

Devon Virtual School for Children in Care

Protocol for Eliminating Exclusions of Children in Care (March 2016)

Distribution: all Schools, including Academies, Free Schools and Independent Schools

Eliminating Exclusions

This is an agreement between Devon Schools and the Devon Virtual School for Children in Care.

1. Children in Care are statistically more likely to be excluded from school than any other group. It is anticipated that through strong partnership links between the Virtual School Team and schools, effective strategies can be put in place to eliminate exclusions.
2. The Protocol has been drawn up by the [Virtual School](#) and agreed by the Heads' Liaison Group to eliminate Fixed Term and Permanent Exclusions in Devon.
3. Experience has shown early intervention strategies can minimise later difficulties. The child/young person's Carers and Social Workers are responsible for keeping the school informed of unsettling events or concerns in the child/young person's life.
4. If difficulties arise for the school in relation to a Child in Care, the school should contact the Foster Carer or Residential Carers. The Carers will engage with the school and, as necessary, make contact with the [Social Worker](#). The [Area Learning Advocate](#) should be notified by email at this point.
5. When difficulties begin to emerge, such as notes of concern, internal exclusion from lessons, sanctions eg. detentions, schools will arrange an 'Early Intervention' meeting, in order to establish strategies and support before the situation escalates into something more serious. Invitations to Early Intervention meetings should include the Carer, Social Worker and Area Learning Advocate.
6. Where a significant breach of School Behaviour Policy and allowing the child to remain in school would seriously harm the education or welfare of the child or other pupils in the school, Permanent Exclusion, as an absolute last resort, could be used. However, within 4 school days a Protocol Meeting should be held. This should include the [Inclusion Officer](#), Area Learning Advocate, Foster Carers, Social Worker, Educational Psychologist, School and other relevant professionals (eg. CAMHS practitioner, Education Welfare Officer).
7. The Child in Care Protocol meeting will consider the reasons for the Permanent Exclusion and investigate whether all possible action has been taken, and whether further preventative in-school action would be appropriate.
8. If every possible strategy has been tested and exhausted then a child will be transferred to other education provision, usually another mainstream provision or possibly a Special School or alternative provision. Full time, interim education will be provided by SchoolsCompany from day one until the longer term placement is secured. Schools and all parties involved must be compliant with the [Equality Act 2010: Exclusion from Maintained Schools, Academies and Pupil Referral Units in England](#), and where relevant [Special Educational Needs and Disability Code of Practice: 0-25 Years](#).

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9. Where a pupil has a Statement or Education & Health Care Plan, the SEN 0-25 Team attend the Protocol meeting, where recommendations about the type of provision to meet the requirements of the child will be discussed and captured in an Interim Review. Both the Protocol and Interim Review will capture the voice of the child. Using the recommendations the SEN 0-25 Team will progress a placement for the child.
10. The Inclusion Officer will explain statutory rights to the birth parent, Carer or Social Worker who hold Parental Responsibility (PR) on the implications of a Managed Transfer and how this removes their right of representation to a Governors' Disciplinary Meeting and any subsequent Independent Review.
11. If any of the stakeholders reject the Managed Transfer then the school may, at that point, follow the formal [Permanent Exclusion](#) route with Governors.
12. If a Managed Transfer is agreed, close involvement by school staff with the new school is critical to the success of the new education placement.
13. The CiC Education Welfare Officer will monitor the attendance of the new, and any further, educational placement and will liaise with the Virtual School Headteacher, the child's Social Worker and care placement to ensure good attendance.
14. Inclusion Officers will consult the [School Transport Team](#) at the earliest opportunity and seek advice regarding transport arrangements.

Agreed by Heads' Liaison Group (HLG) / Date:7 March 2016.....

Signed by Headteacher: **Date:**

Signed by Chair of Governors: **Date:**

Signed by DCC Virtual School Headteacher: **Date:**

Signed by DCC Virtual School GB CofG: **Date:**

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