

4. THE ROLE OF THE COUNTY AND AREA BEHAVIOUR STRATEGY PANELS

Introduction

- 4.1. The system established in 1999 was successful in:
 - Establishing common criteria for PRU referral across the county
 - Further developing a corporate sense of responsibility amongst Heads in the areas for exclusion and reintegration
 - Monitoring and prioritising the placement of pupils at risk of exclusion
 - Establishing a common process for college provision for Years 10 and 11
 - Developing a strong partnership between Heads, the PRU, and the area agencies
 - Contributing via the County Behaviour Support Panel to the development of SEN policy development with regard to behaviour

- 4.2. In this sense it can be said that the Behaviour Panels achieved the purposes for which they were set up. In the context of the DfES “Guidance on Hard to Place Pupils” the Warwickshire system anticipated national proposals published in 2004-2005.

- 4.3. There was, however, a need to review the operation of the panels in the context of:
 - Recent LA consultations conducted by Paula Allen about current EBSD provision with Heads and other stakeholders
 - The proposed “Vision Statement for Behaviour Management in Warwickshire”
 - The current sharp rise in the number of excluded pupils “clogging up” the PRU
 - Removing Barriers to Achievement
 - Fair Funding
 - Children Act
 - DFES strategies

- 4.4. The policy therefore can be seen to be based upon the experience from the current system but also seeks to respond to major policy drivers set out below.

Drivers for Change

DfES strategies:

- 4.5. DfES Guidance LEA/0316/2004 “Guidance on Hard to Place Pupils”, DfES “5 Year Strategy For Children And Learners”)
 - Admission Forums/Panels to agree protocols for fairer sharing out of “Hard to Place Pupils”
 - Devolution of funding to groups of schools allowing them to take collective responsibility for managing challenging pupils
 - Strong leadership in schools to improve behaviour and attendance
 - Schools having in place a full range of preventative strategies

The DfES model coincides completely with Warwickshire practice and the recognition by schools of their collective responsibility. The Behaviour Strategy Review would, therefore seek to build on these achievements.

Removing Barriers to Achievement:

- 4.6. A review of panels also needed to take account of the key areas within this strategy:
- Early intervention
 - Removing Barriers to learning
 - Raising expectations and achievement
 - Delivering improvements in partnership

Fair Funding:

- 4.7. Following consultation with Head teachers there was Cabinet agreement in 2002 to delegate funding for behaviour support. The method agreed was delegation to area panels to ensure transparency with regard to the pattern of funding, and to enable Heads to monitor and moderate activity, and to determine area strategy. The delegation provided a further rationale for panel review.

Children Act:

- 4.8. The theme of even closer partnerships with agencies will be an inevitable result, and therefore needed to be taken into account in any review.

Research

- 4.9. Research by "Inaura", the inclusion charity investigated the context for these proposals in their paper "Preliminary Assessment of Educational Managed Moves in England and Wales", published in 2004:
- About one third of LEA's were encouraging some form of managed move
 - Advantages were felt to be that they:
 - Were forward-looking
 - Offered a plan for recovery
 - Created the context for positive & systematic intervention
 - Were solution focused
 - Were carefully planned
 - Resulted in dramatic reductions in permanent exclusions
- 4.10. Coventry LA uses the system of Managed Moves and also reports positively, including upon the fact that the PRU is no longer "clogged up" with permanently excluded pupils. Exclusions have dropped to single figures.

The Secondary Area Behaviour Strategy Panels

Title:

- 4.11. In order to reflect a more strategic role the panels will be re-named Secondary Area Behaviour Strategy Panel.

Areas:

- 4.12. The 4 panels will correspond with the LA Administrative Areas: East, Central, South, Nuneaton & Bedworth and North Warwickshire.

- 4.13. The rationale for this is to enable:

- Better ownership, and hence representation
- Better focus on the different issues within the three areas
- A more localised strategy in each area
- The facilitation of the protocols for sharing “hard to place” pupils

The Purposes of the Panels:

- 4.14. The Panels exist

- To receive reports on the area allocation of **funding** and resources to behaviour management. SEN Finance staff will prepare these.
- To **monitor** patterns and trends of the behaviour management activity in the area, including exclusions. A report will be prepared by the PRU Head of Centre and the Exclusions Officer.
- To develop **strategy** for behaviour management in the area, (including the use of resources), and to set and review targets, particularly with regard to the desired balance between preventative and reactive provision
- To agree appropriate support and interventions for pupils in the final four terms of primary education to ensure successful **secondary transition**.
- To identify, develop and commission area **initiatives** to improve behaviour (for e.g. at secondary transition, KS 3, 14-19 curriculum development)
- To receive a **termly report from the PRU** Head of Centre following a template common to all areas.
- To receive regular **reports from LABSS, SSD, YOT and other services/agencies** on the patterns of activity in the area
- To agree, monitor and moderate
 - “alerts” re pupils requiring a second PSP
 - requests for Managed Transfers (including for Statemented Pupils)
 - requests for PRU placement following failure of Managed Transfer
 - placement of excluded pupils at the PRU
 - placement of pupils on New Start or Vocational Training programmes
- In consultation with the appropriate professionals to agree, monitor, and moderate **referrals to the Joint Funding Panel** for placement in independent or non-maintained special schools. The ASRS representative will facilitate this process.
- **To monitor pupils who are not receiving full-time schooling**, to contribute to the accuracy of the LEA database, and to manage the

appropriate placement of these pupils. The termly report from the PRU and Out-of-school group will inform this process

Chair:

- 4.15. A Head teacher will be elected by the Panel, initially for three years to embed new system and process and thereafter there would be an agreed rotation system.

Composition:

- 4.16. Each Panel will be constituted as follows:

- All Secondary Head teachers
- Special School Head teacher
- LABSS Head teacher/Area Manager
- PRU Head of Centre
plus, at the invitation of the Panel
- LEA Area Officer
- Exclusion Assistant
- ESWS
- EPS
- ASRS
- Social Services Area Manager
- Youth Offending Team Area Manager
- Other key agencies in the area

- 4.17. The proposal envisages that the representatives from the services and agencies will be the equivalent of area manager level with access, therefore, to both individual case details and a strategic overview of their service activity in the area. As is the case now, Panels would retain their discretion to co-opt other agencies whose contribution would be relevant.

Frequency and Venue:

- 4.18. Twice termly half-day meetings, at a mutually convenient venue, with the agenda split equally between strategic purposes and consideration of pupil placements.
- 4.19. To facilitate this, summary casework documentation and process checklists would need to be prepared and presented by PRU HOC or Team-leader in consultation with Exclusion Assistant and ASRS officer (for statemented pupils). This would necessitate a pre-meeting of these people. An annual calendar would be established for all meetings.
- 4.20. For cases where an immediate decision is required to meet statutory time-limits (e.g. fixed-term exclusions in excess of 15 days) the current "Core Group" arrangements would continue to apply, whereby a decision would need to be logged onto the Exclusion Assistant's data base to be confirmed at the next full Panel meeting. In most cases, provided schools have followed the PSP process, it should be clear how the pupil's status maps onto the flowchart. If the pupil maps on at a point where a Managed Transfer is planned it should already be clear from the pre-agreed protocols and Service Level Agreements which

school is in line to receive a pupil. There should not, therefore, be as much to discuss in terms of which school might take the pupil.

Management of the Panels:

- 4.21. The Exclusion Assistant or her/his assistant would call meetings of the panels and circulate paperwork. (S)he will liaise with Head teachers and others to enact decisions made. (S)he will also minute the meetings and manage the database, producing reports as required.

The Primary Advisory Behaviour Strategy Panels

- 4.22. The primary sector will be served by 2 Primary Advisory Behaviour Strategy Panels. These will provide a strategic, collective and supportive approach to behaviour management in primary schools across Warwickshire. It is proposed that the Secondary Area Behaviour Strategy Panels will consider the resource needs of pupils in their last four terms of primary education.
- 4.23. This proposal reflects concerns expressed by primary head teachers at the Behaviour Strategy consultations in February and March. Many primary heads
- felt that the representative composition of the panels resulted in most heads having little knowledge or direct experience of the panels
 - felt that the panels did not necessarily appreciate the issues around behaviour in their schools
 - expressed doubts about the relevance and effectiveness of the primary panels in securing appropriate advice and support.
 - agreed that permanent exclusion is not an issue for many primary heads and that managed transfers would not be appropriate for primary-age pupils.

Composition

- 4.24. The Primary Panel will be composed as follows:
- Chair: Head Teacher
 - Primary Head Teacher representatives
 - Head teacher of PRU
 - Head of Primary programmes within the PRU plus, at the request of the Panel
 - Educational Psychologist responsible for behaviour
 - An Area Education Officer
 - Exclusions Officer facilitated by the Exclusions Assistant
 - The ASRS Manager with ability to delegate to appropriate officers
 - The panel will have the ability to co-opt other agencies where appropriate.
- 4.25. The panel will consider a range of issues and concerns re behaviour within primary schools as well as allow for dissemination of good practice.

Frequency:

- 4.26. Half-termly
- 4.27. The panels will respond to and supply information to heads groups, for instance the Local Head Teachers Forums (formerly PATCH) and the Primary Heads Teaching and Learning Policy Group.
- 4.28. It is anticipated that the above composition and approach will best serve the needs of primary heads with Warwickshire schools in regard of access to support and guidance for behaviour management.

County Behaviour Strategy Panel – under Review

Introduction:

- 4.29. The current County Panel has since 1999 been successful in its purpose:
- Monitoring the activity within the Area Panels
 - Modifying the criteria and process for PRU referral
 - Further developing a corporate sense of responsibility for the management of behaviour and exclusions
- 4.30. Its role will be redefined in the light of the changes in relation to the Area Panels, and also to take account of the greater strategic role proposed for these panels.

Title:

- 4.31. In order to reflect a more strategic role it is proposed that the panel be re-named County Behaviour Strategy Panel.

Purposes of the Panel:

- 4.32. The Panel will
- receive reports on the overall county allocation of **funding** and resources to behaviour management along the continuum from School Action to out-county placement. These to be prepared by the SEN Finance Section.
 - receive reports from the Area Panels and to **monitor** patterns and trends of primary and secondary behaviour management activity across the county
 - receive **reports from the PRU** Head teacher
 - receive **reports from LABSS, SSD, YOT and other services/agencies** on the patterns of activity across the county and the pressure points
 - receive **reports from the Exclusions Officer** on fixed-term and permanent exclusions
 - develop **strategy** for primary and secondary behaviour management across the county, and to set and review targets
 - discuss issues relating to **secondary transition**
 - identify, develop and commission county **initiatives** to improve behaviour (for e.g. at secondary transition, KS 3, 14-19 curriculum development)
 - monitor, review and **moderate processes and criteria** for referrals and re-integrations in line with the agreed criteria
 - maintain a **review of pupils who are not receiving full-time schooling**
 - contribute to the development of **county protocols** for the placement of excluded pupils and other pupils at risk in line with DfES Guidance on Hard to Place Pupils
 - **monitor and moderate the operation of these protocols** across the county
 - discuss and contribute to **LA policy** and developments related to SEN issues (including attendance, exclusion, inclusion etc.)

Composition:

4.33. The Panel will be composed as follows:

- ACEO (Chair)
- Chair of the Secondary Panel and Primary Head representative on Primary Behaviour Strategy Panel
- Special School Head teacher
- LABSS Head teacher
- Head of Round Oak Support Service also representing special school heads
- PRU Head teacher
- An LA Area Officer
- Exclusion Officer
- Exclusion Assistant
- ESWs Principal
- EPS Principal
- ASRS Manager
- Senior Social Services Manager
- Senior Youth Offending Team Manager
- Other key county agencies (as identified by the Panel)

4.34. The proposal envisages that the representatives from the services and agencies will be of a sufficiently senior level with access, therefore, to a strategic overview of their service activity in the county. As is the case now, Panels would retain their discretion to co-opt other agencies whose contribution would be relevant.

Frequency:

4.35. Termly, so as to follow from the meetings of the Area Panels

Reporting:

4.35. It is proposed that the Panel reports to the Joint Management Team and the Strategic Board for Children and Young People.

Placement Identification Meeting

4.46. The functions of this group will be undertaken by the Area Behaviour Strategy Panels. The PIM will be discontinued.

5. REFERRAL PROCESSES

Introduction:

Placement at the PRU

- 5.1. The only route¹ to the PRU is via referral to the Area Behaviour Strategy Panel with the required documentation to enable judgements to be made about an appropriate programme.
- 5.2. The circumstances where a referral may be made to the PRU are:
 - following a permanent exclusion in cases where a Managed Transfer has not been possible
 - following an unsuccessful Managed Transfer “trial” period
 - where the previous provision made for a pupil new to the county strongly indicates placement in a PRU until integration into a mainstream setting is appropriate.

Prior to Referral.

School Action (see 3.5 to 3.13)

- 5.3. The school is responsible for providing support to pupils at School Action in line with the SEN Code of Practice and the Secretary of State’s Guidance on pupil behaviour and attendance (Circular 10/99: revised Edition June 2004 Ref. DfES/0566/2004). Furthermore the DfES Five Year Strategy for Children & Learners envisages strong leadership within schools to improve behaviour and attendance. The expectation is that the school would have in place the full range of preventative strategies in line with the Behaviour Support Review document (Appendix 6 to the Behaviour Handbook).

School Action Plus (see 3.14 to 3.18)

- 5.4. In line with the SEN Code of Practice, the school involves qualified, external staff to work alongside teachers to advise and assess, and to ensure the provision reflects the appropriate strategies to meet the pupil’s needs. A Pastoral Support Plan would result from this and the collaboration with other involved professionals and would specify “precise and realistic behavioural outcomes for the child to work towards” (Circular 10/99), and would also involve the close collaboration of parents.

Pastoral Support Programme (PSP) (see also 3.19 to 3.34)

- 5.5. A PSP must be put in place for a pupil who has several fixed-term exclusions or is otherwise at risk of exclusion.
- 5.6. The PSP should be reviewed with parents and other professionals involved half way through its duration, and it should then continue for a full school term.
- 5.7. PSP First Review and “Alerts” to Area Behaviour Strategy Panel:
- 5.8. If at the first review of the PSP the judgement of the meeting is that inadequate improvement has been made, the meeting will send an

¹ Where a referral to PRU (ECOS) is required in cases of diagnosed notifiable disease or illness the referral is processed directly through ECOS and does not involve the Area Behaviour Strategy Panel.

“Alert” (format to be designed) to the Area Behaviour Strategy Panel to signal that a Managed Transfer may need to be considered unless the revised PSP produces the required improvement. Parents and the pupil need also to be consulted. If the pupil is Statemented the review must take the form of a statutory review

- 5.9. At the second review of the PSP the meeting will decide whether a referral now needs to be made to the Area Behaviour Strategy Panel for such a Transfer. Written parental consent is required, and the parents’ wishes with regard to the school to be nominated must be heard. They must be made aware that there is no guarantee that their preferred nomination can be respected.

Referral to the Area Behaviour Strategy Panel for Managed Transfer

The documentation required:

- Pupil details
 - Brief details of School Action
 - Pastoral Support Plan plus dates of and amendments from the reviews
 - DfES Transfer documentation (attendance & academic progress)
 - Parental Consent & School Preference Form (to be designed)
- 5.10. The function of this documentation is to enable the Area Behaviour Strategy Panel(s) to be given a summary briefing on the case and make a swift and fair decision.
- 5.11. Current formats will be revised to include a checklist to assist the Area Behaviour Strategy Panel monitoring of the criteria required for Managed Transfer. If the Panel’s judgement is that criteria have not been met an explanation will go to the referring school.

Planning the Managed Transfer

- 5.12. If the transfer is agreed the pupil will be dual-registered at the PRU and referring school and attend the PRU on such dates as need to be organised to enable planning to be completed with the referring and receiving schools, the pupil, parent and PRU staff. PRU programme:
- 5.13. If a managed transfer is not agreed the pupil will be placed at the PRU and a start date agreed. Transfer documentation will be sent to the PRU from the original school, and an appropriate programme designed and implemented with termly reviews. The pupil will then be sole registered at the PRU.
- 5.14. Progress will be reported to the Area Behaviour Strategy Panel where decisions are required about the next appropriate placement:
- New Start
 - Vocational Training programmes
 - Managed Transfer

5.15. The PRU will manage the liaison required with referring school, receiving school, parents, and pupil to agree the re-integration plan covering:

- The aims
- The programme
- The arrangements (re. transport, uniform, attendance register etc)
- The timings
- The timetable
- The success criteria
- The roles of pupil, staff, parents
- The support role of the PRU
- The funding arrangements
- The date(s) for review

The Trial period:

5.16. The initial “trial” period for the Transfer will be six weeks at the end of which period a review will be held to judge whether success criteria have been met, in which case the pupil should transfer fully to the roll of the new school, with a further six weeks of PRU support. The referring school should also transfer to the receiving school any remaining school records.

5.17. In exceptional circumstances of extreme behaviour where there is a need to end the trial before the full six weeks the head of the receiving school will consult with:

- The Chair of the Area Behaviour Strategy Panel
- The head of the referring school
- The PRU Head of Centre

before confirming this in writing to them and to the parent, specifying the date upon which the Managed Transfer will be terminated. This notification should also be copied to the Exclusion Assistant to be logged on the database.

5.18. Referral will then be made to the Area Behaviour Strategy Panel for consideration of the next step, which will either be placement at the PRU or further work on Managed Transfer. It is envisaged that further trial periods will only be appropriate in unusual circumstances such as long-term absence through illness, and must be confirmed in writing as before.

5.19. All reports on the progress of managed transfers must be sent to the Area Behaviour Strategy Panel to enable monitoring and evaluation of the initiative.

Referral for placement at the PRU following a permanent exclusion

5.20. The aim is to prevent the permanent exclusion of pupils wherever possible, including using Managed Transfers. It is recognised, however, that on occasion exclusion may occur.

LA Exclusion guidelines:

5.21. The processes to be followed are laid out clearly in this document and the appendix, which notes more recent changes to national guidance. Referral & Transfer Documentation to Strategy Panel:

5.22. To enable the Area Behaviour Strategy Panel to ensure the continuance of the pupil's education and to progress their placement it is important that the excluding school refer the pupil to the Area Behaviour Strategy Panel with the appropriate documentation:

- Pupil details
- Brief details of School Action
- Pastoral Support Plan + dates of and amendments from the reviews
- DfES Transfer documentation (attendance & academic progress)

Continuance of the pupil's education:

5.23. To ensure this, the PRU will provide education from the 16th day of exclusion, utilising the work that it remains the school's responsibility to provide. The pupil will be dual-registered with the PRU and the school until the final confirmation of the exclusion at the end of the appeal period. PRU placement in no way pre-empts the outcome of such an appeal.

Final confirmation of the exclusion:

5.24. Once an appeal has confirmed exclusion, or at the expiry of the appeal period if no appeal is made, the pupil becomes sole-registered at the PRU, where the most appropriate programme is devised to ensure the pupil's positive destination. This may include a Managed Transfer.

Long, fixed term exclusions:

5.25. Where a pupil is excluded for a fixed period of more than 15 school days, the school should make contact immediately with the PRU head of centre to arrange educational provision for the pupil, which should be implemented before the 16th day of exclusion and should continue until the exclusion expires. The school would be invoiced for some of the cost of this provision. The PRU head of centre has responsibility for informing the Area Strategy Panel of these arrangements.

Serious Criminal Offence:

5.26. Where a pupil is accused of committing a serious criminal offence and exclusion would be inappropriate because the offence took place outside of the school jurisdiction, a head teacher has discretion to arrange an extended leave of absence or education off site. The school continues to have jurisdiction for ensuring the pupil receives full time education in these circumstances (for more information, see DfES exclusion guidance, para 23). Where a head teacher requires

assistance from the PRU in fulfilling the requirement for full time education, they should contact the PRU head of centre to arrange educational provision. The school would be invoiced for some of the cost of this provision. The PRU head of centre has responsibility for informing the Area Strategy Panel of these arrangements.

6. **MANAGED TRANSFERS:**

See documentation