

Permanent Exclusion-Child in Care Transfer Protocol

Guidance for social workers, parents and carers with parental responsibility

Permanent Exclusion from school

Exclusion can be worrying, upsetting and difficult for you and your child. It can be particularly difficult when a child is in care. This guidance will explain permanent exclusion and the Child in Care Transfer Protocol.

What does permanent exclusion mean?

Permanent exclusion is when the head teacher has decided that a pupil should not continue at the school because of their behaviour.

Being informed about the exclusion

In all cases when your child has been suspended/excluded, you will be informed by the school in writing. This letter provides key information including:

- the length of exclusion
- the reason for the exclusion
- parent/carer responsibilities during the exclusion
- the arrangements made by the school to provide work for during the first five days of an exclusion
- the date your child should return to school (unless excluded permanently)
- parents/carer right to appeal to the governing body

For permanent exclusion, this letter will also include details of the governors meeting that has to be held to review the headteacher's decision to exclude your child.

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 your child to be made quickly. When appropriate your child will be found a new educational setting, without delay.

How does the protocol work?

You are a key part of this process. The head teacher will invite you to a CiC Transfer Protocol meeting within 5 days of the permanent exclusion to discuss your child's needs and the support available. At this meeting you will be able to decide whether to use the protocol. If you disagree with the headteacher's decision to permanently exclude your child, you can decide not to use the protocol.

* If a Gloucestershire child in care reaches 35 days suspension in an academic year, the headteacher should call a pre-emptive CIC Transfer Protocol meeting. This ensures proactive decisions can be made and actions agreed prior to the student reaching the 45-day suspension threshold.

**For children in care being educated out of county and for whom the protocol may be relevant, circumstances will be discussed and agreed with the Virtual School Head on an individual basis where possible.

What happens if I agree to use the protocol?

1. The head teacher will write to you to formally to withdraw the permanent exclusion.
2. Your child will remain on roll at the school but will not be allowed to return there.
3. Your child will attend an alternative provision school while the most appropriate long-term arrangements are made.

What happens if I do not agree to use the protocol?

1. The governors will invite you to a meeting within the first 15 school days following the permanent exclusion.
2. You will have the right to attend this meeting or put your case in writing to the school governors. In every case the governors must consider your views.

What happens at the governors meeting?

Governors take their responsibility very seriously when reviewing exclusions.

They 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 to your child in order to avoid exclusion.

They will also give you an opportunity to give your view about the exclusion, and to ask questions.

In the light of its consideration, the governing board can either:

- decline to reinstate the pupil; or
- directly reinstate the pupil immediately or on a particular date.

If the head teacher's decision is upheld by the governors, you 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 my child's education now?

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

What do I need to know before the CiC Transfer Protocol Meeting?

It is important that everyone at the meeting understands the purpose of the meeting and the possible outcomes.

The first part of the meeting is to hear the headteacher's reason for permanent exclusion and to consider if the permanent exclusion is lawful, reasonable, rational, fair and proportionate.

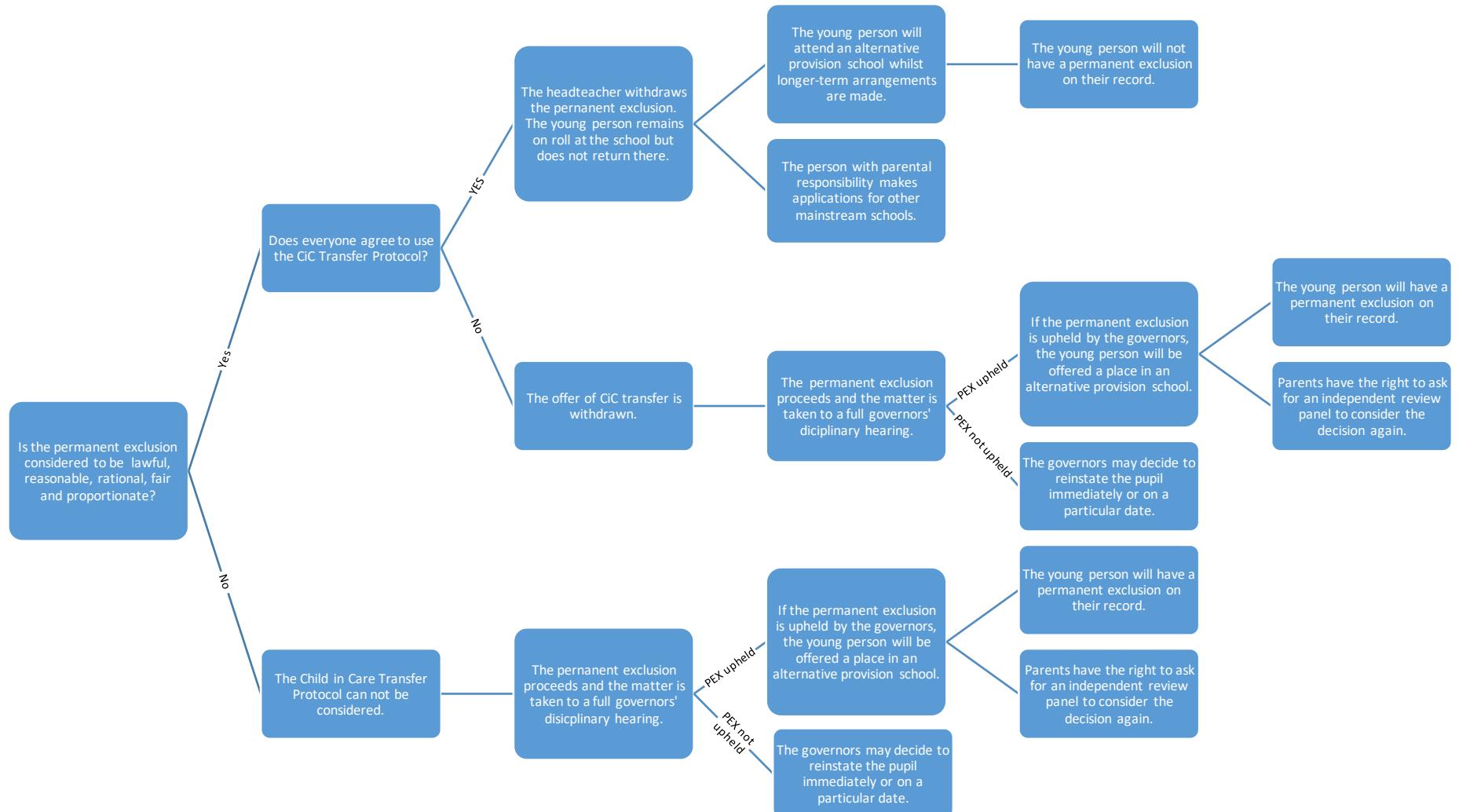
- If it is felt that the permanent exclusion is reasonable then everyone agrees to accept the permanent exclusion and give up the right to a governors' meeting to review the permanent exclusion. The next step is to consider using the CiC Transfer Protocol.
- If it is felt that the permanent exclusion is not reasonable then you can decide not to use the CiC Transfer Protocol and proceed with a governors' meeting to review the permanent exclusion. There will be no opportunity to use the CiC Transfer Protocol at a later date and should the permanent exclusion be upheld by the governors then **the young person will have a permanent exclusion on their record**. In this instance the young person will not be able to return to the school and they will be offered a place at an alternative provision school.

If the permanent exclusion is accepted, then the second part of the meeting is to consider using the CiC Transfer Protocol.

- If everyone agrees to use the protocol, then the headteacher will withdraw the permanent exclusion and agree to keep the young person dual registered until a new mainstream school is found. The young person will be offered a place at an alternative provision school whilst long-term arrangements are being made. **They will not have a permanent exclusion on their record**.
- If you don't agree to use the protocol, then the permanent exclusion will proceed. There will not be an opportunity to use the CiC Transfer Protocol at a later date and should the permanent exclusion be upheld by the governors then **the young person will have a permanent exclusion on their record**. In this instance, the young person will not be able to return to the school and they will be offered a place at an alternative provision school whilst longer-term arrangements are being made.

It is important that after the CiC Transfer Protocol meeting, **the person with parental responsibility** for the young person makes applications to other mainstream schools as soon as possible. This will ensure that the young person attends the alternative provision school for the shortest time possible.

Child in Care Transfer Protocol Meeting



Where can I read more about exclusions?

Schools must follow the government exclusion guidance. You can read more by following the link below:

GCC guidance for parents on exclusions: [What to do if your child is excluded from school - Gloucestershire County Council](#)

What can I do if I have concerns about my child's special educational needs?

If your child has special educational needs, the school's Special Needs Co-ordinator (SENCO) can advise on additional support and ways to assess your child's needs.

SENDAIASS Gloucestershire is a free service offering information, advice and support to parents and carers of children with Special Education needs:

[SENDAIASS for parent carers and young people - Gloucestershire County Council](#)

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

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

SENDAIASS Gloucestershire

(supports parents/carers of children with special educational needs)

2nd Floor Messenger House

35 St Michael's Square Gloucester GL1 1HX

Tel: 01452 427566 or

0800 158 3603 – mob

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.

6c. To note, the Local Authority will arrange Alternative Provision School placement. 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.