

# **London Borough of Newham**

## **School Admissions**

### **Fair Access Protocol**

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## 1. INTRODUCTION

All Local Authorities in England must comply with the legislative Code on Admissions in exercise and discharge of local authority functions in relation to admissions under the School Standards and Framework Act (SSFA) 1998. The SSFA and relevant regulations confers a number of duties which require the LA to carry out different functions at different times of the admissions cycle.

The current Codes for School Admissions and Admission Appeals came into force on 1 February 2012 and unless otherwise stated applied with immediate effect.

These Codes impose mandatory requirements and includes guidelines, setting out aims, objectives and other matters in relation to the discharge of functions relating to school admissions and appeals by the bodies listed below:

- Admission authorities of maintained schools
- Governing bodies and local authorities (when not an admission authority)
- Schools Adjudicators
- Admission Appeal Panels

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

The Local Authority has the duty to provide suitable education or otherwise for all children of compulsory school age resident in the borough.

Academies are required by their funding agreement to comply with the Code and the law relating to admissions, though the Secretary of State has the power to vary this requirement where there is a demonstrable need.

The Admissions Code requires that each local authority must have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that outside the normal admissions round (reception, primary to secondary and infant to junior transition) unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the local authority must ensure that no school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour. The protocol must include how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met.

In order to support schools and officers in their compliance of these mandatory requirements the LB Newham develops required local protocols and procedures.

All admission authorities for state funded schools located in Newham must participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly.

The operation of Fair Access Protocols is outside the arrangements of co-ordination normal admission rounds and is triggered when a parent of an eligible child has not secured a school place under in-year admission procedures. When applying this protocol there is no duty for local authorities or admission authorities to comply with parental preference but in Newham it will be a consideration when determining the placement. The protocol does however allow for consideration of the parallel arrangements for children with a Statement of Special Educational Needs (SEN) or Education Health and Care Plans.

In agreeing this protocol, the local authority will ensure that no academy/school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour.

It describes the circumstances in which it will be applied and sets out how decisions about admissions of vulnerable, hard to place and pupils with challenging behaviour will be made. It will also be used to ensure that schools do not admit a disproportionate number of:

i) vulnerable pupils

OR

ii) hard to place

OR

iii) pupils with challenging behaviour.

This protocol has been formulated to ensure its compliance with the Equality Act 2010 and therefore does not unlawfully discriminate against pupils, parents or carers because of their sex, race, disability, religion or belief and sexual orientation or pupils who are pregnant or undergoing gender reassignment. The exceptions to the discrimination provisions for schools that existed under previous legislation – admissions to single-sex schools

This protocol must be applied in all cases by all officers and school staff and LA Officers including Internal Audit will complete monitoring exercises on an ad hoc basis to ensure compliance, fairness and transparency.

This protocol was consulted upon with all academies/schools located within the LB Newham borough boundary through the Behaviour and Attendance Partnership (BAP) and if schools request, through Newham Association of Primary Head Teacher's (NAPH) and Newham Association of Secondary Head Teachers (NASH).

This protocol was consulted upon through the Primary Partnership Board (PPB) and Behaviour and Attendance Partnership (BAP).

This protocol will be reviewed annually. Copies of this Fair Access Protocol can be found on the school/academy website and Newham's own website. A paper copy is available upon request by contacting the relevant school/academy and the Local Authority.

## **2. SCOPE**

The operation of the Fair Access Protocol is outside the arrangements of co-ordination and is triggered when a parent of an eligible child has not secured a school place under in-year admission procedures.

The Fair Access protocol cannot over-ride the decision of an Independent Admission Appeals Panel or the parental right to a school place if their preferred school has a vacancy in their child's year group and their child has the highest priority for the place of those children who parents have applied for the school and been refused.

Eligible children are set out in Section 3.

It describes the circumstances in which it will be applied and sets out how decisions about admissions of vulnerable, hard to place and pupils with challenging behaviour will be made. It will also be used to ensure that schools do not admit a disproportionate number of vulnerable, hard to place and pupils with challenging behaviour.

The Local Authority in consultation with the Behaviour and Attendance Partnership has agreed that a Newham Pupil Placement and Gate Keeping Panels will be established to consider the circumstances of individual vulnerable, hard to place children and those with challenging behaviour, referred to them by an agreed process, and to identify the new education provision that should admit the child following consultation.

For the purpose of this document references to schools covers all publically funded schools located in Newham i.e.

- Academies, who DfE Funding Agreements requires them to participate in the Local Authority's Fair Access Protocol;
- Community schools;
- Foundation / Trust schools;
- Free Schools;
- Studio Schools
- University Technical Colleges;
- Voluntary aided schools;
- Voluntary controlled schools.

### 3. PUPILS TO BE CONSIDERED UNDER THE PROTOCOL

As specified in the Department of Education's School Admissions Code - February 2012 consideration is given to all vulnerable and hard to place pupils, which must include:

- a) Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- b) Children who have been out of education for two months or more;
- c) Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- d) Children who are homeless;
- e) Children with unsupportive family backgrounds for whom a place has not been sought;
- f) Children who are carers;
- g) Children with special educational needs, disabilities or medical conditions (but without a Statement or Education Health and Care Plan).

Newham also considers the following vulnerable groups under this protocol:

- Children identified by their Head Teacher or the Police as being victims of recent serious crimes or major school incidents;
- Children with a total of more than 10 days of fixed term exclusions in the last twelve calendar months;
- Children who have been identified by the Police or the criminal justice system who cannot return to their current school;
- Children of UK Service Personnel.

#### **Looked After Children**

Children in care are amongst the most vulnerable children in society and it is of paramount importance that a school place is found that is in the best interests of the child as quickly as possible.

The Local Authority may direct any maintained school, including those who are their own admission authorities, to admit a child in care if that school is best suited to his or her needs, even if that school will then go over standard number in that year group. If the preferred school is a faith school and the child is of another faith or no faith, in most instances Newham will not direct the school to admit.

These children will not be discussed at the Pupil Placement Panel unless they are permanently excluded or subject to a managed move; however they will be included on the placement figures.

### **Children from the criminal justice system**

The Youth Offending Team will ensure that a fully completed 'In Year' Application Form is completed by the carer and co-signed by the YOT Worker and this is sent to Pupil Services – Exclusions and Fair Access at least 10 days prior to the child's return home.

Children returning from the criminal justice system will have suitable educational provision identified and a place reserved by the Pupil Placement Panel/Gate Keeping Panel in time for their return to the borough.

### **Children out of education for more than two school months**

This does not refer to children who are non attenders and school attendance proceedings have or should have been initiated. Pupil Services will only attempt to obtain a case history for referral under Fair Access where a child is new to or returning to Newham and has not been in education for more than two months.

### **Gypsy, Roma and Traveller children**

For the purpose of this protocol, these are defined as children who have lived in a mobile home or caravan for the last 2 years and whose families are planning to continue to do so for at least the next 12 months from the point of application and whose family are considered for Local Authority purposes as: Irish, Scottish or Welsh Travellers, Roma people (including British Romany Gypsies), New Travellers and Travelling Show people.

To ensure that they are admitted to school with the minimum of delay, Newham has a 'fast track' process for such children in the primary sector.

If a traveller family approach a school directly and the school is satisfied that they are a traveller child, if the school has a suitable vacancy and provided the procedure below is followed, the children should be admitted with the minimum of delay.

- a) School must ask the family complete an 'In Year' Application form or complete it on the family's behalf;
- b) Before or no later than the day of admission this form must be sent via the LGFL USO secure site to inform Pupil Services of the admission, this will ensure that the place is not offered to another child as well;
- c) If the school does not have places available the school should refer their details to Pupil Services – Exclusions and Fair Access Officer who will then identify suitable placements; this may be in a school that is full in the children's year groups.

These children will not be discussed at the Pupil Placement Panel unless they are permanently excluded or subject to a managed move; however they will be included on the placement figures.



### **Homeless children**

Only children referred by the Early Intervention Service as 'homeless' will be considered under this Fair Access protocol. A child from a family who is registered has 'homeless' with the Council will not automatically be referred to the PPP.

*A statutory definition included in Section 175, 1966 House Act this section defines people being homeless if they:*

*Have no accommodation in the UK / elsewhere*

*Cannot secure entry to accommodation*

*Are threatened with homelessness within the next 28 days*

*Have no accommodation which is reasonable for them to occupy*

### **Children with special educational needs, disabilities or medical conditions**

Children with a Statement of Special Educational Needs or Education Health and Care Plans and children going through the statutory assessment process will not be considered at the PPP but the placements will be reported and recorded in the figures for the named school.

Children with High Needs Funding (formerly known as Exceptional Resource Funding) will not be considered at the PPP but the placements will be reported and recorded in the figures for the named school.

Children with disabilities or medical conditions for whom the Local Authority determines that only one or a small number of schools located in the borough can meet their needs will not be considered at the PPP but the placements will be reported and recorded in the figures for the named school.

The arrangements for pupils with SEN take in account of the guidance in Inclusive Schooling DfE which in relation to deciding where pupils with SEN but who do and do not have Statements or Education Health and Care Plans are educated indicates that:

- Schools must not refuse to admit a pupil who has special educational needs because they feel unable to cater for their special educational needs;
- Schools must consider applications from parents of children who have special educational needs but no Statement or Education Health and Care Plan on the basis of the school's published admission criteria. Such pupils should be considered as part of the normal admissions procedures;
- Schools cannot refuse to admit a pupil on the grounds that he/ she does not have a Statement of special educational needs, Education Health and Care Plan or the pupil is currently being assessed for one;
- There are a very small number of cases where a pupil who has special educational needs but without a Statement or Education Health and Care

Plan is placed in a special school. The authority does not take these decisions lightly. A High Needs Support plan is to be drawn up on admission. For these cases the local authority will carry out a statutory assessment of the child's special educational needs within 6 months of the placement.

For children with Statements or Education Health and Care Plans the guidance outlined in Inclusive Schooling sets the following principles for deciding where the pupils are to be educated:

- It is reasonable for the local authority to provide mainstream education for nearly all pupils with special educational needs;
- Therefore the starting point is that pupils with Statements or Education Health and Care Plans will receive mainstream education;
- The local authority will support parents wishes for mainstream education, and, if necessary, outline reasonable steps that can be made to support the admission of a pupil into a mainstream school;
- Mainstream schools are expected to support the admission of pupils with Statements or Education Health and Care Plans in mainstream schools. This may involve looking at reasonable steps that can be taken to ensure the pupil's admission to the school;
- Mainstream education cannot be refused on the grounds that the pupil's needs cannot be provided for in the mainstream sector;
- Parents of children with Statements are allowed to express a preference for a particular school;
- Before naming any school the authority consults the school;
- When a maintained school, Academy, Free School or UTC is named in a Statement or Education Health Care Plan it must admit the pupil;
- The authority will consider: what parents want, an individual school's suitability to provide for the needs of the pupil; the impact of their inclusion on resources and the efficient education of others;
- Where a pupil has a Statement or Education Health Care Plan and the parents do not wish their child to be educated in a mainstream school then the local authority may educate a pupil in a special school. This decision is up to the local authority. Parents can appeal through the SEN First Tier Tribunal against the local authority's decision;
- When a maintained special school is named in a Statement or Education Health and Care Plan it must admit the child. This decision is up to the local authority. Parents can appeal through the SEN First Tier Tribunal against the local authority's decision.

## **Reasonable adjustments**

For any pupil with SEN consideration is of the legal position which is that schools are expected to take reasonable steps to include children with SEN and disabilities. The following is not a definitive or exhaustive list of what reasonable steps can include:

- Using flexible grouping arrangements;
- Ensuring that if there is any possibility that positive handling may be used to prevent injury to then pupil / others or damage to property, that relevant staff are trained in appropriate techniques;
- Ensuring that appropriate levels of staffing are in place funded either from the school's budget or through the high needs process;
- Provide support and training for teachers and support staff;
- Planning for the inclusion of pupils with diverse needs through High Quality First Teaching;
- Training staff in techniques ranging from awareness raising to specialist interventions e.g. visual timetables, visual prompts, delivery of information in short chunks, giving the pupil time to process language;
- Ensuring appropriate access to ICT and communication aids;
- Arranging for a key worker to meet with the pupil to discuss positives and difficulties, build on successes and sustain meaningful links with home;
- Implementing a support plan based on advice from the SEN support services.

For a pupil with a Statement or Education Health and Care Plan, SEN legislation does not require the authority to only place pupils in a year group with a vacancy or in a school with a vacancy. The SEN section will seek advice from Pupil Services regarding the implications of placing a pupil in a school over numbers if these situations arise.

Whilst the provision and placement of these children cannot be considered by the Pupil Placement Panel (but will be considered by the SEN section) children with Statements or Education Health and Care Plans are one of the priority groups for admissions. For that reason the number of pupils with Statements or Education Health and Care Plans allocated to schools in year will be reported to the Pupil Placement Panel and decisions as to whether allocate other pupils will take into account the number of pupils with Statements or Education Health and Care Plans that have also been allocated to an individual school.

## **Pupils with significant physical difficulties**

Allocation of a school as suitable for a pupil with significant physical difficulties will be identified with reference to the following 4 categories:

- **Category 1** - full physical access - physical access to whole curriculum and the building including access to an exercise space for physiotherapy and a hygiene room\*
- **Category 2** - significant physical access - physical access to the majority of the curriculum, the building may have an accessible toilet or an exercise space for physiotherapy but no hygiene room
- **Category 3** - partial physical access- physical access into the premises for meetings, limited access around premises and no physiotherapy space or hygiene room
- **Category 4** "no physical access" - no significant access

## **Medical conditions**

Where it has been identified that a child has a medical condition that may impact on their ability to access education or their school day, staff from the Inclusion and Behaviour Support Service will assess the child's needs and where necessary make a home visit and then write a report for consideration before placement.

## **Children who require a place in the resource provision of a mainstream school**

Schools with resource provision have an agreed number of places reserved in each year group and separate admission arrangements apply. Therefore these children will be reported to the Panel by the Group Manager SEN but their placements will not be discussed at the Pupil Placement Panel unless they are permanently excluded.

Ordinarily allocation to resource provision occurs within the LA panels organised by the SEN section and cover:

- Young children – at early years panel meeting;
- Other cases – (e.g. in year admissions) either at the SEN provision panel or primary to secondary provision panel;
- Primary to secondary transfer.

Decisions on in year admissions of these pupils to resource provision will involve:

- information sharing on the child between the school and the local authority; and

- a conversation between the group manager and the head teacher of the school regarding the placement.

If the child already attends a Newham school the SEN section should ensure that their home school arranges a review and that a representative from the resource provision school and an SEN officer are present.

Due to the demand school places, the SEN section may ask a school with resource provision to be flexible in the allocation of pupils per year group. The SEN section may ask a school with resource provision to take pupils over the agreed number. This is subject to mutual agreement between the school and the local authority. The SEN section must liaise with Pupil Services before allocating places.

If a parent has completed the “optional information” section of the ‘In Year’ common application form for a school place, and the information provided gives some details about a pupil’s SEN, access needs or a medical condition. If the parent does this information and the information is forwarded to the SEN Officers at Tunmarsh will consider what provision would best meet the needs of that pupil. A written outcome detailing the placement requirements will be provided for all cases.

It is important to ensure swift completion of a Health Care Plan with Health Service professionals.

If the officer from Pupil Services has concerns about the severity of a child’s SEN, s/he will contact the SEN section (Pupil Services cannot be expected to deem the severity of need in the first instance). An officer from the SEN section **will** look at the application and contact the parent. If the pupil’s needs appear to be very complex, the officer will commission a report from one of the SEN support services. This report will be presented to the Pupil Placement Panel in considering the SEN provision panel or the EBD provision panel so that a decision can be made on the type of provision that is needed to meet the needs of that pupil. This will include recommendations for a type of placement. If it is for a mainstream placement the allocation will be discussed at Pupil Placement Panel.

If a pupil with very complex needs arrives at a mainstream school and Pupil Services or the SEN section has not been alerted to the level of need, the school should arrange for an assessment to be carried out by the SENCO. This can be done with additional support from a member of the SEN support services.

The school should expect to admit the pupil without delay (number of days to be quoted) and, if high needs funding is required from day 1 of the admission, the school should discuss this with the Group Manager SEN. The school should present the case for discussion support plan at the next high needs funding cluster /area meeting.

### **Children with more than 10 days of fixed term exclusions in the last twelve months**

Pupil Services can only attempt to obtain a case history for referral under Fair Access where a the applicant for a school place has detailed their child's exclusion totals as being more than 10 days in the last twelve calendar months or the named school as part of a 'In Year' admission establishes before or during the admission meeting that exclusion information may have been omitted or deliberately withheld from the common application form.

### **Children who are carers**

Children referred by the Families First as 'carers' will be considered under this protocol.

### **Children who were the victims of serious crime**

Children who have been victims of serious crime will only be referred for consideration under Fair Access only if their Head Teacher present the case themselves and is it clear from their case that the child was a victim and needs a fresh start.

### **Children who cannot return to their current school**

Children with strong post code affiliations or are the perpetrators of crime, as identified by their Head Teacher, the Police or the Youth Offending Service will be considered under Fair Access.

### **Children of UK Service Personnel**

For the children of service personnel with a confirmed posting to Newham, or crown servants returning from overseas to live in Newham, the Local Authority will allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address.

Children requiring a school place may continue to be admitted in accordance with usual admission policies rather than this protocol when places are available and where their admission will should not result in the receiving school having a disproportionate number of excluded pupils or pupils with challenging behaviour on their roll.

### **Religious and Post Code Affiliations**

:

Pupils who are identified as having a proven strong religious affiliation will be matched where possible to a suitable faith school – but this will not override the decision of the Panel.

Pupils with strong post code affiliations, as identified by their Head Teacher, the Police or the Youth Offending Service, will be matched where possible to a suitable school in specified postal area but this will not override the decision of the Panels if the school is unable to take the pupil.

#### **4. PRINCIPLES FOR THE PROTOCOL TO BE SUCCESSFUL**

- All schools or the vast majority located in Newham fully comply with this agreed protocol;
- In the best interests of the child, all schools in Newham agree to share a collective responsibility with the LA to ensure admission to a suitable school or alternative provision as quickly as possible;
- No school will be asked to take an excessive or unreasonable number of pupils excluded from other schools;
- Schools presenting a child for placement will provide a full and honest background report;
- For children coming from other schools in the UK outside of Newham, Pupil Services make every effort to gather sufficient information to provide a full case history;
- The Pupil Placement Panel/Gate Keeping Panel will identify the school that should admit the child, or alternative provision if appropriate, and decisions apply to all schools, including schools responsible for their own admissions;
- Schools cannot cite oversubscription as reason for not admitting under the protocol;
- Vulnerable pupils will be given priority for admissions over others on a waiting list or awaiting an independent admission appeal;
- Schools will respond immediately to requests for admission from the Panel so that the admission is not delayed;
- Schools will not refuse to admit a child who has been denied a place at that school at independent admission appeal, if the Panel identifies that school as the one to admit the child;
- Due regard will be given to the Infant Class Size regulations and where appropriate a child may be placed in a school in an infant class which is full as an 'excepted pupil';
- Panel decisions will not override the statutory right of parents to express a preference for a particular school;
- There will be open sharing of all relevant information by permanent exclusion reporting and managed move forms being typed up by the child's current school and fully completed with current information.

## **5. PUPIL PLACEMENT PANELS COMPOSITION AND FREQUENCY**

### **Primary (Key stages 1 and 2)**

1. Chair: Deputy Head Behaviour Support Officer;
2. Clerk: Pupil Services Exclusions and Fair Access Lead Principal Officer;
3. Deputy Head Teacher RIET;
4. SEN Monitoring and Review Officer;
5. Attendance Manager/Principal Officer;
6. Safeguarding Officer;
7. Virtual Head Teacher (as required);
8. Primary Head Teacher presenting a child for placement;
9. Two representative head teachers from each of the following postal areas E6, E7, E12, E13, E15, E16 and E20 – as E6 covers two defined geographical areas there will be four representatives two for East Ham and two for Beckton.

The schools from each postal area will be responsible for nominating their representatives to attend each meeting. There is no requirement for the same Head Teachers to attend each meeting, but those attending must have the full support and delegated decision making rights of the other Head Teachers from their postal area.

### **Secondary (Key stages 3 and 4)**

1. Chair: Group Manager for Attendance and Behaviour;
2. Clerk: Pupil Services Exclusions and Fair Access Principal Officer;
3. All Secondary Head Teachers/Principals (including PRUs and Eleanor Smith School);
4. SEN Monitoring and Review Officer;
5. Youth Offending Team Manager and/or Police representative;
6. Attendance Manager/Principal Officer
7. Safeguarding Officer;
8. Group Manager SEN and Inclusion;
9. Virtual Head Teacher;
10. Police Officer;
11. Other Professionals (as required).

In cases where the Head Teacher or other panel member cannot attend they must send their nominated representative who can provide the required information and make decisions on their behalf. If a school requested a child to be added for discussion and the school fails to attend the case will be removed from the agenda.

### **Frequency**

The Primary Pupil Placement Panel (P-PPP) will be timetabled to meet on the afternoon of the first Thursday of each calendar month during term time. Where the planned date is during a school holiday a revised date will be set at the preceding meeting.



The Secondary Pupil Placement Panel (S-PPP) will convene on a monthly basis during term time on the afternoon of the first Wednesday of each calendar month. Each meeting will be up to three hours but if there are more than 20 cases to be discussed, the meeting may be extended.

### **Cases for Consideration and Placement**

- Permanent Exclusions;
- Proposed Managed Moves;
- 'In Year' - Fair Access;
- Referrals by named school where pupil should have been considered as Fair Access but was not due to missing information.

For fairness and transparency any placements in the groups below will be reported to the Panel and recorded in the figures but their placements will not be considered by this Panel.

- Children with Statements of special educational needs or Education Health and Care Plans;
- Children with High Needs Funding (formerly Exceptional Resource Funding);
- Looked After Children;
- Children with any medical or access needs where only a few schools can meet their needs;
- Traveller Children (see previous definition).

### **Gate Keeping Panel (Key stage 4)**

#### Composition

1. Chair: Group Manager for Attendance and Behaviour;
2. Clerk: Office Manager – Tunmarsh;
3. Pupil Services Exclusions and Fair Access Principal Officer;
4. Secondary Head Teacher – Nominated through NASH;
5. Pupil Referral Unit Representative;
6. Youth Offending Manager and/or Police Representative;
7. New Directions Representative;
8. Newham Parent Partnership Representative;
9. Virtual Head Teacher;
10. Education Links Representative;
11. Special Educational Needs Representative;
12. Other Professionals (as required).

In cases where the Head Teacher or other panel member cannot attend they must send their nominated representative who can provide the required information and make decisions on their behalf.

## **Frequency**

The Gate Keeping Panel will convene on a monthly basis during term time within the week following the Pupil Placement Panel. The meeting will be one morning session of up to two hours but if there are more than 20 cases to be discussed the meeting may be extended.

## **Cases for Consideration and Placement**

- Pupils referred by Secondary Pupil Placement Panel;
- Pupils referred by Pupil Services;
- Pupils referred by school who appear more suited to education otherwise programmes;
- Pupils referred by SEN Section;
- Pupils referred by LAC;
- Pupils referred by PRU;
- Pupils referred by Newham Late Arrivals Programme (NewLAP).

## **6. PROCEDURES FOR REFERRAL FOR CONSIDERATION AND PLACEMENT**

### **Exclusions**

#### **Paperwork for excluded pupils**

- Copy of the permanent exclusion reporting form;

Where they exist each of the following must be included for all permanent exclusions:

- Pastoral Support Programme and review details;
- Attendance records for the last 12 months;
- Education Psychologist Reports;
- Individual Support Plan or Behaviour Support Plan;
- Record of referrals to external agencies;
- Behaviour log sheet;
- Educational assessment information;
- Record of parental meetings/discussions/interviews.
- The excluding school must give a full and honest appraisal of the pupil and the reasons for the exclusion. The representative for the excluding school must be suitably knowledgeable and be prepared to answer further questions relating to the case.

## Managed Moves

Any Head Teacher proposing a managed move must ensure each case meets four essential criteria:

- Their current Head Teacher must review the pupil's history and decide from the evidence available they are ready for a fresh start in a new school, this could follow a short period at PRU/RIET;

AND

- The pupil and their parent/carers must agree to a fresh start;

AND

- The pupil and their parent/carers must understand that they and not the schools or the Local Authority are responsible for new travel arrangements and uniform requirements any costs associated with these;

AND

- No pupil should have more than one managed move in their primary or secondary phase of education.

## Paperwork for managed move cases

The child's current must ensure that detailed paperwork is fully completed, signed and submitted to the LA - Pupil Services at least 5 school days in advance of the panel meeting. Incomplete paperwork will be returned to the home school and will result in the pupil being removed from the agenda.

Where they exist each of the following must be included for all proposed managed moves:

- Pastoral Support Programme and review details;
- Attendance records for the last 12 months;
- Education Psychologist Reports;
- Individual Support Plan or Behaviour Support Plan;
- Record of referrals to external agencies;
- Behaviour log sheet;
- Educational assessment information;
- Record of parental meetings/discussions/interviews.
- The proposing school must give a full and honest appraisal of the pupil being referred and the reasons for seeking a managed move. The representative for the proposing school must be suitably knowledgeable and be prepared to answer further questions relating to the case.

## Fair Access

Pupil Services staff will review the information supplied by the parent/carers on all new 'In Year' common application forms (CAF) for:

- Looked After Children (this does not include children in private fostering arrangements);
- Children from the criminal justice system or attending a Pupil Referral Unit;
- Children who have been out of education for more than two months;
- Gypsy, Roma, and Traveller children;
- Homeless children;
- Children with special educational needs, disabilities and medical conditions;
- Children who are carers;
- Children of UK Service Personnel;
- Victims of crime or serious school incidents (confirmed by their Head Teacher);
- Children who have a school history of more than 10 days of fixed term exclusions;
- Other information that indicate a child maybe 'hard to place' or vulnerable.

In some cases the named school as part of the 'In Year' admissions process may identify prior to or during the admission meeting that information was omitted or deliberately withheld at the point of application that could result in the case being considered under fair Access. Where this occurs the Head Teacher from the named school must make a written referral to Pupil Services: Exclusion and Fair Access Principal Officer, supplying details of their findings for further investigation and consideration by Pupil Services.

## Paperwork for Fair Access cases

- Copy of common application form (CAF);
- Evidence and information obtained by Pupil Services, where possible from child's current/last school.

## 7. CONSIDERATIONS FOR THE PUPIL PLACEMENT PANEL

The over arching principle of this Fair access Protocol is to ensure that excluded, vulnerable and challenging children are placed quickly in a suitable school and no school located in Newham will be expected to admit a disproportionate number of these children. Therefore these factors must be borne in mind by all members the PPP when naming placements for the children under their consideration.

- Balance to be struck between finding a place quickly e.g. in an undersubscribed school and finding a place that is appropriate for the child;
- The local authority **must** ensure that no school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour;

- Consideration is given to schools identified by Ofsted as requiring significant improvement and therefore have been given 'notice to improve';
- Consideration is given to schools in special measures or has recently come out (within 12 calendar months);
- Consideration will be given to the number of exclusions and managed moves made by a school when determining the placement of other children but this cannot be the only factor. This means we will not automatically follow an immediate one in one out process;
- Parents/Carers and children's views will be strongly considered, but they will not override the decision of the Panel;
- Consideration will be given to whether good quality alternative provision provides a longer term solution for children who cannot learn in a mainstream environment;
- For a child with behavioural needs, where appropriate, support for transition can be provided from the Reintegration to Education Team (RIET) or the Behaviour Support Service. The panel may decide, following advice from proposing school that a pupil needs a period of time at the RIET in order to address specific behavioural or socialisation concerns. In such cases there will be a gradual integration beyond the fifteen school days with the receiving school supported by professionals from the RIET, the proposing school and other agencies;
- Where appropriate, support for transition can be provided from a PRU or the Behaviour Support Service. The panel may decide, following advice from proposing school that a pupil needs a period of time at the PRU in order to address specific behavioural or socialisation concerns. In such cases there will be a gradual integration beyond the fifteen school days with the receiving school supported by professionals from the PRU, the proposing school and other agencies;
- Account will be taken of any genuine concerns about the admission e.g. a previous serious breakdown in relationship between the school and the family, or a strong aversion to, or desire for, the religious ethos of the school;
- Consider a school's objection to a child based on the current difficulties they have in that child's year group but evidence must be supplied by the school to support any such claim. The panel will need to agree if this evidence justifies suspension of placements and for what period;
- The safety of schools' communities;

- Where the appropriate school representative or professional(s) does not attend the meeting, those present have the right to defer their decision to the next or a 'specially arranged meeting'. If deferment is agreed the panel must ensure that the child is receiving interim education;
- Where the necessary attendance reports, multi-professional assessments and/or risk assessments have not been undertaken (risk assessments will be undertaken in cases with a history of violent or sexualised behaviour) those present at the meeting have the right to defer their decision to the next or a 'specially arranged meeting'. If deferment is agreed the panel must ensure that the child is receiving interim education;
- Consider the child's travel arrangements to any new provision order to maximise school attendance and minimise the need for home to school travel assistance and /or transport;
- For young people undertaking a GCSE courses, consider the child's current GCSE projections, subjects and syllabuses in order to try to name a school that can best match these taking into account the young persons preferred subjects or best predicted grades. In some cases the GCSE information may result in a recommendation for Education Otherwise via Gate Keeping Panel;

This provision does not apply to looked after children, previously looked after children or a child with a Statement or Education Health and Care Plans which names the school as these children must be admitted;

- Parental preference;

Split decisions - The Chair has the deciding vote and must provide their reasons/rationale.

Panel cannot or will not make the decision - The Chair must make the decision, based on the information available, if the panel cannot or will not and will provide the reasons/rationale for their final decision.

## **8. DISTRIBUTION METHODOLOGY**

The Department for Education requires Local Authorities to ensure that children with challenging behaviour are fairly distributed, therefore the Pupil Placement Panels will, subject to considering all the matters set out in Section 7, allocate according to the principle "one out, one in" for each school regarding permanent exclusions and managed moves. For Fair Access its is equal distribution among the schools. Closest schools to the home address and parental preference is taken into consideration.

## **9. OUTCOMES**

The possible outcomes available to the Panel's are:

1. Placement at a named mainstream school; or
2. Dual registration with a mainstream school and alternative provision; or
3. Full-time placement in alternative provision with a scheduled review for re-integration into a named mainstream school; or
4. Full-time alternative provision; or
5. Refusal to name a new provision in support of an admission authority when considering whether or not the admission of a pupil, including those from out-of-area, will prejudice the efficient education or efficient use of resources in a school or where insufficient in school additional support has been given by the current Newham School;
6. Referral to Gate Keeping (KS4 only); or
7. Referral to SEN High Needs Panel; or
8. Referral to Pupil Services to place using normal admission processes; or
9. Refusal of proposed Managed Move, meaning child must remain on roll at their current school.

Once it is decided where to place the child, a meeting or discussion will be arranged between the named school and LA to discuss any support needed and provided.

Should this protocol consider an appropriate school place to be in conflict with the preferences of parents, or admission is refused to an out-of-area pupil on the grounds of prejudice to the efficient education and efficient use of resources, parents will be informed of their right of appeal.

Any reports considered by the Pupil Placement Panel will be available for the admissions authority when establishing their case for refusal.

## **10. REFUSALS TO ADMIT**

Before any school is named as the new provision they will be given the right to refuse. If this option is taken up they must at the meeting explain their reasons why so the panel can review their decision taking into account the points raised. However if the panel do not consider their reasons as strong enough the school can still be named.

Extract from Admission Code 3.13

*Admission authorities **must not** refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs.*

Extract from Admission Code Feb 2012

*Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it **must** refer the case to the local authority for action under the Fair Access Protocol. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children. The use of this provision will depend on local circumstances and **must** be described in the local authority's Fair Access Protocol. This provision will not apply to a looked after child, a previously looked after child or a child with a Statement or Education Health and Care plans naming the school in question, as these children **must** be admitted.*

If information is obtained by the named school which was not available on the CAF or was not supplied by the current/previous school has resulted in the named school being misled, a referral can be made to the PPP.

Extract from Admissions Code 2.12

*An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if an offer is refused.*

This means if a child is offered a place at a school under the normal admission arrangements or via the PPP and it is found that the family or the child's current/previous deliberately tried to obtain a place through fraudulent or intentionally misleading information on the CAF or the supplementary information section of the same, or the paperwork or verbal case presented at the PPP and the named school has not admitted the child they can refer the case to the PPP for consideration under Fair Access.

It is possible that the named school may remain the same if the school has vacancies in the child's year group and the child was offered the place under parental preference, but in all cases if the Panel agrees that the child should have been placed under Fair Access the case will be credited to the schools figures.



## 11. TIMESCALES

- All referrals will be heard at the next Pupil Placement Panel if received by Pupil Services – Exclusions and Fair Access Officer by 17.00 hours two days preceding the meeting;
- For excluded pupils from day 6 of the exclusion the excluding school must ensure that the child receives interim education. For key stages 1 and 2 this will be at RIET and for key stages 3 and 4 this will be via PRU and New Directions.
- The agenda and all supporting documents will be circulated to the nominated Pupil Placement Panel membership and Head Teachers (where they are not the school representative) at least 5 school days before the meeting, if they have been received after this date, they will be sent as soon as possible or very late cases on the day of the meeting;
- The named placement must admit the child within 15 school days or deferred in exceptional circumstances, for example where a multi-professionals meeting is required. If a child cannot be admitted by that date, the named placement must notify all the professionals involved with the child and Pupil Services – Exclusions and Fair Access Officer and provide an explanation of the situation along with details of what interim arrangements have been made for the child's education. Failure to comply may result in the Local Authority and/or the DfE directing in writing the named school to admit;
- Where a child has been placed at an alternative provision e.g. PRU before admission into a named mainstream placement, the named school must admit the child within 5 school days of the alternative provision's recommendation for the start date. Failure to comply may result in the Local Authority directing in writing the school to admit;
- If the family refuse to co-operate in the admission process or they cannot be located, the procedures in the current Early Intervention Services Attendance Guidance must be followed.

## 12. MONITORING

- Pupil Services are responsible for establishing the base line figures for the Pupil Placement Panels to review and agree;
- Pupil Services are responsible for accurately recording of all placements in a format agreed by the Pupil Placement Panels;
- Local Authority Attendance Officers are responsible for ensuring schools comply with registration requirements for permanently excluded pupils;
- Statistics will be shared with head teachers and all Pupil Placement Panel/Gate Keeping members each term to show how the protocol is working;

- The protocol will be reviewed annually by the Behaviour and Attendance Partnership following consultation with schools, to gauge its effectiveness.

### **13. FINANCIAL MATTERS**

Pupil Services will supply the required information to the Newham School Accountancy Service so that they can make the appropriate money transfers in the term following the school change.

#### **Permanent exclusions**

- Pupil Services notify Schools Finance Team at the end of each term of all the permanent exclusions.
- Schools Finance Team issue a schedule to schools at the start of the following term setting out the names of excluded students and the amount to be deducted from the school budget. This is calculated as follows:
- Age Weighted Pupil Unit (AWPU) - The remainder of AWPU for the financial year will be transferred back to the DSB contingency.
- Money will be passed to the receiving school when admitted by a transfer on 992.
- If the student goes first to the PRU/RIET, the amount passed to the school will be pro rata to the remainder of the financial year.
- For LA maintained schools, these monies are deducted on code 992.
- For academies, an invoice will be raised on code 992 and credits will be paid by BACs.
- If the DSB contingency is under spent at the end of the year, it carries forward as part of the DSB resources.
- The amounts of money transferred in and out of the DSB will be reported annually to Schools Forum.
- Where the pupil has high needs funding the named school should liaise with SEN Section regarding the transfer of funding and submission of an updated support plan

#### **Managed moves**

##### **Primary and Secondary**

Head teachers decided during the development of their 'Managed Move' protocol that there would be no financial penalties or payments.

## **Recommended Associated Reading**

Department for Education – School Admission Code (February 2012)

The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England)Regulations 2012

Department for Education – Appeals Code (February 2012)

Department for Education – Exclusion from maintained schools, Academies and pupil referral units in England (September 2012)

Department for Education – Behaviour and Discipline in School Guidance for Governing Bodies (January 2012) being reviewed 2013

Department for Education – Behaviour and Discipline in School Guidance for Head Teachers and School Staff (January 2012) being reviewed 2013

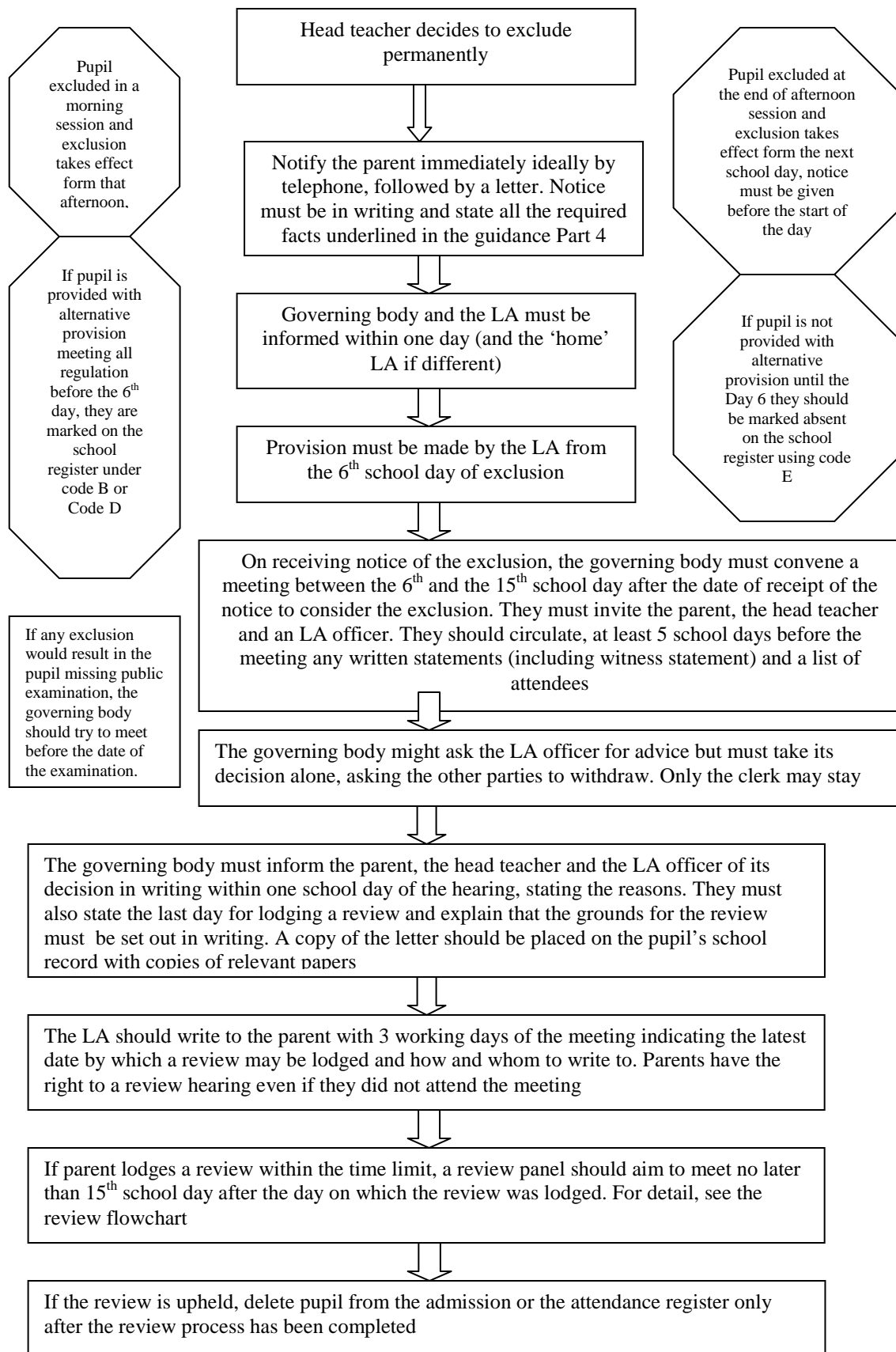
# **London Borough of Newham Fair Access Protocol**

**September 2014  
Appendices**

# Appendix 1

## Department for Education

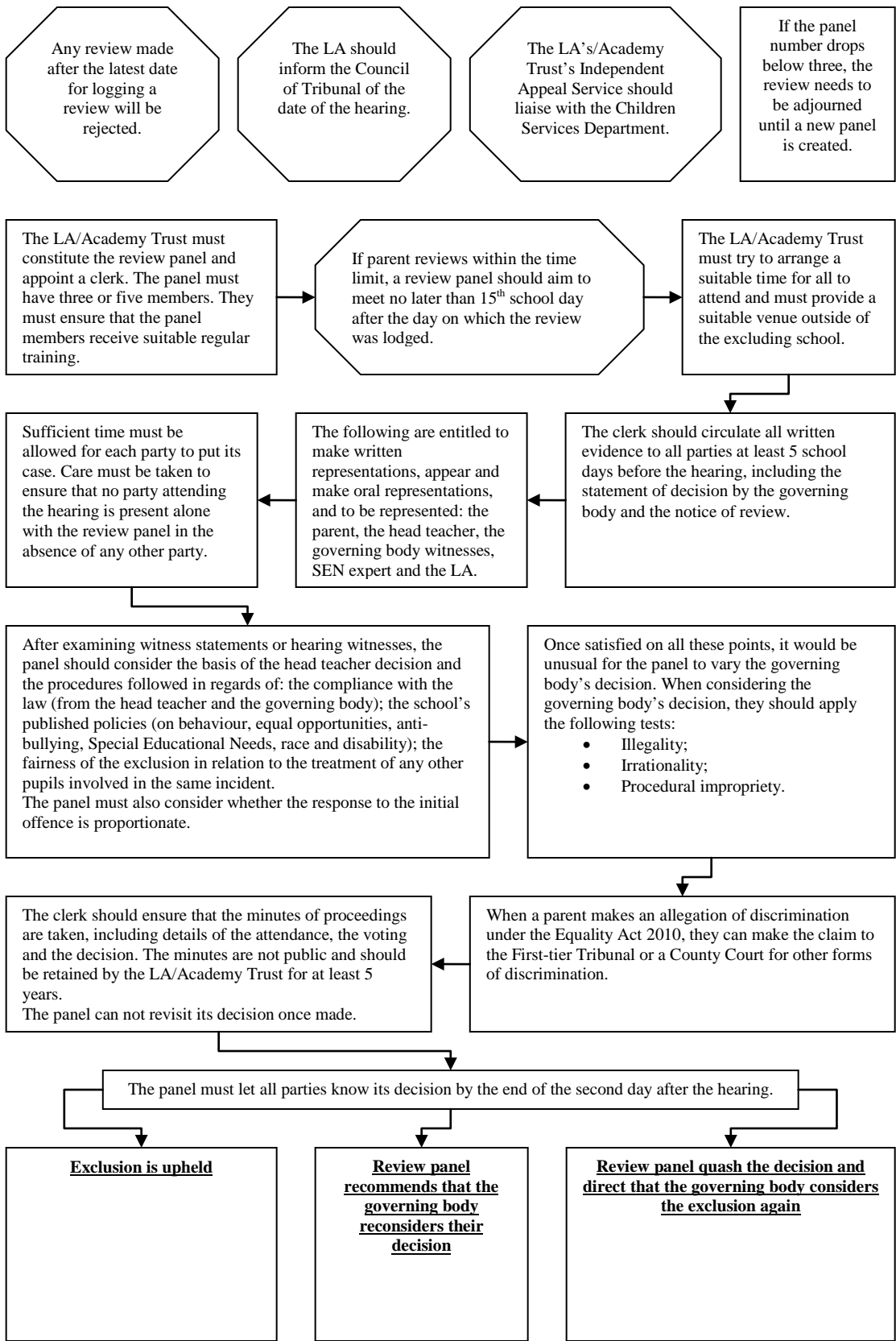
### Permanent Exclusion Flow Diagram



# **Appendix 2**

## **Department for Education**

### **Permanent Exclusion Review Flow Diagram**





# **Appendix 3**

## **London Borough of Newham**

### **Permanent Exclusion Timeline**

**London Borough of Newham**  
**Permanent Exclusion Timeline – September 2014**

**Day 1 – Day of incident/exclusion**

**Head Teacher (HT) must:**

- Consider if managed move is a more appropriate alternative;
  - If managed move is not suitable in these circumstances and HT decided to permanently exclude;
  - Contact Special Educational Needs (SEN) Section if the child has a Statement or Education Health and Care Plan for advice before initiating the permanent exclusion;
  - Contact the Looked After Child (LAC) Team if the child is LAC for advice before initiating the permanent exclusion.
- a) Notify parents/carers immediately in writing and by phone if possible.  
When notifying parents about an exclusion HT should draw attention to relevant sources of free and impartial information, this information should include:  
The link to the statutory guidance on exclusions from the Department for Education (DfE) website;  
AND  
The link to the Coram Children’s Legal Centre;  
AND  
Where considered relevant by the HT, links to local services, such as Traveller Education Services or the local parent partnership service.

The information on the letter to the parents should be clear and easy to understand. Where the parents’ first language is not English the DfE recommends that consideration should be given to where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and their right to make representations to the governing body have been understood. (Refer to the letter templates provided by Pupil Services).

- b) Notify Governing Body using schools locally agreed communications routes (Disciplinary Committee - DC).
- c) Notify Local Authority (LA) by uploading the fully completed, checked and signed permanent exclusion reporting form and letter to the parent to the USO secure site, followed by first class post the same day. Email or fax cannot be used as these are not secure and can therefore breach Data Protection.
- d) Make arrangements for the pupil to receive sufficient suitable school work for five school days with information on how it must be returned for marking including pupils with High Needs Funding (HNF) except for Statement of SEN and ‘Looked After’ pupils.
- e) For Statement of SEN and ‘Looked After’ pupils only contact Reintegration Into Education Team (RIET) for primary schools; the Pupil Referral Unit (PRU) or Education Links for secondary schools to arrange alternative provision education from day one of their permanent exclusion in order to minimise any disruption to their education.

f) Add copies of all the letters sent by Pupil Services (PS) to the pupil file.

**Pupil Services must:**

- a) Send secure email to notify all appropriate LA Officers of the permanent exclusion.
- b) Send email to the excluding school to notify/remind them of the DfE statutory and non statutory guidance in relation to the DC.
- c) Record the permanent exclusion on the LA's databases.
- d) Write to parent/carer informing them of their child's Day 6 alternative provision RIET – Storey Centre for Key Stage 1 and 2 pupils or PRU – Tunmarsh Centre for Key Stage 3 and 4 pupils or New Directions – Storey Centre for Key Stage 4 pupils if not a GCSE candidate and the next steps they must take to arrange admission.
- e) Notify the parent/carer of Newham's Parent Partnership Service for possible support during the process.
- f) Send copies of all letters sent by PS to both the excluding school and the Day 6 alternative provision for the pupil file.
- g) Capture all information relating to the exclusion as electronic copies which are saved against the pupil record on the LA's database.

**Day Six Alternative provision must:**

- a) **KS1 & 2** – RIET sends letter to parent/carer by 1<sup>st</sup> class post inviting them to an admission meeting.

**OR**

- b) **KS3** - PRU sends letter to parent/carer by 1<sup>st</sup> class post inviting them to an admission meeting.

**OR**

- c) **KS3 & 4** – PRU or New Directions sends letter to parent/carer by 1<sup>st</sup> class post inviting them to an admission meeting.
- d) Send copies of the letter to the excluding school and Pupil Services and add a further copy of the letter to the pupil file.

**Day 2**

**School must:**

- Make arrangements for DC meeting:
  - a) Agree membership of the DC with Governors – this must be at least 3 appropriate people who are not directly involved with the pupil or the exclusion.
  - b) Agree proposed date, time and venue of DC meeting with Governors and HT – this must be within 15 school days of exclusion. Due to the time constraints relating to the paperwork being sent to all parties the case cannot be heard before day 7 of the exclusion, but it must be arranged for a date by day 15. The proposed date must take into account any public examinations (this does not include mocks) or national curriculum tests that the child is due to take. The DC should try to meet before the date of the examination, if not practical the Chair using his/her powers to act in an emergency may consider the exclusion and decide whether or not to reinstate the pupil.
  - c) Contact LA to request LA representation at meeting (maintained schools and PRU's only). For Academy Schools the parent/carer may invite a

representative of LA to observe the meeting – that representative can only make representations at the meeting of the governing body consent.

- d) Notify the parent/carer in writing of the proposed date, time and venue of the DC meeting using the schools own template as the DfE have not issued a proforma. The letter must be checked and signed by the HT before sending using 1<sup>st</sup> class post.
- e) Add copies of the letter to the pupil file.

### **Day 3**

#### **School must:**

- a) Contact the parent/carer to confirm receipt of the proposed DC notification letter.
- b) Agree date and time of the DC meeting with the parent/carer or agree a suitable alternative. If a parent/carer request for the DC meeting to be a date that is outside the 15 schools days and they have an acceptable reason for doing so the date must be changed to accommodate their needs – this does not mean they have to have the exact date they want. The meeting must then be rescheduled for the earliest date that the parent and the DC can agree. A new letter must be sent making it clear if the 15 school days has not been met that the delay is due to parental request.
- c) Start collating the casework for the DC meeting e.g. copy of the schools behaviour policy, copy of any other school policies relating to this exclusion, copies of all letters to parent/carers, witness statements which must include signatures and dates, incident histories relating to reason for exclusion only.

### **Days 4&5**

#### **School must:**

- a) Create a proposed DC pack for the HT to approve and sign off contents list.
- b) Post using 1<sup>st</sup> class only or hand deliver a copy of the HT approved exclusion pack with a contents sheet to all members of DC, HT, Pupil Services, clerk and parent/carer at least 5 days before the date of the DC.
- c) Call the parent/carer and each member of the DC to confirm the pack has been received

### **Day 6**

#### **Day Six Alternative Provision must:**

- a) RIET/PRU/New Directions staff ensure the child is admitted and on roll.
  - If the child does not turn up for their admission, staff must telephone the parent/carer within 1 hour to establish the reason for their non attendance and ask them to start later that day (a record of the telephone conversation must be made and added to the pupils file);
  - If the parent/carer refuses to take up the Day Six alternative provision placement the case must be referred to the new provision's Attendance Officer for action the same day;

## Days 6 -15

### School/DC must:

- a) Hold the DC meeting ensuring accurate detailed minutes are taken by the clerk and DC must make their decision or defer.
- b) Notify the parent/carer of the outcome of the DC in writing within 1 school day of the hearing clearly stating the reasons for the decision (there are only two decisions open to the DC to uphold the HT's decision to exclude or to direct the pupil's reinstatement).
  - Reinstatement – letter must include:
    - Outcome of the DC;
    - Reason for their decision to reinstate;
    - Day, date the pupil must return to school;
    - Contact details of the member of staff at the school responsible for the reintegration meeting;
    - Contact details of LA officers responsible for exclusions;
    - This letter must be signed and dated by the clerk to the governing body or the chair of the DC (the HT must not sign this letter as it was not their decision);
    - The checked and signed letter must be posted using 1<sup>st</sup> class mail within 1 school day of the DC hearing;
    - A copy of the signed letter must be added to the pupils file and sent to Pupil Services;
    - Complete and return the Reinstatement following Exclusion form to Pupil Services and add a copy to the pupil file.
  - **HT's Decision upheld – letter must include:**
    - Outcome of the DC;
    - Reason for their decision to uphold the exclusion;
    - The parent/carers right of an Independent Review including details of how to request a review, who to send the review application to and the application deadline (15 schools days after they have received the decision letter, which for first class post should be treated as the 2<sup>nd</sup> working day after it was posted), the need for the parent/carer to outline their grounds on which it is being made and that any claim of any discrimination should be detailed in their application must be included in this letter;
    - The letter should also advise that regardless of whether the excluded pupil has recognised SEN, they have a right to require the Local Authority/Academy Trust to appoint an SEN expert to attend the review and if this offer is taken up it will be at no cost to the parent/carer;
    - This letter must be signed and dated by the clerk to the DC or the chair of the DC (the head teacher must not sign this letter as it was not their decision);
    - The checked and signed letter must be posted using 1<sup>st</sup> class post within 1 school day of the DC hearing;
    - A copy of the signed letter must be added to the pupils file and sent to Pupil Services.
- a) Arrange for the child's immediate return to school if the DC does not uphold the HT's decision and therefore direct reinstatement. Alternatively the school can

set a date for their return from their Day Six provision (the school would be responsible for funding any additional days at this provision).

- b) Ensure a copy of the completed accurate minutes are added to the pupil file (these can be handwritten) and sent to Pupil Services.

**Pupil Services must:**

- a) For reinstated pupils only – send a covering letter and a reinstatement following exclusion form completion to the excluding school cc the child’s Day Six Alternative provision.
- b) For upheld exclusions only – write to the parent/carer within 3 working days of the DC meeting indicating the latest date by which can lodged their request for an IRP, the name and contact details for the clerk to the review panel, and explain that the notice of review must be in writing setting out the grounds on which it is made and that any claim of discrimination should be detailed in their review.
- c) Capture all information relating to the exclusion as electronic copies which are saved against the pupil record on the LA’s database.

**Days 16 - 30**

**Pupil Services must:**

- a) For key stage 1 and 2 excluded pupils.
  - Add pupil to the agenda for the next Pupil Placement Panel (PPP);
  - Arrange meeting and send invitations and pupil casework to panel members at least 5 school days ahead of meeting;
  - Send LA representative to clerk and provide proposed new placements and reasons for these recommendations;
  - Write up minutes and actions points and circulate to invited members for review and comment;
  - Record new placements on pupil database;
  - Write to the named school confirming the decision of the PPP to place the child in their school;
  - Write to parent/carer to notify them of their child’s new placement(s) and the action they must take. This letter must include details of any time they will spend at RIET before admission to the named school, their right to an admission appeal for a place at their preferred school if they are unhappy with the new placement and the consequences of their child’s non attendance;
  - Send a copy of the letter to RIET and the excluding school for inclusion in the pupils file.
  - Capture a copy of all letters relating to the exclusion as electronic copies which are saved against the pupil record on the LA’s database.
- b) For key stage 3 and 4 excluded pupils (except special cases where a Gate keeping referral is recommended is made).
  - Add pupil to the agenda for the next PPP;
  - Arrange meeting and send invitations and pupil casework to panel members at least 5 school days ahead of meeting;

- Send LA representative to clerk and provide proposed new placements and reasons for these recommendations;
  - Write up minutes and actions points and circulate to invited members for review and comment. Write up minutes and actions points and circulate to invited members for review and comment;
  - Record new placements on pupil database;
  - Write to the named school confirming the decision of the PPP to place the child in their school;
  - Write to parent/carer to notify them of their child's new placement(s) and the action they must take. This letter must include details of any time they will spend at the PRU/New Directions before admission to the named school, their right to an admission appeal for a place at their preferred school if they are unhappy with the new placement and the consequences of their child's non attendance;
  - Send a copy of the letter to the PRU/New Directions and the excluding school for inclusion in the pupils file;
  - Capture a copy of all letters relating to the exclusion as electronic copies which are saved against the pupil record on the LA's database.
- c) For key stage 4 Gate keeping referral.
- Ask the clerk to the panel to add the child's name to the agenda for the next Gate Keeping Panel;
  - Send copies of all the exclusion paperwork for each child to the clerk to the Gate keeping panel;
  - Send LA representative to provide additional information or policy/ procedural advice as required;
  - Capture minutes provided by the clerk as PDF's and save in the pupils electronic file;
  - Record new placements on pupil database.

**The excluding school should:**

a) For all excluded pupils.

- Send a nominated suitable representative to the PPP or Gate Keeping;
- Present the child's case at the PPP;
- Attend the professionals meeting with RIET/PRU/New Directions, the new school and other relevant agencies;
- Check the completeness of the pupil file ensuring all the exclusion casework and letters are included;
- Forward the pupil file to the new school within 48 hours of the PPP;
- Remove the pupil from the school roll and add an end date on SIMs and the reason for leaving. This must be done the day after the parent has confirmed in writing they will not be appealing or the day after the appeal if the parents case

was not upheld or the day after the deadline for lodging an appeal, if the parent has not done so or the day after the start their new school whichever is the earliest.

**The named school/provision following exclusion should:**

a) For all excluded pupils.

- Send a nominated suitable representative to the PPP or Gate Keeping (nominated head teacher);
- Attend the professionals meeting with RIET/PRU/New Directions, the new school and other relevant agencies;
- Request the pupil file from the excluding school if it has not been received within 48 hours;
- Write a letter inviting the parent to an admission meeting (follow up with a phone call to check they have received the letter and the start date is acceptable);
- Add a copy of the signed letter to the school file and send a copy to Pupil Services;
- If the child does not turn up for the admission, staff must telephone the parent/carer within 1 hour to establish the reason for their non attendance and ask them to start later that day (a record of the telephone conversation must be made and added to the pupils file);
- If the parent/carer refuses to take up the new placement's the case must be referred to the Attendance Officer for action the same day;
- Add the pupil to the school roll and add a start date on SIMs. This must be done the day after the parent has confirmed in writing they will not be appealing or the day after the appeal if the parents case was not upheld or the day after the deadline for lodging an appeal, if the parent has not done so or the day after the start their new school whichever is the earliest. The new school must check with the excluding school to ensure the child is not on roll at two schools at the same time.

**The Day Six alternative provision following exclusion must:**

a) For all excluded pupils.

- Send a nominated suitable representative to the PPP or Gate Keeping.
- Attend the professionals meeting with RIET/PRU/New Directions, the new school and other relevant agencies;
- Inform the parent/carer of the child's progress and the expected date when transition into the named school or new provision will start. This must be done both verbally and in writing. Forward a copy of this letter to Pupil Services and the new school/provision.



**Important information for all cases**

Whilst an excluded pupil's name remains on a school's admissions register the pupil should be marked using the appropriate attendance code. Where alternative provision has been made that meets the requirements of the pupil registration regulations, and the pupil attends it, an appropriate attendance code, such as Code B (Education Off-site) or Code D (Dual Registration), should be used. Where pupils are not attending alternative provision they should be marked absent using Code E.

If the excluded pupil has a Statement of SEN Section will name the new school/provision using the statutory consultation process and they will notify the family and update the child's Statement.

If the parent/carer has requested an IRP follow the permanent exclusion IRP timeline.

If any new school/provision refuses to admit and does not provide a reason that is accepted by the PPP and Pupil Services the LA will direct them to admit or refer to the Secretary of State in the case of academy schools (non fee paying independent schools)

To ensure compliance with Data Protection Act 1998 all pupil information must be sent using the USO FX secure site or Igress secure email. Faxes or general emails cannot be used as they are not secure.

For schools - all information relating to the exclusion must be saved in the secure pupil file.

For Pupil Services - all information relating to the exclusion must be captured as a PDF and saved against the pupil's electronic record.

# **Appendix 4**

## **London Borough of Newham**

### **Permanent Exclusion Review Timeline**

**London Borough of Newham**  
**Permanent Exclusion Independent Review Timeline**  
**September 2014**

**Day 1 – Parent/carer lodges their application for a review of the exclusion**

This date can be up to 15 schools days from the date they receive notification of the Disciplinary Committee's (DC) decision to uphold the exclusion. If the application for a review is received from the 16<sup>th</sup> day onwards it will be rejected.

A parent/carer still has the right to request an Independent Review Panel (IRP) even if they did not make case to or attend the governing body meeting where the exclusion was considered.

**Pupil Services must:**

- a) Record the application for a review on the Local Authority's (LA) databases.
- b) Create and post a letter to the parent/carer acknowledging receipt of the application informing them if it was received by the deadline.
- c) Read the reasons for the review request and if they include any points that suggest that the parent/carer believes the exclusion occurred as a result of discrimination they must be advised they may make a claim under the Equality Act 2010 to the First –tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination.
- d) Forward all review documentation, including those where the exclusion occurred as a result of discrimination if received by the deadline to Newham Independent Schools Appeal Service (NISAS) to initiate the process, even if a discrimination claim has been made as this must not delay the IRP.
- e) Send copy of the acknowledgement letter to the Head teacher (HT) of the excluding school and the Newham Parent Partnership Service if they are known to be supporting the family.
- f) Capture all information relating to the exclusion review as electronic copies which are saved against the pupil record on the LA's database.

**NISAS/Academy Trust must:**

- a) Contact the parent/carer to confirm receipt of the proposed IRP notification letter.

**Day 2 to day 7**

**NISAS/Academy Trust must:**

- a) Appoint a clerk to provide advice to the panel and parties to the review on procedure, legislation and statutory guidance on exclusions.
  - o *This clerk should not have served as the clerk to the governing body meeting.*
  - o *In addition to the training required by law, clerks should have an up-to-date understanding of developments in case law, legislation and guidance which are relevant to exclusion.*

- b) Agree membership of the IRP, this must be at least 3 appropriate people representing each of the three categories below who are not directly involved with the pupil or the exclusion.
- 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;
  - A school governor who has 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;
  - A Head teacher or individuals who have been a head teacher within the last five years.

*A person may not serve as a member of a review panel if they:*

- *are a member / director of the Local Authority / Academy Trust or governing body of the excluding school.*
- *are the head teacher of the excluding school or anyone who has held this position in the last five years.*
- *are an employee of the Local Authority / Academy Trust, or the governing body, of the excluding school (unless they are employed as a head teacher at another school).*
- *have, or at any time have had, any connection with the Local Authority / Academy Trust, school, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality (though an individual must not be taken to have such a connection simply because they are a head teacher at another school).*
- *not had the required training within the last two years.*

c) Appointing the IRP chair, the Local Authority / Academy Trust should consider whether the chair should be someone with a legal qualification or other legal experience. This is particularly important where a clerk will not be providing legal expertise to the panel.

d) Book the venue, the venue must be appropriate, accessible to the parties, and has a suitable area for the parties to wait separately from the panel before the review.

e) Arrange for an Special Educational Needs (SEN) expert if requested by the parent/carer.

- *The SEN expert should be a professional with first-hand experience of the assessment and support of SEN, as well as an understanding of the legal requirements on schools in relation to SEN and disability. Examples of suitable individuals might include educational psychologists; specialist SEN teachers; special educational needs coordinators (SENCOs); and behaviour support teachers. Recently retired individuals are not precluded from fulfilling this role, though the Local Authority / Academy Trust would need to assure themselves that the individual had a good understanding of current practice and the legal requirements on schools in relation to SEN.*

- o *The final decision on the appointment of an SEN expert is for the Local Authority / Academy Trust to make but it should take reasonable steps to ensure that parents have confidence in the impartiality and capability of the SEN expert.*
- f) Finalise the date and time of the IRP hearing with the parent/carer or agree a suitable alternative date. If a parent/carer request for the IRP hearing to be a date that is outside the 15 schools days and they have an acceptable reason for doing so the date must be changed to accommodate their needs – this does not mean they have to have the exact date they want. The meeting must then be rescheduled for the earliest date that the parent and the DC can agree. A new letter must be sent making it clear if the 15 school days has not been met that the delay is due to parental request.
- g) Write to the parent/carer and request their formal representations (written evidence) for the hearing – this should be requested to be returned where possible within 5 school days.
- h) Write to the school and ask for their formal representations (written evidence) for the hearing – this should be requested to be returned where possible within 5 school days.
- i) Once received the clerk circulate both the schools and the parent/carers full written representations to all parties (excluding school, parent/carer, panel members and the LA Pupil Services) – this must be at least 5 school days before the hearing. This must include the statement of decision by the governing body and the notice of review from the parent which gives the grounds for the review and any disability discrimination claim. A locally prepared summary of this exclusions guidance should also be circulated. The HT, governing body and LA may also make written representations. If any of the parties intend to raise matters or produce documents at the hearing that are not covered by the statement of decision or the notice of review, they should be asked to submit these to the clerk in good time before the hearing although there is no statutory time limit for submitting evidence.
- j) Notify in writing all parties of those who will be attending the hearing and their role in the proceedings.

**School must:**

- a) Start collating the casework for the IRP hearing e.g. copy of the schools behaviour policy, copy of any other school policies relating to this exclusion, copies of all letters to parent/carers, witness statements which must include signatures and dates, incident histories relating to reason for exclusion only.

- b) Agree who will be presenting the school case at the hearing and who from the school will be attending. The Department for Education (DfE) normally expects the HT or the Chair of the governing body to make representations.

### **Day of the hearing**

#### **Clerk to the appeal must:**

- a) Write accurate minutes during the IRP hearing and the IRP make an appropriate decision or defer.

*When considering the governing body's decision in light of the principles applicable in an application for judicial review, the panel should apply the following tests:*

- o *Illegality – did the head teacher and / or governing body act outside the scope of their legal powers in taking the decision to exclude?*
- o *Irrationality – was the decision of the governing body not to reinstate the pupil so unreasonable that it was not one a sensible person could have made?*
- o *Procedural impropriety – was the process of exclusion and the governing body's consideration so unfair or flawed that justice was clearly not done?*

- b) Notify Pupil Services and their home authority if they are not a Newham resident of the outcome without delay.

- c) Notify the parent/carer of the outcome of the IRP hearing in writing within 2 working days of the hearing clearly stating the reasons for the decision.

There are only three decisions open to the IRP:

- uphold the decision to exclude;
- recommend that the governing body reconsiders their decision;
- quash the decision and direct that the governing body considers the exclusion again.

*An IRP's decision does not have to be unanimous and can be decided by majority vote and with any tied result the chair has the casting vote.*

*The decision is binding on the pupil, parents, governing body, Local Authority and where applicable the Academy Trust.*

### **Day of/day after the hearing**

- The clerk must ensure the outcome letter is accurate and dispatched.

#### **1) Outcome - IRP upholds the exclusion**

##### **Letter must include:**

- Outcome of the IRP hearing;
- Reason for the panel's decision to uphold the exclusion;
- This letter must be signed and dated by the clerk to the IRP or the chair of the IRP;
- Ensure a checked and signed letter is posted using 1<sup>st</sup> class post within 2 working days of the IRP hearing to the parent/carer;
- A copy of the signed letter must sent to the excluding school for information and the pupils school file without delay;
- A copy of the signed letter must be sent to the Pupil Services without delay;

- If the child lives outside Newham their home local authority must be sent a copy of the signed letter.

**Pupil Services must:**

- Update their databases with the outcome;
- Send a letter to the parent/carer explaining the next steps;
- Update the PPP of the outcome of the IRP.

**OR**

**2) Outcome – IRP recommend the governing body reconsiders their decision**

**Letter must include:**

- Outcome of the IRP hearing;
- Reason for the panel’s decision to recommend that the governing body to reconsider their decision;
- This letter must be signed and dated by the clerk to the IRP or the chair of the IRP;
- Ensure a checked and signed letter is posted using 1<sup>st</sup> class post within 2 working days of the IRP hearing to the parent/carer;
- A copy of the signed letter must sent to the excluding school for information and the pupils school file without delay;
- A copy of the signed letter must be sent to the Pupil Services without delay;
- If the child lives outside Newham their home local authority must be sent a copy of the signed letter.

**Pupil Services must:**

- Update their databases with the outcome;
- Send a letter to the parent/carer explaining the next steps;
- Update the PPP of the outcome of the IRP.

**The Governing Body of the excluding school must:**

- Make arrangements for the governing body to reconvene within 10 school days of the being notified of the IRP’s decision. Notice is deemed to have been given on the same day if it is delivered directly or on the second working day after posting if it is sent by first class mail;
- Notify Pupil Services in writing of the date the meeting will be reconvened;
- Send a letter to the parent/carer notifying them of the outcome of the reconvened meeting and the next steps including the date for the pupil to return to school where applicable;
- Send a copy of the letter for the pupil’s file;
- Send a copy of the letter to Pupil Services.

**Pupil Services must:**

- Update their databases with the outcome;
- Send a letter to the parent/carer explaining the next steps;
- Update the PPP of the outcome of the IRP.

**OR**

**3) Outcome – IRP quash the decision and direct that the governing body to consider the exclusion.**

***Letter must include:***

- Outcome of the IRP hearing;
- Reason for the panel's decision to quash the decision and direct that the governing body to consider the exclusion;
- This letter must be signed and dated by the clerk to the IRP or the chair of the IRP;
- Ensure a checked and signed letter is posted using 1<sup>st</sup> class post within 2 working days of the IRP hearing to the parent/carer;
- A copy of the signed letter must sent to the excluding school for information and the pupils school file without delay;
- A copy of the signed letter must be sent to the Pupil Services without delay;
- If the child lives outside Newham their home local authority must be sent a copy of the signed letter.

**Pupil Services must:**

- Update their databases with the outcome;
- Send a letter to the parent/carer explaining the next steps;
- Update the PPP of the outcome of the IRP.

**The Governing Body of the excluding school must:**

- Make arrangements for the governing body to reconvene within 10 school days of the being notified of the IRP's decision. Notice is deemed to have been given on the same day if it is delivered directly or on the second working day after posting if it is sent by first class mail;
- Notify Pupil Services in writing of the date the meeting will be reconvened;
- Send a letter to the parent/carer notifying them of the outcome of the reconvened meeting and the date for the pupil to return to school where applicable;
- Send a copy of the letter for the pupil's file;
- Send a copy of the letter to Pupil Services.

**Pupil Services must:**

- Update their databases with the outcome;
- Send a letter to the parent/carer confirming the next steps;
- Update the PPP of the outcome of the IRP.



- *If, following a direction to reconsider, the governing body does not offer to reinstate the pupil within 10 school days of being notified of the panel's decision, an adjustment may be made to the schools budget in the sum of £4,000. In the case of an Academy, the school would be required to make an equivalent payment directly to the local authority in which the school is located. This payment will be in addition to any funding that would normally follow an excluded pupil.*
- *If the governing body offers to reinstate the pupil within the specified timescale but this is declined by the parents, no readjustment may be made to the school's budget. The governing body must comply with any direction of the panel to place a note on the pupil's educational record. This includes noting that, where a pupil is not reinstated following a direction to reconsider, the exclusion does not count towards the rule that an admission authority may refuse to admit a child who has been excluded twice; or in the case of a community or voluntary controlled school, the governing body may appeal against the decision of the local authority as the admission authority to admit the child.*

### **Important information for all cases**

To ensure compliance with Data Protection Act 1998 all pupil information must be sent using the USO FX secure site or Egress secure email. Faxes or general emails cannot be used as they are not secure.

For schools - all information relating to the exclusion must be saved in the secure pupil file.

For Pupil Services - all information relating to the exclusion must be captured as a PDF and saved against the pupil's electronic record.

# **Appendix 5**

## **London Borough of Newham**

### **Primary Pupil Placement Protocol Following Permanent Exclusion**

## London Borough of Newham

### Primary Pupil Placement Protocol Following Permanent Exclusion – September 2014

#### 1. Introduction and background

- 1.1 Practically every KS1/2 pupil that is excluded from primary schools in Newham requires a period of more intensive support with the Reintegration Into Education Team (RIET) for at least two terms, before being reintegrated back into a mainstream setting.

#### 2. Procedures

- 2.1 The Primary Pupil Placement Panel (PPP) decides KS1/2 cases. The PPP will meet monthly during term time as required.
- 2.2 The issues for the PPP to consider are the new school to be allocated and whether, in exceptional circumstances (e.g. following a one off serious incident that was completely out of character), re-integration to mainstream should take place immediately.
- 2.3 If a pupil with a Statement of Special Educational Needs (SEN) or Education Health Care Plan is permanently excluded the SEN Section determine the new school to be named in the child's statement via the statutory consultation process. Pupils with High Needs Funding (HNF) will be considered at the PPP.
- 2.4 If the child is 'Looked After' the LAC Team representative at the PPP will ensure that the new placement is compatible with the child's home situation.
- 2.5 Pupil Services (PS) will include all notified permanent exclusions on the agenda for the next planned PPP.
- 2.6 The excluding school are responsible for providing PS with a complete set of papers at least 5 school days before the PPP and a verbal presentation of the case on the day.
- 2.7 The overriding principle in allocating a new primary school will be for the PPP to ensure that no school is required to admit a second permanently excluded pupil in a twelve month period unless they are the only school that can meet a child's needs.

If a Newham child has been excluded from a school outside of Newham the PPP will consider the child's future placement using these principles.

To ensure fair and equal distribution vacancy information is not taken into account.

- 2.8 Within the constraint of the overriding principle, the PPP will take the following into account:

- (a) Where a parent/carer wins an admission appeal to another school as this is a legally binding decision;
  - (b) Where the two relevant head teachers and senior officers in the Local Authority (LA) agree that the initial school allocation was inappropriate;
  - (c) Home to school distance. With the aim of supporting reintegration into mainstream, a school that is as close to the child's home as possible will be allocated;
  - (d) Parental preference. The LA has a legal responsibility to inform parents/carers of their legal right to an admission appeal for a preferred school place if they wish. These rights can only be suspended where a child had been permanently excluded twice in the past two academic years;
  - (e) Schools of concern to the LA;
  - (f) In the case of SEN or LAC pupils, the placement meets the LA's statutory duties;
- 2.9 Exceptionally, if a situation arises where a pupil is recommended to be reintegrated into another mainstream school without any time at RIET, such placements will only be made to the made using the overriding principles and associated constraints (2.8 and 2.9)
- 2.10 The chair of the PPP is a LA representative and as chair they have the overriding vote where a decision cannot be agreed by the composite invited members.
- 2.11 The clerk to the PPP is a LA representative and will produce detailed minutes for each decision and these minutes are distributed to those invited to that PPP.
- 2.12 If the named school does not agree to the PPP's decision and the child has not been excluded twice the LA will expect the school to admit the child without delay after their time at RIET. Failure to admit may result in the LA directing admission or referral to the Department for Education (DfE) or the Secretary of State whoever is responsible for the school.
- 2.13 If the placement in the new school breaks down within 4 weeks of the pupil leaving RIET, the school must approach the head of RIET to seek a return for further intervention and support. If the pupil returns to the RIET they must remain on the schools own roll. The school must mark it on their register as 'B' code for educated offsite.
- 2.14 PS will circulate information to all schools, allocated and re-admitted pupils per school at the end of each term. Any school can request figures or information from PS on an ad hoc basis.
- 2.15 PS pass exclusion data to the Council's Corporate Performance Team on an annual basis.

# **Appendix 6**

## **London Borough of Newham**

### **Secondary Pupil Placement Protocol Following Permanent Exclusion**

## London Borough of Newham

### Secondary Pupil Placement Protocol Following Permanent Exclusion – September 2014

#### 1. Introduction and background

- 1.1 Practically every KS3/4 pupil that is excluded from secondary schools in Newham requires a period of more intensive support at the Pupil Referral Unit (PRU) or at least two terms, before being reintegrated back into a mainstream setting.
- 1.2 Pupils excluded in KS4 are generally not expected to return to school – their future educational needs can usually be met by New Directions Storey Centre or Tunmarsh Centre who are the commissioners for our Education Otherwise provisions. The KS4 Gate Keeping Panel manages this particular allocation process.

#### 2 Procedures

- 2.1 The Secondary Pupil Placement Panel (PPP) decides KS3/4 cases. The PPP will meet monthly during term time as required. In exceptional circumstances cases maybe referred at the PPP to the Gate Keeping Panel as evidence suggests that a mainstream school will not be suitable.
- 2.2 The issues for the PPP to consider are the new school to be allocated and whether, in exceptional circumstances (e.g. following a one off serious incident that was completely out of character), re-integration to mainstream should take place immediately.
- 2.3 If a pupil with a Statement of Special Educational Needs (SEN) or Education Health Care Plan is permanently excluded the SEN Section determine the new school to be named in the child's statement via the statutory consultation process. Pupils with High Needs Funding (HNF) will be considered at the PPP.
- 2.4 If the child is 'Looked After' the LAC team representative at the PPP will ensure that the new placement is compatible with the child's home situation.
- 2.5 Pupil Services (PS) will include all notified permanent exclusion on the agenda for the next planned PPP.
- 2.6 The excluding school are responsible for providing PS with a complete set of papers at least 5 schools days before the PPP and a verbal presentation of the case on the day.
- 2.7 The overriding principle in allocating a new secondary school will for the PPP to ensure that no school is required to admit more permanently excluded pupils than it has itself excluded unless they are the only school that can meet a child's needs. This means excluding one pupil results in being asked to admit an

excluded pupil from another school irrespective of their home address/home authority, this is known as 'one out and one in'. The definition for each school's number that "it has itself excluded" is as follows:

- Autumn term - the total number of exclusions in the previous school year plus the exclusions in the current autumn term;
- Spring and summer terms - the total number of exclusions in that school year. If this is not sufficient across all schools, the previous school year's numbers will be included.

To ensure fair and equal distribution vacancy information is not taken into account.

If a Newham child has been excluded from a school outside of Newham the PPP will consider the child's future placement using these principles.

2.8 Within the constraint of the overriding principle, the PPP will take the following into account:

- (a) Where a parent/carer wins an admission appeal to another school as this is a legally binding decision;
- (b) Where the two relevant head teachers and senior officers in the Local Authority (LA) agree that the initial school allocation was inappropriate;
- (c) Home to school distance. With the aim of supporting reintegration into mainstream, a school that is as close to the child's home as possible will be allocated;
- (d) Parental preference. The LA has a legal responsibility to inform parents/carers of their legal right to an admission appeal for a preferred school place if they wish. These rights can only be suspended where a child had been permanently excluded twice in the past two academic years;
- (e) Schools of concern to the LA;
- (f) In the case of SEN or LAC pupils, the placement meets the LA's statutory duties.

2.9 Exceptionally, if a situation arises where a pupil is recommended to be reintegrated into another mainstream school without any time at the PRU, such placements will only be made using the overriding principles and associated constraints (2.8 and 2.9)

2.10 The chair of the PPP is a LA representative and as chair they have the overriding vote where a decision cannot be agreed by the composite invited members.

2.11 The clerk to the PPP is a LA representative and produces detailed minutes for each decision and these minutes are distributed to those invited to that PPP.

- 2.12 If the named school does not agree to the PPP's decision and the child has not been excluded twice the LA will expect the school to admit the child without delay after their time at PRU. Failure to admit may result in the LA directing admission or referral to the Department for Education (DfE) or the Secretary of State whoever is responsible for the school e.g. LA, Academy Trust etc.
- 2.13 If the placement in the new school breaks down within 4 weeks of the pupil leaving the PRU, the school must approach the head of the PRU to seek a return for further intervention and support. If the pupil returns to the PRU they must remain on the schools own roll. The school must mark it on their register as 'B' code for educated offsite.
- 2.14 PS will circulate information to all schools, allocated and re-admitted pupils per school at the end of each term. Any school can request figures or information from PS on an ad hoc basis.
- 2.15 PS pass exclusion data to the Council's Corporate Performance Team on an annual basis.



# **Appendix 7**

## **London Borough of Newham**

### **Primary School's Managed Move Protocol**

## Background

The protocol detailed below has been developed by the Head Teachers of schools/academies located in the London Borough of Newham in association with the Local Authority (LA) with a clear aim of supporting the principle of inclusion and to supplement the guidance of our Behaviour and Attendance Partnership (BAP) for 'Pupils at risk of permanent exclusion'.

It has been formulated to be clear, fair and transparent and to ensure compliance with the Equality Act 2010 and therefore does not unlawfully discriminate against pupils, parents or carers because of their sex, race, disability, religion or belief and sexual orientation or pupils who are pregnant or undergoing gender reassignment. The exceptions to the discrimination provisions for schools that existed under previous legislation are admissions to single-sex schools.

'Managed Moves' first appeared in the DfES Social Inclusion: Pupil Support Circular 10/99 issued in July 99, this identified groups of pupils who are at particular risk of exclusion. It also introduced the framework of the Pastoral Support Programme (PSP), which is closely related to Individual Education Plans (IEPs) both of which focus on assessment focus interventions.

*Circular 10/99 stated: "A PSP should not be used to replace the special educational needs assessment process. Rather than set up a PSP for pupils with an Individual Education Plan (IEP), schools should ensure that IEP's for pupils at serious risk of exclusion or disaffection reflect appropriate strategies to meet their additional needs."*

The Circular makes it clear that any 'Managed Move' should be with the agreement of the pupil's parents/guardians and Head Teacher of their school.

Managed moves were also referred to as a possible alternative to permanent exclusion in the Department for Education's 'Improving behaviour and attendance guidance: guidance on exclusion from schools and Pupil Referral Units September 2008'.

*A managed move to another school, with the consent of all parties involved; this can be successful for pupils at risk of exclusion and as an alternative to permanent exclusion (see paragraph 11d below):*

**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. In order fully to address the pupil's difficulties it may be helpful for schools within an area to have a protocol in place and to have a full support package in place for the pupil. Parents should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in

*this guidance have been adhered to or unless a managed move has been agreed by all the relevant parties.*

The 2008 guidance was superseded in 2012 by 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.

### *Extract*

*14. Maintained schools have the power to direct a pupil off-site for education to improve his or her behaviour<sup>5</sup>. A pupil 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. However, the threat of exclusion must never be used to influence parents to remove their child from the school.*

## **1. Principle**

1.1 *We 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. In order fully to address the pupil's difficulties it may be helpful for schools within an area to have a protocol in place and to have a full support package in place for the pupil. Parents should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in this guidance have been adhered to or unless a managed move has been agreed by all the relevant parties.*

## **2. Rationale**

2.1 The formalisation of the managed move process is intended to facilitate effective early intervention and to build upon existing good practice. It is recognised that for a significant number of challenging pupils would benefit from the chance of a 'fresh start' and this usually results in improved educational achievement.

2.2 The Pupil Placement Panel (PPP) will provide a forum where the most suitable future educational provision for a child can be considered in a more flexible manner by the educational professionals responsible – i.e. schools. The representatives on the panel are expected to operate the established protocol and procedures on behalf of the wider school community. All state funded maintained and non maintained schools located in Newham which sign up to the protocols must be represented by someone who understands the process, has detailed knowledge of the pupils being presented by their school, can make decisions on their school's behalf and is ready to engage in the decision-making process.

- 2.3 The process is based on the original guidelines regarding managed moves published in the DfE's 'Improving behaviour and attendance: guidance on exclusions from schools and Pupil Referral Units (September 2008)' and the current guidance from 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.

All Newham Association of Primary Heads (NAPH) recognise that there are certain types of incidents for which a permanent exclusion is appropriate but a managed move is not. Each case of potential permanent exclusion must be considered on its merits and is a matter for the individual school to decide if a managed move is suitable. However two specific criteria's **will not** be considered for a managed move, they are:

- Pupils in **Year 6** will only be considered for a managed move if involved in a serious one-off incident and the current school recommends an immediate fresh start in a new school without the support of RIET. For continuous poor behaviour a managed move into a new school would not be suitable due to time constraints of enabling a fresh start taking into account the time spent at RIET; the reintegration process of starting the new school and preparation for the secondary school transition. Alternatively schools can either use their power to direct a pupil off site for education at RIET to improve his or her behaviour; or permanently exclude.
- Pupils going through a statutory assessment for a statement of Special Educational Needs (SEN) or Education Health Care Plan (EHCP) will not be considered for a managed move **until the outcome has been finalised**. Such assessments may pick up unidentified SEN and consider what additional support or alternative placement may be required before a managed move is explored.

- 2.4 The process is underwritten by all Head Teachers to ensure that all relevant information is provided so that informed decisions can be made. All Head Teachers recognise that it is in the interests of pupils and schools that information should be shared accurately and fully, and that the protocol will only operate effectively on the basis of trust and cooperation between participating schools. The process is tracked by the PPP.

- 2.5 Children with statements of Special Educational Needs (SEN) or Education Health Care Plan and Looked After Children (LAC) will not be considered for managed move by the panel any changes to their school will be made by the formal consultation process. Although their case will not be discussed by the panel the placement of such pupils facing permanent exclusion will be reported at the panel meeting and will be included in the overall figures.

### **3. Purpose**

- 3.1 To ensure managed move placements are carried out in line with the guidance (see 2.3), are equitable and made for appropriate reasons across all schools located in Newham.
- 3.2 To consider requests for managed moves of both Key Stage 1 and Key Stage 2 pupils and determine the appropriate school placement in accordance with established protocol and procedures.
- 3.3 To enable effective and respected decision-making in relation to managed moves of pupils. Such decisions may be made even if they lead to schools being required to admit beyond their planned admission number.

### **4. Composition**

- 4.1 Primary PPP:
  - Chair: Deputy Head of Behaviour Support
  - Clerk: Pupil Services Officer;
  - 2 Primary Head Teachers from each of the following postcodes E6 (Beckton & East Ham), E7, E12, E13, E15, E16 and E20;
  - Primary Head Teacher presenting a child for placement;
  - Deputy Head of Reintegration Into Education Team (RIET);
  - Pupil Services Manager;
  - Safeguarding Manager;
  - Attendance Manager;
  - Special Educational Needs Officer;
  - Children Looked After Team Manager (as required);
  - Other Professionals (as required).

Where any of the above is unable to attend they must nominate a representative to attend on their behalf –they must have the required knowledge are delegated full decision-making authority.

- 4.2 This Chair and the Clerk can be varied at anytime by agreement of the panel.

### **5. Frequency**

- 5.1 The PPP will meet monthly during term time.

### **6. Decision making process**

- 6.1 All managed moves must meet 4 essential criteria:

- Their current Head Teacher must review the pupil's history and decide from the evidence available they are ready for a fresh start in a new school, this may follow a period at Reintegration into Education Team (RIET) first;

AND

- The pupil and their parent/carers must agree to a fresh start;

AND

- The pupil and their parent/carers must understand that they and not their current or the proposed school or the LA are responsible for new travel arrangements and uniform requirements any costs associated with these;

AND

- No pupil should have more than one managed move in their primary phase of education.

- 6.2 Detailed paperwork must be fully completed, signed and submitted to the LA - Pupil Services at least five school days in advance of the panel meeting. Incomplete paperwork will be returned to the home school and may result in the pupil being removed from the agenda unless the panel agrees that there are extenuating circumstances.

Where they exist each of the following must be included for all proposed managed moves:

- Pastoral Support Programme and review details;
- Attendance records for the last 3 months;
- Fixed Term Exclusion Information for the last 12 months;
- SEN Stage, provision of support and involvement of external agencies;
- Education Psychologist Reports;
- Individual Education/Behaviour Plan;
- Record of referrals to external agencies;
- Behaviour log sheet;
- Educational assessment information;
- Strengths and potential areas for future development including sports;
- Record of parental meetings/discussions/interviews.

- 6.3 The proposing school must give a full and honest appraisal of the pupil being referred and the reasons for seeking a managed move. The representative for the proposing school must be suitably knowledgeable and be prepared to answer further questions relating to the case.
- 6.4 Any school has the opportunity to offer a place to a proposed pupil, with due consideration being given to parental preference.
- 6.5 Where no school voluntarily offers a place to a referred pupil the LA officer from Pupil Services should recommend a new placement based on criteria related to the needs of the child: gender, faith, home to school distance, ease of journey, postal area of the provision, peer group affiliations/problems, parental preference and child preference (this list is not ranked in order of consideration – all factors are considered for each pupil and are weighted based on their individual case).
- 6.6 The principle for the placement of managed moves is schools identified nearest to the home address in the year group which have not admitted a managed move, permanent exclusion or fair access pupil within the current or previous academic year not taking vacancy information into consideration.

Neither the schools admission number nor roll will be used in determining how many managed moves, permanent exclusion or fair access allocations are made to any school.

However the panel must ensure equal distribution among all schools (including state funded independent schools located in Newham) in order to:

- provide maximum flexibility for the PPP to determine the most appropriate placement for a pupil; and
- ensure that schools who have higher levels of mobility and reported vacancies than others, do not receive a disproportionate number of managed moves.

- 6.7 The panel will not consider requests for managed moves unless the school making the request is represented at that particular panel meeting.
- 6.8 If the PPP believes that the request for a managed move is not valid the referral can be rejected.

## **7. Considerations for determining new school**

- Balance to be struck between finding a place quickly and finding a place that is appropriate for the child;

- The Panel and LA **must** ensure that no school – including those with available places – is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour;
- The schools admission arrangements, ethos and oversubscription criteria;
- Consideration is given to schools identified by Ofsted as requiring significant improvement and therefore have been given ‘notice to improve’;
- Consideration is given to schools in special measures or has recently come out (within 12 calendar months);
- Consideration will be given to the number of exclusions and managed moves made by a school when determining the placement of other children but this cannot be the only factor. This means we will not automatically follow an immediate one in one out process;
- Parents/Carers and children’s views will be strongly considered, but they will not override the decision of the Panel;
- For a child with behavioural needs, where appropriate, support for transition can be provided from the Reintegration to Education Team (RIET) or the Behaviour Support Service. The panel may decide, following advice from proposing school that a pupil needs a period of time at the RIET in order to address specific behavioural or socialisation concerns. In such cases there will be a gradual integration beyond the fifteen school days with the receiving school supported by professionals from the RIET, the proposing school and other agencies;
- Account will be taken of any genuine concerns about the admission e.g. a previous serious breakdown in relationship between the school and the family, or a strong aversion to, or desire for, the religious ethos of the school;
- The safety of schools’ communities;
- Where the appropriate school representative or professional(s) does not attend the meeting, those present have the right to defer their decision to the next or a ‘specially arranged meeting’. If deferment is agreed the panel must ensure that the child is receiving interim education;
- Where the necessary attendance reports, multi-professional assessments and/or risk assessments have not been undertaken (risk assessments will be undertaken in cases with a history of violent or sexualised behaviour) those present at the meeting have the right to defer their decision to the next or a ‘specially arranged meeting’. If deferment is agreed the panel must ensure that the child is receiving interim education;



- Consider the child's travel arrangements to any new provision order to maximise school attendance and minimise the need for home to school travel assistance and /or transport;
- Parental preference.

## **8. Integration into new school**

Following the decision of the panel, the home school makes contact with the proposed school within three school days in order to exchange information.

### **OPTION 1**

- 8.1 *All agreed managed moves will include a four to six week guest period at the proposed school to give the pupil, their parent/carer and the proposed host school an opportunity to decide if the move is suitable and sustainable.*
- 8.2 *During the guest period reviews must be held by the proposed (host) school with the pupil/parent, these will be held in weeks 2, 4 and 6.*
- 8.3 *The guest period can be halted as an outcome at any of the reviews, which would result in the pupil immediately returning to their current home school.*
- 8.4 *Throughout the guest period:*

#### ***The pupil:***

- *Will be dually registered at their current home school and the proposed host school;*
- *Must remain on the admissions register of their home school.*

#### ***The proposed host school will:***

- *Be responsible for the attendance register;*
- *Be responsible for taking any action relating to non attendance throughout the guest period;*
- *Provide the current home school with a weekly attendance report.*

#### ***The current home school must:***

- *During the guest period mark their register with D (Dual-rolled). If at the week 6 review all parties so agree, the managed move will become permanent.*
- 8.6 These actions will monitored by the PPP; if the time line is not adhered the proposed school involved must give an acceptable reason for this at the next PPP meeting.

- 8.7 Following the exchange of information the proposed (host) school is responsible for the admission / induction / support arrangements for the pupil.
- 8.8 The pupil should join the roll of the proposed (host) school no later than fifteen school days after the panel meeting. Until this happens the pupil remains the responsibility of the proposing school. This will be monitored and discussed through the minutes of the PPP. If this time line is not adhered the school involved must give an acceptable reason for this at the next PPP meeting.

**OR**

**OPTION 2**

- 8.7 *The PPP may decide in exceptional circumstances following advice from a current home school that a pupil needs a period of time at RIET in order to address specific behavioural or socialisation concerns. In such cases there will be a gradual integration beyond fifteen school days with the proposed school supported by professionals from RIET, the home school and other possible agencies.*

**OR**

**OPTION 3**

- 8.8 *The PPP may decide to arrange a managed move for a pupil to have a fresh start straight into a mainstream school without the trial period and intervention from RIET. The pupil should join the roll of the new school within fifteen school days after the panel meeting and the current school can then remove the pupil from their roll.*

**9. Review**

- 9.1 Inevitably, some managed moves will be unsuccessful. However where within the guest period in the new school, it can be shown that the referring school misrepresented the case at the decision-making stage the casework will be referred back for discussion by the panel.
- 9.2 Where new information becomes available within a similar period which would render the decision inappropriate, i.e. a risk is identified, the casework will be referred back for discussion by the panel.
- 9.3 If the parent/carer refuses to accept the place offered, the case will be referred back to the panel to reassess and possibly name a new school. If the panel

decides that the school initially offered was suitable and the parent/carer continues to refuse the place then the case work will be referred back to the proposing school either to take the pupil back or permanently exclude.

## **10. Financial Arrangements**

- 10.1 There are no financial penalties for the current home school where a managed move is arranged.
- 10.2 There are no financial incentives for the new receiving school.
- 10.3 Where the pupil has a Statement of Special Educational Needs, Education Health Care Plan or High Needs Funding (HNF) the delegated funds will also be transferred as agreed by Special Educational Needs.

## **General Questions**

### **Who is responsible for managing the process?**

The Chair of PPP reports to NAPH.

### **Who is responsible for taking action if any aspect of protocol not followed & what action would be taken?**

The protocol belongs to the schools/academies and the panel would need to decide.

### **When will the protocol be reviewed?**

Annually in the summer term

### **Which primary schools/Academy Trusts located in Newham have signed up to the protocols?**

All schools have as agreed at NAPH.

## Appendix 1

### Managed Move Timeline

<b>School Day</b>	<b>Managed Move</b>	<b>Action By</b>
1	<i>Current (home) school meets with parent/carer and agrees that a managed move is the most appropriate way forward.</i>	<i>Proposing school must discuss implications of the process to the parent/carer and gain their agreement.</i>
2-5	<i>Referral form is sent to Pupil Services at least five school days prior to the next planned PPP meeting.</i>	<i>Ensure that all paperwork is complete and signed by the parent/carer and head teacher.</i>
6-8	<i>PPP decide if to agree to a managed move and if yes proposing the new (host) school</i>	<p><i>If PPP decide not to place the pupil in a new school the case is referred back to the proposing school.</i></p> <p><i>If PPP decide to place the pupil in a new school the proposing school makes contact with the new school to exchange information.</i></p> <p><i>If PPP agree that the pupil should spend time at RIET (<b>option 2</b>) first before starting the new school, they will contact the parent/carer for an admission meeting. They will contact the new school once assessed that the pupil is ready to return to mainstream education. The gradual integration will be beyond 15 school days.</i></p> <p><i>If the parent/carer</i></p>

		<i>refuses the offer of a fresh start to the new school or RIET the case will be deferred and referred back to the next scheduled PPP meeting for re-assessment. If PPP decide that the initial placement was correct and the parent/carer continues to refuse the place the case will be referred back to the proposing school.</i>
9-13	<i>Admission meeting</i>	<i>The new school arranges an admission meeting and will invite the parent/carer, the pupil and the proposing school.</i>
14-19	<i>Induction process</i>	<i>The new school will determine a timetable, any support required and ensure that all induction procedures are completed.</i>
20	<i>Pupil on roll</i>	<i>New school takes receipt of the pupils file and the guest period of 6 weeks begins if <b>option 1</b> was agreed. If <b>option 3</b> was agreed the pupil will automatically be put on roll at the new school and removed from the previous school roll. The new school will be responsible for monitoring attendance and progress.</i>
21-51	<i>Review period</i>	<i>In the first 6 weeks of the pupil's time at their new school, they may refer the case back to</i>

		<p><i>PPP for discussion if they feel that the managed move has been unsuccessful. If unsuccessful, the pupil will return to the proposing school but only if <b>option 1</b> was agreed. If <b>option 2 or 3</b> was agreed the new school can either direct for the pupil to be educated off site at RIET to improve behaviour or permanently exclude.</i></p> <p><i>If new information becomes available that renders the original decision inappropriate the case will be referred back to PPP for discussion.</i></p> <p><i>If the managed move is successful within the first 6 weeks the move will become permanent and the proposing school can remove the pupil from their roll (<b>only for option 1</b>).</i></p>
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# **Appendix 8**

## **London Borough of Newham**

### **Secondary School's Managed Move Protocol**

## Background

The protocol detailed below has been developed by the Head Teachers of schools/academies located in the London Borough of Newham in association with the Local Authority (LA) with a clear aim of supporting the principle of inclusion and to supplement the guidance of our Behaviour and Attendance Partnership (BAP) for 'Pupils at risk of permanent exclusion'.

It has been formulated to be clear, fair and transparent and to ensure compliance with the Equality Act 2010 and therefore does not unlawfully discriminate against pupils, parents or carers because of their sex, race, disability, religion or belief and sexual orientation or pupils who are pregnant or undergoing gender reassignment. The exceptions to the discrimination provisions for schools that existed under previous legislation are admissions to single-sex schools.

'Managed Moves' first appeared in the DfES Social Inclusion: Pupil Support Circular 10/99 issued in July 99, this identified groups of pupils who are at particular risk of exclusion. It also introduced the framework of the Pastoral Support Programme (PSP), which is closely related to Individual Education Plans (IEPs) both of which focus on assessment focus interventions.

*Circular 10/99 stated: "A PSP should not be used to replace the special educational needs assessment process. Rather than set up a PSP for pupils with an Individual Education Plan (IEP), schools should ensure that IEP's for pupils at serious risk of exclusion or disaffection reflect appropriate strategies to meet their additional needs."*

The Circular makes it clear that any 'Managed Move' should be with the agreement of the pupil's parents/guardians and Head Teacher of their school.

### 1. Principle

1.1 *We 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. In order fully to address the pupil's difficulties it may be helpful for schools within an area to have a protocol in place and to have a full support package in place for the pupil. Parents should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in this guidance have been adhered to or unless a managed move has been agreed by all the relevant parties.*

### 2. Rationale

2.6 The formalisation of the managed move process is intended to facilitate effective early intervention and to build upon existing good practice. It is recognised that



for a significant number of challenging pupils would benefit from the chance of a 'fresh start' and this usually results in improved educational achievement.

- 2.7 The Pupil Placement Panel (PPP) will provide a forum where the most suitable future educational provision for a child can be considered in a more flexible manner by the educational professionals responsible – i.e. schools. The representatives on the panel are expected to operate the established protocol and procedures on behalf of the wider school community. All state funded maintained and non maintained schools located in Newham which sign up to the protocols must be represented by someone who understands the process, has detailed knowledge of the pupils being presented by their school, can make decisions on their school's behalf and is ready to engage in the decision-making process.
- 2.8 The process is based on guidelines regarding managed moves published in Improving behaviour and attendance: guidance on exclusions from schools and Pupil Referral Units (September 2008).

All Newham Association of Secondary Heads (NASH) recognise that there are certain types of incidents for which a permanent exclusion is appropriate but a managed move is not. While each case of potential permanent exclusion must be considered on its merits and is a matter for the individual school to decide, it is highly unlikely that incidents detailed below would be considered for a managed move:

- Serious assault on any member of the school community;  
OR
- Persistent aggression towards any member of the school community:  
physical, verbal or via social media;  
OR
- Dealing in drugs, other illegal substances or weapons;  
OR
- A pattern of behaviour which persistently presents serious risk to the safety of any members of the school community.

Such incidents are recognised if carried out in the vicinity of or within the school building/grounds or away from the school whilst in school uniform or where the child can be identified as a pupil of the school.

- 2.9 The process is underwritten by all Head Teachers to ensure that all relevant information is provided so that informed decisions can be made. All Head Teachers recognise that it is in the interests of pupils and schools that information should be shared accurately and fully, and that the protocol will only operate effectively on the basis of trust and cooperation between participating schools. The process is tracked by the PPP.

2.10 Children with statements of Special Educational Needs (SEN) or Education Health Care Plan and Looked After Children (LAC) will not be considered for managed move by the panel any changes to their school will be made by the formal consultation process. Although their case will not be discussed by the panel the placement of such pupils facing permanent exclusion will be reported at the panel meeting and will be included in the overall figures.

### **3. Purpose**

3.1 To ensure managed move placements are carried out in line with the guidance (see 2.3), are equitable and made for appropriate reasons across all schools located in Newham.

3.2 To consider requests for managed moves of both Key Stage 3 and Key Stage 4 pupils and determine the appropriate school placement in accordance with established protocol and procedures.

3.3 To enable effective and respected decision-making in relation to managed moves of pupils. Such decisions may be made even if they lead to schools being required to admit beyond their planned admission number.

### **4. Composition**

4.1 Secondary PPP:

- Chair: Group Manager of Behaviour and Attendance
- Clerk: Pupil Services Officer;
- All Secondary Head Teachers/Principals (including PRU's and Eleanor Smith School);
- Pupil Services Manager;
- Youth Offending Team Manager;
- Safeguarding Manager;
- Behaviour Support Officer;
- Special Educational Needs Officer;
- Children Looked After Team Manager (as required);
- Police Officer;
- Other Professionals (as required).

Where any of the above is unable to attend they must nominate a representative to attend on their behalf –they must have the required knowledge are delegated full decision-making authority.

4.2 This Chair and the Clerk can be varied at anytime by agreement of the panel.

## **5. Frequency**

- 5.1 The PPP will meet monthly during term time.

## **6. Financial Arrangements**

- 6.1 The Local Authority (LA) will transfer the balance of the pupils AWPU for the year in which the move took place from the home school to the receiving school.
- 6.2 Unless the managed move trial period was part-time the AWPU balance will commence from the start date of the trial period. Where the transfer period has been on a part-time basis the AWPU balance will be pro rata based on the number of days in the receiving school.
- 6.3 Where the pupil has a Statement of Special Educational Needs, Education Health Care Plan or High Needs Funding (HNF) the delegated funds will also be transferred calculated as detailed in 6.1 and 6.2.

## **7. Decision making process**

- 7.1 All managed moves must meet 4 essential criteria:
- Their current Head Teacher must review the pupil's history and decide from the evidence available they are ready for a fresh start in a new school;
  - AND
  - The pupil and their parent/carers must agree to a fresh start;
  - AND
  - The pupil and their parent/carers must understand that they and not the schools or the Local Authority are responsible for new travel arrangements and uniform requirements any costs associated with these;
  - AND
  - No pupil should have more than one managed move in the secondary phase of education.
- 7.2 Detailed paperwork must be fully completed, signed and submitted to the LA - Pupil Services at least 5 school days in advance of the panel meeting. Incomplete paperwork will be returned to the home school and may result in the pupil being removed from the agenda unless the panel agrees that there are extenuating circumstances.

Where they exist each of the following must be included for all proposed managed moves:

- Pastoral Support Programme and review details;

- Attendance records for the last 3 months;
- Fixed Term Exclusion Information for the last 12 months;
- SEN Stage, provision of support and involvement of external agencies;
- Education Psychologist Reports;
- Individual Education/Behaviour Plan;
- Record of referrals to external agencies;
- Behaviour log sheet;
- Educational assessment information;
- GCSE/Other information – subjects, boards, dates, progress and attainment;
- Strengths and potential areas for future development including sports;
- Record of parental meetings/discussions/interviews.

7.3 The proposing school must give a full and honest appraisal of the pupil being referred and the reasons for seeking a managed move. The representative for the proposing school must be suitably knowledgeable and be prepared to answer further questions relating to the case.

7.4 Any school has the opportunity to offer a place to a proposed pupil, with due consideration being given to parental preference.

7.5 Where no school voluntarily offers a place to a referred pupil the LA officer from Pupil Services should recommend a new placement based on criteria related to the needs of the child: gender, faith, home to school distance, ease of journey, postal area of the provision, peer group affiliations/problems, best match on GCSE subjects/syllabus for child's preferred or best predicted results subjects, parental preference and child preference (this list is not ranked in order of consideration – all factors are considered for each pupil and are weighted based on their individual case). There is no compulsion on the identified school to accept the referred pupil.

7.6 The principle for the placement of managed moves is 'one out, one in'. However the panel must ensure equal distribution among all secondary schools in Newham in order:

- To provide maximum flexibility for the panel to determine the most appropriate placement for a pupil;
- To ensure that schools who have higher levels of mobility and reported vacancies than others, do not receive a disproportionate number of managed moves.

7.7 The panel will not consider requests for managed moves unless the school making the request is represented at that particular panel meeting.

7.8 If the PPP believes that the request for a managed move is not valid the referral can be rejected.

## **8. Integration into new school**

8.1 Following the decision of the panel, the proposing school makes contact with the receiving school within three school days in order to exchange information.

8.2 All agreed managed moves will include a four to six week guest period at the proposed school, to give the pupil and their parent/carer and the host school an opportunity to decide if the move is suitable and sustainable.

8.3 During the guest period there will be reviews held with the pupil/parent and host school, these will be held in weeks 2, 4 and 6. The guest period can be halted any of these reviews which would result in the pupil immediately returning to their school. If the guest period is a success at the week 6 review if all parties agree the managed move will become permanent.

8.4 Throughout the guest period:

The pupil:

- Will be dually registered at the home school and the host school;
- Must remain on the admissions register of their home school.

The host school will:

- Be responsible for the attendance register;
- Be responsible for taking any action relating to non attendance throughout the guest period;
- Provide the home school with a weekly attendance report.

The home school must:

- During the guest period the home school must mark their register with D (Dual-rolled).

These actions are tracked by the PPP; if this time line is not adhered the school involved must give an acceptable reason for this at the next PPP meeting.

- 8.5 Following the exchange of information the host school is responsible for the admission / induction / support arrangements for the pupil.
- 8.6 The pupil should join the roll of the host school no later than fifteen school days after the panel meeting. Until this happens the pupil remains the responsibility of the proposing school. This will be monitored and discussed through the minutes of the PPP. If this time line is not adhered the school involved must give an acceptable reason for this at the next PPP meeting.

## **9. Review**

- 9.1 Inevitably, some managed moves will be unsuccessful. However where within the guest period in the new school, it can be shown that the referring school misrepresented the case at the decision-making stage the casework will be referred back for discussion by the panel.
- 9.2 Where new information becomes available within a similar period which would render the decision inappropriate, i.e. a risk is identified, the casework will be referred back for discussion by the panel.
- 9.3 If the parent/carer refuses to accept the place offered, the case will be referred back to the panel to reassess and possibly name a new school. If the panel decides that the school initially offered was suitable and the parent/carer continues to refuse the place then the case work will be referred back to the proposing school either to take the pupil back or permanently exclude.

## **General Questions**

### **Who is responsible for managing the process?**

*The Chair of PPP reports to NASH.*

### **Who is responsible for taking action if any aspect of protocol not followed & what action would be taken?**

*The protocol belongs to the schools/academies and the panel would need to decide.*

### **When will the protocol be reviewed?**

*The protocol will be reviewed annually at the NASH conference.*

### **Which secondary schools/Academy Trusts located in Newham have signed up to the protocols?**

*Brampton Manor Academy*

*Chobham Academy*

*Cumberland*

*Eastlea Community*

*East London Science*

*Forest Gate Community*

*Kingsford Community*

*Langdon Academy*

*Lister Community*

*Little Ilford*

*Plashet*

*Rokeby*

*The Royal Docks Community*

*Sarah Bonnell*

*School 21*

*St Bonaventure's Catholic Comprehensive*

*St Angela's Catholic Ursuline*

*Stratford School Academy*

## Appendix 1

### Managed Move Timeline

<b>School Day</b>	<b>Managed Move</b>	<b>Action By</b>
1	<i>Current (home) school meets with parent/carer and agrees that a managed move is the most appropriate way forward.</i>	<i>Proposing school must discuss implications of the process to the parent/carer and gain their agreement.</i>
2-5	<i>Referral form is sent to Pupil Services at least five school days prior to the next planned PPP meeting.</i>	<i>Ensure that all paperwork is complete and signed by the parent/carer and head teacher.</i>
6-8	<i>PPP decide if to agree to a managed move and if yes proposing the new (host) school.</i>	<p><i>If PPP decide not to place the pupil in a new school the case is referred back to the proposing school.</i></p> <p><i>If PPP decide to place the pupil in a new school the proposing school makes contact with the new school to exchange information.</i></p> <p><i>If the parent/carer refuses the offer of a fresh start to the new school the case will be deferred and referred back to the next scheduled PPP meeting for re-assessment. If PPP decide that the initial placement was correct and the parent/carer continues to refuse the place the case will be referred back to the proposing school.</i></p>
9-13	<i>Admission meeting</i>	<i>The new school</i>



		<i>arranges an admission meeting and will invite the parent/carer, the pupil and the proposing school.</i>
14-19	<i>Induction process</i>	<i>The new school will determine a timetable, any support required and ensure that all induction procedures are completed.</i>
20	<i>Pupil on roll</i>	<i>New school takes receipt of the pupils file and the guest period of 6 weeks begins. The new school will be responsible for monitoring attendance and progress.</i>
21-51	<i>Review period</i>	<p><i>In the first 6 weeks of the pupil's time at their new school, they may refer the case back to PPP for discussion if they feel that the managed move has been unsuccessful. If unsuccessful, the pupil will return to the proposing school.</i></p> <p><i>If new information becomes available that renders the original decision inappropriate the case will be referred back to PPP for discussion.</i></p> <p><i>If the managed move is successful within the first 6 weeks the move will become permanent and the proposing school can remove the pupil from their roll.</i></p>

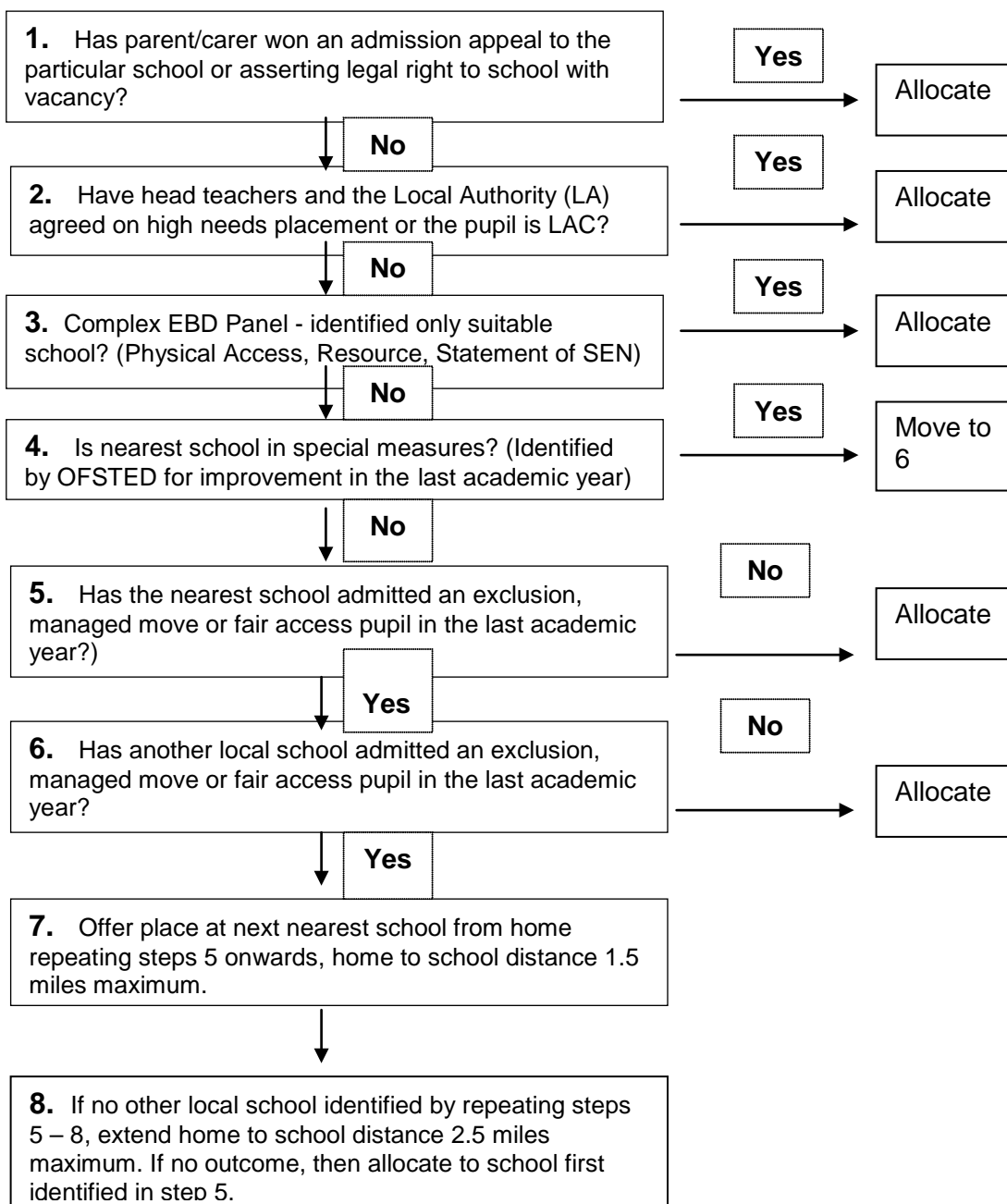
# **Appendix 9**

## **London Borough of Newham**

### **Primary Pupil Placement Panel**

#### **Exclusion, Managed Move and Fair Access Decision making process**

## Primary Pupil Placement Panel Protocol (Exclusion, Managed Move and Fair Access Decision Making)



**The PPP's decisions from stage 5 onwards will take into consideration whether pupils in these circumstances need to be placed in local schools or different schools as appropriate. The panel can also recommend a school based on criteria related to the needs of the pupil even if a school is full in exceptional circumstances such as i.e. gender, faith, distance from home, ease of journey, postal area of provision, peer group affiliations/problems, parental preference and pupil preference etc. The panel will discuss the recommendation and reach a decision.**

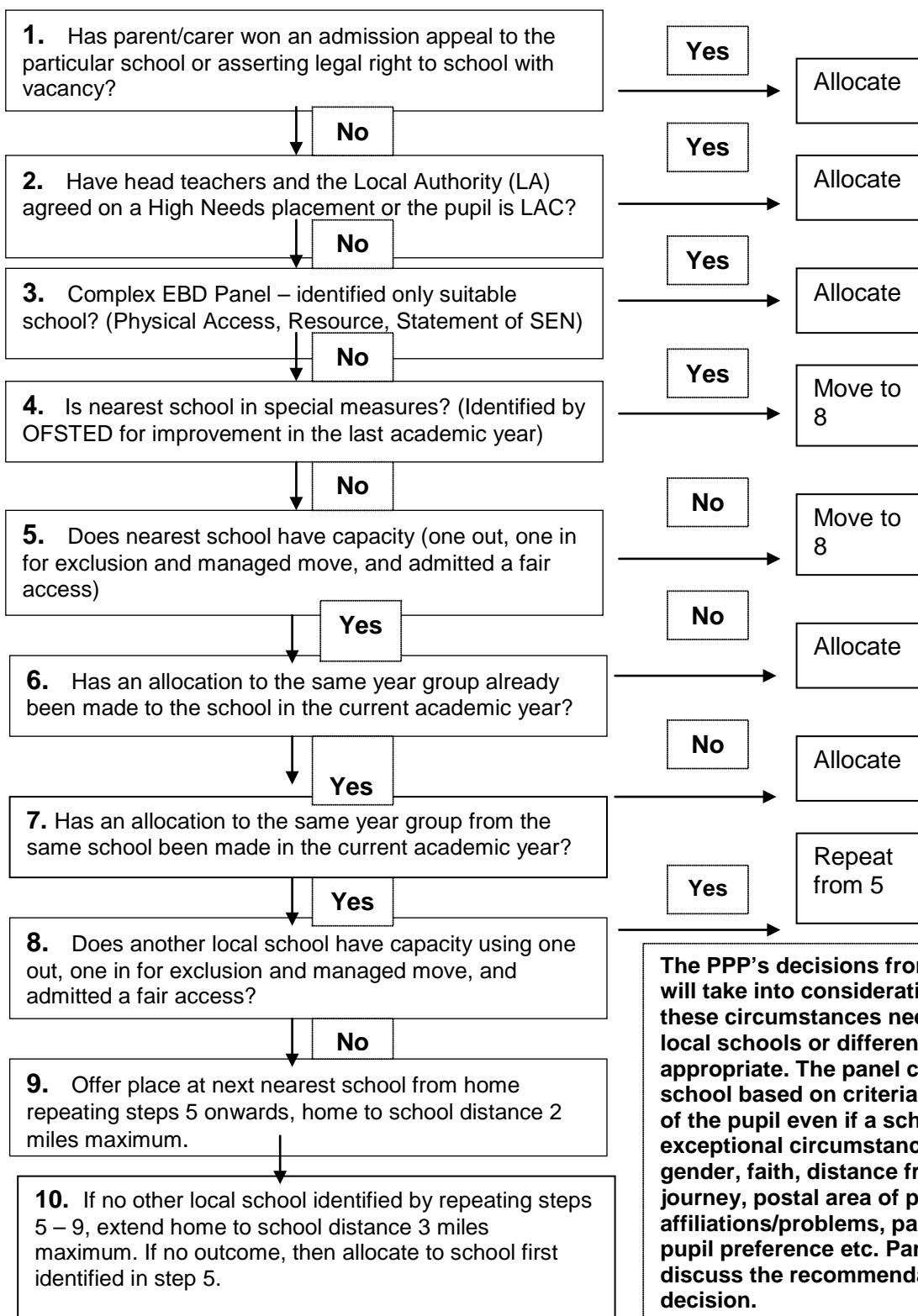
# **Appendix 10**

## **London Borough of Newham**

### **Secondary Pupil Placement Panel**

#### **Exclusion, Managed Move and Fair Access Decision making process**

## Secondary Pupil Placement Panel Protocol (Exclusion, Managed Move and Fair Access Decision Making Process) – LB Newham



# **Appendix 11**

## **London Borough of Newham**

### **Permanent Exclusion Reporting Form**

## London Borough of Newham

### PERMANENT EXCLUSION OF A PUPIL REPORTING FORM

- This form must be fully completed and signed by the head teacher or teacher in charge. 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 as well. 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 upload the document on the USO secure site to **Patrick Grant (username pgrant2.316)** on the day of the permanent exclusion or no later than one school day after that date. **Please do not send by email or fax as this will breach data protection.**

**Please ensure that all sections have been fully completed, checked and the form has been signed before sending.**

#### Section 1 - Pupil Details

<ul style="list-style-type: none"> <li>• First Name :</li> <li>• Last Name:</li> <li>• Full Address and Post Code:</li> </ul>	<ul style="list-style-type: none"> <li>• Date of Birth:</li> <li>• Gender:</li> </ul>
<ul style="list-style-type: none"> <li>• Current School:</li> <li>• Previous Schools:</li> <li>• Name of Parents/Carers:</li> <li>• Relationship to Pupil e.g. mother, father etc:</li> <li>• Home Telephone Number:</li> <li>• Mobile Telephone Number:</li> <li>• Daytime Telephone Number:</li> <li>• Ethnic Background:</li> <li>• Home Religion:</li> <li>• Family Home Language:</li> <li>• Date on Roll:</li> <li>• Attendance Up Date:</li> <li>• Unique Pupil Number (UPN):</li> </ul>	<ul style="list-style-type: none"> <li>• Year Group:</li> </ul>

• Has the pupil been referred to Children’s Triage?	YES / NO
• Has the pupil been referred to Multi-Agency Risk and Vulnerability Panel?	YES / NO
• Is the pupil in the care of the Local Authority (pupil in public care)?	YES / NO
<i>If yes, please name the Local Authority and allocated Social Worker:</i>	
• Does the pupil have a long term medical condition?	YES / NO
<i>If yes, please state the condition:</i>	
• Is the pupil currently eligible for Free School Meals?	YES / NO
• Is the pupil from a Gypsy, Roma, Traveller, Refugee or Asylum Seeker Family?	YES / NO
• Is the pupil on a Pastoral Support Plan (PSP)?	YES / NO
<i>If yes, date it was issued:</i>	
• Has the pupil got a Statement of SEN?	YES / NO
• Is the pupil on the SEN Code of Practice?	YES / NO
<i>If yes, please give stage and reason:</i>	
• Does the pupil have a physical disability?	YES / NO
<i>If yes, please provide basic details:</i>	
• Are other agencies involved with the pupil/family?	YES / NO
<i>If yes, please list the agencies and name of contacts e.g. Social Services, Youth Offending Team, Behaviour Support etc:</i>	

### Education Attainment

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

### Teacher Assessments

<u>Strengths Core &amp; Non Core Subjects</u>	<u>Weaknesses Core &amp; Non Core Subjects</u>



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**Pupil Information Key Stage 4**

<b>Key Stage 4 Programme</b>					
<b><u>Subject</u></b>	<b><u>Examination Boards</u></b>	<b><u>Curren</u></b>	<b><u>Predict</u></b>	<b><u>Coursewor</u></b>	<b><u>Coursework</u></b>
<b><u>s</u></b>	<b><u>Specifications/Level</u></b>	<b><u>t</u></b>	<b><u>d Grade</u></b>	<b><u>k</u></b>	<b><u>Outstandin</u></b>
	<b><u>s</u></b>	<b><u>Levels</u></b>		<b><u>Completed</u></b>	<b><u>g</u></b>
<b><u>Name of Diploma Course:</u></b>		<b><u>Centres attended &amp; contact</u></b>			<b><u>Can pupil</u></b>

	<b><u>details:</u></b>	<b><u>continue on course?</u></b>  <b><u>Yes/No</u></b>
<b><u>Other Vocational Courses:</u></b>	<b><u>Centres attended &amp; contact details:</u></b>	<b><u>Can pupil continue on course?</u></b>  <b><u>Yes/No</u></b>
<b><u>Post 16 Progression Route:</u></b>		

## **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:	
• Copy attached?	YES / NO
<i>If no, why is the letter not available?</i>	
• Day and date Local Authority was notified:	

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

<b><u>Category</u></b>	<b><u>SIMS Code</u></b>	<b><u>Please tick</u></b>
Physical assault against a Pupil	PP	
Physical assault against an Adult	PA	
Verbal abuse / threatening behaviour against a Pupil	VP	
Verbal abuse / threatening behaviour against an Adult	VA	
Bullying	BU	
Racial Abuse	RA	
Sexual Misconduct	SM	
Drug and Alcohol Related	DA	
Damage	DM	
Theft	TH	
Persistent Disruptive Behaviour	DB	

**In School Additional Support (please tick the appropriate boxes)**

<b><u>Type of Support</u></b>	<b><u>Number of lessons</u></b>	<b><u>In Class</u></b>	<b><u>1:1</u></b>	<b><u>Withdrawal</u></b>	<b><u>Small Groups</u></b>
<b><u>Learning Support</u></b>					
<b><u>Behaviour Support</u></b>					
<b><u>Mentoring</u></b>					
<b><u>Literacy Group</u></b>					
<b><u>Social Skills Group</u></b>					
<b><u>Anger Management</u></b>					
<b><u>Circle of Friends</u></b>					
<b>Other</b>					

**Key Issues Relevant for Risk Assessment for New Educational Provision**

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

<ul style="list-style-type: none"> <li>If the reason for permanent exclusion was the use of an illegal drug, what drug was involved?</li> </ul>	
<ul style="list-style-type: none"> <li>If the reason for permanent exclusion was the use of an offensive/illegal weapon, what weapon was used?</li> </ul>	
<ul style="list-style-type: none"> <li>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/short stay school?</li> </ul>	YES / NO
<p><i>Please explain reasons why:</i></p>	
<ul style="list-style-type: none"> <li>If the reason for 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 etc.</i></li> </ul>	YES / NO
<ul style="list-style-type: none"> <li>If the reason for permanent exclusion was for bullying, unacceptable sexual behaviour, violent conduct or racial activity, please state when the first allegation of such behaviour was made against this pupil and the number of incidents since that date:</li> </ul>	
<ul style="list-style-type: none"> <li>If more than one pupil is being excluded for the same offence could they be educated together or do they need to be separated?</li> </ul>	
<ul style="list-style-type: none"> <li>Please provide any other information that may clarify the permanent exclusion or aid the panel in suggesting appropriate provision e.g. gang post code issues, inappropriate sexualised behaviour, known to the police for criminal behaviour etc:</li> </ul>	

- Please explain the reasons for the permanent exclusion in further detail as part of risk assessment:
- Have other alternatives to exclusion been used before for the pupil in response to a serious breach of your school’s behaviour policy such restorative justice, mediation, detentions, behaviour report etc?
- How many internal exclusions has the pupil received since starting your school? (Just the total number)
- How many fixed term exclusions has the pupil received since starting your school? (Just the total number)

**Additional Information to be included in Reporting Form (please indicate if included)**

<b><u>Documents</u></b>	<b><u>Tick</u></b>
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 and Signature**

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

<b><u>School Preferences</u></b>	<b><u>First name, surname and date of birth of any sibling already attending the school</u></b>	<b><u>Reasons for Preferences * (Optional)</u></b>
<b><u>(If the school is not in Newham please tell us</u></b>		

<p><b><u>the name of the borough it is in – please remember we strongly recommend that you name the local Newham School)</u></b></p>		
<p><b><u>Preference 1</u></b></p> <p><b><u>Borough -</u></b></p>		
<p><b><u>Preference 2</u></b></p> <p><b><u>Borough -</u></b></p>		

\* 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 our decision, in the first instance we are legally required to offer all school places in accordance with our admission arrangements and exclusion protocol.

**Form completed by:**

***Full Name:***

***Position with School:***

***Signature:***

***Date:***

***Head Teacher or Teacher in Charge Name:***

***Position with School:***

***Signature:***

***Date:***

# **Appendix 12**

## **London Borough of Newham**

### **Primary School**

### **Managed Move Referral Form**

## London Borough of Newham

### MANAGED MOVE OF A PUPIL REFERRAL FORM PRIMARY

- This form must be fully completed and signed by the head teacher or teacher in charge and parents/carers. If the form is not signed, the managed move will not be considered as it is compulsory for the school and the parents/carers to agree to a managed move. Additional paperwork can also be provided with the form in relation to the managed move.
- 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 upload the document on the USO secure site to **Patrick Grant (username pgrant2.316)**. **Please do not send by email or fax as this will breach data protection.**

**Please ensure that all sections have been fully completed, checked and the form has been signed before sending.**

#### Initial Criteria for a Managed Move

Is the pupil ready for a fresh start in a new school?	YES / NO
Do the parents/carers agree to a fresh start in a new school?	YES / NO
Has the pupil already had a managed move in their primary phase of education?	YES / NO

#### Section 1 - Pupil Details

• First Name :	• Date of Birth:
• Last Name:	• Gender:
• Full Address and Post Code:	
• Home Telephone Number:	
• Mobile Telephone Number:	
• Daytime Telephone Number:	
• Current School:	• Year Group:
• Previous Schools:	
• Name of Parents/Carers:	



• Relationship to Pupil e.g. mother, father etc:	
• Ethnic Background:	
• Home Religion:	
• Home Language:	
• Date on Roll:	
• Attendance Up Date:	
• Unique Pupil Number (UPN):	
• Has the pupil been referred to Children's Triage?	YES / NO
• Has the pupil been referred to Multi-Agency Risk and Vulnerability Panel?	YES / NO
• Is the pupil in the care of the Local Authority (pupil in public care)?	YES / NO
<i>If yes, please name the Local Authority and allocated Social Worker:</i>	
• Does the pupil have a long term medical condition?	YES / NO
<i>If yes, please state the condition:</i>	
• Is the pupil currently eligible for Free School Meals?	YES / NO
• Is the pupil from a Gypsy, Roma, Traveller, Refugee or Asylum Seeker Family?	YES / NO
• Is the pupil on a Pastoral Support Plan (PSP)?	YES / NO
<i>If yes, date it was issued:</i>	
• Has the pupil got a Statement of SEN?	YES / NO
• Is the pupil on the SEN Code of Practice?	YES / NO
<i>If yes, please give stage and reason:</i>	
• Does the pupil have a physical disability?	YES / NO
<i>If yes, please provide basic details:</i>	
• Are other agencies involved with the pupil/family?	YES / NO
<i>If yes, please list the agencies and name of contacts e.g. Social Services, Youth Offending Team, Behaviour Support etc:</i>	

### Education Attainment

<u>Results of Assessments</u>	<u>English</u>	<u>Maths</u>	<u>Science</u>
KS1 Test Results			
Teacher Assessments			
Reading Age		N/A	N/A

Other Assessments			
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**Teacher Assessments**

<b><u>Strengths Core &amp; Non Core Subjects</u></b>	<b><u>Weaknesses Core &amp; Non Core Subjects</u></b>

**Section 2 – Reasons for Managed Move**

Please explain reasons for this managed move in a new school, highlighting attempts made to engage the pupil while attending school or to encourage attendance if not. Strategies used to address concerns and outcomes should be highlighted. Why is school placement not suitable if recommending Reintegration Into Education Team (RIET) respite? What has been tried to improve progress in school? (Continue on a separate sheet where necessary):

**In School Additional Support**

<b><u>Type of Support</u></b>	<b><u>Number of lessons</u></b>	<b><u>In Class</u></b>	<b><u>1:1</u></b>	<b><u>Withdrawal</u></b>	<b><u>Small Groups</u></b>
<b><u>Learning Support</u></b>					
<b><u>Behaviour Support</u></b>					
<b><u>Mentoring</u></b>					
<b><u>Literacy</u></b>					

<b><u>Group</u></b>					
<b><u>Social Skills Group</u></b>					
<b><u>Anger Management</u></b>					
<b><u>Circle of Friends</u></b>					
<b><u>Other</u></b>					

### Key Issues Relevant for Risk Assessment for New School Placement

<ul style="list-style-type: none"> <li>Is this a one off incident?</li> </ul>	YES / NO
<i>If no, please provide the dates and main reasons of previous incidents to be considered:</i>	
<ul style="list-style-type: none"> <li>Does the pupil already have a permanent exclusion record?</li> </ul>	YES / NO
<i>If yes, please provide the date, name of excluding school and main reason for the permanent exclusion:</i>	
<ul style="list-style-type: none"> <li>If the reason for managed move was the use of an illegal drug, what drug was involved?</li> </ul>	
<ul style="list-style-type: none"> <li>If the reason for managed move was the use of an offensive/illegal weapon, what weapon was used?</li> </ul>	
<ul style="list-style-type: none"> <li>Would the head teacher or teacher in charge recommend an immediate fresh start in a new school without interim placement in RIET:</li> </ul>	YES/NO
<i>Please explain reasons why:</i>	
<ul style="list-style-type: none"> <li>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 etc.</i></li> </ul>	YES / NO

<ul style="list-style-type: none"><li>• If the reason for managed move was for bullying, unacceptable sexual behaviour, violent conduct or racial activity, please state when the first allegation of such behaviour was made against this pupil and the number of incidents since that date:</li></ul>
<ul style="list-style-type: none"><li>• If more than one pupil is being managed moved for the same offence could they be educated together or do they need to be separated?</li></ul>
<ul style="list-style-type: none"><li>• Please provide any other information that may clarify the managed move or aid the panel in suggesting appropriate provision, where managed move is agreed e.g. gang post code issues, inappropriate sexualised behaviour, known to the police for criminal behaviour etc:</li></ul>
<ul style="list-style-type: none"><li>• Have other alternatives to a managed move been used before for the pupil in response to a serious breach of your school's behaviour policy such restorative justice, mediation, detentions, behaviour report?</li></ul>
<ul style="list-style-type: none"><li>• How many internal exclusions has the pupil received since starting your school? (Just the total number)</li></ul>
<ul style="list-style-type: none"><li>• How many fixed term exclusions has the pupil received since starting your school? (Just the total number)</li></ul>

**Additional Information to be included in Managed Move Referral  
(please indicate if included)**

<b><u>Documents</u></b>	<b><u>Tick</u></b>
Education Psychologist Report (EP)	
Reintegration Into Education Team Report (RIET)	
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 and Signature**

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

<b><u>School Preferences</u></b>	<b><u>First name, surname and date of birth of any sibling already attending the school</u></b>	<b><u>Reasons for Preferences * (Optional)</u></b>
<b><u>(If the school is not in Newham please tell us the name of the borough it is in – please remember we strongly recommend that you name the local Newham School)</u></b>		
<b><u>Preference 1</u></b>		
<b><u>Borough -</u></b>		
<b><u>Preference 2</u></b>		
<b><u>Borough -</u></b>		

\* 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 our decision, in the first instance we are legally required to offer all school places in accordance with our admission arrangements and exclusion protocol.

### Agreement for Managed Move

**No referral will be considered unless this section has been signed by the parents/carers, the school and they fully understand the process.**

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

**Parent / Carer Name:**

**Date:**

**Signature:**

**Form completed by:**

**Full Name:**

**Position with School:**

**Signature:**

**Date:**

**Head Teacher or Teacher in Charge Name:**

**Position with School:**

**Signature:**

**Date:**

# **Appendix 13**

## **London Borough of Newham**

### **Secondary School**

#### **Managed Move Referral Form**

## London Borough of Newham

### MANAGED MOVE OF A PUPIL REFERRAL FORM SECONDARY

- This form must be fully completed and signed by the head teacher or teacher in charge and parents/carers. If the form is not signed, the managed move will not be considered as it is compulsory for the school and the parents/carer to agree to a managed move. Additional paperwork can also be provided with the form in relation to the managed move.
- 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 upload the document on the USO secure site to **Patrick Grant (username pgrant2.316)**. **Please do not send by email or fax as this will breach data protection.**

**Please ensure that all sections have been fully completed, checked and the form has been signed before sending.**

#### Initial Criteria for a Managed Move

Is the pupil ready for a fresh start in a new school?	YES / NO
Do the parents/carers agree to a fresh start in a new school?	YES / NO
Has the pupil already had a managed move in their secondary phase of education?	YES / NO

#### Section 1 - Pupil Details

• First Name :	• Date of Birth:
• Last Name:	• Gender:
• Full Address and Post Code:	
• Home Telephone Number:	
• Mobile Telephone Number:	
• Daytime Telephone Number:	
• Current School:	• Year Group:
• Previous Schools:	
• Name of Parents/Carers:	
• Relationship to Pupil e.g. mother, father etc:	



• Ethnic Background:	
• Home Religion:	
• Home Language:	
• Date on Roll:	
• Attendance Up Date:	
• Unique Pupil Number (UPN):	
• Has the pupil been referred to Children's Triage?	YES / NO
• Has the pupil been referred to Multi-Agency Risk and Vulnerability Panel?	YES / NO
• Is the pupil in the care of the Local Authority (pupil in public care)?	YES / NO
<i>If yes, please name the Local Authority and allocated Social Worker:</i>	
• Does the pupil have a long term medical condition?	YES / NO
<i>If yes, please state the condition:</i>	
• Is the pupil currently eligible for Free School Meals?	YES / NO
• Is the pupil from a Gypsy, Roma, Traveller, Refugee or Asylum Seeker Family?	YES / NO
• Is the pupil on a Pastoral Support Plan (PSP)?	YES / NO
<i>If yes, date it was issued:</i>	
• Has the pupil got a Statement of SEN?	YES / NO
• Is the pupil on the SEN Code of Practice?	YES / NO
<i>If yes, please give stage and reason:</i>	
• Does the pupil have a physical disability?	YES / NO
<i>If yes, please provide basic details:</i>	
• Are other agencies involved with the pupil/family?	YES / NO
<i>If yes, please list the agencies and name of contacts e.g. Social Services, Youth Offending Team, Behaviour Support etc:</i>	

### Education Attainment

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

## Teacher Assessments

<u>Strengths Core &amp; Non Core Subjects</u>	<u>Weakness Core &amp; Non Core Subjects</u>

## Pupil Information Key Stage 4

<u>Key Stage 4 Programme</u>					
<u>Subject</u>	<u>Examination Boards Specifications/Levels</u>	<u>Current Levels</u>	<u>Predicted Grade</u>	<u>Coursework Completed</u>	<u>Coursework Outstanding</u>
<u>Name of Diploma Course:</u>		<u>Centres attended &amp; contact details:</u>			<u>Can pupil continue on course?</u>  <u>Yes/No</u>

<b><u>Other Vocational Courses:</u></b>	<b><u>Centres attended &amp; contact details:</u></b>	<b><u>Can pupil continue on course?</u></b>  <b><u>Yes/No</u></b>
<b><u>Post 16 Progression Route:</u></b>		

## **Section 2 – Reasons for Managed Move**

Please explain reasons for this managed move in a new school (Continue on a separate sheet where necessary):

## **In School Additional Support**

<b><u>Type of Support</u></b>	<b><u>Number of lessons</u></b>	<b><u>In Class</u></b>	<b><u>1:1</u></b>	<b><u>Withdrawal</u></b>	<b><u>Small Groups</u></b>
<b><u>Learning Support</u></b>					
<b><u>Behaviour Support</u></b>					
<b><u>Mentoring</u></b>					
<b><u>Literacy</u></b>					

<b><u>Group</u></b>					
<b><u>Social Skills Group</u></b>					
<b><u>Anger Management</u></b>					
<b><u>Circle of Friends</u></b>					
<b><u>Other</u></b>					

### **Key Issues Relevant for Risk Assessment for New School Placement**

<ul style="list-style-type: none"> <li>Is this a one off incident?</li> </ul>	YES / NO
<p><i>If no, please provide the dates and main reasons of previous incidents to be considered:</i></p>	
<ul style="list-style-type: none"> <li>Does the pupil already have a permanent exclusion record?</li> </ul>	YES / NO
<p><i>If yes, please provide the date, name of excluding school and main reason for the permanent exclusion:</i></p>	
<ul style="list-style-type: none"> <li>If the reason for managed move was the use of an illegal drug, what drug was involved?</li> </ul>	
<ul style="list-style-type: none"> <li>If the reason for managed move was the use of an offensive/illegal weapon, what weapon was used?</li> </ul>	
<ul style="list-style-type: none"> <li>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 etc.</i></li> </ul>	YES / NO
<ul style="list-style-type: none"> <li>If the reason for managed move was for bullying, unacceptable sexual behaviour, violent conduct or racial activity, please state when the first allegation of such behaviour was made against this pupil and the number of incidents since that date:</li> </ul>	

- If more than one pupil is being managed moved for the same offence could they be educated together or do they need to be separated?
- Please provide any other information that may clarify the managed move or aid the panel in suggesting appropriate provision, where managed move is agreed e.g. gang post code issues, inappropriate sexualised behaviour, known to the police for criminal behaviour etc:
- Have other alternatives to a managed move been used before for the pupil in response to a serious breach of your school's behaviour policy such restorative justice, mediation, detentions, behaviour report?
- How many internal exclusions has the pupil received since starting your school? (Just the total number)
- How many fixed term exclusions has the pupil received since starting your school? (Just the total number)

**Additional Information to be included in Managed Move Referral**  
**(please indicate if included)**

<b><u>Documents</u></b>	<b><u>Tick</u></b>
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 and Signature

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

<u>School Preferences</u> <i>(If the school is not in Newham please tell us the name of the borough it is in – please remember we strongly recommend that you name the local Newham School)</i>	<u>First name, surname and date of birth of any sibling already attending the school</u>	<u>Reasons for Preferences * (Optional)</u>
<u>Preference 1</u>		
<u>Borough - Preference 2</u>		
<u>Borough -</u>		

\* 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 our decision, in the first instance we are legally required to offer all school places in accordance with our admission arrangements.

### Agreement for Managed Move

**No referral will be considered unless this section has been signed by the parents/carers, the school and they fully understand the process.**

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

**Parent / Carer Name:**

**Date:**

**Signature:**

**Form completed by:**

**Full Name:**

**Position with School:**

**Signature:**

**Date:**

**Head Teacher or Teacher in Charge Name:**

**Position with School:**

**Signature:**

**Date:**