



Brent's Managed Move Guidelines

The principal legislation to which this guidance relates to is:

- The Education Act 2002, as amended by the Education Act 2011,
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012,
- 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.

Aims

The main aim of this local guidance is to maintain a consistent approach to the procedures involved in managed moves that is:

- open and transparent to parents/carers and protects their rights,
- a realistic alternative to permanent exclusion,
- in the best interests of the child,
- consistent with the Fair Access Protocol **and**,
- non - legally binding, born out of a willingness for Headteachers to engage with each other and the local authority, to support vulnerable young people.

It is not intended to discourage head teachers from making their own arrangements for managed moves, which could be to and from schools in and out of Brent. Regardless of the route by which the managed move is arranged, it is essential that the local authority (Inclusion Support Team) and admissions are informed when a child moves so that effective safeguarding is maintained and numbers are reported and monitored through the Fair Access Panel.

Good discipline and attendance in schools is essential to ensure that all pupils can benefit from the opportunities provided by Brent Schools. Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. Schools should also make every effort to ascertain whether poor behaviour could be a result of unmet Special Educational Needs and/or Disabilities (SEND) and take appropriate steps to both identify and meet these needs.

The Inclusion Service provides schools with access to services that can provide early help on an individual, group, family and school level helping to deliver the right intervention at the right time in the right place. Schools should always consult their allocated Inclusion Support Officer on all matters regarding exclusions. The Headteacher should also consider a referral to the Inclusion Support Team and complete a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified SEND but the scope of the assessment should go further, for example, by seeking to identify social, emotional, mental health or family problems.

Any pupil at risk of exclusion should have a Pastoral Support Plan (PSP) with consultation and support from the school's allocated Inclusion Support Officer. Schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs such as raising an early help assessment or referral to health services.

The decision to permanently exclude a child from school should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy and where allowing the child

to remain in school would seriously harm the education or welfare of the pupil or others in the school. The decision on whether to exclude is for the Headteacher to make. However, where practical, Headteachers should continue to give pupils an opportunity to present their case before taking the decision to exclude. Pupils need to be given the opportunity to express their views - with the support of advocates (such as a parent or social worker), if needed - unless their age or understanding means it's not appropriate to do so. Where pupils do get the opportunity to express themselves, they should also be informed of how their views were taken into consideration in reaching a decision.

Whilst exclusion may still be an appropriate sanction, Headteachers should take account of any contributing factors that are identified such as social, emotional, mental health or family problems. All Headteachers are expected to have due regard of the SEND Code of Practice, the Equality Act 2010 and the Children and Families Act 2014 when issuing exclusions.

The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of their sex, race, disability, religion or belief, sexual orientation, because of a pregnancy/maternity or because of a gender reassignment. All schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion. In Brent, there is still a disproportionate number of exclusions for young people from a black ethnic background, especially those of black Caribbean and black African heritage. Headteachers should avoid excluding permanently any pupil with an Education, Health and Care Plan (EHCP) or a looked after child. Consideration should always be given to a change of placement and in the case of a pupil with an EHCP an emergency review of the EHC plan.

There are a number of alternatives to permanent exclusion. Maintained schools have the power to direct a pupil off-site for education to improve his or her behaviour. This legislation does not apply to Academies. They can arrange off-site provision for similar purposes under their general powers, set out in the Academy Trust's Articles of Association. Though the regulations and guidance do not apply, they can provide Academies with an example of good practice.

Part of good practice within Brent has been the successful use of "managed moves". School's Inclusion Support Officers can be a strong source of support and advice in relation to this process. Managed moves should be:

- Done strictly in the child's best interest¹,
- Voluntary and agreed by all parties,
- Offered as part of a planned intervention²,
- Preceded by information-sharing between the current school, receiving school and supported by an effective integration strategy.

Schools need to be careful that parents do not feel pressured into accepting a managed move. If parents do not support a managed move and it goes ahead, it is considered to be off-rolling. The threat of exclusion must never be used to influence parents to remove their child from schools.

If there are contextual safeguarding needs around the pupil a risk assessment must be completed prior to the move and shared with all agencies working with the pupil and family.

A pupil cannot be taken off role until it is known that they have started in their new school.

"Informal" or "unofficial" exclusions, such as sending pupils home to "cool off" or getting parents to collect their child, are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.

¹ If a pupil has had more than one managed move the school needs to consider the most effective approach

² Specific steps must be taken for pupils with SEND, LAC or with a social worker

Fixed term exclusions and exclusions are unlawful when they include directing a pupil off-site or not allowing them to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off',
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support,
- Due to poor academic performance and,
- Because they have not met a specific condition, such as attending a reintegration meeting.

Off-rolling, a form of unlawful exclusion, can include using 'undue influence' over a parent to:

- Remove their child under threat of permanent exclusion and,
- Encourage them to choose elective home education or find another school place for their child.

Ofsted (2019) will consider any evidence of off-rolling and is likely to judge a school inadequate where it appears:

- Pupils have left the school without formal processes,
- Parents have been encouraged to remove their children,
- School leaders haven't taken sufficient action to address the above.

Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.

Triggers for a managed move

Either:

1. A series of fixed-term exclusions with evidence of a range of strategies having been implemented, for example, a Pastoral Support Plan.

Or:

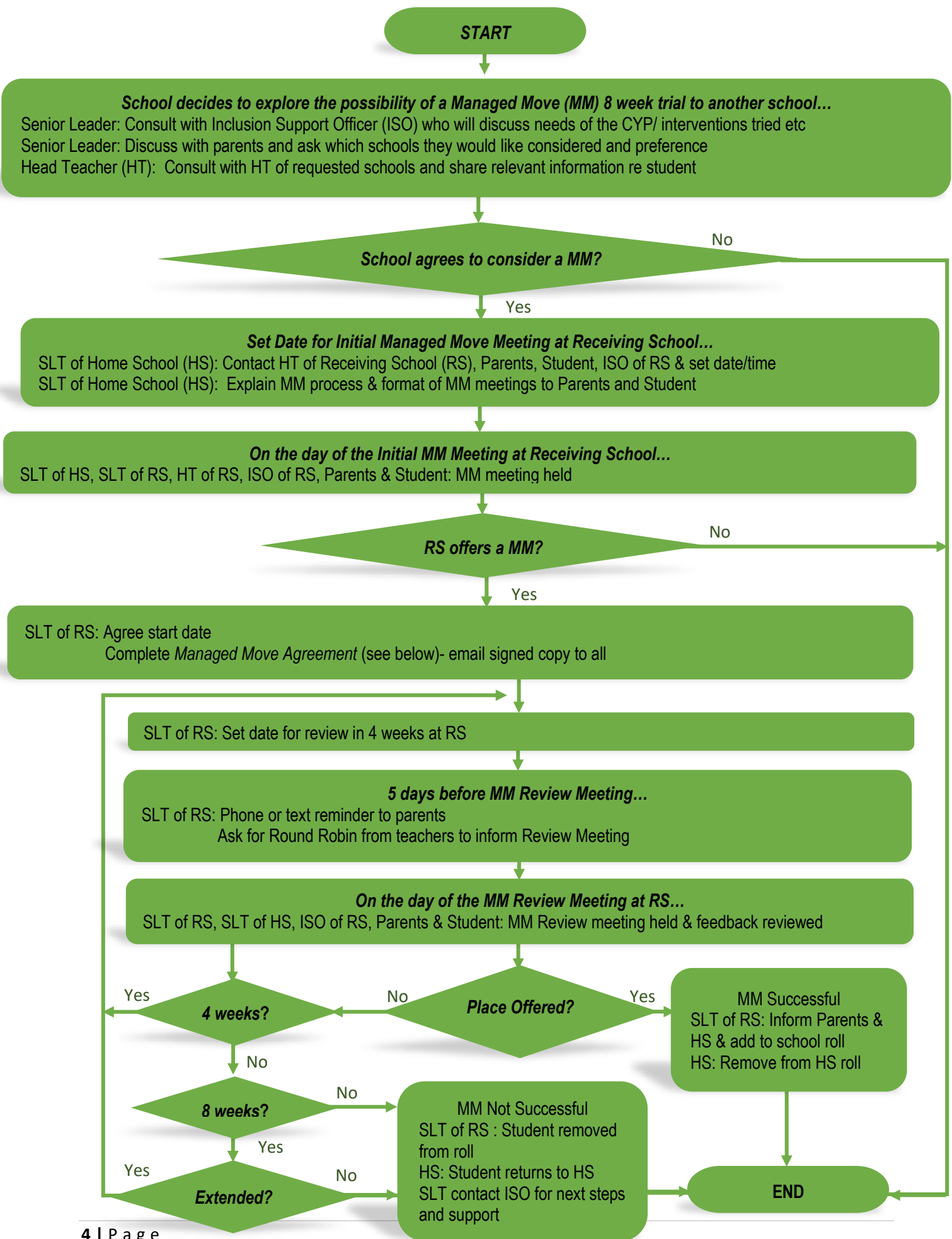
2. A single event that would otherwise justify permanent exclusion and where all other factors, e.g. the particular circumstances of the student, their educational history, place of residence, suggest that a fresh start in a new school would succeed.

Communication with the Local Authority

-If the CYP has an EHCP the SEND 0-25 must be informed of a managed move

-If the CYP has a social worker the Virtual School must be informed

-If the CYP has a diagnosis of need (ASC, VI, HI) the appropriate support team must be informed (BOAT, Visual Impairment team, Hearing Impairment team).



What if the managed move is unsuccessful?

If the formal review meeting concludes that the move is unlikely to succeed, the home school will continue to have responsibility for the pupil. A meeting will be arranged at the home school, attended by the pupil, parent, ISO and a senior member of the school team. The following options can be considered:

- a) A return to the home school using:
 - a revised Pastoral Support Plan,
 - the school's behaviour system,
 - on-site provision,
 - support from the Inclusion Support Team.
- b) The Head Teacher directs to an appropriate alternative provision.
- c) Another managed move may be considered.
- d) Whether the pupil will be permanently excluded by the home school.

Monitoring

Brent Admissions and the Inclusion Support Team will monitor managed moves reporting to the Fair Access Panel.

Appendices

1. Sample letter from home school to parent/carer following meeting to agree a managed move.
2. Sample letter from receiving school to parent/carer at start of a Managed Move.
3. Sample letter to parent/carers at end of managed move from receiving school.
4. Parental / pupil agreement to managed move.
5. Managed move agreement form to be completed by the receiving school

Sample letter from home school to parent/carer following meeting to agree a managed move

Dear [parent]

Re: Managed move to avoid permanent exclusion – [Pupil's name]

I am writing to clarify the current situation regarding [pupil's name]'s managed move from [school] to the [school].

If the permanent exclusion process has already started insert

The Disciplinary Committee meeting, which was due to meet on [date] to consider the permanent exclusion of [Pupil's name], has now been cancelled with the agreement of yourself, the school / governors and the local authority. This is in accordance with guidance on exclusions which recommends that alternatives to exclusion should be sought.

Following my meeting with you and feedback regarding your views, I understand that you agree that a managed move will be used as an alternative to exclusion and you feel that the [school] is suitable to meet and further assess [pupil's name]'s needs at this moment in time.

The move will be on a trial period of usually six weeks, including a review after four weeks, during which time the [pupil] remains on roll at [school]. If successful, (pupil's name) will then transfer to [schools] roll.

If review meeting concludes that the move is unlikely to succeed, The following options will be considered:

1. **Return to the home school** using:
 - a revised Pastoral Support Plan
 - the school's behaviour system
 - on-site provision
 - support from the Inclusion Support Team
2. **An Alternative Provision** to be arranged by the home school
3. **Permanent exclusion**, to be made by the home school
4. Another **Managed Move** to be considered by the home school

If you require further clarification regarding any of the above processes, please do not hesitate to contact me or [name] Inclusion Support Officer.

Independent advice can be obtained from the Children's Legal Centre on 0808 8020 008 or at: <http://www.childrenslegalcentre.com>

I wish [Pupil's name] every success in their future education.

Yours sincerely

Sample letter from receiving school to parent/carer at start of a Managed Move

Dear (name of parent/carers),

Re: Managed move to (receiving school)

I am writing to confirm the arrangements for the planned managed move for (pupil's name) to (receiving school), following the meeting which you attended on (date).

As agreed, (pupil's name) will be starting at (receiving school) on (date), for a trial period of xx weeks. If successful, (pupil's name) will then transfer to the school's roll.

It was agreed that (pupil's name) is placed on a Pastoral Support Plan (PSP). Through the PSP, (pupil's name) will be regularly supported and monitored by the school and the Inclusion Support Officer (Officers Name). By the xx week, we will have assessed whether the move has been a success.

The placement will be reviewed on (date), unless brought forward for any reason. If it is clear that the move is not a success, then *the home school* will resume responsibility for (name of pupil) and make a decision as to the next step.

If you have any further queries, please contact (name of school contact) or the Inclusion Officer, (name of Officer).

Yours sincerely

Headteacher

cc Head of home school

cc schoolexclusions@brent.gov.uk

Sample letter to parent/carers at end of managed move from receiving school

Dear (name of parent/carers)

Re: Managed Move from (home school)

I am writing to follow up the review of (name of pupil)'s managed move which took place on (date).

As stated at the meeting, since the managed move has been successful, (name of pupil) will be put on roll here at (receiving school). He/she will continue to receive support for an initial period of time to help them to settle fully.

I wish (name of pupil) every success and hope that they take advantage of this excellent opportunity for a fresh start.

Yours sincerely

Head teacher

cc Head teacher of home school
schoolexclusions@brent.gov.uk

PARENTAL / PUPIL AGREEMENT TO MANAGED MOVE

PUPIL NAME: _____

DOB: _____

NC Year Group : _____

ADDRESS: _____

DAYTIME TELEPHONE NUMBER: _____

Email: _____

CURRENT SCHOOL: _____

I have attended a meeting to discuss my child's progress and agree that a managed move is my preferred option. I understand that the decision to go ahead with a managed move is ultimately the Head teachers'.

I agree to the managed move to: (receiving school)

Signed: _____ Date: _____

Title (Please circle)	Surname	Initial	Relationship to child
Mr Mrs Miss Ms			

I (pupils name) agree to a managed move to [xxxxx](#) School

Signed: _____ Date: _____

Copy: School file

Cc schoolexclusions@brent.gov.uk

MANAGED MOVE AGREEMENT FORM

To be completed by the receiving school

MANAGED MOVE AGREEMENT

XXXXXX School agrees to the managed move of XXXXXX from XXXXXXXX.

It is agreed that XXXXXX will attend XXXXX school for a trial period of six weeks .

XXXX will start on ----- and report to -----.

A formal review of the managed move will take place on -----.

School agrees to:

The parents Agree to:

The Pupil agrees to:

