

**WORKING TOGETHER ON EXCLUSIONS
BEST PRACTICE IN RESPECT OF LOCAL PROTOCOLS ON THE EDUCATION OF
“HARD TO PLACE” PUPILS**

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1. Purpose of the Report

To update the Admissions Forum on work undertaken by officers and head teachers on a framework of local good practice and to ask the Forum for its support and endorsement of further development and consultation leading to the adoption of the Protocol in Hertfordshire from September 2005.

2. Summary

Members of the Forum will be aware that one of their key roles is to ensure that potentially vulnerable children, such as those who have been excluded from school, are effectively provided for in admission arrangements. Such arrangements should be designed to secure rapid reintegration into an alternative school, wherever possible, for pupils who have been excluded from other schools.

Admissions Forums can also play an important role in preventing exclusions by promoting agreement and managed moves of pupils with a history of challenging behaviour. The Forum has previously considered these matters at the meetings of 22nd June 2004, 14th October 2004 and 24 February 2005.

Government guidance “Hard to Place Children – Developing and Agreeing a Protocol”, was issued in November 2004 along with a ministerial letter “Behaviour in Schools” and subsequently in the form of a letter from the Secretary of State “Improving Behaviour in Schools”.

The attention of members of the Forum has already been drawn in particular to the letter accompanying the November guidance from David Miliband and Stephen Twigg which, amongst other things, states:

“...The Government expects that every local Admission Forum which does not already have one will agree a protocol for sharing hard to place pupils and that these protocols will be agreed with schools and in place for the school year starting September 2005 at the latest. ...”

This expectation is further reinforced in the letter of 1st February 2005 from the Secretary of State herself, however she also reports that she has decided that admissions protocols for hard to place pupils need not apply to permanently excluded pupils if the schools in the area do not consider themselves ready to take them. It will be necessary to explore the potential implications of this announcement and how it may impact on arrangements within Hertfordshire.

This guidance and accompanying letters also discuss the need to work through the Schools Forum with heads on delegating or devolving funds to groups of schools to enable them to take collective responsibility for managing difficult pupils and making alternative provision where necessary.

A working group of officers and head teachers has put together a framework of local good practice which will inform the further development of local arrangements across Hertfordshire. (Attached as an Annex)

Some further work needs to be done to finalise the protocol document-and to incorporate any comments of the Forum-prior to it being circulated for consultation later this term. A small group of head teachers nominated by HASSH working with officers will undertake this.

The Forum is also asked to note that the matter will be considered by the Schools Forum in the near future because of the need to put in place arrangements whereby funding can be allocated in order to support the transition and induction of pupils who move between educational placements under the local protocol.

3. Conclusion

The Forum is asked to consider the draft protocol and to comment. It is also asked to endorse the next steps proposed with a view to securing local agreement on protocols for hard to place pupils which can be in place for the school year starting September 2005.

HARD TO PLACE PUPILS DRAFT PROTOCOL FOR HERTFORDSHIRE SCHOOLS

INTRODUCTION AND FRAMEWORK

This Protocol has to be seen in the wider context of a set of strategies and provision which need to be in place in order to offer effective support to schools as well as for hard to place pupils themselves. It is acknowledged that preventive approaches are often likely to offer better solutions than reactive ones and that there is a need for careful deployment of the resources available to the LEA and its schools (alternative provision, college, specialist units in schools, specialist support and teaching teams etc) to achieve the best outcomes.

It is proposed to extend the arrangements that already exist for hard to place pupils so that:

- there is an agreed protocol by September 2005;
- better data is provided to schools about the numbers involved, and information on the provision and support available;
- local collaboration, involving both schools and the LEA, meets local circumstances;
- existing local partnerships develop (if necessary) to meet the expectations of the protocol;
- and where local arrangements do not exist, they are introduced as soon as possible, certainly by September 2007.

The aims of this Protocol are:

- To acknowledge the real need of vulnerable pupils who are not on the roll of any school to be dealt with quickly and sympathetically
- To reduce the time that “hard to place” pupils spend out of school
- To ensure that schools admit pupils with challenging educational needs on an equitable basis
- To encourage a collaborative approach between schools and support agencies in order to have in place preventative strategies to minimise the number of pupils where placements are in danger of breaking down
- To be fair, transparent and effective and therefore have the confidence of all schools

The Protocol applies to the following categories of pupils:

- Children moving into the area
- Permanent Exclusions and those on the point of becoming permanently excluded
- Parent Instigated Moves
- Managed Moves
- Other pupils without a school place- for example – Pupils withdrawn from school by their families; Refugee and asylum seekers; Pupils with serious attendance problems; Homeless children etc

The following principles underline local policies for managing the admission of “Hard to Place” children, particularly those who have been excluded or whose school placement is in danger of breaking down:

- All schools in an area should be encouraged and enabled to take collective responsibility for preventing exclusions as far as possible, including developing effective alternatives to exclusion, and for making educational provision for those who are excluded.
- Permanently excluded pupils should normally be re-integrated as soon as possible into another school, but must in any event receive a suitable full-time education.
- A few schools should not be overwhelmed by having to take too many excluded pupils.
- Funding arrangements need to support closer co-operation between the LEA and its schools and need to be flexible enough to meet the cost of appropriate preventive measures and alternative provision.
- A broader range of high-quality alternative educational provisions needs to be developed for permanently and temporarily excluded pupils, and also those at risk of exclusion, both inside and outside school.
- High quality support and advice should be readily available in the locality to schools to enhance preventative work as well as to facilitate transfer and induction in those cases where this is required.

Clearly, the quality of the collective ownership of any local agreement by schools is the crucial factor in achieving success. DfES advises “A collegiate approach to issues lets all schools draw on one another’s strengths and tackle shared issues. This approach is increasingly replacing professional isolation and competition”.

In order for a local partnership to be successful:

- All schools (usually at secondary level) in the local area need to participate;
- It is helpful for there to be links with partner primary schools (and there are many examples of good cross-phase working to ease transition);
- Wherever possible partnerships should build on existing collaboration, whether formal or informal, and link with other established partnerships;
- There needs to be a formal agreement between the schools and between the schools and the LEA setting out respective responsibilities and accountabilities, particularly regarding the application of any shared budget;
- Protocols are needed with neighbouring LEAs, to set out processes and responsibility for meeting costs of preventative work; particularly where there is significant traffic in pupils across LEA borders.
- The LEA needs to provide support and leadership to the partnership, particularly while it is being set up;
- Schools need to agree how vulnerable pupils will be supported, in particular pupils with special educational needs and looked after children;
- There need to be agreed protocols covering processes, e.g. for managed moves and criteria for referring pupils to provision, to ensure fair access;

- Schools need to have some shared goals, to help bind them together and to result in tangible improvements, such as the need to reduce exclusions through the development of an effective range of strategies including alternative provision and the use of support services;
- Schools (and where appropriate partner services) need to work closely with parents/carers, explaining how the new arrangements affect their children and outlining the advantages to them;
- Schools should be encouraged to share teaching and support staff and their expertise, and to share good practice.

NOTES

In order to underpin the operation of the Protocol the LEA will provide the following:

Information on the overall numbers and categories of children out of school.
Information on the number of exclusions by school along with the number of re-integrations of such pupils back into school.
Information on the provision and support available in the locality upon which schools can draw when managing and supporting “hard to place” pupils. (including criteria and triggers)
Information on local contacts and resources and “who does what” information.

The LEA, periodically will review the nature, levels and deployment of provision needed to support schools and to support “hard to place” pupils themselves. In particular, the coherence and integrity of the support framework, accountabilities and responsibilities and the effectiveness of the overall LEA strategy will be foci for review.

The funding implications of the Protocol will be considered by the Schools Forum. This will include arrangements for the transfer of the remainder of the AWPU to schools and the principle and practicalities of “pooling” school budgets; in order that appropriate levels of funding follow pupils during their transfer, induction and integration into a new placement. Comparable arrangements will apply if the new placement is in an ESC or other alternative provision.

Arrangements will be made for local partnerships to develop in accordance with the principle that collaborative working at the local level with delegation of decision making is likely to produce the best outcomes for “Hard to Place” pupils.

There is no single model that HCC wishes to see across the county. Within the overall framework, different arrangements to suit different areas (ie which work to the advantage of local children and schools) will be encouraged. There are already a number of successful local arrangements in Hertfordshire and these would be expected to develop further.

An example is attached below at **Appendix 1**.

MANAGING CASUAL ADMISSIONS IN THE SOUTH QUADRANT
Proposals for a co-ordinated scheme (Revised following Consultation with
Schools and discussion at SWHSSH meeting – July 2003)

1. Purpose and Objectives

- 1.1 The purpose of the co-ordinated casual admissions scheme would be to ensure that requests from parents to admit children to secondary schools at times other than secondary transfer are responded to within a system that is fair, transparent and effective.
- 1.2 The objectives of the scheme would be to-
- a) Encourage minimal movement of pupils between schools within the quadrant, particularly where families are not moving house
 - b) Enable children who are genuine 'movers in' to the quadrant and children within the quadrant who experience exceptional circumstances to be placed in school promptly and with appropriate support when needed
 - c) Ensure that children who are admitted to Chessbrook ESC as a result of permanent exclusion are supported into a new school or alternative provision effectively
 - d) Establish a more equitable distribution of children who are admitted through the casual admissions process

2. Definitions

The co-ordinated casual admissions scheme would apply to the following categories of children –

- a) Movers-in – children moving into the area
- b) Permanent Exclusions
- c) Parent Instigated Moves
- d) Managed Moves

3. Proposed Process

- 3.1 The Student Services Team would be responsible for co-ordinating casual admissions to all secondary schools in south quadrant (all 4 categories referred to in section 2).
- 3.2 Consideration should be given to all schools agreeing to amend their admission arrangements in order that in future children moving into the area would be treated as a priority for admission to the school and take preference over children on the continuing interest list
- 3.3 Schools would be able to use their involvement in the co-ordinated casual admission scheme as evidence in relation to their work on inclusion for Level 1 support from the Authority when applying for Advanced Schools Status.
- 3.4 The process would be –
- a) The parent may initially contact the school, the Student Services Team or the Client Services Centre (CSC) when requesting a school place (movers-in and

parent instigated moves). If the parent applies directly to a Voluntary Aided or Foundation School the School would either offer a place or, if a place is not available, refer the parent to the Student Services Team. For permanent exclusions, the parent would be referred to the Student Services Team through attendance at the Post Exclusion Panel.

For managed moves, the child's current school would contact the Student Services Team using an agreed proforma, which would provide detailed information about the child's attainment, behaviour and attendance, as well as evidence of the strategies that have been used to resolve any difficulties. Schools may arrange managed moves between themselves but would need to inform the Student Services Team.

- b) In cases of Movers-In and Parent Instigated Moves which are referred to the Student Services Team parents would be sent a Casual Admissions pack and requested to complete a Casual Admission Proforma which will be shared with the child's current or previous school and signed by the Headteacher.

- c) Movers In
 - i) All Voluntary Aided and Foundation schools should continue with existing arrangements for admitting pupils to their schools. However, the Admissions Officers for these schools should inform the Student Services Team about any pupil they admit to the school
 - ii) Parents who are unsuccessful with their request for places at Voluntary Aided and Foundation schools should be referred to the Student Services Team. The Admissions Officer for the school should inform the Student Services Team that the parent has been unsuccessful with an application for a place at the school
 - iii) If the parent requests a place at a school with places available, Student Services would contact the school, forward a copy of the Casual Admission Proforma and request that an interview is arranged
 - iv) If the parent requests a place at a school which does not have places available, he/she would be advised of the right to appeal for a place or to apply for a place at a school which does have a place available
 - v) Student Services would continue to monitor the situation until it is confirmed that the child has been admitted to a school and has attended at least one session
 - vi) Children who are looked after by the Local Authority and who move into the area needing a school place would be given a priority place (in accordance with paragraph 3.15 of the DfES School Admissions Code) at the nearest appropriate school to the address of their care placement
 - vii) The Student Services Team will contact all schools once each half term to collect information relating to vacancies in each year group
 - viii) Consideration should be given to all schools agreeing to amend their admission arrangements in order that in future children moving into the area would be treated as a priority for admission to the school and take preference over children on the continuing interest list

- d) Permanent Exclusions

- 1 Once the exclusion has been confirmed the case would be considered by a Post Exclusion Panel
- 2 The child would be referred to Chessbrook for a 4 week assessment, following which a decision would be made by the Post Exclusion Panel to
 - a) Name a mainstream school for the child to be approached admission in accordance with an agreed re-integration plan; or
 - b) Continue attendance at Chessbrook for a further period of assessment with a view to naming a mainstream school at the next of subsequent Post Exclusion Panel; or
 - c) Submit a request for a statutory assessment of the child's special educational needs (either by Chessbrook or by the parent)
 - d) The Post Exclusion Panel would decide which school should be approached for a place (on a rota basis). If the child is in Year 11 (or after the February half-term in Year 10) he/she may be referred for a place at the Youth Programmes Unit
 - e) The Post Exclusion Panel's decision would be based on the outcomes of the assessment at Chessbrook and any other relevant information (see paragraph 5).
 - f) During the 4-week assessment period Chessbrook will contact the school which is next on the rota in order to establish the appropriateness of a placement at that school. If it is decided that placement at that school would not be appropriate the school will remain at the top of the rota and the next school on the rota will be contacted for possible placement.
- 3 The Re-integration Officer would produce a re-integration plan for the child, which will include support from Chessbrook and identify other support as appropriate.

- 4 The child may remain of the roll of Chessbrook for up to 8 weeks while he/she is being integrated into the new school
- 5 In making recommendations about which school should admit a permanently excluded child the Post Exclusion Panel should take account of:
 - Whether the pupil would be more appropriately placed in a school near to their home.
 - Whether it would be appropriate for the pupil to attend a school that was not in his/her locality in order to provide a 'fresh start' at a school some distance away.
 - The nature of the support that would be required in order that the pupil would be able to cope with the academic and pastoral arrangements in the school.
 - The parents and child's views about the school placement.
 - Ensuring that there is an even distribution of pupils across schools involved in the scheme.

➤ It should be noted that the scheme would need to operate outside the normal admissions arrangements in that schools may be asked to admit a permanently excluded pupil into a year group that is already full,
- e) Managed Moves (would only be agreed where it can be demonstrated that all possible strategies have been tried for the child within the current school or where the move is necessary for personal safety or family reasons)
 - i) Schools should continue to operate managed moves as they do currently but in all cases the Student Services Team should be informed of children who are likely to transfer as a result of a managed move. Schools may however wish to involve Student Services in the Managed Move process.
 - ii) If the child's current school wishes to involve Student Services they should register the need for a managed move (using a proforma to provide evidence of strategies used, etc.)
 - iii) Pupils should normally have a Pastoral Support Programme before a managed move is considered
 - iv) Where a managed move is being actively considered a member of the Student Services Team or other CSF staff should attend PSP meetings
 - v) The Student Services Manager would review the evidence to check if further areas could be explored and then either endorse the request for a managed move or suggest further appropriate input from the current school
 - vi) If the request is endorsed, the Student Services Manager would identify a potential receiving school and then liaise with both the current and the potential receiving school.
 - vii) If a managed move is agreed in principle the Student Services Manager would discuss this with the parent
 - viii) If the parent agrees in principle to a managed move to the identified potential school, the Student Services Manager would liaise with the schools and agree a transfer plan. Consideration would be given to the provision of appropriate support to assist the child's re-integration
 - ix) The managed move would be supported by the Re-integration Officer with regular review meetings

It is proposed that, as far as possible, managed moves should be arranged within the following geographical areas –

- Chorleywood/Rickmansworth (St Clement Danes, Rickmansworth, St Joan of Arc)
 - West and Central Watford (Watford Grammar School for Boys, Watford Grammar School for Girls, Westfield)
 - North Watford (St Michael's, Parmiters, Francis Combe)
 - Bushey (Bushey Hall, Bushey Meads, Queens)
- f) Parent Instigated Moves (no change of address)
- If there appears to be no exceptional circumstances Student Services would encourage the parent to resolve the issues at the child's current school. The Student Services Manager would contact the current school and inform them that the parent is being encouraged to resolve the issues at the school and request that a meeting is arranged with the parent and child. If the parent persists with the request for a transfer, a place would be offered if the parent's preferred school has a place available or the parent would be advised that they could appeal for a place if their preferred school does not have a place. Alternatively, the parents may decide to request a place at a school which has a place available.
 - If Student Services consider that there are exceptional circumstances, the Student Services Manager would meet with the parent and the child's current school to either agree to implement further strategies at the current school or to initiate a managed move. If the child is in Key Stage 4 a referral to the Youth Programmes Unit may be considered, using the agreed procedures.