

## **Darlington Vulnerable Pupil Panel**

This set of protocols concerns the relationship between Darlington schools/academies, the Pupil Referral Unit and the local authority working collaboratively to support improvement in behaviour and attendance in Darlington (referred to as the partnership). The panel will be supported and attended by other relevant agencies and providers for example CAMHS, Educational Psychology Services, School Nursing Services, Darlington College.

We have come to understand that there is a need for collective responsibility in meeting the needs of children and young people in Darlington. Building on the good work of LAPPS and SBAPP, there is a need to take collective ownership across all schools/academies and the local authority around issues resulting in both fixed term and permanent exclusions and to work to identify the potential solutions to these issues.

The partnership agrees that it is time to renew the agreement for shared priorities to improve behaviour and attendance in schools/academies. This action will include the identification and allocation of resources for those shared priorities.

Normal admission processes and procedures shall be used, wherever possible, to admit students. The Fair Access protocol and Vulnerable Pupil Panel shall only be used when dealing with the most complex cases.

The Schools Admissions Code (December 2014) outlines guidance in relation to in-year Fair Access Protocols to ensure that education is quickly secured for children who have no school place and to ensure that schools in an area, irrespective of governance, admit their fair share of children. Schools and academies will work with the local authority (LA) in the development and implementation of Fair Access Protocols. All admissions authorities must participate in the Fair Access Protocols (FAP) to ensure that unplaced children are allocated a school place quickly. The FAP to be put in place will be for hard to place children. These protocols will operate alongside in-year transfers for other students.

In addition to this, in Darlington we will agree other children who will be considered by the Vulnerable Pupil Panel (VPP). These are not students who meet the Fair Access criteria as laid down in the Schools Admissions Code, but students who are deemed vulnerable for a range of other reasons.

The VPP (incorporating the FAP) will meet three weekly during term time. The Chair will be reviewed annually.

The partnership will work closely with the LA in the admissions arrangements to Rise Carr College (RCC) and Home and Hospital Teaching Services (HHTS) and in the management of those units.

The partnership will examine service delivery and options for provisions and promote multi-agency and multi-disciplinary working where appropriate.

The partnership will evaluate whether these partnership arrangements can be used to develop more coherent, holistic and effective delivery of services and strategies.

## **Aims**

The VPP aims to:

- 1) Ensure that all children and young people in Darlington are treated as the collective responsibility of all the schools/academies
- 2) Establish conditions for sustainable continuous improvement in student behaviour and attendance in Darlington's schools/academies
- 3) To establish a culture to develop teaching, learning and assessment processes that will support excellent student achievement as a foundation for the improvements in behaviour and attendance
- 4) Ensure an equitable distribution of the relevant resources, expertise, strengths and difficulties as far as is possible with regard to support for behaviour and attendance
- 5) Provide a mutually supportive environment for all students and staff
- 6) Ensure that staff are able to develop and share good practice and resources across schools/academies
- 7) Work hard to fulfil parental and governor expectations for young people, schools and academies
- 8) Provide leadership of the highest quality to support and inspire students and staff in the partnership
- 9) Make the best possible organisational arrangements for all forms of support for behaviour and attendance in the schools/academies, including alternative provision, therapeutic and other interventions, and all forms of relevant advice and support.

## **Outcomes**

The partnership expects that this collaborative initiative will:

- minimise the amount of time that vulnerable children spend out of education
- ensure that schools admit students with challenging educational needs on a fair and equitable basis, through objective and transparent processes
- improve opportunities for young people whose behaviour is challenging
- significantly reduce exclusions in schools/academies
- reduce persistent absence
- significantly improve the behaviour and attendance climate in all schools/academies
- build on the success and good practice developed through LAPP and SBAPP
- ensure that education is delivered for day 6 to excluded students
- significantly improve Ofsted judgements on behaviour

## **Support and provision for students**

The partnership intends to ensure a better alignment of young people's needs in respect of behaviour with the provision available. It will continue the processes of:

- pooling information about available resources
- implementing FAP for relevant groups
- ensuring that schools have the main responsibility for student placements and for governance of the PRU
- considering opportunities for additional provision for students at risk of exclusion and/or disaffection
- using centrally held resources to support young people's behaviour and attendance

### **Other relevant documentation**

The Children and Young People's Plan  
School Admission Code including Fair Access Guidance  
Exclusion from maintained schools, academies and pupil referral units in England  
Elective Home Education Guidance for Local Authorities  
Children Missing Education Guidance for Local Authorities  
Pupil Attendance Regulations (November 2016)

### **Quality Assurance Panel**

The quality assurance panel will meet in advance of the VPP to review the referrals made to the panel. This is to ensure that the correct documentation is present and that the referrals meet the threshold of the panel. The panel will comprise of 2 Secondary Heads, 2 Primary Heads, Head of Rise Carr College, Head of Education and Inclusion, School Admissions Manager and other LA officers as appropriate. All other head teachers are welcome to attend as observers of the process. Of the 2 Secondary Heads and 2 Primary Heads, one will be a permanent seat and the other will rotate. The permanent HT roles are for the duration of one year, thereafter they will be reviewed by the 11-19 and Primary HT groups, who will nominate a permanent HT to sit on the QA panel for the duration of the year as the permanent Head Teacher.

The QA panel will have four main functions:

- To ensure that referrals to the VPP meet the criteria agreed by the partnership
- To make a judgement on the sufficiency of the evidence provided
- To review sensitive information on behalf of the panel
- To communicate outcomes of the QA panel back to referring schools
- 

If appropriate the QA panel reserves the right to ask referring schools to provide additional information in advance of the VPP, if not originally supplied.

### **Fair Access Protocol**

Schools/academies should work together collaboratively, taking into account the needs of the child and those of the school. There is no duty to comply with parental preferences when allocating places through the protocol, but it is expected that the wishes of the parent are taken into account.

If a parent is unhappy with the panel decision regarding the placement of their child in a particular school, they can appeal for a place in their chosen school through normal independent appeals processes.

The Schools Admissions Code (December 2014) outlines guidance in relation to in-year FAP to ensure that education is quickly secured for children who have no school place and to ensure that schools in an area, irrespective of governance, admit their fair share of children.

### **Definition of Fair Access Students**

The School Admissions Code (2014) outlines a list of school age children who have difficulty in securing a school place to be included in FAP, these are:

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

### **Definitions of Vulnerable Students**

In addition to the Fair Access Categories, we would also add the following categories for consideration at the VPP:

- 1) Children displaying persistently challenging and disruptive behaviour
- 2) Permanently excluded children from both in and out of the borough
- 3) Children with unsupportive\* family backgrounds who are at risk of disengaging from education
- 4) Children returning to mainstream schools from Elective Home Education

(\* taken from the School Admission Code)

The panel will endeavour to ensure a fair and consistent placement of young people across all schools and across all year groups. When making decisions regarding the placement of young people in a school, the panel will give consideration to a number of factors including the following:

- Percentage of students taken during the academic year (in relation to their student numbers)
- The number of students placed in a specific year group by the panel
- The make-up/challenges of a specific year group in a school, which would not be conducive to a successful move to that school
- The geographical location of schools
- Specific circumstances relating to the admission of a particular child e.g. known history of a serious breakdown of relationship between home and school.

Children should be admitted to the receiving school within 2 weeks of the panel decision being made. Both schools should be involved in the initial meeting.

The placement of individual students will be logged on a per student/per school basis and reflected in the student placement allocation spreadsheet that will be shared at each meeting.

The Chair of the VPP will make the final decision with regard to the placement of students if an agreement/consensus cannot be reached by the panel.

## **Key Stage 2**

### **Year 5/6 children**

The partnership agree that wherever possible Y5/6 students should remain in their original school. The reason for the referral should be based on Fair Access categories and/or exceptional circumstances.

The partnership also agree that all students moving into Darlington from the summer term in year 5 will be brought to panel for placement.

## **Key Stage 4**

### **Year 10 young people**

The partnership agree that wherever possible Y10 students should remain in their original school and should not be considered by the panel after Christmas of Year 10. The reason for the referral should be based on Fair Access categories and/or exceptional circumstances. The partnership also agree that all year 10 students moving into Darlington in the summer term will be brought to panel for placement.

### **Year 11 young people**

The partnership agree that there should be no moves of year 11 students within Darlington schools. At this point, schools should seek to create alternative education packages instead, to help those students succeed. Only year 11 students who move into the local authority will be brought to panel, unless there are exceptional circumstances as to why a move should occur. In the instance when a move of a year 11 student is necessary, the partnership will agree that it will be on a managed move basis until the student has left year 11.

The VPP should give consideration when placing a Key Stage 4 child into a school if the receiving school is Ofsted less than Good. It would be the decision of the panel to take this into consideration and make the decision based on the needs of the young person. Once the school in question was judged Good by Ofsted this consideration would cease.

All schools/academies in Darlington will be treated equitably in terms of funding following permanently excluded children, managed moves and hard to reach students.

If the school or academy admits a permanently excluded student, a hard to place student or a managed move student who become a success and move on roll to that school/academy, funding will be paid to them as per the local agreement.

## **VPP in Relation to Day 6 Provision for Permanently Excluded Pupils**

The Day 6 requirement will be met as follows:

For Key Stages 1 & 2 – Day 6 provision is the responsibility of the Local Authority and children will be placed as appropriate.

For Key Stages 3 & 4 – Day 6 will remain the responsibility of the Local Authority with places within the secondary PRU provision.

Wherever the young person is permanently excluded within the cycle of VPP dates, the case will need to be presented at the forthcoming meeting, not only to discuss the case, but also to formally recognise the Day 6 allocation.

Pupils attending Day 6 for permanent exclusion will return to VPP after the Governing Body Disciplinary (GDC) Committee of the school has met to determine whether to uphold the exclusion or direct reinstatement to the school and the appeal period has passed. VPP will then determine the longer term education pathway for the young person. However, head teachers have agreed that VPP will be afforded the opportunity to discuss cases of permanently excluded pupils before the Governing Body Disciplinary Committee meets to deliberate/consider the exclusion.

Wherever possible depending on the incident that led to the permanent exclusion an alternative solution will be sought. It remains the right of a Head Teacher to permanently exclude and recommend to VPP that the severity of the incident does not warrant consideration that the exclusion be withdrawn.

The Vulnerable Pupil Officer will be responsible to update relevant professionals as to the status of the young person in relation to the permanent exclusion, ie:

Paperwork in relation to permanent exclusion in order that Day 6 provision can be accessed  
Date of Governing Body Committee (GDC) meeting  
Discussions/decisions regarding potential withdrawing of permanent exclusion before GDC  
GDC outcome if permanent exclusion is not withdrawn  
Head Teachers are asked to complete the VPP referral form and a Risk Assessment at the point of the permanent exclusion process to assist entry into the Day 6 provision.

During the first 5 days of the exclusion the school is required to use the 'E' Coding. From Day 6 the responsibility falls to the local authority to provide education and schools should use an appropriate attendance code, such as Code B (Education Off-site) or Code D (Dual registration).

### **VPP in Relation to Schools referrals for PRU places**

Referrals brought to VPP by mainstream schools for PRU placement should always be accompanied by OnePlan. Once the young person has entered the PRU, roll status appropriate to the Key Stage will be agreed by the panel dependent on the individual situation of the young person.

Where placed to the PRU as KS3 and 4 respite provision, the PRU roll status will be S subsidiary roll status as M main roll status remains with referring school.

Where the child has a placement as an alternative to permanent exclusion and is not returning to the school, the PRU roll status will be S subsidiary roll as the main roll status remains with the referring school.

When a child is placed in the PRU as an alternative to permanent exclusion, their roll status will be reviewed at least annually and long-term decision made as to the roll status by the panel.

If parents decline allocation, or the pupil fails to enrol, the case must be referred back to the VPP panel. If an agreement cannot be made with the parent on a placement, the responsibility

for the education of the pupil reverts to the referring school which may decide to proceed with the permanent exclusion.

### **Reintegration from Rise Carr College (or other PRU)**

Excluded pupils will only be reintegrated into mainstream schools when they are ready and additional help will be provided where needed to ensure a smooth transition. Rise Carr Pupil Referral Unit will assess young people's readiness to be reintegrated into school. It is expected that new mainstream school will be identified as early as it possible.

### **Managed Moves**

A managed move should be seen as a voluntary child focussed intervention and become established as a tool which can support vulnerable children in Darlington. Within a referral for a managed move the child's school should clearly identify what they believe a move to a new school can bring to the child. The evidence base within the referral must make specific reference to which of the child's needs can be better met in a different school, and the skills set and/or capacity that will be needed within the new school. It is preferable that the new school is not named, rather that the features of a school that would help to meet the needs of the child are clearly identified.

Managed moves must be time limited. After the initial meeting there will be a review meeting at 2 weeks, 4 weeks, 8 weeks and the final review at 12 weeks. At the end of the managed move a decision will be made as to whether to end the managed move because the student has not met the required targets or to take the student onto the roll of the new school because targets have been met. All meetings should include both schools, the vulnerable pupil officer, the parent/carer and the student. In the case of a student with CIN/CP status, a separate initial meeting should also take place between the DSL's of both schools.

The initial meeting should identify three targets which the student must work to during the managed move. These targets will provide the evidence base for the judgement on the success of the managed move. These targets must reviewed at each meeting so that all parties are clear about the progress being made within the managed move.

If a managed move is successful, the student will go onto the roll of the new school on the day following the 12 week final meeting. At this point the student should be treated as an equal member of the school community. If the managed move is deemed a failure then the young person would return to their original school. These decisions must be made at the review meeting with parents and both schools present so that clear and consistent messages can be provided as to why the managed move has failed.

Where a managed move is unsuccessful and the student returns to their original school, any subsequent permanent exclusion should not be based solely on the behaviours from prior to the managed move. Students should be given a fair opportunity to reintegrate into their school with agreed targets.

There may be a very rare circumstance where a managed move should last longer than 12 weeks e.g. a year 10 or 11 students who has moved; but these would be the exceptions. This would be discussed and agreed by all parties at the review meetings.

All managed moves should be agreed through the VPP to ensure a clear and transparent approach to student placements.

Difficulty in meeting the SEN needs of a student should not result in a managed move. A managed move being considered for a LAC student should always be in consultation and agreement with the Virtual Head.

All requests for managed moves must be supported by parental consent.

### **Behaviour information/Documentation**

All students being referred to VPP will need the following supporting documentation:

- Fully completed passport
- Current attendance certificate
- Historical attendance information from previous 2 years (or length of time at the school)
- Fixed term exclusions (number, reason, length) for every year in the school/academy
- Internal fixed term exclusions (number, reason, length) for every year in the school/academy
- Punctuality information for every year in the school/academy
- School behaviour plans and support plans
- Involvement of any other agencies/services for every year since joining the school/academy
- Academic Information (KS2, KS3, KS4 – targets and current progress)
- Evidence of the school's graduated response to the student's needs, directly linked to the Ranges guidance 2018 (include reports/recommendations e.g. EP reports)
- Informed consent from parent/carer

### **Standard Agenda Items**

- 1) Fair Access
- 2) Referrals not progressed to Panel
- 3) Students at risk through persistently challenging and/or disruptive behaviour
- 4) Requests for Managed Moves
- 5) Reviews of Managed Moves and Placement Breakdowns
- 6) Requests for place at PRU/HHTS
- 7) Permanent Exclusions since last VPP
- 8) Re-integration from PRU/HHTS
- 9) Alternative Provision/restricted timetable update

### **GDPR and Data Sensitivity**

The European Union's General Data Protection Regulation (GDPR) came into force from May 25th 2018, superseding the previous Directive adopted in 1998.

Due to the sometimes highly sensitive and confidential nature of the VPP referral document and/or supporting documents, we would like to remind all panel members that it is their responsibility to ensure ongoing and continued compliance with data protection law. This includes the safe keeping, transportation and secure disposal of all VPP documents after the meeting.

Document holders will be held accountable for any breach of data protection law.