

Learning & Achievement

Children and Young People's Services



EDUCATION WELFARE

NEGOTIATED TRANSFERS

Revised: JUNE 2010



CONTENTS

Introduction	<u>Page 2</u>
Guidelines for Negotiated Transfers (NT):	
Negotiated Transfers are to be used.....	<u>Page 3</u>
Brokerage of Negotiated Transfers	<u>Page 4</u>
Financial Arrangements	<u>Page 5</u>
Registration and Roll Arrangements	<u>Page 5</u>
Other Factors	<u>Page 6</u>
Protocol Implementation	<u>Page 8</u>
Contacts	<u>Page 8</u>
Appendix 1: Negotiated Transfer Guidelines	<u>Page 9</u>
Appendix 2: Timeline and detailed Procedures	<u>Page 10</u>
Appendix 3: Negotiated Transfer Form	<u>Page 11</u>

INTRODUCTION

During each of the past 5 years, there have been between 20 and 30 Negotiated Transfers in North Somerset. In all cases a permanent exclusion was avoided, with 59% of pupils going on to the permanent roll of the receiving school and the others either going back to their original school or being referred to the Education Other Than At School service.

During the same 5 year period, Permanent Exclusions in North Somerset fell significantly; from an average of 34 per year over the previous 5 years to between 10 and 16 per year. **One of the key factors in this reduction has been the agreement and use of Negotiated Transfers.**

This protocol was first introduced to secondary schools in April 2003. Since January 2006, negotiated transfers have also been arranged across primary schools at the request of headteachers.

This Update in 2010 follows consultation and discussions with headteachers, senior leaders in schools, parents, pupils, Education Welfare Officers and other professionals in the Children and Young Peoples Services. It also follows discussions with representatives from other Local Authorities who have similar protocols.

It is clear that the Negotiated Transfer system has proved very beneficial in many respects, and whilst there are no major changes in this policy, there have been clear indications that communication and time scales are factors which need to be improved. The introduction of the Common Assessment Framework also needs to be part of any consideration where a pupil is having difficulties in school

Negotiated Transfers:

- must involve good communication and voluntary agreement between all parties.
- must be fully understood by pupil and parents/carers
- need to follow the Guidelines and timeline in Appendix 1 and 2.
- are part of the In Year Fair Access protocol.
- need to be considered alongside a Common Assessment Framework.
- need to be reported using the Form as in Appendix 3.

The permanent exclusion of any pupil has potential damaging effects on the pupil, their parents/carers and the school.

Pupils inevitably feel a variety of emotions, which often include rejection, anger and disaffection. There is also uncertainty around their future education placement. Schools also experience difficult emotions when a permanent exclusion occurs, in most cases having used many strategies to support the pupil.

This Negotiated Transfers scheme is aimed at negotiating (between the pupil, parent/carer, and school) a transfer of the pupil into a new school, thereby avoiding a permanent exclusion and also ensuring continuity of education for the pupil. A

headteacher who feels a pupil is at risk of permanent exclusion would trigger the scheme.

The pupil remains on roll of the original (home) school, but has a fresh start and attends the new school for a term or so as a “guest pupil”. If the transfer works well, and all are in agreement, the pupil would go onto the roll of the new school. If the transfer does not work s/he would return to the home school.

GUIDELINES FOR NEGOTIATED TRANSFERS (NT)

Negotiated Transfers are to be used:

- 1) In the best interest of those pupils who are experiencing difficulties which appear to be leading towards permanent exclusion, when the full range of pastoral support strategies (including a Pastoral Support Programme) have been resourced and tried, but have failed to reach the young person.
- 2) When a ‘new start’ at another school is seen positively by **all** concerned and has not been used as a threat or punishment by the school. An NT is a possible, negotiated strategy, not an imposition. It aims to keep pupils included who might otherwise become permanently excluded and further disaffected.
- 3) Only when the pupil and his/her parents/carers fully understand and agree to the principles of the Negotiated Transfer.
- 4) On the understanding that this is not normally a ‘1 for 1’ exchange arrangement between schools, although there may be times when this does occur (if it does, the ultimate destinations of the two pupils are not connected). What is more important is that the needs of the young people concerned are being met and their best interests are being served.
- 5) With a new Pastoral Support Programme drawn up by the receiving school, agreed by all concerned, which addresses the particular circumstances and needs of the pupil.
- 6) Understanding that this could be on either a short or long term basis, with the pupil staying on the roll of the home school (school A).
 - **Short Term** – until such time as the receiving school (school B) reviews the transfer and agrees to put the pupil on their own roll (normally within one, and a maximum of 2 (new) terms)
 - **Long Term** – whereby it is decided at the outset that the pupil will remain on roll of the original school but attend another school for a specified period (e.g. the rest of a Key Stage).

- 7) With the knowledge that the Local Authority School Admission and Transport section has been asked to allow these placements to become permanent in over-subscribed schools as and when a vacancy may occur. If no vacancy occurs the pupil would remain on the roll of the original school but continue to attend the new school.
- 8) Knowing that there is a clear understanding that the school accepting the transfer does not have to permanently exclude the young person if the transfer fails, but that the original school retains responsibility for the child until such time as the pupil is placed on the roll of the new school.
- 9) The terminology of Negotiated Transfers rather than Managed Transfers, which is used in other Authorities, has been deliberately selected. The intention is that a Headteacher or their representative will talk directly to other Headteachers. We have found that this is most effective as it allows for an honest and frank dialogue between the two schools and an accurate identification of what the potential difficulties might be with a transfer. (SEE APPENDIX 1,2 and 3)

Brokerage of Negotiated Transfers

It will be the responsibility of the Headteacher to negotiate with his/her colleagues in local schools. If the child has a Statement of Special Educational Need then the proposed transfer would need to be discussed as part of an annual review. This can be called earlier by the school if required. The school would need to ensure that an SEN Officer attends the review.

If two schools feel that a negotiated transfer is an option then they need to follow procedures as detailed in Appendix 1 and 2 and ensure that if the Transfer takes place, a Negotiated Transfer Form is completed (Appendix 3). **There is a clear timescale detailed in appendix 2**

It is crucial that both schools keep in close communication with each other throughout the process and with the parents/carers of the pupil.

The home school needs to provide the receiving school with the following documentation:

- Pupil's personal file including PSP, IEP, exclusion, monitoring record, including strengths, interests and positives.
- Pupil's current curriculum and latest reports
- Target grades and current grades.
- All coursework for external exams.
- Details of any CAF or involvement by other agencies.

Financial Arrangements

Financial arrangements are as follows:

- Once the transfer is agreed of a pupil from School A to School B, School B should invoice School A for the pro rata value of the remaining Age Weighted Pupil Unit. This should apply until the end of the arrangement or the end of the financial year, whichever is the sooner.
- The same applies if the pupil has audit funding, the funding moves with the child. Schools should follow the Audit Guidance document and notify the LA of a change of placement.
- Once the Transfer becomes permanent, the audit funding will automatically be allocated to the pupil's new school.

Registration and Roll Arrangements

Registration and roll arrangements for the duration of the transfer are as follows:

- School A 'transfers' pupil to School B for full-time placement
- School A keeps the pupil on roll and includes him/her in all attendance statistics, Local Education Authority Census, Form 7, etc.
- School A record the pupil as "educated off-site" in the register.
- School B does not put the pupil on roll but attendance is recorded and fed back to School A.
- School B records the pupil as a Guest Pupil by entering "G" in the enrolment status field of the school's management information system. This enables the school to allocate the pupil to a tutor group, register, and generate a timetable.
- The anticipated duration of the transfer period would be determined at the time of the initial agreement and could possibly be amended at review. A short-term transfer period should be about one term, with a review approximately halfway through the process. Exceptionally such a transfer may be extended but a final decision must be made within 2 terms.
- School B has the final say about the success of the transfer. If at a review, a short-term transfer is deemed a success, the pupil can be taken onto their roll subject to agreement by the LA School Admission and Transport Team (SATT). The SATT will process the request alongside any other applications for a place at that school. If there are no places available, the pupil may remain a guest pupil at the school and remain on the waiting list for the school until a vacancy occurs within the school year.

- The school can also inform the parents that they themselves may make a formal application to the LA for a school place.
- If a NT involves a statemented pupil, the Special Educational Needs Team need to be involved in the whole process.

If at anytime any transfer is deemed to have failed, School B must inform the Educational Welfare Officer and School A. School A would immediately resume responsibility for the child's education, attendance, and Pastoral Support Programme. School A must set up a readmission meeting within 5 school days and confirm this in writing to the parent (with copy to Education Welfare Officer).

Other Factors:

- 1) Each school needs to identify a single person who will manage all their negotiated transfers, regardless of year group. This will be the Headteacher in Primary Schools and a member of the Leadership team in a Secondary School.
- 2) A pupil being considered for negotiated transfer should be on a Pastoral Support Programme. Normally at least one Pastoral Support Programme would have been resourced, tried, and failed before a negotiated transfer is considered. Children looked after by the Local Authority should have been supported by the designated teacher. Once a negotiated transfer is agreed, a second Pastoral Support Programme should be drawn up at School B by their identified person in conjunction with the member of staff and any outside agency from School A who were involved in drawing up and reviewing the original Pastoral Support Programme. The same outside professional(s) should be involved throughout to ensure the best chance of learning from past experiences. It is also possible that a Parenting Contract can be drawn up between the school and parents.

It is accepted that when a single incident occurs, that would otherwise precipitate a permanent exclusion, without a background history of significant disruption; there would not be an existing Pastoral Support Programme. One would need to be drawn up to support the transfer (involving Social Services if the child is looked after by the Local Authority).

- 3) The pupil needs to be fully involved in, and support, the decision to apply for a negotiated transfer. There should be time allowed for pupil and parents to reflect on the suggestion before a transfer is agreed. Support from key members of staff within a school can help in this process and could include, Teachers, Learning Mentor, Connexions PA, Parent Support Advisor.

Advice can also be sought from the following teams:

- ◆ Educational Psychology Service
- ◆ Educational Welfare
- ◆ Inclusion Advisory Team
- ◆ Family Support Service
- ◆ Special Educational Needs Team
- ◆ Connexions
- ◆ Locality Team

Consideration also needs to have been made regarding a CAF (Common Assessment Framework) to determine whether a Team Around the Child meeting is appropriate. Schools are aware of this process and advice can always be sought from the Locality Teams.

- 4) The pupil's transition into the new school must be on a full time basis, and will similarly need to be supported with an effective induction process that is something more than that normally provided to new pupils, to give the transfer every chance of succeed. The key to success is likely to be the pupil feeling an ownership of the transfer, prepared for it, and supported in it through regular meetings to monitor progress.
- 5) The choice of school to transfer into needs to be made on the basis of the parent accepting the responsibility for funding / getting the pupil to school, i.e. neither schools nor the LA is liable for funding transport, however in exceptional circumstances this will be considered.

Pupils eligible for free school meals in School A should be enabled to access them in School B.

- 6) If a pupil is excluded whilst the NT is being explored, the home school are responsible for ensuring 6th day full time education for the pupil.
- 7) There is no additional funding (other than transferring Audit Funding if the pupil already has Audit Funding in place) available from the LA. There is access to advice via the teams listed in point 3.
- 8) For pupils with Statements of Special Educational Need, School B will be provided with a copy of the statement and related reports in advance to indicate that whilst on roll of School A, they are currently receiving their education at School B.
- 9) School A therefore remains responsible for calling, in conjunction with School B, any Annual Review or Transitional Review (and for drawing up the Transition Plan) that may fall due during the period of transfer. School A must call an interim Annual Review meeting near the end of a short term transfer period if the transfer is proving successful and the placement is likely to be made permanent. The SEN Officer should be informed. The Local Authority will formally consult School B on receipt of these review papers.

- 10) The criteria for monitoring and evaluating the success of each transfer need to be agreed at the outset. In secondary schools, the criteria should be similar to those used for monitoring Learning Support Unit placements and based on attendance/punctuality, attainment, engagement and a reduction in disruptive behaviour.
- 11) If there are behaviour problems in the receiving school only the Headteacher of School A can exclude the pupil (and it may be that any need to consider exclusion warrants the termination of the transfer).
- 12) Not all pupils will be suitable candidates for a negotiated transfer. A negotiated transfer is part of a continuum of (developing) provision. Permanent exclusions may still be appropriate in extreme cases but we would hope to find alternatives whenever possible.
- 13) A timeline is detailed in Appendix 2. Schools are asked to keep to the timeline, or shorter, in order that the pupil's education situation is resolved as quickly as possible. The timeline is intentionally short to ensure things do not 'drift'; something which can lead to disaffection, difficulty to re-engage or falling behind in course work etc.

Protocol Implementation:

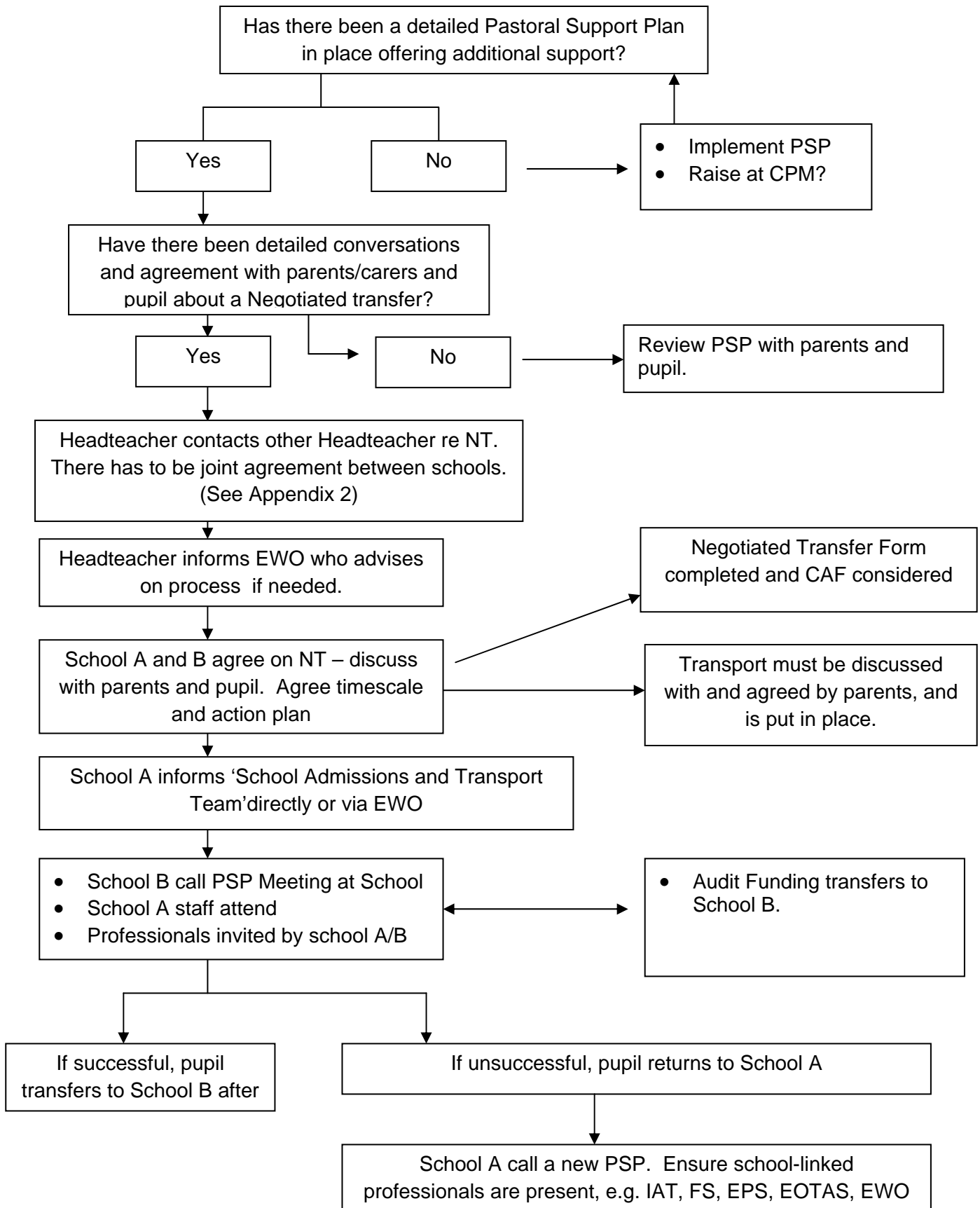
This protocol was first implemented in April 2003, reviewed in September 2004 and amended in 2005: and reviewed and amended again in 2010.

Contact: The Assistant Locality Leader (Learning) at your Locality Office, or

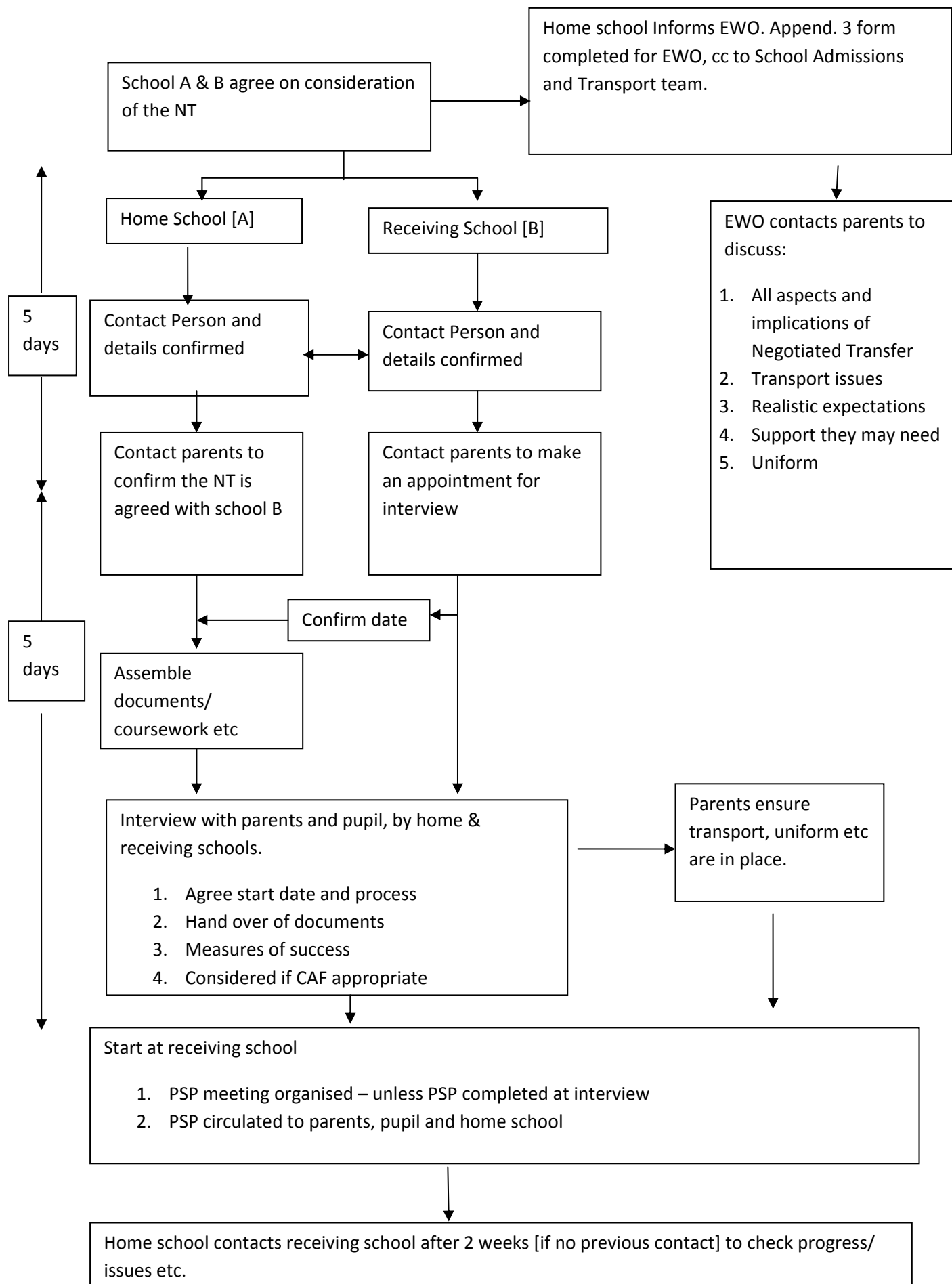
Geoff Flynn
Assistant Locality Leader (Learning)
Children & Young People's Services
North Somerset Council
Town Hall
Weston-super-Mare
BS23 1ZZ

Telephone: 01275 888 306
Fax: 01275 888 309
email: geoff.flynn@n-somerset.gov.uk

Appendix 1 - North Somerset Negotiated Transfers Guidelines



Appendix 2 – Timeline and additional procedures.



Appendix 3



EDUCATION WELFARE NEGOTIATED TRANSFER FORM

Please complete and give to school EWO or ALL (Learning)

Name of Pupil: _____ **dob:** _____
Address: _____ **School year:** _____
Parent/carers names: _____
Telephone Numbers: _____

Current School:
- **Contact Person:** _____

Receiving School:
- **Contact Person:** _____

Date of Transfer: _____
Date of Review meeting: _____

Brief details of reason for Transfer and other relevant information:

Has a CAF been actioned: _____ **Yes / No**
If No why not. If Yes who is Lead Professional

Name of Current School EWO: _____ **Date:** _____
Cc: School Admissions and Transport Team _____ **Date:** _____

