

Bradford Metropolitan District Council

Local Authority Officer Support and Access to Education for Children and Young People Excluded from School

Working together
with determination, purpose and ambition
to enable every child
in the Bradford District
to realise their full potential.

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Prepared by	Karen Roper
Next Review	June 2022



Exclusions Team

1. Introduction

- 1.1 This guidance sets out what the local authority will do to provide education for children of compulsory school age who, because of permanent exclusion, would otherwise not receive suitable education.
- 1.2 This guidance outlines the support available for children and young people permanently excluded, including details of the education offer through the process of exclusion. Should the pupil be removed from roll following exclusion, it shows the process that will take place after this; including details of when and how alternative provision will be arranged and the respective roles and responsibilities of the local authority, schools, parents/carers, alternative provision providers and other agencies.
- 1.3 This guidance details actions that the Exclusions Team (for contact see Appendix A) takes in connection to fixed term exclusions where schools have a duty to report to the Local Authority and the Governing Board as set out in the Statutory Exclusion Guidance 2017ⁱ.

2. The underlying principles behind this guidance

- 2.1 Bradford Local Authority's Exclusions Team is committed to supporting the inclusion of children and young people and in supporting schools and settings in their efforts in this with a focus on the prevention of exclusion from school. We work alongside schools, alternative providers (AP), Pupil Referral Unit (PRU) and other services to signpost and support where pupils are at risk of exclusion.
- 2.2 It is widely discussed that the effects of exclusion are concerningly disparate, disproportionately affecting children with special educational needs and disability and those from minority groupsⁱⁱ; we know all too well any exclusion interferes with a child's right to an education and permanent exclusions in particular can have far-reaching and serious consequences for a child's future.
- 2.3 Bradford is committed to ensuring that local advice about the exclusion process, what to expect and how to challenge decisions is provided to all parents and pupils - especially when children have been subject to, or are at risk of, school exclusion, this is available on the Local Offerⁱⁱⁱ. In addition, parents will be supported by signposting to the right to a representative, such as Bradford Parent Partnership^{iv} or Coram legal services^v, when attending the Governing Disciplinary Committee and Independent Review Panel in order to help level out the inequitable power dynamics of these meetings.
- 2.4 We will be proactive in supporting parents in preparing for meetings where the local authority cannot represent to governors, and to available resources as some parents can feel powerless in the process^{vi}.
- 2.5 Alongside our local authority partners, AP Academy and PRU who provide education for permanently excluded pupils, we continually review processes for meeting the needs of our permanently excluded cohort, to ensure a seamless support network through the process of the exclusion with the child and family and then as we look to reintegration back into another school.

- 2.6 Bradford is committed to exclusion being an absolute last resort when nothing else will do. We aim to achieve this through multi-agency partnerships, using findings from data and recommendations from research connected to those vulnerable to school exclusions. We use reports to link with schools about fixed period exclusion, support with signposting where exclusion is not working and ensure Governors have met to consider re-instatement where required.
- 2.7 Where a permanent exclusion is made by a school, an officer in the team works with those involved to make sure that the government's exclusion guidance (2017) is followed and minimise disruption to a pupil's education so that exclusion from school does not mean exclusion from education.
- 2.8 We aim to ensure that all children and young people who are permanently excluded in the district receive a good education in order to maximise the learning potential of each individual is the fundamental aim of our joint work; to ensure that all children and young people are given the opportunity of an inclusive education that meets their specific needs.
- 2.9 We understand that children and young people who have special education needs or disability (SEND) at school support on the SEN register make up approximately half of the permanently excluded cohort^{vii}, and is higher for fixed term exclusions. Thus by the nature of their SEND difficulties, and exclusion from school, they are at risk of failing to reach their true potential within an educational context; this guidance aims to address this issue and reduce inequality.

3. Legal framework

- 3.1 The following legal guidance sets out key points in this guidance:
- the Education Act 2002, as amended by the Education Act 2011;
 - the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
 - the Education and Inspections Act 2006;
 - the Education Act 1996; and
 - the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014. Alternative Provision January 2013

4. Roles and responsibilities

- 4.1 Schools in Bradford, as in the rest of the country, (including mainstream schools, academies, free schools, independent schools, special schools and alternative provision) are required by law to make best endeavours to meet needs and use a graduated approach^{viii} where there may be special educational needs as children and young people are not making progress from their individual baseline.
- 4.2 Disruptive behaviour can be an indication of unmet needs¹. Where schools have concerns about a pupil's risk to exclusion due to behaviours that challenge, there should be a process in place to address the risk and consideration of alternatives to exclusions where this is not providing an effective sanction¹. This may be further referrals for support, planning actions from multi-agency meetings and reviewing early intervention actions focussed on assessment of need and appropriate provision. Schools can seek advice from the exclusions team and/or other support networks such as their academy trust or the other school groups.

- 4.3 Governing bodies must ensure that arrangements are in place to hold schools to account for pupils in school at risk of exclusion, and ensure that school leaders follow their policies in respect of this vulnerable cohort, and that they have involved pupils and parents/carers to ensure that the needs of children at risk of exclusion are effectively supported^x. The statutory guidance indicates that schools should have early intervention in place to address underlying causes of disruptive behaviour which should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. The head teacher should also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified SEN but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems¹.

5. Fixed term exclusions

- 5.1 Where a pupil has exclusions that take them above 15 days in a term The Exclusions Team contacts schools to gather information on the Governors meeting in considering reinstatement and outcomes. We will ensure parents have information on the exclusion process to support their understanding and enable their involvement in supporting their child. Schools are expected to share dates on Governor meetings where they are legally required to meet within two school days.
- 5.2 Where a pupil is given an exclusion over five days in one consecutive fixed period exclusion The Exclusion team will write to the school requesting notification of where education from day six to the end of the exclusion has been made.
- 5.3 Schools and parents can contact the [Exclusions Team](#) in order to obtain support, advice and guidance in relation to inclusion of pupils who are at risk of exclusion, generally and in relation to specific cases where consent is obtained (Appendix A).
- 5.4 The Exclusions Team will liaise with professionals and colleagues within both health and education as appropriate where we have consent in order to provide support to schools to ensure children at risk of exclusion have appropriate support.

6. Permanent exclusion duties

- 6.1 If a school has made a permanent exclusion they will notify the exclusion team without delay¹ on day one of the exclusion, via the exclusionsteam@bradford.gov.uk inbox, sending in the completed EX1 and EX3 form, together with a copy of the notification to parents. This allows our AP and PRU to support the entry of the pupil as safely as possible and in meeting needs. Schools set and mark work for the first five days of the exclusion.
- 6.2 Where a school has initiated a fixed period exclusion prior to then making a permanent exclusion to follow when the fixed period ends they are responsible for day six education, as applicable, until the local authority duty at day six which is counted from the first day of the permanent exclusion decision.
- 6.3 The exclusion team officers will make contact with the parent and provider allocated as soon as possible to support parents to understand the process of the exclusion and understand the education offer through the exclusion process for their child.

- 6.4 Where not invited to represent to the Governor Board meeting Local Authority Officers are available to parents to support them in preparing for the meeting and can be invited by the parent to attend as their support and to observe.
- 6.5 For maintained schools¹, should parents request an independent review of the Governors decision, where the exclusion has been upheld by the Governing Board, and they request an SEN expert to attend, the Exclusions Team will link with the specialist teaching team for allocation of an impartial SEN expert.
- 6.6 For Academy schools¹, should parents request an independent review if the Governors decision, where the exclusion has been upheld by the Governing Board, and they request an SEN expert to attend, the Academy Trust is responsible for the allocation of an impartial SEN expert.
- 6.7 The PRU or AP will admit the pupil by day six or sooner if possible to minimise disruption to education.
- 6.8 Local Authority PRU and our AP provider for provision for permanently excluded will ensure that permanently excluded pupils will be properly supported so that they have full access to education. Appropriate assessment will be undertaken and termly reviews with families on progress and next steps at each stage of the pupils stay with the AP or PRU.
- 6.9 The AP or PRU will support with reports and attendance at Fair Access^x meetings when a pupil requires a new school setting. The exclusions team will also attend.
- 6.10 The AP or PRU, alongside the exclusions team and other agencies as appropriate, will support re-integration of the pupil following being permanently excluded and in line with the local authorities agreed [reintegration after permanent exclusion](#) (RAP) protocol where applicable. In all cases all parties will ensure that children, young people and their families are involved at every stage of the process using person-centred planning as best practice in scaffolding for successful re-integration.
- 7. Bradford Local Authority responsibilities shared with our commissioned permanent exclusion providers for permanently excluded pupils**
- 7.1 Bradford Local Authority are responsible for arranging suitable education for all children of compulsory school age who, because of permanent exclusion, would not receive suitable education without such provision. This duty applies to all children and young people who live in Bradford regardless of the type or location of the school they would normally attend.
- 7.2 The law does not define full-time education but children and young people excluded should have provision which is equivalent to the education they would receive in school. Bradford Local Authority commissions places in AP Academy and Pupil Referral Unit who may provide one-to-one, pairs or small group teaching as required in which case the hours of one to one or paired/small group provision could be fewer as the provision is more concentrated. The allocated setting will determine the educational provision which could be made up of two or more part time provisions.
- 7.3 Where full-time education would not be in the best interests of a child because of reasons relating to their physical or mental health, Bradford Local Authority with the AP provider or PRU will endeavour to provide part-time education on a basis

which is considered to be in the child's best interests. This decision will be made with reference to advice from relevant educational and medical professionals.

- 7.4 The Senior Exclusions officer and the Strategic Manager are responsible, in liaison with our AP and PRU providers, for ensuring that Bradford Local Authority Children's Services fulfils its statutory duties in relation to education for pupils permanently excluded from school and therefore require alternative educational provision.
- 7.5 Parents/carers can contact the Exclusions Team in order to discuss their child's specific circumstances relating to school exclusion provision. This may be particularly appropriate in instances where they feel their child's educational, or SEND needs are not currently being addressed.

8. Provision in Bradford Local Authority

- 8.1 Bradford Alternative Provision Academy based across two sites, Jesse Street and Aireview, provide on-site education for up to 50 permanently excluded pupils in Key Stage three and four. They commission other providers, such as College, to meet the needs of their diverse cohort in consultation with the local authority and parents.
- 8.2 Bradford's Pupil Referral Unit provides primary phase and key stage 3 places for permanently excluded pupils. From September 2021 they will provide 90 places.

9. Ensuring children in Bradford who are permanently excluded have a good education

- 9.1 The AP or PRU will ensure teachers oversee the education and provision for pupils and provide regular updates to the Exclusion Team and parents/carers. The learning programme will provide educational attainment on a par with the pupil's mainstream peers where appropriate, particularly in English, Maths and Science (including IT) with appropriate accreditations and qualifications where identified.
- 9.2 Robust risk assessments where required will be carried out by the AP or PRU and where appropriate. They will ensure personal and social needs are identified and met and engagement, self-confidence and attendance are improved to overcome barriers to attainment and to enable pupils to thrive and achieve their potential in the education system.
- 9.3 There will be clearly defined objectives and next steps with the focus and aim on reintegration as set out in the previously mentioned RAP protocol.
- 9.4 Close liaison with the pupil's school identified for re-integration is essential and parents should be kept informed about progress and the pupil enabled to access school activities and events to promote feelings of belonging and security.

10. Roles of Partners

- 10.1 The AP, PRU and reintegrating school role, as appropriate is to:
- have a named person with responsibility for pupils
 - provide a flexible teaching programme
 - provide regular reports on the pupil's progress and achievements
 - provide an opportunity for the pupil to comment on their report

- ensure appropriate course work and any other relevant material is returned to school
- host and chair regular review meetings (normally every 6 weeks); produce action plans and distribute notes of these meetings; produce appropriate evidence for continuing support.
- provide materials for an appropriate programme of work and work plans
- maintain a plan, such as an Individual Health Care Plan, which records progress made towards a return to school
- ensure all staff are kept informed
- ensure appropriate arrangements, including entry and invigilation are made for all examinations
- work with Post 16 providers where appropriate and collect and record information about destinations
- provide the pupil's academic attainment levels including any relevant examination requirements
- make arrangements for EHCAs and EHCP Reviews where appropriate
- make arrangements for SATs
- assess coursework
- facilitate career interviews
- Support parents to organise transport
- arrange work experience placements as appropriate
- provide a named teacher with whom each party can liaise
- provide a suitable working area within the School, where necessary
- be active in the monitoring of progress and the reintegration into school, using key staff to facilitate the reintegration into school
- ensure that pupils who are unable to attend school, are kept informed about school social events, are able to participate, for example, in homework clubs, study support and other activities
- encourage and facilitate liaison with peers, for example, through visits and videos.

10.2 The pupil's role is to:

- engage with the AP or PRU and new school when identified
- be prepared to communicate their views (with appropriate support)
- engage with other agencies as appropriate
- prepare for reintegration as soon as possible.

10.3 The parents'/carers' role is to:

- support the work of the PRU or AP and input into the plan for reintegration
- be willing to work together with all concerned
- be present and input at meetings
- provide early communication if a problem arises or help is needed
- reinforce with their child, the value of a return to school

10.4 The Exclusion Team role is to:

- liaise with the key person in schools, parents PRU or AP as required
- liaise, where appropriate, with outside agencies
- be sensitive to the needs of the child and family
- attend review meetings where appropriate
- help set up an appropriate reintegration programme at the earliest opportunity as soon as the pupil is ready to return to school

11. Reintegration after permanent exclusion^{viii}

- 11.1 The aim of the provision at the AP and PRU following a permanent exclusion and the pupil becoming single registered will be to reintegrate pupils back into school at the earliest opportunity as soon as they ready or parents wish for a mainstream return^{viii}.
- 11.2 A reintegration programme will be put together following discussion with the child or young person, parent/carer, school, relevant professional(s) and other involved agencies as appropriate once a school is identified at Fair Access^x with support from the AP//PRU provider, following the RAP process where this is deemed appropriate.
- 11.3 In exceptional cases it may not be possible for the child to return to school on a full-time basis initially. The AP or PRU, with parents and the receiving school should provide an individually tailored reintegration plan with extra support to fill gaps. Reasonable adjustments should be made to provide suitable access.

12. Pupils who are not on a school roll

- 12.1 Bradford Local Authority retain responsibility for supporting Bradford children who are not on roll at a school, these may include children who are awaiting placement at Fair Access who are new to Bradford and currently in a PRU due to a previous permanent exclusion in their last authority (see Appendix B). In these instances, the Admissions Team will link with Exclusions Team Senior Officer to discuss future educational provision. This may include interim provision through the AP or PRU offer, in which case additional information will be sought.

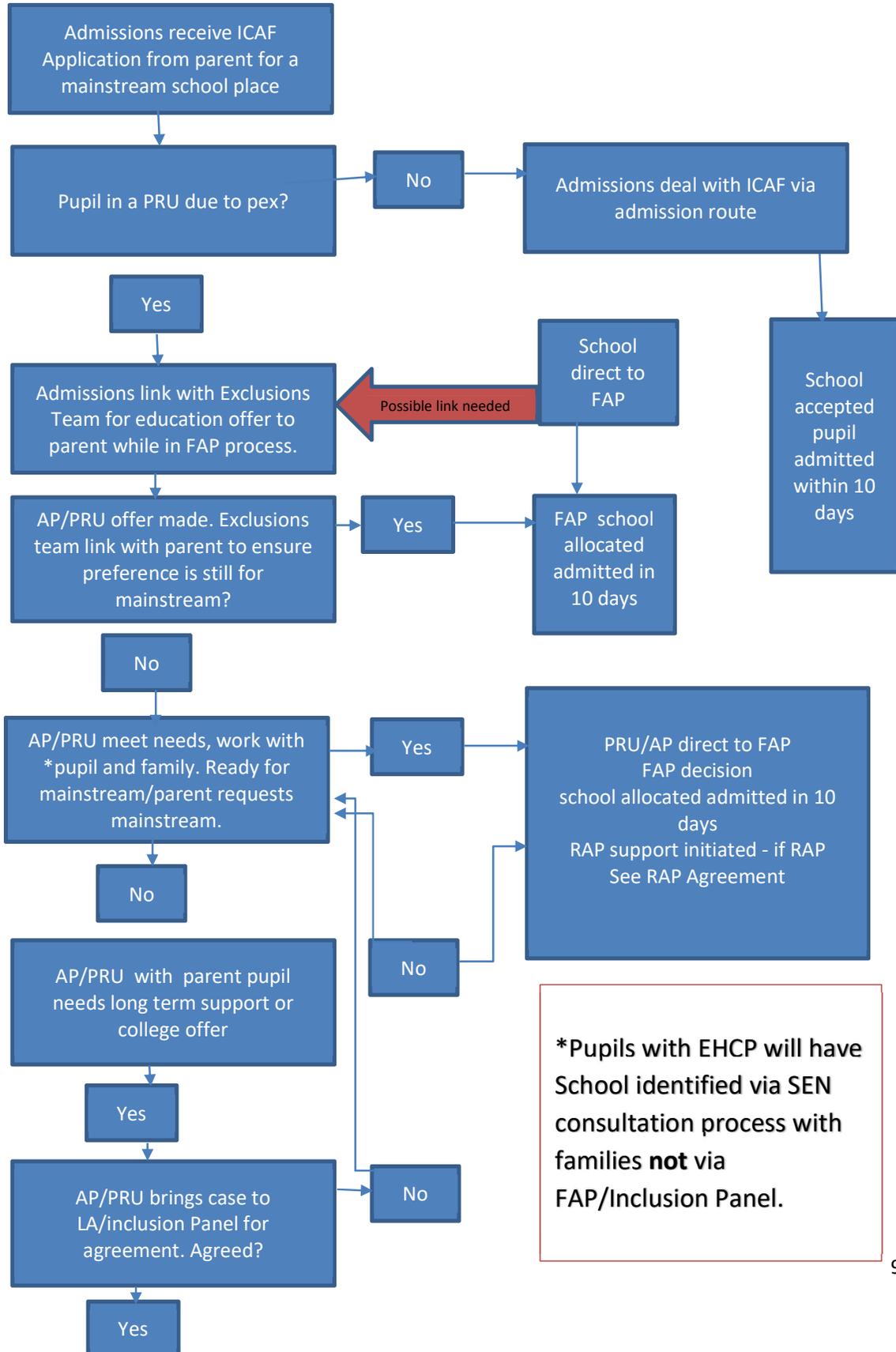
Appendix A Exclusion Team contacts.

Karen Roper	Senior Exclusions Officer	01274 439333
Paul Jennings	Exclusions Officer	01274 432446
Samantha Griffiths	Exclusions Officer	01274 435239

email: exclusionsteam@bradford.gov.uk

Appendix B

Access to Education for Pupils New to Bradford



***Pupils with EHCP will have School identified via SEN consultation process with families **not** via FAP/Inclusion Panel.**

i

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf

ii Graham et al 2019 School exclusion: a literature review on the continued disproportionate exclusion of certain children DfE

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/800028/Timpson_review_of_school_exclusion_literature_review.pdf

iii <https://localoffer.bradford.gov.uk/service/1312-bradford-school-exclusions-team>

iv <https://localoffer.bradford.gov.uk/post/bradford-sendiass--who-are-we-and-how-can-we-help>

v <https://www.childrenslegalcentre.com/get-legal-advice/education/>

vi Kulz, C 2015 Mapping the Exclusion Process: Inequality, Justice and the Business of Education

<http://conflictatters.eu/conference-2017/wp-content/uploads/2017/10/Mapping-the-Exclusion-Process.pdf>

vii <https://bso.bradford.gov.uk/content/exclusions>

viii

SEND code of practice: 0 to 25 years Guidance on the special educational needs and disability (SEND) system for children and young people aged 0 to 25, from 1 September

2014. <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

ix Exclusions – A guide for governing boards <https://www.nga.org.uk/getmedia/7363021a-a7ad-488d-bc31-ff5aab54ba3c/Exclusions-guidance-final-2019.pdf>

x Fair access protocols in school admissions <https://www.gov.uk/government/publications/fair-access-protocols-in-school-admissions>