

KS1 - Behaviour system



The Rainbow - for excellent behaviour or excellent progress. Child rewarded with phone call home or speak to parents at end of the day.



The Sunshine - Start of the day!



One verbal warning - no sanction



The Rain cloud - results in a sanction necessary for that child, e.g. missing 5 minutes of break/challenge time, etc.



The Thunder cloud - time out of the classroom and a phone call home

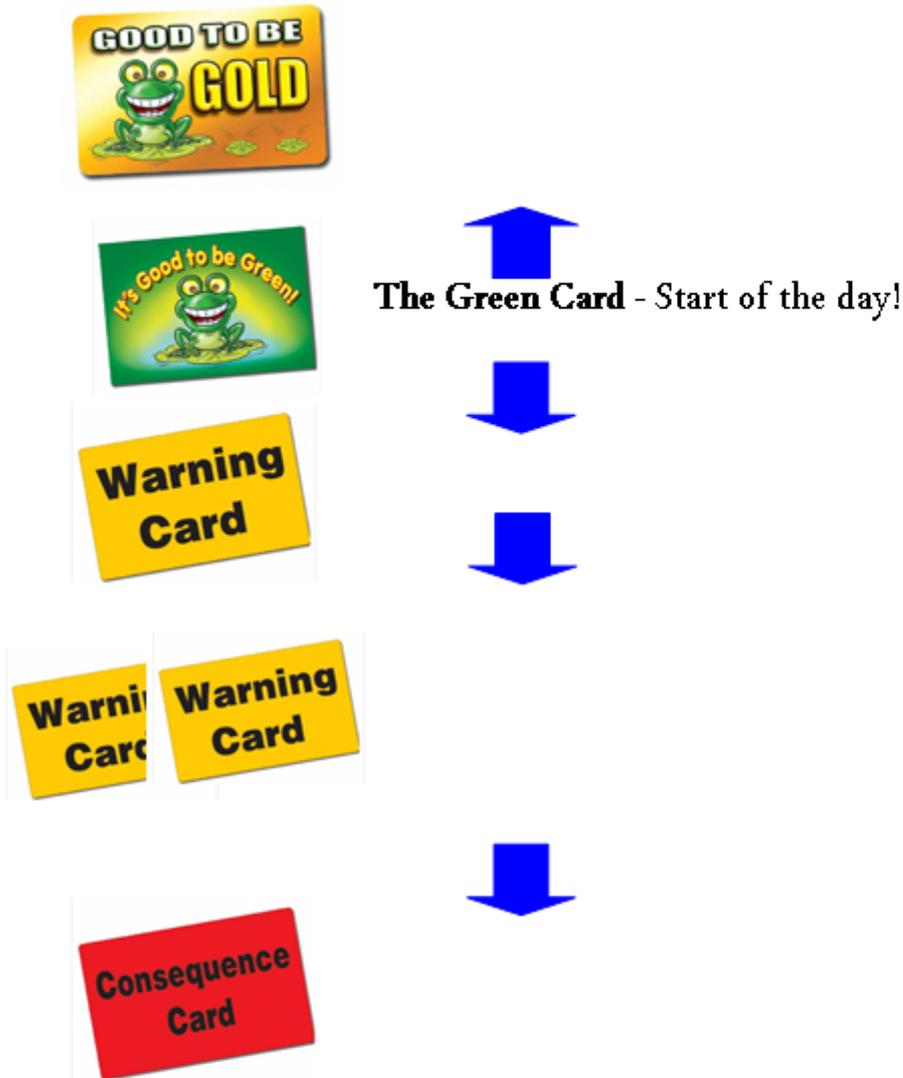


For extreme bad behaviour (e.g. swearing, bullying, fighting, stealing) a child can be moved straight to the Thundercloud.

Please let the class teacher know if any child is moved onto off The Sunshine so they can be logged in the behaviour log book and teachers can speak to parents if necessary.



KS2 - Behaviour system



For extreme bad behaviour (e.g. swearing, bullying, fighting, stealing) moved straight to the Red card.

Please let the class teacher know if any cards have been issued so that the behaviour log book and teachers can speak to parents if



Newdale Primary School Home / School Agreement

As a school, we will work hard to ensure that children fulfil their potential in the basic skills of reading, writing and maths. We will set high but achievable expectations for all our children.

Children at Newdale will have a wide range of other areas of learning opportunities. We endeavour to make the learning journey as enjoyable and practical as we can. Parents / carers are informed about their child's progress in school and are encouraged to be actively involved in their child's learning.

We will care for children and ensure they are safe, happy and secure whilst they are at school.

We will be an approachable team, eager to work closely with families to enable children to do their best.

Signed _____ (Headteacher)

Parents / Carers Agreement

I/we will support our child's learning by ensuring that they attend school regularly and on time, are fit for school each day and have the right equipment.

I/we will work closely with the team to allow my/our child to get the most out of their time at school so that they thoroughly enjoy their years at Newdale.

I / we will adhere to all policies at Newdale, including the use of photographs on social media sites and appropriate haircuts.

Signed _____ (Parents / Carers)

Newdale Primary School Home / School Agreement

At Newdale we want everyone to enjoy coming to school to celebrate their own success and that of other.

As we are a SMART school, where everyone is a doer, believer and achiever, it is important we follow the SMART code:

Speak politely and listen carefully



Make school enjoyable for everyone



Act safely

Respect and care for each other

Tell someone your worries



We will also do our best by working really hard in class.

Signed (by the child) _____ Date _____

Newdale Primary Home / School Agreement



We believe that children learn best when home and school work together in partnership.

The Department of Education asks schools to foster good home / school links and encourage schools to produce Home / School Agreements. These agreements reinforce how important good relations between school, children and families are.

Our children and staff worked hard to produce an agreement which we all felt would help us to work together to succeed.

Children were asked to think about their part of the agreement to remind them of the importance of doing their best in school. They may then sign the agreement as a commitment to doing well at Newdale.

I have signed the agreement on behalf of all the staff in our school we would greatly appreciate if parent/ carers could sign and return the agreement to school, showing you support us in our aims.

We look forward to working in partnership with you for many years to come.

If you have any questions regarding this, please contact school.

Policy & Procedures for Pupils who are on a Modified Timetable

This document is written In line with recommendations from:

- School Attendance, DfE Guidance July 2019,*
- Keeping Children Safe in Education, DfE Guidance June 2019*
- Children Missing Education statutory guidance for local authorities September 2016 (due for review in September 2019)*
- The Education (Pupil Registration) (England) (Amendment) Regulations 2016:*
- Parental Responsibility measures for school attendance and behaviour, DfE Guidance November 2013*

Supporting Pupils at School with Medical conditions DfE Guidance Feb 2014

- Section 436A of the Education Act 1996*

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September 2019

Modified Timetables

Part 1: Guidance around the use of a Modified Timetable.

The DfE statutory guidance (DfE School Attendance July 2019) on the use of modified timetables is very clear and states that '**all pupils are entitled to a full-time education and in very exceptional circumstances there may be a need for a temporary part-time timetable to meet an individual pupil's needs. For example where a medical condition prevents a pupil from attending full time education and a part-time timetable is considered as part of a re-integration package. A part time timetable must not be treated as a long term solution. Any pastoral support programme or other agreement must have a time limit by which point the pupil is expected to attend full time or be provided with alternative provision.**

*In agreeing to a part-time table a school has agreed to a pupil being absent from school for part of the week or day and therefore **must record it as authorised absence.***

The Local Authority (LA) has a duty to identify who these children and young people are and what education they receive each week.

Section 7 of the Education Act 1996 places a duty on parents to secure education for children of compulsory school age either by regular attendance at school or otherwise.

'The parent of every child of compulsory school age shall cause him to receive efficient education suitable –

- a) To his age, ability and aptitude, and*
- b) To any special educational needs he may have,*

either by regular attendance at school or otherwise.'

Regular attendance at school was defined in case law in the *Isle of Wight V Platt* case in April 2017 as being, '*in accordance with the rules prescribed by the school. i.e. every day that the school is open to pupils.*'

Part 2: Criteria for Placing a Pupil on a Modified Timetable.

There are a very limited number of reasons why a school might consider the use of a modified timetable. For the majority it will be related to health issues, and will therefore be supported by medical evidence. The pupils will:

- a)** Have medical needs other than mental health needs, (including pregnancy where any absence would be similar to that of an employee on maternity leave)
- b)** Have mental health needs and access the BeeU Service (CAMHS) either as an in-patient or through services provided in the community.

There is much smaller group of other children and young people who might require the support of a modified timetable for a very short period of time and where there is a clear plan to ensure the pupil is receiving full time education in a planned timescale. These are most likely to be pupils who: 3

- c)** Have particular social and behavioural difficulties and have personalised learning plans: this means that, by arrangement, they do not attend their usual school full time.

Schools have a responsibility to monitor and evaluate the achievement of all pupils on their roll. **Pupils who are not in school full time should be provided with sufficient and appropriately differentiated work to do for those hours they are not in school.** Arrangements should be made to ensure that the work is regularly marked; assessed and constructive feedback is given to the pupil.

Part 3: Pupils with Medical Needs.

In September 2014 a new duty was introduced to ensure that governing bodies make arrangements to support pupils at school with medical conditions. The related guidance was updated in December 2015 and contains both statutory and non-statutory advice.

The key points are that:

- Pupils at school with medical conditions should be properly supported so that they have full access to education, including school visits and physical education.
- Governing bodies must ensure that arrangements are in place in schools to support pupils at school with medical needs.
- Governing bodies should ensure that school leaders consult health and social care professionals, pupils and parents to ensure that the needs of children with medical conditions are properly understood and effectively met.

Some pupils with medical conditions may be considered to be disabled under the definition set out in the Equality Act 2010. Where this is the case governing bodies must comply with their duties under that Act. Some may also have special educational needs (SEN) and may have an Education, Health and Care Plan (EHCP) which brings together health and social care needs, as well as their special educational provision. For pupils with SEND this guidance should be read in conjunction with the Special Needs and Disability Code of Practice.

When considering arrangements, other than full time school, for pupils with medical conditions it is important to:

- Indicate specific support for the pupils educational, social and emotional needs.
- Ensure that a pupil with a medical condition is supported in enabling full participation as possible in all aspects of school.
- Demonstrate that a reduced timetable is appropriately supported with advice/evidence from a clinician such as a consultant, BeeU representative or G.P.
- Note that pupils with medical conditions should have access to as full an education as possible given their individual circumstances.
- Notify the LA of all pupils who are not attending school for more than 15 days, this will include those who are in hospital.

Part 4: Pupils with Educational, Health and Care Plans (EHCP) and pupils with disabilities.

A modified timetable should only be implemented in very limited circumstances.

A pupil should not be subject to a modified timetable because of their disability or special educational need as this is discriminatory. In some cases a special educational need can also be a disability and therefore constitute a protected characteristic under the Equality Act 2010.

For any pupil with an EHCP, the use of a modified timetable should be seen as short term.

Where it continues for more than a few weeks, it is expected that an Annual Review is arranged and that the SEND officer is involved in the meeting. Schools should note that if a pupil with an EHCP is placed on a modified timetable the funding attached to that pupil may be withdrawn.

Part 5: Children in Care (CiC).

Children in Care are amongst our most vulnerable pupils and therefore a modified timetable **should only be implemented in very limited circumstances** when all other strategies have been tried and in full agreement with the Virtual Head for Children in Care.

- A modified timetable should only be implemented after a review of the child's Personal Education Plan (PEP).
- Details of targets around the modified timetable provision should be noted in a PEP alongside use of (PPG) to support the modified timetable.
- A modified timetable should not be implemented without written parental agreement for whoever holds PR (Parental Responsibility) for the child. In the case of children accommodated under Section 20 it is the parents for those on an interim care order or full care order this is the Social Worker.

Part 6: Children Subject to a Child Protection Plan.

Children on a Child Protection (CP) plan are extremely vulnerable and may be placed at a greater level of risk if placed on a modified timetable.

A modified timetable from school for pupils subject to a Child Protection Plan should only be implemented in the most exceptional circumstances and when all other interventions have been tried. If a school is considering a modified timetable for a child on a Child Protection Plan it is expected that they have consulted with the child's social worker and any such modified timetable is implemented following a core group meeting.

Part 7: Illegal Exclusions

A modified timetable which does not have a clear objective, a specified end date and a review process, and the clear agreement of the parent/carer would constitute an illegal exclusion.

Part 8: Key Points in relation to Modified Timetables.

- A modified timetable should not be a generalised practice.
- It should be discussed and agreed at a formal meeting. Eg. Early Help Review, Annual Review, PEP Review.
- It should be reviewed regularly, at least fortnightly or weekly for the most vulnerable pupils i.e. those in care or on a CP.
- It is a short term strategy, and should be used as part of a clear plan moving towards resuming full time education in a timely manner.
- Only in exceptional circumstances should a pupil be placed on a modified timetable for more than half a term.
- Where there are significant health related issues these should be supported by appropriate medical evidence.
- The objectives should be clear and easily understood.
- A modified timetable should be a joint decision between the school and the parent.
- Where a parent is not in agreement, placing the pupil on a modified timetable is an illegal exclusion.
- It is imperative that the modified timetable form is signed by the parent as they are consenting to take full responsibility for the pupil and ensure they are supervised when not in school.
- The LA must be notified of the date a modified timetable starts and ends.

The Access and Inclusion team will collate, record and review the information on a regular basis to ensure that it is linked to the LA's central record.

Part 9: Use of Alternative Provision.

Where a school arranges for a pupil to access an alternative provision provider, the **school continues to be responsible for the safeguarding of that pupil, and should be satisfied that the provider meets the needs of the pupil.**

Schools should obtain written confirmation from the alternative providers that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks the school would have performed in respect of its own staff.

The school must continue to:

- Ensure that the pupil is safe.
- Monitor the attendance of the pupil.
- Assure the quality of the education the pupil is receiving.

It is the responsibility of the school to ensure that the alternative provision is not operating as an unregistered school. The criteria by which a school or setting needs to be registered is defined by the DfE as:

Full time education is provided for:

- (a) five or more pupils of compulsory school age
- (b) one or more such pupils with an EHCP or who is looked after by the Local Authority.

The DfE considers an institution to be providing 'full time' education if it provides or intends to provide, all or substantially all, of a child's education. It is considered that if an institution other than the school, provides more than 18 hours per week that this would be classed as full time.

Therefore the school needs to ensure that any alternative provision used does not meet the criteria to be registered (as above). The school needs to be satisfied that the alternative provision is not providing a full time education for any of the students attending the provision including those on roll with other schools.

Under the Education (Pupil Registration) Regulations 2006, a school must maintain a register of all pupils at the school and Section 3 of the Education Act 1996 defines a pupil as someone for whom education is being provided by the school. Legally, being a pupil and attending a school are based on physical presence. Therefore allowing the whole of a pupil's education to be delivered elsewhere, and by someone, other than the school means that individual pupil does not meet the expectations of a pupil attending a school.

Schools can therefore only subcontract provision (Alternative Provision) for pupils who:

- Attend school for at least one element of their programme throughout the academic year; and
- Attend the school at least once a week.

It should also be noted that pupils may not be taken off the roll of a school if they are attending alternative provision. This is not lawful and is seen as 'off rolling.'

Part 10: Marking the Register.

The absence from school when a pupil is subject to a modified timetable is an authorised absence and therefore should be marked as a C registration code.

If the pupil is attending an '*Approved Educational Activity*' and when pupils are present at the off-site educational activity that has been approved by the school, the pupil absence may be recorded as registration code 'B'. It should be noted that the B code should not be used where a pupil is using an online learning package at home or elsewhere off the school site unless this activity is supervised. It should be noted that Ofsted will expect to visit all off site alternative provisions attended by pupils at the school when the school is inspected and that school leaders

are responsible for both the quality assurance of the provisions and ensuring appropriate regular safeguarding checks are in place.

The DfE publication 'School Attendance, Departmental advice for maintained schools, academies, independent schools and local authorities', published November 2013 and updated July 2019, provides the statutory guidance for all schools. The Attendance Support Team can offer further advice on appropriate registration coding.

Useful Contacts

The Attendance Support Team

Attendancesupportteam@telford.gov.uk

Access and Inclusion

AccessandInclusion@telford.gov.uk



Please note that **all** sections on this form must be completed for any pupil on a modified timetable

Once completed it should be returned to Accessandinclusion@telford.gov.uk

A copy should also be given to the parent and to any other signatory of the document i.e. social worker, SEND officer or member of Virtual School Team.

Name of School			
Pupils first name:		Pupils surname:	
Date of birth:	Year group:	Ethnicity:	Current Attendance:
Is the pupil a child in care? Yes/No If Yes which LA is the child in care to? _____			
Is the child on a CP plan? Yes/No If Yes, confirm that the date this decision was discussed in a core group and that the social worker is in agreement to the MTT. _____			
Does the child have an EHCP? Yes/No If Yes confirm that SEND officer is aware of the decision and that an annual review will be organised if the MTT becomes longer than 6 weeks: _____			
Name of parent:		Name of lead in School:	

Date of meeting where MTT agreed:	MTT Start Date:	MTT End Date (when the pupil will return to full time):	
Number of hours each week in School: _____ Number of hours each week in Alternative Provision: _____ (Include name of offsite provider) _____ Total hours of education per week: _____			
Reason for Modified Timetable (Please highlight)	A) have medical needs other than mental health needs (including) are pregnant or are young mothers of compulsory school age	B) have mental health needs and access Child and Adolescent Mental Health Services (CAMHS) either as an in-patient or through services provided in the community	C) have particular social and behavioural difficulties and have personalised learning plans: this means that, by arrangement, they do not attend their usual school full time
Objectives of the Modified Timetable			

Parent/School Contract

I understand that due to my child's medical condition/exceptional circumstances, they are being placed on a modified timetable for a limited period of time.

I have discussed the matter fully with the school and agree, during the period of the modified timetable to:

- Take full responsibility for my child during the hours when not attending school
- Ensure there is supervision of school work during those hours
- Ensure there is a flow of work between school and home for marking and guidance
- Take full responsibility for the health and safety and supervision of my child when they are not in school

During the period of the part-time timetable the school will:

- Monitor the effectiveness of the part-time timetable
- Provide work the child to do whilst at home and mark all work complete

Privacy Notice under the Data Protection Act 2018

Telford & Wrekin Council are collecting Personal Identifiable Information to enable us to provide you with support through the Modified Timetable Contract. We need to collect this information in order to ensure that the most appropriate educational placement is identified and/or the most appropriate support is identified for your child. This information is being processed under DPA – Schedule 2 (2a) (GDPR 2018 -Article 6 (1)B).

Telford & Wrekin Council will not share any Personal Identifiable Information collected with external organisations unless required to do so by law. However, this information will be shared within Telford & Wrekin Council and partners agencies (Department of Education, NHS, Schools, and Early Years providers) solely for the purpose of providing you with an educational place or educational support. For further details on the council's privacy arrangements please view the privacy page on the council's [website page](#).

Parent

Parents name(s):.....

Signed..... Date.....

Representative from school

Print Name.....

Job Title.....

Signed..... Date.....

Once signed, one copy of this form should be retained by the parent and a copy should be sent to the Access and Inclusion Team.

The home may be subject to a visit from a representative from the School or the AS

I understand that

- Telford and Wrekin Council (T&WC) collect personal information on me/my family to enable T&WC to provide support services which will benefit me as an individual and/or my family.
- That my/my family's personal information will only be shared internally between Council services to enable these services to be provided to me/my family.
- T&WC may also share my/my family's personal information with government departments or other public bodies as required by relevant legislation.

For further information please visit www.telford.gov.uk/terms

Other signatures (if required):

SEND Officer: Date:.....

Social worker: Date:.....

Virtual School: Date:.....

Other (Please Identify): Date:.....

FLEXI – SCHOOLING

Parents have the right to educate their children at home. Section 7 of the 1996 Education Act provides that:

“The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable –

- (a) to his age, ability and aptitude, and
- (b) to any special educational needs he may have,
- (c) either by regular attendance at school or otherwise.”

“Flexi-schooling” or “flexible school attendance” is an arrangement between the parent and the school where the child is registered at school and attends the school only part-time, the rest of the time the child is home educated. The child is registered as an authorised absence from school for this time using the C code.

This can be a long- term arrangement or a short-term for a particular reason.

Flexi-schooling is a legal option provided the Headteacher of the school agrees. The child is required to follow the National Curriculum whilst at school but not whilst being educated at home. However, the Local Authority will monitor the flexi-schooling to make sure that it appropriate to the age and ability of the child.

Key Points

- Unlike Elective Home Education, agreement for the child to be “flexi-schooled” is at the Headteacher’s discretion. The Local Authority will monitor the home schooling to ensure it meets the child’s needs.
- Flexi-schooling should not be confused with a modified timetable. The child must be education full time throughout the year.
- Schools must not seek to persuade parents to educate their children in order to avoid exclusion or action for poor attendance.
- Sessions which the child are expected to attend are marked in the normal way, all others are recorded as authorised absence.
- Schools should make arrangements to exchange attendance information with the family.
- To maintain good communication, it is advisable that a school contact is agreed.
- An approved educational activity during the school day has to meet legal requirements for the pupil to be coded as educated off site.
- The Headteacher should feel satisfied that the family will be able to provide appropriate education.
- The FS1 & 2 must be completed and signed with a copy of the flexi timetable attached and be sent to the Attendance Support team as a matter of urgency.



Notification that a pupil will receive 'Flexi-Schooling' (FS1)

(revised September 2015)

Please complete all information on this form when a parent and a school decide to use a flexible approach to learning for any pupil (a pupil who is **not** attending school on a full-time basis with the agreement of the school) and send, once signed, to:

Attendance Support Team, Telford & Wrekin Council, Darby House, Lawn Central, Telford TF3 4JA

Section 1: Pupil's key information

School on Roll _____

Pupil's Surname _____ First Name(s) _____

Gender (M/F) _____ Year Group _____ DoB _____

Pupil's UPN _____

Which Locality area does the pupil live in? Wrekin / Hadley Castle / Lakeside / Out of Telford

Current attendance ____% (N.B. Please attach a copy of the attendance print out)

Ethnicity

White	Black or Black British	Asian or Asian British	Dual background	Chinese/other
White British	Caribbean	Indian	White & black Caribbean	Chinese
White Irish	African	Pakistani	White & black African	Any other ethnic group
Traveller or Irish heritage	Any other black background	Bangladeshi	White & Asian	Not given
Gypsy/Roma		Any other Asian background	Any other dual background	

Is this pupil in receipt of PPG / FSM? Yes/No

N.B This form should not be used for an SEN Pupil. Any amendment to the SEN statement or Education Health Care Plans (EHCP) must be discussed and agreed with appropriate officers.

Pupils' Current Status EPCH/Statement/ undergoing assessment/ school graduated response to SEND/ no special provision

Is the pupil a 'Child in Care' (CiC) in Telford & Wrekin, Yes/No or other Local Authority Yes/No

If yes, which LA? _____

Is pupil currently in the CAF/TAC process? Yes/No

Name of current Lead Professional _____

Section 2: Flexi schooling key information

Date when the 'Flexi schooling' arrangement was agreed ___/___/___

If an 'end date' has been agreed please insert the date ___/___/___

Who agreed to the flexi schooling (print names)

Number of hours in school each week _____

on: Mon/Tuesday/Wednesday/Thursday/Friday

Please add any additional information: E.g. Objectives of the flexi timetable and reason for request

Section 3: Medical/Health key information

Please tick one box mental health other medical condition

Please add details of presenting medical condition:

(Please include the name of the Consultant, Doctor or other Medical practitioner and attach all medical evidence).

Parent/Carer Signature _____

Print Name _____ Date: _____

School Signature _____ Date: _____

Print Name _____ Title _____

Please attach a copy of the proposed timetable and also ensure that the parent/carers has signed this form to show their agreement with the arrangements being made.

Flexi-Schooling Agreement

Name of Pupil..... Date of Birth.....

Address.....
.....

School.....

Current attendance% Year Group..... Class/Form.....

I understand that my child will now be subject to a flexible timetable.

I have discussed the matter fully with the school and agree to:

- take full responsibility for my child during the hours not attending educational provision
- ensure there is supervision of school work during school hours
- ensure there is a flow of work between school and home for marking and guidance
- communicate regularly with the school and inform them of any absence/illness
- take full responsibility for the health and safety of my child during school hours

Parent

Parents name(s):.....

Signed..... Date.....

Representative from school

Print Name.....

Job Title.....

Signed..... Date.....

Headteacher's Signature

..... Date

Once signed, a copy of this form, along with the 'flexi-schooling' timetable, should be sent with the FS1 to the Attendance Support Team (AST), Telford & Wrekin Council, Darby House, Lawn Central, Telford TF3 4JA.

Telford and Wrekin

Primary Fair Access Protocol

September 2019

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Introduction

This Protocol describes the operation of the Fair Access Panel and sets this in the context of a graduated response to meet the needs of young people.

There are five key elements to this FAP protocol:

Part A - Hard to Place Protocol – the Hard to Place Protocol concerns the placement of young people who apply for a school during the course of the school year, called ‘in-year’ applicants, where it has not been possible to secure a school place quickly, or where the child meets the threshold for hard to place. Included within the scope of this protocol would be children moving into the authority from elsewhere in the country or overseas; children returning from Elective Home Education and children returning to mainstream education from a Pupil Referral Unit (PRU) where the referring PRU deems the child ready to make a successful return to mainstream.

Part B - Managed Move Protocol – the Managed Move Protocol describes the placement of students who are moving from one school to another within the local authority area as a mechanism to break a cycle of behaviour. The child should be scored against the points system described in the Hard to Place Protocol.

Part C - Request for Additional Support – the local authority and its partners provide a number of provisions and resources which support schools in meeting the needs of young people. This includes Assessment and Intervention Centres and the Student Engagement Programme. Request for and allocations of this support come through the Fair Access Panel.

Part D – Operation of the Fair Access Panel – the protocols and membership of the Fair Access Panel.

Part E – Permanent Exclusions – the processes and conditions when considering a Permanent Exclusion

Part A – Hard to Place Protocol

A1 Introduction

1.2 All in year school applications are co-ordinated by Telford & Wrekin LA. This ensures that no child is offered more than one school place and enables the LA to have an overview on the movement of children and therefore avoid possible safeguarding issues arising from children being without a school place.

1.3 The Admissions Authority must not:

- “refuse to admit a child solely because:
 - they have followed a different curriculum at their previous school
 - information has not been received from their previous school
- take account of reports from previous schools about children’s past behaviour, attendance, attitude or achievement, or that of any other children in the family
- 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”

1.4 The protocol supports the inclusion of some of Telford and Wrekin’s most vulnerable children by ensuring that unplaced children, especially these most vulnerable, are offered a place at a suitable school as quickly as possible. It is a working partnership between the Local Authority and Telford and Wrekin publicly funded primary schools aimed at maintaining a continuity of education for all children, particularly the most vulnerable, by acknowledging that if they do need to move schools, they do so in a transparent, supported, managed and equitable way.

1.5 It is a legal requirement that ‘Children in Care’ and ‘Children Previously in Care’ are given first priority for admission at the normal point of entry to the school within an admission authority’s oversubscription criteria in line with the provisions set out in the School Admissions Code at paragraph 1.7. The protocol will not be used for these children as it is expected that they will not become ‘unplaced’ as all Telford and Wrekin admission authorities will take into account this high priority and will work with the Local Authority, including Social Care, in agreeing the most suitable school when transfer in year is required. Where a child in care or a child previously in care meets the Hard to Place Threshold, the receiving school should not delay in admitting but can refer the case to the Fair Access Panel so that the admission is recognised in considering fair distribution of Hard to Place young people.

1.6 The admission of children with Education, Health and Care (EHC) Plans naming the school are **not** covered by this protocol, as these children **must** be admitted.

1.7 The protocol applies to the academic year 2019-2020 and subsequent years, subject to any review. If changes are proposed, these will be determined if supported by the majority of Telford and Wrekin publicly funded primary schools.

A2 Aims

2.1 This protocol has two aims:

- 1) To provide the mechanism for ensuring the speedy admission to schools of ‘in year’ unplaced children (children who meet the Hard to Place threshold), as defined in section A5 of this protocol. Its aim is **not** to delay admission. (para 3.9, School Admissions Code 2014)
- 2) To ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been permanently excluded from other schools, or who have challenging behaviour. (para 3.9, School Admissions Code 2014)

A3 In-year Applications

3.1 The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admission authorities, however, do need to consider parents' reasons for expressing a preference when they make admission decisions, though this may not necessarily result in the allocation of a place. The SSFA 1998 provides that admission authorities must comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.

3.2 The admissions process is as follows:

- Parents/guardian complete an in year application form and can include up to 4 school preferences.
- The admission team then contact all preferred schools/academies requesting a response regarding PAN, number on roll and whether they have spaces, so that the Admissions Team can place the child in the highest preference school with spaces. This should be done **within 5 days**. Responses should be submitted on the pro forma provided by the LA.
- The LA will then offer a place at the highest preference school with a place.
- The LA will advise parents of responses within 15 school days of receiving the original application or earlier if possible in order to minimise the amount of time that a child is out of school.
- If a school/academy has no place available, the parent will have the right of appeal and the relevant admission authority has to provide this information about lack of places to the parent.

3.3 For children who have been removed by their parents from a school roll to be electively home educated, and are now seeking a return to school education, potentially due to home provision being assessed as unsuitable, the expectation is that these children will be referred to their previous school and that school either readmits the child or makes arrangements for a managed move. However, if a parent does not wish their child to be referred to their previous school, then this should be treated in the same way as an out of borough in year admission and if necessary, the Hard to Place Protocol applied.

A4 General Principles

4.1 Where a child is on a school roll within Telford and Wrekin and the parent wishes to change schools to another Telford and Wrekin school, for reasons other than a house move, the In Year application will indicate that this is the reason for the request. A copy of the In Year application is always sent to the school where the child is currently on roll and it will be expected that this school will contact the family to discuss any issues they may have. It is expected that, in the majority of cases, working jointly with parents, the school will be able to find a solution that enables the child to remain. In the minority of cases, where there has been a breakdown of education within the current school, that school might work with parents to explore a Managed Move to another school.

4.2 The school where the child is currently on roll should complete the 'Pupil Passport' once an in-year application has been made and the admission confirmed by the receiving school (for pupils moving between schools in borough). The intention of this Pupil Passport is to provide current information and appropriate advice to the receiving school on how to support the child.

4.3 School Admissions have published guidance notes for parents relating to the pitfalls of a child moving school in year within the borough on their website, and schools may wish to refer parents to these, in addition to the admissions team pointing parents to the information.

4.4 To further support this process, the Local Authority has agreed with schools that, in exceptional circumstances, for example, to avoid permanent exclusion, some children can move to another school for a trial period outside the normal in year admissions process. This Managed

Move Process involves an agreement between two schools to allow the child to move to a different school for an initial trial period with a view to the arrangement becoming permanent. This can be used for children where it has been agreed by all parties that they require a fresh start at another school. In cases where the parent, the child and the schools agree that a fresh start would be appropriate, the parent and the child will receive information about this process as a more appropriate alternative to normal in year admissions procedures. This will not prejudice the parents' right to apply for a school of their preference through the normal in year admissions process or their legal right of appeal if their application is unsuccessful. It is expected that if the child is taking part in a managed move that they will not then be expected to submit an in year application for the new school whilst that trial period is taking place. For further details please refer to the Telford and Wrekin Primary Managed Move Protocol, Part B of this document.

4.5 All decisions on admissions for students deemed Hard to Place will be made by the Fair Access Panel. The panel's responsibility is to identify the most suitable school for the child based on the needs of all parties involved. For all Telford and Wrekin residents, or those seeking places due to an imminent move into the borough, this will result in an offer of a school place. Places are not guaranteed through this process for residents from other local authorities. Parents resident in other authorities do have a right to request a school place in Telford and Wrekin but we would expect that where the young person meets the Hard to Place threshold, they would be referred to their local FAP.

4.6 When the Fair Access Panel meets to consider the application, the parental preferences will be taken into account in this decision-making process, although the school place offered may be for an alternative school. The duty to comply with parental preference, as set out in section 3 above, does not apply when allocating a school place through this protocol.

4.7 It is recognised that it is preferable for children to be admitted through this protocol into a school within their local area unless there are exceptional reasons not to do so.

4.8 It is expected that once a school place is identified, the child will be admitted to the school and included on the school roll **within no more than 10 school days** of a Fair Access Panel decision.

4.9 The Local Authority reserves the right to direct an admission authority of a Trust School or the admission authority of a Voluntary Aided school to admit a child, in accordance with the provisions set out in paragraphs 3.16 -3.21 of the School Admissions Code. For Community and Voluntary Controlled schools, where the Local Authority is the admission authority, the Assistant Director, Education and Corporate Parenting, may instruct the governing body to admit the child.

4.10 The Local Authority reserves the right to ask the Secretary of State to intervene (in accordance with the provisions set out paragraph 3.22 of the School Admissions Code) where it considers that a child should be admitted to an academy, but the academy has refused without sufficient reason for the refusal. The Local Authority will seek to find a resolution with the Academy and referral to the Secretary of State will be used as a last resort.

4.11 Where a school has been identified within the arrangements set out in this protocol, this school will be deemed the 'qualifying school' for the purpose of school transport assistance. A child of statutory school age (5-16 years) will be provided with transport assistance if the child attends the 'qualifying school' and meets the conditions set out in the Council's School Transport Policy. For the purpose of this protocol, the policy states that travel assistance will be provided for a child aged between 4 and 8 years who attends a qualifying school and lives more than 2 miles from the school, unless the parents voluntarily make suitable arrangements.

A5 Hard to Place Threshold

5.1 All children considered eligible for admission under this protocol are deemed vulnerable and are therefore entitled to receive additional support in securing a suitable school place if normal in year admission procedures are unsuccessful.

5.2 The Admissions Code of 2014 defines 'hard to place' children who should, as a minimum, be considered under a Fair Access Protocol as:

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; and
- g) children with special educational needs, disabilities or medical conditions (but without an Education, Health and Care Plan).

5.3 Following consultation with schools during the summer term of 2019, a local system for defining Hard to Place has been developed. This takes the above definitions as a minimum and adds criteria requested by schools. A 'threshold' which determines whether a child is 'Hard to Place' is determined by considering the factors in the following tables:

Table A Behaviour and Attendance based criteria – select the one criterion below which relates to the highest point score.

Characteristic	Points
Children currently attending a Pupil Referral Unit	15
Children who have been subject to the criminal justice system	15
Children who have previously been permanently excluded in the previous 24 months	15
Children with 2 or more managed moves which have failed within the previous 12 months	15
Children with 1 managed move which has failed within the previous 12 months	10
Fixed term exclusion of 5 days or less in any one term within the previous 12 months	5
Fixed term exclusion of between 5 and 15 days in any one term within the previous 12 months	10
Fixed Term exclusion of 15 days or more in any one term within the previous 12 months	15
In school exclusion (5+ days) within the previous 12 months	5
In school exclusion (10+ days) within the previous 12 months	10
Attendance below 90% in previous 12 months	5
Attendance below 80% in previous 12 months	10
Attendance below 70% in previous 12 months	15
None of the above apply – no significant behaviour or attendance concerns	0

Table B Demographic based criteria – select the one criterion below which relates to the highest point score.

Characteristic	Points
Children who have been out of education for two months or more at the point of in-year application received by the Admissions Team	15
Children of Gypsies, Roma, Travellers, refugees and asylum seekers	15
Children who are homeless	15
Children classed as CME, for whom a place has not been sought	15
Children who are carers	15
Children with special educational needs, disabilities or medical conditions (who would normally meet the criteria for an Education Health and Care Plan [EHCP], but haven't had one issued, for example having moved from a country where EHCPs are not used).	15
Children who are in year admissions who would not otherwise hit hard to place criteria but for whom there are no places (schools at PAN) in all schools applied for	15

Children returning from unsuitable EHE (EHE deemed unsuitable by the LA)	15
Children with EAL who have emerging levels of English (new arrivals)	10
Children known to other professional agencies who may present as 'vulnerable' (eg CIN, CP) but with no obvious behavioural problems	10
Children who, following an overturn of an exclusion review, have no school place	10
None of the above apply	0

The **combined score** is the highest score from Table A plus the highest score from Table B. **The threshold for Hard to Place would be a combined score of 15 or more.**

Those rows highlighted in orange represent criteria specified in the Admission Code and therefore automatically score 15 as they are defined nationally as hard to place.

A6 In Year Application Process

6.1 In all cases parents **must** have completed the Local Authority's in year application form expressing a preference for a school or schools.

6.2 Where there is sufficient information on the admission form to identify that a child meets the Hard to Place threshold, then the Admissions Team will refer this child to the Fair Access Panel under this Hard to Place Protocol.

6.3 On receiving an application for admission, the school **must respond within 5 working days to the school admissions team**. This should not be extended to gather further information. If a school named as a preference by the parent has a place available, i.e. the school has **not** reached its admission number in the relevant year group, and the young person does not meet the Hard to Place Threshold then a place **must** be offered.

6.4 For in-year applications the receiving school identifies that the young person meets the Hard to Place threshold, they should refer the case back to the Admissions Team, with evidence within the 5 working day deadline. For applications from out of borough, the Admissions Team will then present the case at the next Fair Access Panel with appropriate background information. For applications from within the borough, the current school should then present the case at the Fair Access Panel under the Hard to Place Protocol.

6.5 Under the equal preference scheme, the School Admissions Team work to place the pupil at the highest possible preference school with a place. If a school named as a preference by the parent does **not** have a place available, i.e. the school has reached or exceeded its agreed admission number in the relevant year group, then a place **may** be refused. In all cases, the parent **must** be provided with the decision and reasons for refusal in writing and **must** be advised of their legal right of appeal by the relevant admission authority.

6.6 If a young person is left without a school place after all preferences have been considered, the parent's application can then be considered through the process described in this protocol, which entitles them to additional support in securing a place at a suitable school through a referral to the Fair Access Panel. The parent retains their legal right of appeal in relation to their unsuccessful school preferences and can choose to exercise this rather than agree to a referral to a panel. By agreeing to a referral to the Fair Access Panel to receive an offer of a school place, the parent's legal right of appeal in respect of the schools included as preferences on their application, will not be prejudiced.

A7 The Admission of Vulnerable Children or Children with Challenging Behaviour

7.1 For the purpose of this protocol, vulnerable children or children with challenging behaviour are defined as those that reach the threshold score of 15 as described in paragraph 5.3.

7.2 Please Note: This process will not apply to a child in care, a child previously in care or a child with an Education, Health and Care Plan naming the school in question, as these children **must** be admitted. However, where a child in care or a child previously in care meets the threshold score of 15, this may be considered when ensuring a fair distribution of 'Hard to Place' children

across schools. The receiving school should not delay in admitting any child in care but can refer the case to the next Fair Access Panel for a decision as to whether the child meets the threshold.

7.3 Where a child meets the Hard to Place threshold, their application will be considered by the Fair Access Panel and a decision made on which school to allocate. This decision will be informed by the parental preference although the panel is not bound by this. The decision is also informed by the distance from the child's home to each school. The panel should also ensure that no one school is adversely affected by placing several children in the same year group.

7.4 The allocation of a place in a school where the child meets the Hard to Place threshold will be recorded, this information will then be available in future Fair Access Panel meetings. The panel should consider any children who meet the Hard to Place Threshold who have previously been allocated to schools in making any decision around placement to ensure a fair and even distribution of these young people.

7.5 The LA will maintain an up to date 'School Data Table' describing each school's record in receiving FAP referrals to assist the panel in their decision making.

7.6 The parent of a child that meets the Hard to Place threshold referred for admission under this protocol will receive notification from the Local Authority within the standard **15 school days** that their application will be considered by the Fair Access Panel. The parent will not receive a decision on the application until this process has been completed. Their legal right of appeal to an independent appeals panel will not be prejudiced.

A8 Children Who Are Not Ready for Reintegration into Mainstream Schooling

8.1 Local authorities have a statutory duty to arrange suitable education for pupils who have been permanently excluded or who otherwise would not receive suitable education without such arrangements being made.

8.2 In Telford and Wrekin, the Pupil Referral Units (PRUs) – The Linden Centre (Key Stages 1 to 3) - are the schools established to meet the educational needs of permanently excluded pupils.

8.3 An in-year admission pupil may be referred to a PRU by the Fair Access Panel where:

- The pupil has been permanently excluded from school and is referred to the PRU by the Local Authority to discharge its statutory duty to provide suitable education from the 6th day onwards;
- The pupil is referred to the PRU by the Fair Access Panel because the pupil has been identified as someone who would not receive a suitable full-time education without the referral.

8.4 While there is no statutory requirement as to when suitable full-time education should begin for pupils placed in alternative provision for reasons other than exclusion, the Local Authority will ensure that such pupils are placed as quickly as possible.

Part B – Managed Move Protocol

B1 Introduction

1.1 A Managed Move is where the home school presents the case at the Fair Access Panel for the panel to recommend a school to receive the Managed Move. A move to another school does not support the sense of belonging for the young person and therefore Managed Moves in the primary phase are rare and should only be used in exceptional circumstances, such as, where there has been an irrevocable breakdown in relationships in the home school and the only way forward is to consider a fresh start in a new school. A Managed Move to another school should be seen as one tool which can be used to avoid permanent exclusions.

1.2 Where a student is on the point of Permanent Exclusion or has been in receipt of multiple Fixed Term Exclusions, if the parents then submit an In-Year Application to a new school, the home school should identify this and refer back to the Admissions Team as a potential Hard to Place student. At this point, where all agree that a fresh start in a new school would be most appropriate, a Managed Move rather than an In-Year Admission should be considered. The Managed Move will mean that support can be planned into the integration into the new school and that there will be a high level of engagement from both the original and the new school in providing the right level of support.

1.3 Most Managed Moves will have a trial period, normally six weeks, before the young person goes on roll at the receiving school. Students will remain on the roll of the home school until the date on which (s)he is admitted to the receiving school.

1.4 Any requests to transfer students' files should be treated with the highest priority; all files must be transferred to the receiving school within 5 working days of any FAP recommendation for a Managed Move. This must include all safeguarding records. The student should start at the receiving school within 10 working days of the FAP recommendation. This is dependent on the parents attending an induction meeting within this timescale.

1.5 The receiving school should do everything possible to make the managed move work successfully including careful liaison with the previous school. It is strongly advised that a transition Early Help Planning Meeting be held when plans are being made for the student to start at their new school. It is also expected that a midway review is held after 3 weeks from the start of the Managed Move. At this point any concerns should be raised, rather than waiting until the end of the six week process.

1.6 The receiving school should identify a named person, e.g. pastoral head, tutor or teaching assistant, who will provide support for the student/family and be a key figure throughout the induction period.

1.7 Procedures to monitor the progress of the new student and strategies to support him/her should be put in place and discussed with both student and parent/carer.

1.8 Once the child goes on roll at the receiving school, the pro-rata AWPU and any Pupil Premium funding should be transferred from the home school to the receiving school, backdated to the date of admission.

B2 Managed Moves and Transport

2.1 The payment of any costs for transport associated with a managed move should be agreed in advance of the placement starting. The LA will not normally meet the cost of transport, unless the student is placed in a school which is beyond statutory walking distance and not one of the preferences on the FAP referral form. Otherwise, the cost of any transport will normally be met by the parents.

B3 Temporary Managed Transfers (without referral to FAP)

3.1 Where pupils are engaged in poor behaviour which can be fuelled by expectations and influences of other pupils, this can become a vicious circle which needs to be broken. It may be

possible to break this vicious circle by giving the pupils a respite via a 'Temporary Managed Transfer' to another school. This Temporary Managed Transfer can be brokered between the two schools and should normally be no less than two weeks and no more than half a term in length. It is not permissible to arrange a Temporary Managed Transfer to a PRU or Assessment and Intervention Centre.

3.2 It is the responsibility of the Headteacher of the referring school to broker the managed transfer with the Headteacher of the receiving school.

3.3 The referring school should liaise with the Headteacher of the proposed school to arrange visits and meetings to discuss the integration of the pupil.

3.4 The referring school should identify a named person, e.g. SENCO, class teacher or teaching assistant, who will provide support for the pupil/family and be a key figure throughout the integration period.

3.5 The receiving school should do everything possible to make the managed transfer work successfully including careful liaison with the previous school.

3.6 The receiving school should initiate contact, within 5 working days, with the family, ensuring that the pupil and his/her family are made to feel welcome and included.

3.7 The receiving school should identify a named person, e.g. class teacher or teaching assistant, who will provide support for the pupil/family and be a key figure throughout the induction period.

3.8 Procedures to monitor the progress of the new pupil and strategies to support him/her should be put in place and discussed with both pupil and parent/carer.

3.9 Pupils will remain on the roll of the home school. The home school will retain responsibility for monitoring attendance.

3.10 There is no need to notify the LA of a temporary managed transfer, this is a private arrangement between Headteachers.

3.11 Any transfer of funding for the period of the managed transfer will be arranged privately between the two heads.

Part C – Request for Additional Support#

C1 Introduction

1.1 For students whose behaviour causes concern, despite the measures that have been put in place to support them, there is no improvement and therefore additional support is needed, referral to the Fair Access Panel for additional support would be appropriate.

1.2 The options which may be available are:

1. Intervention at The Linden Centre for an assessment and intervention programme then a supported reintegration to their own school
2. A Managed Move to another school

1.3 For any referral to FAP it should be clear which of these options is being requested and there should be parental agreement to the details being shared and consent for the option requested. The details of each of these options are:

C2 Intervention at The Linden Centre for an assessment and intervention programme then a supported reintegration to their own school

2.1 It is the responsibility of the Headteacher at The Linden Centre (or their representative) to liaise with the school to negotiate the arrangements for the assessment and intervention programme.

2.2 The student will remain on roll at the referring school for the period of intervention, during this time the student will be dual registered, with the PRU registering as a 'guest'.

2.3 The referring school will have the responsibility for organising and funding transport for the young person for the period of the intervention.

2.4 The student will either be allocated a full time, or a part-time place at the Linden Centre. Where this is part-time, the student will remain in their home school for half of the timetable, **this should be provision in school not a modified timetable.** *(Please refer to the Modified Timetable protocol. The Local Authority does not endorse the use of modified timetables other than in exceptional medical circumstances.)*

2.5 It is the responsibility of the Headteacher at The Linden Centre (or their representative) to liaise with the school and the parents to arrange visits and a support package.

2.6 The referring school must identify a named person, e.g. pastoral head, tutor or teaching assistant, who will provide support for the pupil/family and be a key figure throughout the intervention period.

2.7 It is the responsibility of the school to attend all review meetings and continue to lead on the educational provision for the child, particularly if there becomes a decision to request an education and health care needs assessment.

2.8 The referring school should do everything possible to make the intervention work successfully, it is strongly advised that a transition Early Help Assessment and Planning meeting is held at both the start and towards the end of the intervention.

2.9 Where a school has not attended review meetings, or has not held Early Help Planning meetings and does not engage in the process to support a successful intervention, this will be considered by the Fair Access Panel for any future referrals to FAP for additional support.

2.10 A key element of the intervention programmes will be regular assessments of behaviour and attitudes to ensure pupils are ready for return to school. Staff at the referring school are expected to work in conjunction with the staff at the Linden Centre on completing these.

2.11 The Fair Access Panel will define the length of the period of intervention at the Linden Centre, this will be communicated to the school. In exceptional circumstances, if the Linden Centre assesses that there is a need to extend this provision, the Linden Centre will refer the student back to the Fair Access Panel to be heard as an update to gain approval for this extension.

2.12 When the pupil is believed ready for reintegration to school the Headteacher at The Linden Centre (or their representative) will liaise with the school and the parents to arrange visits and a supported reintegration package. This will follow a planned meeting agreeing the return to school with the referring school.

2.13 When considering an assessment and intervention place at the Linden Centre, the Fair Access Panel will also consider a suitable package of support for reintegration. This might include support from a Behaviour Support Inclusion Mentor or a part-time place at the Student Engagement Programme (SEP). The whole package will be agreed with the school in advance of the Linden Centre placement. There will be a cost for an Inclusion Mentor or for a SEP place, this will also be agreed in advance with the school. There will be no direct charge for the place at the Linden Centre.

2.14 It is the responsibility of the referring school to ensure that the student re-starts after the agreed period of intervention. Any refusal to receive the student back will result in a charge being levied to the referring school of £150 per day to cover the cost of additional PRU provision.

2.15 Ensuring that the process of reintegration of students back into school following an assessment and intervention place at the Linden Centre is carefully planned is crucial. When a student is accepted for an assessment and intervention place at the Linden Centre, the following processes are essential:

- The home school will be expected to nominate a senior member of staff to liaise with the centre.
- Dates for review meetings will be set at the start of the placement by the Linden Centre and agreed with the school. They will also be made known to the parents from the outset.
- Recommendations for the reintegration process will be made by the Linden Centre, these will be written into a pastoral support plan or an Individual Behaviour Plan (IBP) which will be agreed jointly with the school
- The pastoral support plan or IBP will also outline timescales for the student to return to mainstream provision, for the intervention and assessment place to be successful the student will need to be working towards mainstream provision rather than in any internal unit within the school.

C3 A Managed Move to another school

Managed Moves are described on the Managed Move Protocol, Part B of this document.

Part D - Operation of the Fair Access Panel

D1 Introduction

1.1 The Fair Access Panel will meet every three weeks. The agenda will be constructed to allow the most efficient use of time for all concerned, for example:

Part 1 – Requests for Additional Support

Part 2 – Hard to Place Protocol

1.2 The panel will consist of:

A Headteacher representative from each cluster, with delegated authority to make decisions on behalf of all of the cluster. This will enable all decisions to be made at the meeting with the agreement on behalf of the receiving school.

In addition to the Headteachers, each panel will also consist of:

- Service Delivery Manager, Pupil Support Services
- School Place Planning and Admissions Specialist
- Access and Inclusion Officer
- Head of Linden Centre
- Access and Inclusion Group Manager
- Admissions Team Leader
- Student Engagement Programme Team Leader
- Behaviour Support Advisory Team Leader,

1.3 The panel will 'elect' a chair at the first meeting of each academic year, this would normally be one of the Headteachers.

1.4 At each Fair Access Panel meeting, the LA will present the panel with data on the mobility of Hard to Place students in and out of each school so that due consideration can be given to the relative number of students moving into each school in line with the Hard to Place Protocol.

1.5 At each Fair Access Panel meeting, the LA will present the panel with up to date reports on the number of students on roll and studying at the Linden Centre. As well as updates from the Student Engagement Programme and the Behaviour Support Team. This will help inform the panel and support them in making appropriate recommendations.

1.6 Once a course of action has been agreed by the Fair Access Panel a feedback form summarising the agreed outcomes will be sent to the Headteacher (or their representative) who presented the case and to the organisations being asked to provide additional / alternative support.

1.7 All requests for further information or clarification about pupils in these circumstances should be treated with the highest priority by all parties.

1.8 For all pupils referred to FAP the school should complete, in full, the appropriate referral form (*Appendix 4*) and provide as much detail as possible about the pupil and the events which have lead up to the referral. The form must be signed by the Head teacher, otherwise the case cannot be heard.

1.9 It is expected that any students presented will be subject to an Early Help Assessment before a FAP referral; for Children in Care the latest PEP should be available.

1.10 If a school wishes to consider a Managed Move for a Child in Care this must be discussed with the Virtual School Head before any decision is made. The school must have the pupil's parents/carers' (or social worker's for children in care) written consent to any move, if not the case cannot be heard. The form must be signed by the parent / carer

1.11 The school must ensure that the parents/carers understand clearly that they lose any right of hearing or appeal to the governors or an Exclusion Review Panel if the case is being presented to prevent a permanent exclusion.

1.12 The completed forms should be sent to the Access and Inclusion Officer, at least one week prior to the Fair Access Panel meeting. They must be received no later than 12.00 noon on the Thursday preceding the FAP meeting at which they will be considered. Any papers received after

this time will not be accepted, without exception. If it is not possible to gain the parental signature by this time, the sheet with the parental signature must be received no later than 12.00 noon on the Friday preceding the FAP meeting at which they will be considered. However the completed papers must be submitted on time. Cases cannot be heard without a parental signature.

1.13 Schools will receive the Summary of Outcomes Form (*Appendix 5*) within two working days of the FAP meeting. This should be returned with feedback from the school as soon as possible following the resolution of a FAP recommendation.

1.14 The school are responsible for informing parents of the outcome of FAP.

D2 Students with an EHCP

2.1 It is appropriate to present students with EHCPs to FAP for the following support:

Intervention at The Linden Centre for an assessment and intervention programme then a supported reintegration to their own school. (However, in addition to any other evidence, schools will be expected to demonstrate how they have used any additional funding provided through the EHCP to support the young person. They will also be expected to contribute an element of SEN funding towards the cost of the Linden Centre provision.)

2.2 It is **not** appropriate to present students with EHCPs to FAP for:

A Formal Managed Move to another school. (SEND processes need to be followed, an Annual Review should be called whenever considering a change of school placement.)

Part E - Permanent Exclusion

E1 Introduction

1.1 It is recognised that, whilst every effort to avoid Permanent Exclusion should be made, that once all of the strategies described have been exhausted and in cases of extreme behaviour, there may be no option other than to permanently exclude when triggered by another incident.

1.2 School must inform the Local Authority within 24 hours of the issue of a permanent exclusion. This will give the LA time to organise provision from Day 6 of the exclusion.

1.3 Once notified of a Permanent Exclusion, the LA will gather as much information on the young person as possible. In particular they will consult with the excluding school. This information will be used to decide whether a new mainstream school or a PRU place would be most appropriate. Where a mainstream school is identified, the LA will consult with parents to name a new school. The young person will then be placed in the new school under the Hard to Place Protocol.

1.4 Where a Permanently Excluded young person is placed in a new school following the exclusion, that young person should remain on roll at their current school until such time that the permanent exclusion is confirmed at a Pupil Disciplinary Committee. Should the Permanent Exclusion be withdrawn at any stage before the young person goes on roll at the new school, the child should return to their home school. The home school, could consider following the Managed Move process at this stage as an alternative to the Permanent Exclusion.

1.5 The LA will make provision for those pupils who are permanently excluded from the 6th day of any permanent exclusion. This is a legal requirement.

1.6 The Education and Inspections Act 2006 requires full time education from the sixth day of an exclusion. However, to ensure that there is minimal disruption to the education, when a child or young person in care is permanently excluded, it is the Government's view that the school should arrange alternative provision from the first day of a permanent exclusion.

1.7 Before considering permanent exclusion for any child in care either in Telford and Wrekin or another authority where a pupil is attending an education setting, you should contact and liaise closely with the Virtual School Team. The school should call an urgent review of the pupil's PEP and invite a representative of the Virtual School Team to discuss issues / provision. The DfE Exclusion Guidance (2013) states that exclusion of children in care should be an absolute last resort.

1.8 In cases of exclusions, schools should inform parents/carers that during the first five days of any exclusion parents/carers must ensure that their children are not present in a public place during school hours without reasonable justification and may be committing an offence. Parents/carers are subject to prosecution or a fixed penalty notice if they fail to do this.

1.9 Within one school day, the Headteacher must inform the governing body and the LA Access and Inclusion Officer of a permanent exclusion. This is a legal requirement. If a school is considering a permanent exclusion, the LA must be told at the earliest opportunity rather than delay this until it has actually happened.

E2 Reintegration of Permanently Excluded students following intervention at a PRU

2.1 Where a permanently excluded young person is allocated a place at the Linden Centre, pupils will be reintegrated to another mainstream school after a period of intervention of usually 6-12 weeks. A key element of the programme of work in the PRU will be regular assessments of behaviour and attitudes to ensure pupils are ready for return to school.

2.2 The school which is permanently excluding a child will present the case to the first Fair Access Panel Meeting following the Pupil Disciplinary Committee meeting, having completed the 'Request for Additional Support' Form, *Appendix 4*, including the parental signature page with alternative schools identified. The Fair Access Panel will then recommend a school at which this child should be placed following a period of Assessment and Intervention. This will be under the terms of the Hard to Place protocol. This will allow The Linden Centre to work with the receiving school to prepare for re-integration.

2.3 The Fair Access Panel will arrange for the re-admission of permanently excluded pupils or pupils at risk of permanent exclusion fairly among all schools. A permanently excluded young person will automatically reach the Hard to Place threshold. Once identified, the receiving school will be contacted by the LA. This will happen as soon as practically possible following the FAP Meeting.

2.4 If the receiving school decides to apply a trial period for a reintegrated student, this should normally be no more than 6 weeks.

2.5 The pro rata funding will transfer to the receiving school for the remainder of the year from the time the student is entered on roll, at the end of any trial period.

2.6 In order to ensure a smooth and successful return to school for pupils, the School and other appropriate agencies will provide support through the Early Help planning process. The PRU will also support the reintegration where staffing permits.

2.7 Where FAP considers that it is appropriate to the needs of the young person, an Inclusion Mentor from the Behaviour Support Team will be allocated to support this reintegration. There will be no charge to the receiving school for this support.

2.8 A meeting should be arranged between the appropriate parties to ensure a smooth integration. The meeting should discuss previous difficulties and the strategies to be put into place in order to minimize a repetition in the new school. This meeting will take place as far in advance as possible before the pupil's return to school.

Appendix 1 – Vision, Ethos and Principles

1. Vision

Every child deserves, and should receive, an excellent education and the chance to fulfil their potential, whatever their background, needs or location in the borough.

2. Ethos

All schools, settings, provisions and the Local Authority within Telford and Wrekin should work together in partnership, sharing information, ideas and best practice to achieve this vision. We are all collectively responsible for the young people of Telford and Wrekin and hold a shared responsibility for emotional wellbeing, and for fairness and equity for all.

3. Principles

These principles underpin the ethos of partnership working, it is recognised that schools, settings and provisions are autonomous and will manage and implement these principles in their own way.

1. Successful outcomes and wellbeing for all children and young people should inform all decisions.
2. Access to mainstream provision will be fair and equitable for all.
3. No child should be without a school place for more than 15 school days.
4. All transitions within the borough, including reintegration into mainstream schools and managed moves, should be carefully planned to support the needs of the young person, the school and the school community.
5. Permanent exclusion is rarely the right outcome for a young person and should only be used as an absolute last resort.
6. Fixed-term exclusions add to the sense of rejection for many young people and therefore should rarely be applied and if so for as short a period as possible.
7. Early identification of need and early intervention is essential in supporting young people.
8. All pupils have access to the right provision when required; there is equality of access to all provisions based on need.
9. A range of appropriate, flexible provisions is available to meet needs, interests, wishes and aspirations of young people and is accessible to all pupils.
10. Children, young people, parents and carers are fully informed and involved in decision-making about their options and opportunities.
11. All provision must be of a high quality to meet the specific needs of children and young people and enable them to fulfil their potential and aspirations.
12. Staff in all provisions and schools are passionate, enthusiastic and motivated to support young people and have appropriate training available to enable them to meet need.
13. There should be transparency in all communication and in all processes to foster the partnership and to ensure equity.

Appendix 2 – Extracts from the Admissions Code

In considering the three elements of FAP, we need to comply with the statutory School Admissions Code (Dec 2014). The following extracts are particularly relevant:

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 - 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. The operation of Fair Access Protocols 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.

All admission authorities must participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

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 of special educational needs or Education, Health and Care Plan naming the school in question, as these children must be admitted.

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.

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 of special educational needs or Education, Health and Care Plan naming the school in question, as these children must be admitted.

A Fair Access Protocol must not require a school automatically to take another child with challenging behaviour in the place of a child excluded from the school.

It is therefore clear from the School Admissions Code that:

Hard to Place Protocol – this is a statutory element, which has been agreed with the majority of schools (and academies) and that this is then binding on all schools and academies and their admission authorities.

Managed Move Protocol – this is not statutory, schools and schools or MATs can therefore choose to participate in this or not. Where a school chooses not to participate it can make its own arrangements for managed moves or agree reciprocal arrangements with other schools or MATs.

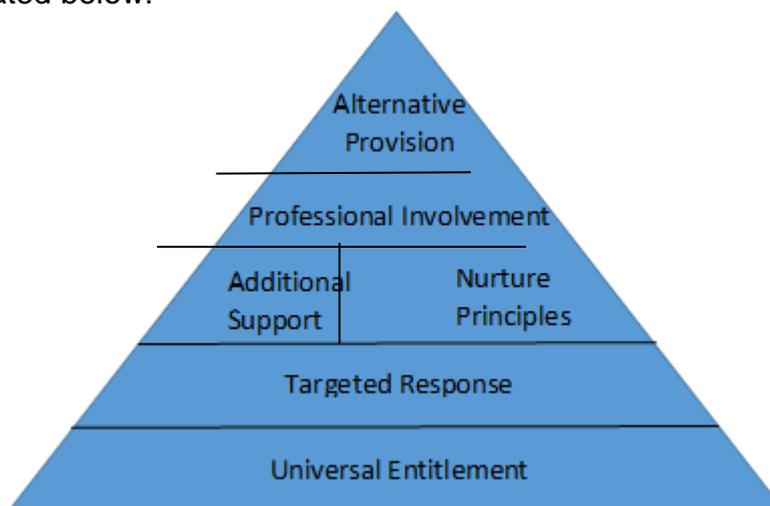
Request for Additional Support - this is not statutory, schools and MATs can therefore choose whether to request this support from FAP or not. Schools are, however, still responsible for providing appropriate additional support for their pupils.

Appendix 3 – Graduated Response to Support Young People

It is expected that before any application to the Fair Access Panel for Additional Support that the school is able to demonstrate that it has followed a 'graduated response' to support the needs of the young person. A graduated response is a cycle of support following an Assess-Plan-Do-Review cycle.



There is no pre-requisite for particular approaches or interventions to be followed before presentation at the Fair Access Panel for Additional Support. However, schools will be expected to have demonstrated support and interventions appropriate to the needs of the young person under each heading. There should not be an automatic step-up to a higher level intervention if the current interventions don't have an impact, it might be that different interventions at the same level would be appropriate. Conversely, in exceptional circumstances, for young people showing significant needs, it might be appropriate to provide support at a higher level without using some of the interventions at a lower level. However, for most young people there would be an expectation that early interventions will mean that lower level approaches should be employed. The approaches follow a 'Pyramid of Numbers' principle, with 'Universal Entitlement' intended for all young people, through to 'Alternative Provision' intended for a very small number of young people. This is illustrated below:



Universal Entitlement	
Description	Engagement of learners in lessons to ensure that they have a positive attitude to learning; with behaviour management techniques used as early interventions to diffuse situations arising. All staff have a clear understanding of the needs of the young people, including vulnerable groups, with systems and processes in place to respond to these needs in everyday practice. Support includes universal health entitlements such as that provided by School Nurses and the Future in Mind programme. This is a minimum offer for all young people.
Examples	Quality First Teaching – schools' and settings' teaching and learning policy and performance management practice ensures that teaching engages young people in learning and caters for the range of learning

	<p>needs and styles within any class.</p> <p>Behaviour Policies – behaviour policies and staff implementation of these are consistently effective in managing most presenting behaviours. Policies meet the needs of all learners and allow for the range of needs. Staff have relevant training to make appropriate responses to the needs of the learners.</p> <p>Communication – systems are in place so that teachers have full knowledge of the needs of all young people, including vulnerable groups.</p> <p>Transition – arrangements are in place to support a smooth transition between phases for all young people with systems and processes in place to share information and practice for the more vulnerable learners.</p>
Support Available	<p>The Behaviour Support Team Leader can work with the leadership team to review and evaluate behaviour policies and practice to ensure that this is able to meet the needs of all learners. This will be a traded offer.</p> <p>Support for individual teachers ties into the performance management process, including observations of classroom practice and development of behaviour management techniques.</p> <p>Support to develop transitions programmes such as STARS.</p>

Targeted Response	
Description	<p>Responses, beyond the universal offer, that meet the needs of individuals and are bespoke to the needs of that individual. This will often include the setting of targets for individuals to demonstrate improvements in their approaches to learning with regular review of these targets. At this level, young people will remain in mainstream lessons but may need a short period out of class for an assessment of their needs. The link with parents/carers is essential and an Early Help Assessment might be appropriate.</p>
Examples	<p>Assessment of need is important - this could include assessment of reading, spelling, comprehension, dyslexia screening as well as other assessments such as Pupil's Attitude to Self and School (PASS), Strengths and Difficulties Questionnaire (SDQ) and Boxall Profile. It is also important to gain the child's view.</p> <p>The outcomes of the assessment are used to develop an Individual Behaviour Plan (IBP). This might include use of a pupil passport or report card to monitor responses in lessons. Other interventions may be required as an outcome of the assessment of need.</p>
Support Available	<p>Training available for staff to develop and use the assessment tools described and in developing suitable interventions through the IBP.</p>

Additional Support	
Description	<p>Modification of the universal offer to better meet the needs of the individual.</p>
Examples	<p>This could include modifications to the curriculum, for example where a young person struggles in a particular subject, they might be withdrawn for one to one support to diffuse the situations arising. They might be withdrawn for behaviour reflection, anger management, resilience or emotion coaching.</p> <p>Use of support staff to help meet the needs of the individual could</p>

	<p>also be employed.</p> <p>This would also include modifications made to support individual needs such as 'Exit' cards and Safe Spaces.</p> <p>Use of restorative justice.</p> <p>Early Intervention for mental health related issues, eg BEAM, KOOTH, Mental Health First Aid.</p>
Support Available	<p>ELSA training for support staff.</p> <p>Restorative Justice training for schools or key members of staff.</p> <p>Co-regulation and Emotion Coaching training – helping the young person to understand and regulate emotions.</p>

Nurture Principles	
Description	<p>Withdrawal from elements of mainstream lessons for small group targeted support to reduce anxiety or help the young person to develop resilience or to develop behaviour self-management techniques.</p>
Examples	<p>Nurture Units, small classes or 'mini-school' aimed at increased resilience and providing a therapeutic response to the young person's needs.</p> <p>One-to-one support outside of the classroom; counselling from school based counsellors.</p> <p>Use of external providers to provide a nurture environment, for example this could be based on equine therapy or other animal therapy.</p>
Support Available	<p>Nurture Group Training.</p> <p>Audit of school/setting based nurture provision.</p>

Professional Involvement	
Description	<p>Once in-school/setting approaches have been exhausted, further assessment or support from professionals outside of the school or setting should be employed. Advice can then lead into at least one further Assess-Plan-Do-Review cycle.</p> <p>Advice and support could include: BSATS, LSATS, EP and a CAMHS (BeeU) referral</p> <p>Referral to the Behaviour Inclusion Advice and Support Panel to gain a wider view of other strategies available could also be used at this stage.</p> <p>If an Early Help Assessment isn't in place by this tier, it is now essential.</p>
Examples	<p>Example of Professionals that could be employed include:</p> <p>Behaviour Support Advisory Team</p> <p>Learning Support Advisory Team</p> <p>Educational Psychology</p> <p>Mental Health Services (CAMHS / BeeU)</p> <p>Anger Management, Counselling, Therapies etc.</p>
Support Available	<p>For example, the Behaviour Support Advisory Team can support through a package of support over a defined period. This will include an observation and potentially an assessment of the young person's needs. Throughout this support, a range of strategies to use with the young person will be discussed with the school/setting and an appropriate menu of strategies will be agreed and developed.</p>

Alternative Provision	
Description	<p>Alternative provision involves the young person learning outside of</p>

	<p>mainstream for part of their timetable, usually with an aim to re-engage their interest in learning. Alternative provision takes many forms from in-school alternative provision centres through alternative provision across a group of schools (cluster) to external alternative provision with places bought in.</p> <p>Observation from the Head of the Linden Centre, Head of Kickstart or the Head of the Student Engagement Programme to assess suitability for placements at Linden Centre (for a 12 week assessment and intervention placement), Kickstart or House 1. Any FAP presentation will include feedback from this visit.</p> <p>N.B. As part of Priority 5, we will review the offer from the PRUs.</p>
Examples	<p>There are several providers that offer Alternative Provision placements. A menu of these is in development.</p>
Support Available	<p>The Student Engagement Programme offers Alternative Provision Packages at AFC Telford, Sutton Hill and House 1.</p> <p>The Behaviour Support Advisory Team can support the quality assurance of in-school or in-cluster based alternative provision.</p> <p>Visits to the Linden Centre or Kickstart to learn from approaches used there.</p>

Appendix 4 – FAP Referral Form

Primary Fair Access Panel Request for Additional Support 2019				
Pupil Name:	DOB:	Gender:	Year Group:	Current School:
Headteacher: Contact Number: Member of SLT Presenting at FAP:				
Ethnicity:			CiC: Yes/No	
EAL: Yes/No			PP: Yes/No	
			FSM: Yes/No	
SEND Status: N / SS / EHCNA / EHCP (Please Circle)	Current Modified timetable: Yes/No Alternative Provision: Yes/No Details:			
(Person with parental responsibility) Parent/Carer's Name : Relationship to Pupil: Child's Home Address: Main contact number:				

Educational History	
Current school:	Dates:
Previous schools:	Dates:
Any other provision:	Dates:

Attendance and Exclusions			
Attendance Current Year %:	Attendance Previous Year %:		
FT Exclusions events this Academic year:	FT Exclusions this Academic Year (Days):	FT Exclusions events last Academic year:	FT Exclusion last Academic Year (Days):

Prior Attainment (Delete as appropriate)

KEY

BLW	Working Below National Curriculum Standards
WTS	Working Towards the Expected Standard
EXS	Working at the Expected Standard
GDS	Working at a Greater Depth Within the Expected Standard

Phonics	Working Below/At											
Key Stage	Reading				Write				Maths			
Key Stage 1	BLW	WTS	EXS	GDS	BLW	WTS	EXS	GDS	BLW	WTS	EXS	GDS

Current Attainment

Current attainment based on age related expectations - **Well below** **below** **at** **above**

Reading:

Writing:

English:

Maths:

Early Help Assessment

Is this child open to the Early Help process **Y/N**

Date first Early Help Assessment :..... Updated EHA Date:

Most recent Planning meeting date: Lead Professional:

Agencies currently involved in Early Help Plan:

.....

.....

Behaviours Displayed

What behaviours are causing concern? In rank order.	
Behaviour	Frequency and severity (per lesson / day/ week)
1	
2	
3	
4	

What usually happens BEFORE a priority concern incident – describe any patterns

What usually happens AFTER a concern incident – describe any patterns

What do you think the pupil gains by this behaviour?

What are the positive aspects/achievements of this pupil?

Educational and Non Educational Strategies, Interventions and Agencies (refer to FAP Protocol)

Universal Entitlement		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

Targeted Response		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

Additional Support		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

Nurture Principles		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

Professional Involvement		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

Alternative Provision		
Name/Description of Strategy	Date Strategy employed	Impact of Strategy

RISK ASSESSMENT					
	No Risk	Small Risk	Medium Risk	High Risk	Notes (If Medium or higher)
Persistent defiance					
Persistent refusal to follow reasonable instructions					
Inappropriate comments towards staff					
Threatening behaviour towards staff					
Threatening behaviour towards peers					
Physical aggression towards peers					
Physical aggression towards adults					
Verbal aggression towards peers					
Verbal aggression towards adults					
Substance misuse					
Alcohol Misuse					
Absconding					
Truancy					
Damage to property					
Arson					
Bullying peers - verbal					
Bulling peers - physical					
Sexually inappropriate behaviour towards others					
Theft					
Dangerous behaviour in the environment					
Possession of a weapon/tool that can be used as weapon					
Has exhibited racist behaviour					
Unpredictable behaviour					
Irrational Behaviour					
Physical Intervention required					
At risk of Child Criminal Exploitation					

What view of the situation has the pupil expressed?

What provision, opportunities and strategies would be needed to enable him/her to successfully integrate into mainstream school?

1

2

3

Please add any other information that may be useful?

If appropriate please refer to and quote from relevant reports, stating the author, agency and date.

Please do not submit any additional documents

What additional support is the school requesting [Please tick one box]

<input type="checkbox"/>	1. Intervention at The Linden Centre or Kickstart for an assessment and intervention programme then a supported reintegration to their own school	<input type="checkbox"/>
<input type="checkbox"/>	2. A Formal Managed Move to a new school	<input type="checkbox"/>

Thank you for taking the time to complete this form. The information you have provided will help us to define the issues and plan a programme of intervention.

Finally, please indicate the contributors to this document below

Contributor

Position

1.

2.

3.

Headteachers's Signature:.....

Date completed:.....

PARENT / CARERS CONSENT FORM

A. PUPIL DETAILS:

Name of Pupil: School:.....

Parents / Carer's name:.....

Parents / Carer's address:.....

Parents / Carer's home telephone no:..... Mobile no:.....

B. OPTIONS AVAILABLE TO SCHOOL AND PARENTS / CARERS – PLEASE TICK ONE BOX:

- | | | |
|----|--|--------------------------|
| 1. | Intervention at The Linden Centre or Kickstart for an assessment and intervention programme then a supported reintegration to their own school | <input type="checkbox"/> |
| 2. | A Formal Managed Move to a new school | <input type="checkbox"/> |

Privacy Notice under the Data Protection Act (General Data Protection Regulations from 26th May 2018)

Telford & Wrekin Council are collecting Personal Identifiable Information to enable us to provide you with support through Fair Access Panel process. We need to collect this information in order to ensure that the most appropriate educational placement is identified and/or the most appropriate support is identified for your child. This information is being processed under DPA – Schedule 2 (2a) (GDPR 2018 -Article 6 (1)A).

A formal copy of the Fair Access Panel feedback form can be requested and provided via the school. Members of the Fair Access Panel may need to update on the progress of your child's education, by signing this form, you understand and consent to these updates taking place.
If there are any changes in your circumstances such as provision or family circumstances, the Fair Access Panel will require a new signature from parents/carers.

Telford & Wrekin Council will not share any Personal Identifiable Information collected with external organisations unless required to do so by law. However, this information will be shared within Telford & Wrekin Council and partners agencies (Department of Education, NHS, Schools, and Early Years providers) solely for the purpose of providing you with an educational place or educational support. For further details on the council's privacy arrangements please view the privacy page on the council's website page.

C. IF A MANAGED MOVE HAS BEEN REQUESTED; MY / OUR PREFERENCES FOR ALTERNATIVE SCHOOLS ARE:

1.
2.
3.

If you apply for a school, which is some distance from your home address, the transport arrangements will normally be the family's responsibility.

Parental views/comments

Signed: Parent / Carer Date:

Appendix 5 – Summary of Outcomes Form

Date of FAP

Name of
School

Name of
student

DOB

Gender

Ethnicity

SEN

CiC

Key issues identified

-
-
-

Further information sought by panel

-
-
-

Recommendations of the panel

Headteacher / Presenter feedback

Did you feel you had adequate opportunity to present all aspects of the case?

Did you feel the level of challenge by the panel to be appropriate?

Were the panel's recommendations supportive in meeting the individual needs of the student?

Any other comments?

Please complete and return this form to Safeguarding, Inclusion and Transport Officer;
accessandinclusion@telford.gov.uk

Appendix IX – LA and FAP Key Contacts

Role	Name	Email	Phone
Service Delivery Manager for Corporate Parenting and Inclusion	Andy Cooke	Andy.cooke@telford.gov.uk	01952 380885
Head of Linden- Primary and Secondary	Darren Lennon	Darren.lennon@taw.org.uk	01952 385601
Deputy Head of Linden Centre	Claire Bowen	Claire.bowen@taw.org.uk	01952 385601
Head of Kickstart (KS4)	Tom Cash	Tom.cash@telfordcollege.ac.uk	01952 642402
Transport and Inclusion Officer	Lorraine Beckwith	Lorraine.beckwith@telford.gov.uk	01952 380851
Admissions Team Leader	Lisa Crossley	Lisa.crossley@telford.gov.uk	01952 380902
Lead Officer for Vulnerable Learner	Jayne Weaving	Jayne.weaving1@telford.gov.uk	01952 380678
Head of Student Engagement Programme	Louise Bartholomew	Louise.bartholomew@telford.gov.uk	01952 567542
Behaviour Support Advisory Team Leader	Darren Lennon	Darren.lennon@taw.org.uk	01952 381698
Lead Teacher Virtual School Team	Michelle Salter	virtualschool@telford.gov.uk	01952 384759

Child going Missing from School during the school day

Guidance and checklist

- When a child goes missing from school during the school day there should be clear procedures in place to follow up on their whereabouts.
- All staff should be aware of these procedures.
- Ensure that registers are always up to date and that each child's attendance is accurately recorded.
- Police do not normally record or investigate reports of absences that are clearly truanting. Each case will need to be assessed on the known risks and whether the absence is out of character for the child.
- If a child's absence is reported to the police they will be treated as a missing person; it is therefore important that all reasonable efforts to trace a child should be made first.
- Once the absence is discovered the child's parents/carers should be contacted immediately. The nature of the absence should be discussed. If the parents/carers believe that there are risks involved, they should be told to inform the Police on 0300 333 3000 to make a missing person report.
- All missing children should be reported to the police by the end of the school day if not located AND you have been unable to inform their parents/carers.
- If you are not sure if a child should be reported to the police as missing, telephone them for advice
- For children not arriving at school at the beginning of the school day, follow your non school attendance procedures; ensure that you have specific processes in place for children who fall into the high risk/vulnerable category.
- When a child is identified as missing during the school day, complete the following checklist:

Checklist

Name of pupil.....D.O.B.....

Action	✓
Ensure the child is not on the school premises (and that reception staff alert you immediately they receive any information)	
Check with the child's friends when they were last seen. (Establish from friends if the child has a mobile phone and if so attempt to make contact. Send a text message to them).	
Contact the child's parents/carers and advise they should contact the police if they have any concerns	
Contact absent parents (unless they are not allowed contact with the child)	
Contact any emergency contacts from the child's records	
If the child is subject to a Child Protection Plan, or is a Child in Need inform the key social worker or if unavailable the team leader	
If the child is a child "at risk/vulnerable" report immediately to social care and the police (ensure any health concerns are communicated)	
If you are unsure if the child should be reported to the police, have an informal discussion with them. Ask to speak to a Police supervisor on 0300 333 3000	
If the child is still missing by the end of the school day and you have been unable to talk to the parents/carers, report them as missing to the police	
When the child is located, explore reasons for their absconding	

Date checklist completed:.....(Copy to appropriate file)

Appendix 7

The power to discipline beyond the school gate

Disciplining beyond the school gate covers the school's response to all non-criminal bad behaviour and bullying which occurs anywhere off the school premises and which is witnessed by a member of staff or reported to the school. The governing body must be satisfied that the measures proposed by the head teacher are lawful.

Any bad behaviour when the child is:

- taking part in any school-organised or school-related activity or
- travelling to or from school or
- wearing school uniform or
- in some other way identifiable as a pupil at the school.

Or, misbehaviour at any time, whether or not the conditions above apply, that:

- could have repercussions for the orderly running of the school or
- poses a threat to another pupil or member of the public or
- could adversely affect the reputation of the school.

As a result of any of these behaviours, the Head teacher will collect witness statements from both adults and children who have witnessed the event. The parents of the child involved will be contacted and invited into school to discuss the matter. Sanctions for the bad behaviour will follow those issued by the school for bad behaviour during the school day. Parental support will be sought for sanctions which they are able to administer outside the school day.

Following any incident, the Head teacher will consider whether it is appropriate to notify the police or Community Support Officers on Brookside of the actions taken against a pupil. If the behaviour is criminal, or poses a serious threat to a member of the public, the police will always be informed. If there is any concern that the behaviour may be linked to the child suffering, or being likely to suffer, significant harm, safeguarding procedures would be followed.

Appendix 8

Searching and confiscation

The Headteacher, Deputy Headteacher and two senior members of staff have a statutory power to search pupils or their possessions, without consent, where they suspect the pupil has certain prohibited items. The items that can be searched for under this power are knives or weapons, alcohol, illegal drugs and stolen items. School staff can seize any banned or prohibited item found as a result of a search or any item considered to be harmful or detrimental to school discipline.

Searching with consent

Schools' common law powers to search:

School staff can search pupils **with their consent for** any item which is banned by the school rules.

1. The school does not need to have formal written consent from the pupil for this sort of search – it is enough for the teacher to ask the pupil to turn out his or her pockets or if the teacher can look in the pupil's bag and for the pupil to agree.
2. Items which are banned in school include: mobile phones, electronic games or devices, any item which could be used as a weapon, matches, any form of drugs (including medicines, which have not been prescribed and a medical form completed), knives, firearms, sprays, alcohol or stolen items.
3. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.
4. A pupil refusing to co-operate with such a search raises the same kind of issues as where a pupil refuses to stay in a detention or refuses to stop any other unacceptable behaviour when instructed by a member of staff – in such circumstances, schools can apply an appropriate disciplinary penalty.

Searching without consent

What the law says:

What can be searched for?

1. Knives or weapons, alcohol, illegal drugs and stolen items (referred to in the legislation as 'prohibited items').

Can I search?

2. Yes, if you are the Head teacher, Deputy Head teacher or a senior member of staff. But:
 - a. you must be the same sex as the pupil being searched; and
 - b. there must be a witness (also a staff member) and, if at all possible, they should be the same gender as the pupil being searched.

When can I search?

3. If you have reasonable grounds for suspecting that a pupil is in possession of a prohibited item.

Authorising members of staff

The Head teacher, Deputy Head teacher and two Senior members of Staff are authorised to use these powers.

1. Teachers can only request a senior member of staff to undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have, in his or her possession, a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to be suspicious.

2. The powers allow school staff to search regardless of whether the pupil is found after the search to have that item. This includes circumstances where staff suspect a pupil of having items such as illegal drugs or stolen property which are later found not to be illegal or stolen.

Location of a search

1. Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil.

2. The powers only apply in England.

During the search

Extent of the search – clothes, possessions and trays

What the law says:

The person conducting the search may not require the pupil to remove any clothing other than outer clothing. **‘Outer clothing’** means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but ‘outer clothing’ includes hats; shoes; boots; gloves and scarves.

‘Possessions’ means any goods over which the pupil has or appears to have control – this includes trays and bags. A pupil’s possessions can only be searched in the presence of the pupil and another member of staff. The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets.

Trays

Under common law powers, schools are able to search trays for any item provided the pupil agrees. Pupils will have a tray on condition that they consent to have it searched for any item whether or not the pupil is present.

If a pupil does not consent to a search then it is possible to conduct a search without consent but only for the “prohibited items” listed above.

Use of force

Reasonable force may be used by the person conducting the search (see appendix 3).

After the search

The power to seize and confiscate items – general

What the law allows:

Schools’ general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil’s property as a disciplinary penalty, where reasonable to do so.

1. The member of staff can use their discretion to confiscate, retain and/or destroy any item found as a result of a ‘with consent’ search so long as it is reasonable in the circumstances. Where any article is thought to be a weapon it must be passed to the police.

2. Staff have a defence to any complaint or other action brought against them. The law protects members of staff from liability in any proceedings brought against them for any loss of, or damage to, any item they have confiscated, provided they acted lawfully.

Items found as a result of a 'without consent' search

What the law says:

- A person carrying out a search can seize anything they have reasonable grounds for suspecting is a prohibited item (that is a weapon/knife; alcohol; illegal drugs or stolen items) or is evidence in relation to an offence.
- Where a person conducting a search finds **alcohol**, they must retain it for return to the parent.
- Where they find **controlled drugs**, these must be delivered to the police as soon as possible.
- Where they find **other substances** which are not believed to be controlled drugs these can be confiscated where a teacher believes them to be harmful or detrimental to good order and discipline.
- Where they find **stolen items**, these must be delivered to the police or returned to the owner, providing it is safe to do so.
- Any **weapons or items which are evidence of an offence** must be passed to the police as soon as possible.
- It is school policy to always deliver stolen items or controlled drugs to the police. If the owners of the items are known and do not pose a threat to the pupil, these will be returned to the owner.

Telling parents and dealing with complaints

Schools are not required to inform parents before a search takes place or to seek their consent to search their child.

1. There is no legal requirement to make or keep a record of a search, however as good practice the sheet below will be completed whenever a search and/or confiscation has taken place.

2. The school will always inform the individual pupil's parents or guardians where alcohol, illegal drugs or potentially harmful substances are found along with any other banned items which might be found.

1. Complaints about screening or searching will be dealt with through the normal school complaints procedure.

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

Appendix 9

The use of reasonable force

What is reasonable force?

- (i) The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
- (ii) Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
- (iii) 'Reasonable in the circumstances' means using no more force than is needed.
- (iv) As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
- (v) Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.
- (vi) School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

2 Who can use reasonable force?

- (i) All members of school staff have a legal power to use reasonable force
- (ii) This power applies to any member of staff at the school. It can also apply to people whom the head teacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

3 When can reasonable force be used?

- (i) Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- (ii) In a school, force is used for two main purposes – to control pupils or to restrain them.
- (iii) The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.
- (iv) The following list is not exhaustive but provides some examples of situations where reasonable force can and cannot be used.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

use force as a punishment – **it is always unlawful to use force as a punishment.**

Using force

A panel of experts identified that certain restraint techniques presented an **unacceptable risk** when used on children and young people. The techniques in question are:

- the 'seated double embrace' which involves two members of staff forcing a person into a sitting position and leaning them forward, while a third monitors breathing;
- the 'double basket-hold' which involves holding a person's arms across their chest; and

- the ‘nose distraction technique’ which involves a sharp upward jab under the nose.

Staff training

Training is provided for senior staff so that they are able to support staff across the school. A senior member of staff will always support other staff across the school.

Telling parents when force has been used on their child

All incidents of reasonable force are recorded in order to support the child and staff involved. (see sheet below)

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is **not** for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the “Dealing with Allegations of Abuse against Teachers and Other Staff” guidance where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

What about other physical contact with pupils?

- It is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary.
- Examples of where touching a pupil might be proper or necessary:
 - a. Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
 - b. When comforting a distressed pupil;
 - c. When a pupil is being congratulated or praised;
 - d. To demonstrate how to use a musical instrument;
 - e. To demonstrate exercises or techniques during PE lessons or sports coaching; and
 - f. To give first aid.



Name of child:

(Male/Female)

Class:

Search and confiscation Record

Reason for the search

Names of staff carrying out the search and those staff acting as witness include title

- 1.
- 2.

Items found

Other agencies involved – please list with name and title

Parents contacted

Date:

Time:

Sanctions/Next steps

Meeting with parent and child following the incident

[Empty rectangular box for content]

Any further intervention or agency involvement required

[Empty rectangular box for content]

Signed:

Date:

Designation:



Name of child: (Male/Female) Class:

Reasonable Force Record

Reason for the use of reasonable force

Names of staff using reasonable force

- 1.
- 2.

Other agencies involved – please list with name and title

Parents contacted

Date:

Time:

Sanctions/Next steps

Meeting with parent and child following the incident

[Empty rectangular box for content]

Any further intervention or agency involvement required

[Empty rectangular box for content]

Signed:

Date:

Designation: