

CHAIRS AND CO-ORDINATORS: RESPONDING TO PERMANENT EXCLUSION **GUIDANCE (page 1&2) AND FLOW CHART (page 3)**

Document updated August 23 by AS

1. LA Actions on Receiving notification from a school about an Exclusion

Table 1

School notifies LA as required by law of its intention to exclude		From Sept 19 this information will go direct to the Inclusion Team (not Admissions)	
Inclusion team will			
Contact local Partnership Chair and Co-ordinator – ask Chair to speak to school if this has not already happened. NB advice to support Chair in this conversation is at	Do an information trawl in county hall databases and share this with the Partnerships	Alert LA School Improvement Team and Governor Support Service in order that they might contact the excluding school	If exclusion is not rescinded attend the Exclusion hearing at the school
		And if appropriate alert SENDIAS team to support the learner’s parents through the exclusion process	
It is important that: <ul style="list-style-type: none"> • the Partnerships keep in touch with the Inclusion Team, letting them know if the exclusion has been rescinded • the Partnerships do not delay in securing provision for the affected learner 			

2. Points to be raised with the Headteacher who is considering Permanent Exclusion

Our aim is to prevent a Permanent Exclusion if at all possible based on the following principles:

1. We respect the right of Heads and Principals to take the decision to permanently exclude
2. We believe that the process of permanent exclusion is often damaging to the child and undermines attempts to work with parents to find viable alternatives for the child.
3. We believe that permanent exclusion is usually an unnecessary because:
 - We can arrange a placement with the Partnership or a partnership school that can be a “permanent remove” – guaranteeing that the child will not return to the school
 - Or we can make a plan with the school for the child to be out of school for an extended period and until the child has demonstrated that he or she can cope in school
 - Any such arrangements if negotiated with the school and partnership are likely to cost the school less than a permanent exclusion, especially if the LA seeks full cost recovery as it hopes to do. (see <https://www.leicsseips.org/coordinatorsquestions> question 4)
4. We know that any permanent exclusion results in the Partnership as a whole having to agree a place for the child in another partnership school – placing a potential burden on that school.

5. If a Head is saying that (s)he needs to exclude because the parents will not agree to an alternative arrangement remind the Head of his or her power to direct a child to be educated off site. (page 9 AP statutory guidance <https://www.leicsseips.org/links-to-public-documents>)
 6. We believe that in most cases the sorts of behaviours that lead to permanent exclusion arise from social, emotional and mental health issues or from other needs described in the SEN Code of Practice. A decision to permanently exclude does not usually contribute in any way to addressing these issues. Our teams can support schools in finding a pathway for the child to meet the needs that the behaviour is revealing.
 7. Schools should be reassured that if they follow our guidance on Ofsted in relation to pupils who are in alternative settings they will meet the criteria in the Ofsted Inspection Framework. See <https://www.leicsseips.org/seips-schools-and-ofsted>
3. Strategies to be considered for seeking to reduce the use of Permanent Exclusion / make Head reconsider their decision:
1. Further discussion between Chair and HT
 2. Direct visit to HT or CEO of MAT by relevant LA officer
 3. Visit by Education Effectiveness Partner
 4. Input from Governor support service to Chair of Governors
 5. Attendance of Inclusion Team Rep at Exclusion Hearing at the school
 6. Referral to SENDIAS to provide support to parents.

These contacts might raise the following issues:

1. Positive guidance to the school on how it might access the various pathways for the child that might address the underlying need. (Programme Management, Top Up Funding, EHCP, Mental Health Intervention, Healthy School Programmes, initiatives and approaches that other schools are using successfully)
2. Discussion of the use of Pex by all Heads at next Partnership Meeting – this might invoke the right of Heads collectively to suspend the school’s membership of the Partnership and therefore access to preventative work. If this decision is made the LA and Partnership will seek to ensure that the school pays the full cost of the new placement for the child.
3. SENDIAS asked to support parents of Pex child ensuring that they understand their rights of appeal etc.
4. Partnership Co-ordinator meets parents to discuss options advising them of their rights and responsibilities
5. LA considers whether the school is failing to meet its responsibilities for inclusion and whether it should refer the issue to Ofsted.

FLOW CHART OVER THE PAGE

FLOW CHART – HOW TO RESPOND TO A POTENTIAL PERMANENT EXCLUSION

