice, mediation, detentions, behaviour report, directed placement to an alternative provision etc:

Risk Assessment

The following tables are designed to quantify the risk and operated like a times table grid, balancing the potential severity of an incident with the likelihood of it occurring. Mark on the table where the pupil would be at each different time of day.

Below is an example of the level of detail that should be included.

Example: During Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low ☒	Low ☐	Medium ☐
	Medium	Low ☐	Medium ☐	Medium ☐
	High	Medium ☐	Medium ☐	High ☐

-----EXAMPLE-----	What is the risk?	<i>if J is bored in lessons, his behaviour deteriorates and can lash out and distract those nearby</i>
	Who is at risk?	<i>Pupils in the vicinity and any adult that tries to intervene</i>
	What reduces the chances of this happening or de-escalates the situation?	<i>Careful consideration of where J sits in class - i.e. sit at front of class, not near PM. He benefits from a stress ball to squeeze whilst listening and he needs differentiated resources to support the curriculum that meet his speech and language needs. J feels threatened if an adult stands too close in front of him, so needs adults to approach from the side and speak in a calm, low voice.</i>

During Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low ☐	Low ☐	Medium ☐
	Medium	Low ☐	Medium ☐	Medium ☐
	High	Medium ☐	Medium ☐	High ☐

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Transition between Lessons

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Break, Lunch, Free Time

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Out of school (including travelling to and from school)

		Severity →		
		Low	Medium	High
Likelihood ↓	Low	Low <input type="checkbox"/>	Low <input type="checkbox"/>	Medium <input type="checkbox"/>
	Medium	Low <input type="checkbox"/>	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>
	High	Medium <input type="checkbox"/>	Medium <input type="checkbox"/>	High <input type="checkbox"/>

What is the risk?	
Who is at risk?	
What reduces the chances of this happening or de-escalates the situation?	

Review of Risk Assessment

What has been effective and have the risks changed?
Does the plan need changing?

Additional Information to be included with the Reporting Form

Please indicate if included

<u>Documents</u>	<u>Tick</u>
Education Psychologist Report (EP)	
Last School Report	
Details of Code of Practice (SEN)	
Attendance (Last Two Terms)	
Pastoral Support Plan (PSP)	
Individual Education Plan (IEP)	
Behaviour Log Sheet	
Other	

Section 3 – Parental Preference

School will need to contact the parents/carers to find out their preferred choices.

<u>School Preferences</u>	<u>First name, surname and date of birth of any sibling already attending the school</u>	<u>Reasons for Preferences * (Optional)</u>
Preference 1		
Borough -		
Preference 2		
Borough -		

* Parents may wish to use the column on the right, ***only*** if they wish to give reasons for the preference for any school, they do not have to supply a reason but we would recommend they do so. These might include religious, philosophical or any other reasons.

Even though every effort will be made to take the reasons into account when making a decision, all school places are offered in accordance of the Pupil Placement Panel Terms of Reference (September 2018).

Section 4 – Parental Agreement for Managed Move

No referral will be considered unless the form has been signed by the parents/carers and that they fully understand the process.

Statement from parents/carers explaining their reasons for agreement to a managed move:

Parent / Carer Name:

Date:

Signature:

Section 5 - Form completed by:

Full Name:

Position with School:

Signature:

Date:

Head Teacher or Teacher in Charge Name:

Position with School:

Signature:

Date: