



Permanent Exclusion Children in Care Transfer Protocol

Guidance for Head Teachers

What is the CIC Transfer Protocol?

For Children in Care in Gloucestershire, the CIC Transfer Protocol provides an alternative to Permanent Exclusion. It allows the Head Teacher to withdraw the Permanent Exclusion and decisions about the next steps for the child to be made quickly.

How does the protocol work?

Head Teacher will follow Gloucestershire County Council guidance for Permanent Exclusion including completion of the JADU portal (see link below for further guidance). They will also notify the Virtual School Inclusion Lead (details below).

Head Teacher will then convene a meeting within 5 days of the Permanent Exclusion, to discuss the pupil needs and the support available.

At this meeting, there should be the social worker, foster carer / parent and a governor, who can make a decision on behalf of the school governing body. The meeting will be chaired by the school governor with support from the Inclusion Lead of the Virtual School.

The Head Teacher will present the case for the Permanent Exclusion, providing evidence that the decision was reasonable, fair, proportionate and lawful.

The professionals present will then have an opportunity to comment on the Permanent Exclusion and decide if the CIC Protocol should be evoked or if the matter should go to a full governor's disciplinary hearing.

The social worker must agree to use the CIC transfer

Next Steps

The head teacher will write to the parent/ carer and the **Social Worker**, to advise that the permanent exclusion has been rescinded. They will also notify the local authority of this decision, by emailing a written record to SchoolExclusions@gloucestershire.gov.uk

Further guidance to schools on when and how to notify is here:

<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/exclusions/>

The pupil will be placed in the Alternative Provision School, and remain on the school register, coded a D – dual registered. Once a new educational setting is found the pupil will be removed from the school roll. In the event of Y11 CIC transfers, this matter will be considered on an individual basis

If the decision is NOT to evoke the CIC protocol.

The governors will hold a disciplinary hearing within the first 15 school days following the permanent exclusion. Governors have a duty to review exclusions, using government guidance.

The parent/carer and child will be invited and can bring a friend or representative. The social worker will also be invited to attend or contribute in writing if they are unable to attend.

The governors will invite the head teacher to give the reasons for the exclusion. They will ask the head teacher to explain the support that the school have offered in order to avoid exclusion. They will also give an opportunity for the parent / carer and the social worker to give their views about the exclusion, and to ask questions.

Governors can decide to:

- decline to reinstate the pupil; or
- direct reinstatement of the pupil immediately or on a particular date.

If the head teacher's decision is upheld by the governors, Parents will have a right to ask for an independent review panel to consider the decision again. You will be given details about this in the governors' letter informing you of their decision following the meeting.

What happens about the child's education now?

The Alternative Provision School will contact the child's primary carer during the first five days of the exclusion to offer a place. They will provide education for your child while the longer term decisions are being made.

Where can I read more about exclusions?

Schools must follow the government exclusion guidance. *Exclusion from maintained schools/academies and pupil referral units in England*

www.education.gov.uk/schools/pupilsupport/behaviour/exclusion

<http://www.gloucestershire.gov.uk/schoolsnet/exclusions>

Sources of help and information

The Virtual School are able to support the Children in Care Transfer process.

Please contact

Karla Broady

Assistant Head with responsibility for Inclusion

The Virtual School

Karla.broady@gloucestershire.gov.uk

Coram Children's Legal Centre

Provide free legal advice and information to parents on education matters, including exclusions. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>

The advice line is open from 8.00 am to 8.00 pm Monday to Friday

Child in Care Transfer Protocol

Meeting Agenda

1. Introductions
2. Purpose of meeting
3. Headteacher to present case for permanent exclusion
4. Use of Child in Care Protocol-Discussion
5. Use of Child in Care Protocol-Decision

6a. If Child in Care Protocol is to be used, Headteacher agrees to write letter to parents, carers and social worker to advise that the permanent exclusion has been rescinded.

6b. Headteacher also agrees to notify Local Authority of the decision to use the Child in Care Protocol to rescind the permanent exclusion by contacting: SchoolExclusions@gloucestershire.gov.uk

Further guidance to schools on when and how to notify is here:

<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/exclusions/>

6c. To note, the Local Authority will arrange Alternative Provision School placement at the earliest opportunity but by day 6 following decision to Permanently exclude. The child remains on the school register (coded D-Dual Registered).

7. If the Child in Care Protocol is not to be used, school governors will hold disciplinary hearing within first 15 days following the permanent exclusion.

8. Meeting summary, any additional questions and close.

Virtual School

Record of Meeting

Date: Venue:

Virtual School Staff:

Type of meeting:

Pupil's name:	DOB:	School:	Year group:
Present at the meeting:			
Initials of who is speaking	Summary of discussion		Actions

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Signed by the Virtual School