

The Commission for  
Local Administration in England

# Report

on an Investigation into  
Complaint No 04B15454 against  
Torbay Council

12 January 2006



# **Investigation into Complaint No 04B15454 Against Torbay Council**

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## **Key to names used**

<b>Mr Smith</b>	-	<b>the complainant</b>
<b>John</b>	-	<b>his son</b>
<b>Officer A</b>	-	<b>Admissions and Student Services Co-ordinator</b>
<b>Officer B</b>	-	<b>Manager of School Organisation</b>



## **Report Summary**

### **Education - exclusions**

Mr Smith (not his real name) complained that the Council delayed unreasonably in providing an alternative school place after his son, John, was excluded from his previous school and failed to make appropriate educational provision for John while he was out of school.

The Ombudsman found that the Council failed to ensure that applications for a new school place for John were dealt with in accordance with relevant procedures. Although John would have missed some school time (because the exclusion was not confirmed until after the start of the summer term) the Council's failure meant that his place at his new school was not confirmed until half-way through the Autumn term. John missed at least half a term in school at a crucial stage in his education in the final year of his GCSE course.

The Ombudsman also found the Council had failed to provide suitable full-time equivalent education for the period while John was out of school and failed to make any provision for the start of the Autumn term.

John's GCSE results were significantly below the targets set at the start of his GCSE course in his former school. The Ombudsman did not conclude this was the result of the Council's failures but they were the cause of injustice since John did not have the opportunity he should have had to maintain progress in his GCSE studies.

### **Finding**

Maladministration causing injustice

### **Recommended remedy**

That the Council should make available the sum of £1,500 to be used to extend John's educational achievement or to assist him in pursuing a course of study. And to make a payment of £250 to Mr Smith to recognise his time and trouble in pursuing the complaint.



## **Introduction**

1. Mr Smith complains that the Council delayed unreasonably in providing an alternative school place after his son, John, was excluded from his previous school, and failed to make appropriate educational provision for John while he was out of school.
2. In March 2004 John, who was then in Year 10 at a grammar school, was permanently excluded. He did not attend school again until 1 November 2004. During the intervening period he received five hours' home tuition per week for the summer term and 10 hours' per week during October. Mr Smith believes that his son's educational achievement was very adversely affected by the inadequate education he received during this very important period in his school career.
3. One of the Commission's officers has met the complainant and interviewed Members and officers of the Council. She also examined the relevant files. Both the complainant and the Council were sent a copy of the factual part of this report in draft, prior to the addition of the conclusions. Where appropriate their comments are reflected in the text.
4. For legal reasons, the names used in this report are not the real names of the people concerned.<sup>1</sup>

## **Legal and Administrative Background**

5. The following legislation and guidance is relevant to this complaint:
  - (a) The School Standards and Framework Act 1998 which lays out the legislative arrangements for school admissions. It provides that LEAs must make arrangements for parents to express a preference for the school they wish their child to attend. Except where pupils have been excluded from two or more schools, the admission authority (the LEA or Foundation School) must comply with a parental preference unless to do so would prejudice the provision of efficient education or the efficient use of resources, or would be incompatible with special admission arrangements or admission arrangements based on selection by ability.
  - (b) The Schools Admissions Code of Practice gives advice on the implementation of the legislation. It says that it is normally unacceptable for a school to refuse

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<sup>1</sup> Local Government Act 1974

to admit a child on the basis of their behaviour elsewhere, although there are limited exceptions (not relevant to this complaint) in which this is permissible. It advises that co-ordinated admission schemes should include information on how admission applications received for years other than the normal year of entry will be handled. If a community school refuses to comply with parental preference and the LEA's decision to admit a pupil, the LEA can request the Secretary of State to direct them to do so.<sup>2</sup> For Foundation schools where the LEA is not the admissions authority the LEA can, in certain circumstances, direct a governing body to admit the child.<sup>3</sup>

- (c) DfEE Circular 11/99, the relevant provisions of which were largely repeated and reinforced by the Guidance issued in March 2004 by the DfES called *'Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units'*. Part 7 of the Guidance is headed 'LEA responsibility to provide full time education and reintegrate permanently excluded pupils'. It says:

"Local Education Authorities (LEAs) have a responsibility towards all permanently excluded pupils to:

- (a) provide a suitable full time education; and
- (b) reintegrate pupils as quickly as possible, where practical into a suitable mainstream school."

Relevant extracts are included in Appendix A.

## **Investigation**

### **Provision of an alternative school place for John**

#### **Timeline of relevant events during 2004**

6. **15 March** - John was permanently excluded by the Headteacher of the grammar school he was attending because he had taken cannabis into school and sold it to other students. John had not previously been subject to any disciplinary measures related to drugs. His previous disciplinary record was not raised during the subsequent exclusion process.

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<sup>2</sup> S. 497 Education Act 1996

<sup>3</sup> S.96 School Standards and Framework Act 1998



7. **2 April** - The School's Governors met to consider the Headteacher's decision to exclude permanently. Officer A (the Section Head Pupil Services) attended as the LEA representative. Mr Smith also attended. The Governors decided to confirm the Headteacher's decision on the exclusion.
8. **10 May** - The hearing by the Independent Appeal Panel of Mr Smith's appeal against the decision to exclude John took place. Officer A attended as did Mr Smith. The appeal was not upheld.

Mr Smith told my investigator that he had spoken to Officer A at the Governors' meeting and again at the appeal hearing. Officer A put forward the Local Authority's view that John's ability and educational needs would be best suited to a grammar school education. It was therefore mutually agreed that the other grammar school in the area (Grammar School B) should be approached about a place for John. Mr Smith says he also commented to Officer A that, while he would be pleased if John could go to Grammar School B, because it was so difficult getting admission there he felt it would be more likely that John could obtain a place at the local Community College. This is near his home and his daughter goes to school there.

9. **13 May** - Officer A telephoned Mr and Mrs Smith who were not at home and she left a message with John asking them to ring her. Mr Smith says John has no knowledge of this telephone call.
10. **20 May** – Officer A wrote to Mr Smith in response to a query about the exclusion hearing. She also said she had tried to contact Mr Smith regarding John's future education and asked him to telephone her as soon as possible about an alternative school place. Mr Smith says he responded immediately on receipt of the letter and telephoned Officer A. According to his notes Officer A informed him she was hoping to arrange a meeting with the headmaster of Grammar School B within the next couple of weeks and she would let him know the outcome after this meeting.
11. **28 May** - Officer A was on leave. The Council's file holds the following note dated 28 May made by her manager (Officer B):

“[Mr Smith] phoned. He had become aware [today] of your ‘urgent’ desire to speak with him. No clue as to why. Possibly to report progress on alternative placement. [Mr Smith] confirmed [the local Community College] is preferred option but dimly aware of ‘problem’. ...I left a message on his answering service to say you would try to progress [the local Community College] and speak with him on Monday 7 June. OK?”

Mr Smith is adamant that he has no record or knowledge of having spoken to Officer B then or at any other time. He says he had already spoken to Officer A and that the contents of the note are at odds with the agreed way forward of seeking a grammar school place. He argues that the supposed comments in the note are of such relevance and significance that it would be reasonable to expect that a letter would have been sent confirming the details.

12. **7 June** - Officer A wrote to the local Community College:

“[John] was permanently excluded from ... in March this year for bringing cannabis into school and selling it to other pupils.

[Mr Smith] has expressed a preference for John to attend your school where his sister is already a pupil. I should be grateful if you would arrange to interview [John] with a view to his admission as soon as possible.

Unfortunately I do not have any information about his academic ability but I enclose his attendance record from September 2003 until his exclusion for your information.

[John] has expressed his regret for his actions and appears to want a fresh start.

I look forward to hearing from you.”

Officer A told my investigator that at that time there were places available in the Community College. There were therefore no grounds on which the College could have refused to admit John.

13. **10 June** - The Headteacher of Grammar School B wrote to Officer A:

“You made contact with .. my secretary asking whether we would consider allowing a permanently excluded child to join the school. These are sensitive matters and I would need further information.

I wonder whether you would be prepared to furnish me with the files of the excluded child and the details of the exclusion in order that I can place them before the Governing Body admissions panel.”

Information on John was sent to Grammar School B the same day but the Council’s files do not record what information was sent.

The information published by Grammar School B (which is responsible for its own admissions) does not explain how its admissions policy applies to applications for admission other than for Year 7.

14. **15 June** - The Principal of the Community College replied to Officer A that she thought John's needs would be better met at a grammar school. She did not give a decision on the application for a place at the College.
15. **24 June** - Officer A wrote to Mr Smith that she was in contact with the Headteacher of Grammar School B and the Principal of the Community College and would contact him again in due course.
16. **8 July** - The Headteacher of Grammar School B wrote to Officer A:

“Thank you for sight of [John Smith's] records. The application was given careful consideration at the Personnel committee. ... You will not be surprised to learn that we have huge concerns about the request for him to be considered for this school....

In reviewing [John's] files, he appears to be in need of specialist support which this school would not be able to give. On balance therefore the view of the Governors is that [John] should not be offered a place... . I am happy to receive any further information from you which might persuade them to consider the matter further and at that stage we would pass it to the Admissions Panel.”
17. **13 July** - The Education Other Than At School (EOTAS) Co-ordinator wrote to the Head of Grammar School B that John was an exceptionally able young man and the Council could not meet his needs through its out of school provision; that she was confident he would not cause disruption to Year 11 pupils; and suggested his first term at the school be regarded as a trial placement. A report from his interim tutor was included.
18. **21 August** - Mr Smith wrote asking what was happening about an alternative school place for John.
19. **27 August** - Officer A wrote to Mr Smith that she was hoping John would be admitted to Grammar School B next term and that the School's Admissions Panel would consider him at its meeting in September.
20. **7 September** - Officer A attended the meeting of the Admissions Panel. She told my investigator she spoke strongly in support of John being admitted. On the same day the Chairman of the Panel wrote to confirm the decision not to offer a place for a number of reasons, including reference to John's academic and behavioural record at his previous school and the implications this might have for staff time and resources.

21. **10 September** - Officer A wrote to Grammar School B that she was disappointed the Governors were unable to offer John a place. She wrote on the same day to Mr Smith to advise him of the school's decision and advised him of the right of appeal against that decision.

Officer A wrote to the Principal of the Community College that John had been refused a place at the grammar school and asking that the decision about John be reconsidered. It was also suggested that the first term was regarded as a trial placement to allow the Principal to refer John back to EOTAS services without having to resort to permanent exclusion.

22. **11 September** – Mr Smith wrote to Officer A expressing concern about delay in finding John an alternative school place.
23. **16 September** - Mr Smith wrote to Officer A, with a copy to the Chief Executive, saying that he would not be appealing against the refusal by Grammar School B, and complaining about delay in finding a school place and that John was currently receiving no education.
24. **23 September** - Officer A sent an email to her line manager, Officer B, asking whether any progress had been made on John's admission to the Community College as she was meeting the Director of Education to discuss the case and had to respond to Mr Smith.

Officer B advised Officer A by email that she should write to the Community College instructing them to admit John. On the same day Officer A wrote to the Community College along the lines advised by Officer B instructing them to admit John.

The Council's files do not hold any record of the Community College's response to the instruction.

25. **8 October** - Mr Smith and John attended a meeting at the Community College to discuss a possible placement.
26. **1 November** – John started attending the Community College after the half-term holiday.
27. John's case was reported to six meetings of the LEA's Pupil Placement Panel held monthly except for July and August. There is no record of the information provided to the Panel but the minutes record the action being taken at the time to secure a school place for John. Officer A and Officer B told my investigator that, having considered Mr Smith's complaint, they believed an instruction should have been

issued to the Community College in June 2004 and that the delay until he was admitted in November was not acceptable.

### **The provision of education while John was out of school**

#### **Timeline of relevant events during 2004**

28. **5 April** - The EOTAS Co-ordinator was informed of the Governor's decision to exclude John.
29. **20 April** - The EOTAS Co-ordinator wrote to Mr and Mrs Smith confirming that John would be receiving interim tuition and that the tutor would contact them to arrange times/dates. The tutor was asked to teach John for five hours each week.

The EOTAS Co-ordinator told my investigator that she had expected John to be placed in an alternative school very quickly and so saw this as a short-term measure only.

Start of the summer term. John received tuition at home for five hours each week covering Maths, English, German and Science. This continued until the end of the summer term. On three occasions the tutor was unable to make the planned session and so John received less than five hours' tuition per week.

30. **13 July** - The Tutor wrote a very positive report on the work done by John and his approach to the home tuition and said that he needed to be back in full time education at a school appropriate to his needs for the most important year in his school life.
31. **27 August** - Officer A wrote to Mr Smith that she was hoping that John would be admitted to the grammar school next term and said that arrangements for his education would continue to be made by the EOTAS Co-ordinator until his admission to school. This letter was copied to the EOTAS Co-ordinator.

No arrangements were made for a tutor for John for the Autumn term as the EOTAS Co-ordinator had believed that he would be in school by then.

32. **16 September** - Mr Smith wrote to complain about the delay in providing a new school place and that John was currently not receiving any education.
33. **30 September** - A new tutor was appointed to work with John for 10 hours per week. His previous tutor was also asked to continue working with him but was only able to arrange one session during October because of timetabling difficulties.

34. **1 November** - After John started school his tutor continued to work with him for 10 hours per week, some sessions being held during school hours and some after school.
35. **4 December** - John's tutor reported "[John] is confident that he has caught up with any work he had missed. He has all outstanding pieces of coursework well in hand and seems to have settled into [the Community College] very well. Consequently we have agreed no further interim tuition is necessary."
36. The EOTAS Co-ordinator told my investigator that it had been intended that the required full time equivalent education for excluded pupils would be provided in Pupil Referral Units (PRUs) but their capacity had been found to be insufficient, mostly because pupils did not move back to mainstream education as expected. This put pressure on the available interim tuition provision. She had run a recruitment exercise for more tutors but they were not in place at the time John was excluded. The LEA had provided as much interim tuition for John as they were able but it was recognised that it was not in any way adequate. This was why the LEA had taken the unusual step of continuing interim tuition after John started school, to help him settle and to catch up.
37. Provision has increased since September 2004 and since April 2005 the LEA has been able to provide 25 hours full-time equivalent education for all excluded pupils. This has been achieved by combining provision from Social Services (for social development work), an Outward activity programme, the Library service and sufficient tutors to meet basic educational need. If a pupil with needs similar to John's were excluded now they would provide a programme including two or three tutors and outdoor activity.

#### **The response to Mr Smith's complaint**

38. On 24 September 2004 Officer A acknowledged Mr Smith's letter of complaint dated 16 September 2004 and said that she was still endeavouring to secure a school for John and that the matter of interim tuition had been referred to the EOTAS Co-ordinator. She apologised for the length of time taken to find an alternative placement but did not offer any explanation.
39. On 28 September the Director for Learning and Cultural Services wrote to the officers involved: "I am deeply concerned that this chain of events should have occurred. No matter the reason for the exclusion and the handling of it by (the grammar school) this intelligent young man has been out of education for some months. It is reprehensible that there has been so much prevarication and that (John) has been denied twenty five hours (full time) education each week for such a long

time. We need to tighten up our act on all fronts and I will not tolerate this dereliction of duty. I have high expectations and these have not been met in this case.”

40. On 28 September Mr Smith wrote to his MP who made enquiries of the Chief Executive in a letter received by the Council on 7 October. It appears that no response was sent to the MP.
41. Mr Smith complained to me and my investigator made enquiries of the Council in a letter dated 9 February 2005. Although the officers involved gathered relevant information, a response was not sent until 21 June.

### **John’s educational achievement**

42. In the Autumn of 2003 while he was still at the grammar school, John’s report indicated target GCSE grades including one A\*, three As, five Bs and three Cs. Mr Smith told my investigator that John had planned to stay on to take A levels and then to study Engineering. Mr Smith said John settled at the Community College and was happy there. But he believes that he lost a great deal of ground during the term and a half he was out of school at a crucial point in his education. He said that John was not able to complete GCSEs in all the subjects he had originally been studying, either because he did not have all the coursework from his previous school or because he had missed work, such as fieldtrips, at the College. Peter soon experienced problems in settling in with some subjects particularly German, and it was agreed he could drop that subject. In Summer 2005 John obtained grade B GCSE passes in Maths and English Language, a C in English Literature and a D in Geography. This was not sufficient for John to go on to an A level course but he has begun a Design and Graphics course at a Further Education College. Mr Smith would like the Council to appoint an independent and suitably qualified person to assess John and the extent to which he has been disadvantaged and to provide a report to assist in finding the most appropriate remedy.

### **Conclusions**

43. John was out of school from March to November 2004, a period of over seven months. This was at a crucial time in his education as he was in the middle of his GCSE course. During this period he received significantly less than the full-time equivalent education which should be provided for permanently excluded pupils. I have to consider, first, the extent to which this missed education was the result of administrative failures by the Council, rather than the expected consequence of John’s exclusion from his former school; and then what injustice this caused.

44. The exclusions process was not completed until 10 May 2004 with the decision of the Independent Appeal Panel. Government guidance issued in March 2004 says that the LEA officer responsible for reintegration should arrange a reintegration meeting with the parents to discuss options within two weeks of the end of the exclusions process. Officer A attempted to do so, telephoning Mr Smith on 13 May and in the letter of 20 May asking him to contact her.
45. Mr Smith's records indicate that he spoke to Officer A by telephone soon after her letter when it was agreed that an approach would be made to Grammar School B, but the Council has no record of this. It does have a record of a telephone conversation between Mr Smith and Officer B on 28 May and a request for a place at the Community College, but Mr Smith is certain this conversation did not take place. Whichever of these versions is correct does not significantly affect what did happen. When Officer A returned from holiday on 7 June she wrote to the Community College about a place for John and shortly after contacted Grammar School B so that information about John was sent to that school only a matter of days later than it would otherwise have been.
46. Government guidance says that individual reintegration plans should be drawn up within one month of a permanent exclusion being confirmed by the governing body and that this should include the name of the new school or other educational body. This was not done for John and that was maladministration. But I do not believe the lack of an individual reintegration plan significantly affected the way events developed because, as noted above, approaches were made to both the schools which had been identified as options for John. Mr Smith was advised of this in a letter of 24 June 2004.
47. Government guidance also says that, unless the child has been twice excluded, applications must be considered on the same basis as all other applications and in line with the School Admissions Code of Practice. This did not happen. Instead, officers sought to negotiate with the Community College and with Grammar School B in an effort to secure a place for John. The Council should have established during June whether either school had a legally valid reason for refusing to admit John and decided how to proceed accordingly. The failure to process the application in accordance with standard admissions procedures was maladministration. Had this been done a school place would have been confirmed during the second half of the summer term. Even if John had not wished to start at a new school so near the end of the academic year, he and his parents would have known which school he would be attending for the start of Year 11 and been able to plan accordingly. This missed opportunity, its resulting uncertainty, and the lack of a school place for the first half-term of Year 11 caused injustice to John and his parents.

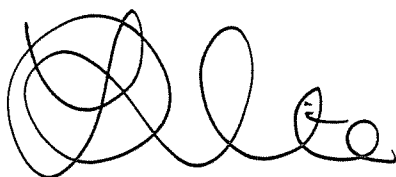


48. Councils are required to provide full-time equivalent education for permanently excluded pupils. For pupils in Year 10/11 this is 25 hours per week which can be met through a range of provision including formal subject teaching and other skills development. John received five hours' tuition per week for April-July, no tuition during September and 10 hours per week during October. This fell far short of full coverage of the GCSE subjects he had been studying and meant that he spent most of his time without the educational structure expected for excluded pupils.
49. I have noted that officers expected John would return to mainstream schooling without delay so that longer term planning had not appeared necessary. And that the range of resources then available to the Council for educational provision outside school was not sufficient to match the demand. Moreover, and as a very welcome gesture, the Council did continue to fund ten hours per week tuition for John for a month after he started at his new school, to help him make up lost ground. And the Council has confirmed that resources are now sufficient to meet current demand from excluded pupils for full-time equivalent education. However, the failure without good reason to provide the level of educational provision expected while John was out of school was maladministration. It was the cause of injustice to John since he did not have the opportunity he should have had to maintain progress in his GCSE studies.
50. John's GCSE results in the summer of 2005 were significantly below the targets set by his former school when he began his GCSE courses. Mr Smith has asked that an independent and suitably qualified person be appointed to assess what disadvantage John suffered because of his missed education. But I do not consider it appropriate to make this recommendation to the Council because of the difficulty of determining how much of John's educational disadvantage was the result of the administrative fault identified above and how much was an inevitable consequence of being permanently excluded from his former school. A period out of school and a change to a new school midway through his GCSEs would have disrupted John's education even if there had been no maladministration. It should also be recognised that John's attainments at GCSE may not have matched his ability in any event.

### **Finding**

51. For the reasons in paragraphs 46 to 49 above, I find that there was maladministration by the Council which caused the injustice identified in paragraphs 47 and 49. To remedy this injustice the Council should make available the sum of £1,500 to be used by John during the next three years to extend his educational achievement or to assist him in pursuing a course of study. If agreement on the use of this money cannot be reached in discussion between John, Mr and Mrs Smith and the Council, the matter should be referred to me for decision. The Council should also make an ex-gratia

payment of £250 to Mr Smith as some recognition of the anxiety he doubtless suffered as a consequence of the Council's fault, and his time and trouble in pursuing this complaint with the Council and with me.

A handwritten signature in black ink, appearing to read 'J R White', with a stylized, cursive script.

**J R White**  
**Local Government Ombudsman**  
**The Oaks No 2**  
**Westwood Way**  
**Westwood Business Park**  
**Coventry**  
**CV4 8JB**

12 January 2006

## **Appendix A**

### **Extracts from guidance issued by the DfES in March 2004**

#### **“Suitable full time education for permanently excluded pupils**

##### **Commitment**

148. Since September 2002, all LEAs have been committed to provide a suitable full time education for all permanently excluded pupils and to make every effort to do so for pupils excluded for a fixed period over 15 days. Pupils who are excluded from school are not excluded from education and should therefore be provided with continuing education until a permanent school or other placement is found.

##### **Meaning of full time education**

149. ‘Full time’ means supervised education equivalent to that provided by mainstream schools in the area and will be different for each Key Stage (KS). The recommended minimum hours per week of taught time are as follows: ...

Key Stage 3/4    24 Hours

Key Stage 5     25 Hours

##### **Time table and curriculum**

150. Although educational provision must meet the number of hours required for the school day, the timetable of an excluded pupil may look significantly different to the timetable in a mainstream school. For example, a pupil may spend the entire school week at one site, or alternatively arrangements for that pupil may require attendance at a combination of sites throughout the week. Either approach is valid so long as the total number of hours provided adds up to the minimum hours outlined above at paragraph 149.

151. Where possible LEAs and schools should ensure that full time education for excluded pupils covers core National Curriculum subjects (outlined in the National Curriculum handbooks), but in addition time should be used to meet specific needs such as improving basic skills or strengthening emotional literacy. PRUs are also required to include Personal, Social & Health Education (PSHE), ICT and Citizenship within their curriculum. Whatever programme is provided there must be a clear structure to each day and rules, boundaries and expectations must be understood by all, especially the pupil.

.....

##### **Time needed to arrange full time education**

156. In order to ensure minimum disruption to a pupil's education, LEAs should plan as soon as they become aware of the exclusion to provide suitable full time education for a permanently excluded pupil from the 16th school day following the head teacher's decision



to exclude. The LEA should work with the school during the first 15 school days while making arrangements for longer term provision.

...

### **Providing full time education**

158. The educational needs of individual pupils will vary, and LEAs should aim to meet these by having a range of alternative provision available to permanently excluded pupils. To help the LEA, schools need to pass on a record of the pupil's educational achievements; the steps being taken to address the pupil's behavioural problems including information about other agencies involved; whether the pupil is on the SEN Code; and an initial assessment of needs, against which the LEA can plan the most appropriate provision to meet individual needs. The range could include:

- a) Schools
- b) Pupil Referral Units (PRUs)
- c) Voluntary or Community Organisations
- d) Private sector providers
- e) Further education colleges or work experience placements
- f) IT provision with appropriate supervision

### **Reintegration**

#### **Importance of reintegration**

160. For most pupils, school is the best learning environment because it provides them with access to the full national curriculum and support, activities and social interaction. Pupils who have been permanently excluded from school need to be placed in a new school as quickly as possible for their full education to continue. ...

#### **Involving and supporting parents**

161. LEAs should involve parents at an early stage in discussions about alternative school places. The LEA officer responsible for reintegration should arrange a reintegration meeting with the parents to discuss options within two weeks of the end of the exclusions process. Although parents may apply for a place at another school without involving the LEA, they may often benefit from advice and support, and so should be encouraged to keep in touch with the LEA. Helping parents find a school which suits the child's needs will improve the chances of successful reintegration. Parents should be kept in touch with progress and, where possible, be given a named contact.

....



## **Early planning**

163. In order to reintegrate pupils quickly and appropriately, early planning by LEAs and schools is essential. While an exclusion is being reviewed by a school's governing body and Independent Appeal Panel (IAP), LEAs, while not pre-empting the outcome of these hearings, should use the time to gather relevant information on the pupil. This could include progress reports from teachers or providers where the pupil is receiving their education. This information will be helpful in planning next steps to support the pupil whether the exclusion is upheld or not.

164. Assessment of a pupil's needs would always be an early part of the reintegration process, and this may be carried out formally by an appropriate teacher or other professional, or may be conducted by gathering and reviewing information held on the pupil's records and through discussion with parents.

## **Reintegration panels/officers**

165. In some areas LEAs convene reintegration panels. They may deal only with exclusions or they could have wider responsibility for co-ordinating all services for pupils out of school. ....

166. Reintegration panels or officers should consider promptly each excluded pupil and may meet to discuss several pupils at each sitting. LEAs should balance the desirability of representing all relevant interests with the need to have a panel that can meet quickly after an exclusion. It may be more effective to have a core panel to take quick action and engage parents and children, with a larger panel meeting less often to monitor and review progress. LEAs may wish to agree a target number of days from confirmation of the exclusion, within which pupils' cases will be considered.

....

## **Individual reintegration plans**

168. In order to ensure the pupil, parents, LEA and school staff agree to and are clear about next steps, individual reintegration plans should be drawn up within one month of a permanent exclusion being confirmed by the governing body. Plans should be agreed by and issued to all relevant parties. Each plan should contain all agreed actions, including interim as well as long term arrangements:

- (a) The name of the new school or other educational establishment;
- (b) A date for the pupil to start (this can be revised later, if necessary)
- (c) Steps towards reintegration in the new school or other educational establishment;
- (d) A named LEA officer responsible for supporting pupil, parents and teachers;
- (e) Monthly review dates for all activities detailed in the plan.





....

### **Admission Forums and cooperation of schools**

...

183. Coordinated admission schemes for both primary and secondary education must say how applications will be handled outside the normal admission round. This will either be through the LEA or through the school itself. Parents may usually apply for more than one school (although this may not be the case for primary admissions) and LEAs should encourage them to do so. Unless the child has been twice excluded, applications for places must be considered on the same basis as all other applications and in line with the School Admissions Code of Practice.”





