

Oxfordshire SENDIASS: Supporting a child excluded from school which helped to ensure access to education

The issue

F is an 11-year-old boy with Attention Deficit Hyperactive Disorder (ADHD), Oppositional Defiant Disorder (ODD) and high levels of anxiety. He was permanently excluded from a special SEMHS setting part way through Year 6.

The support provided

SENDIASS Oxfordshire discovered that F's EHCP had not been updated for more than 4 years. Annual review meetings had been held, amendments suggested but had never been transferred into an updated EHCP. SENDIASS highlighted the need for an interim Annual Review (AR) to the school and LA and it was quickly arranged. The AR highlighted extensive changes in needs and provision as well as evidence how the changes in the level of needs and the ineffectiveness of previously used approaches had contributed to the behaviours that had led to the permanent exclusion ensured that F's EHCP would be amended. This could then be incorporated into the case challenging the permanent exclusion by demonstrating that the school had not been offering appropriate and necessary support as there was no up to date plan to identify needs and provision to help avoid this deterioration in behaviour. It was also possible to highlight that, although the LA had not fulfilled its duties, that school also had a responsibility to support mum to challenge the LA on this matter.

F's mum was sent SENDIASS Oxfordshire's step by step guide to permanent exclusions and was able to do an amazing job in advocating for her son in challenging it. Using the guidance, she was enabled to work with SENDIASS to identify key issues and flaws in the school's paperwork. This allowed SENDIASS support to focus on the legal framework and school's noncompliance with that, including very basic errors in process, whilst mum could use her expertise as F's parent. She highlighted how changes in F's life had impacted on his self-esteem and behaviour, not least due to Covid, as well as in depth examples of the school's failure to respond to her concerns or follow agreed protocols as well as emphasising the occasions when the school had not made reasonable adjustments or implemented F's plan. This dual approach was particularly helpful as SENDIASS could challenge procedural flaws but stay on the side lines and allow mum's knowledge of, and commitment to, her son and his education and the reality of the lived experience for her and her son to be the focus.

Despite all the evidence provided at the governing body's meeting, the governors upheld the headteacher's decision. The next step to step guides on deciding whether to apply for an Independent Review Panel (IRP) and how to prepare were shared and F's mum was again able to play a key role in identifying issues from the governors' meeting to present at the IRP.

The difference made

The IRP considered the parent's representations and decided to quash and direct the governors to reinstate F as the process was flawed. This allowed F to return to school to finish Year 6 and the updated EHCP now fully identifies both F's needs and the appropriate provision to meet them and has ensured an appropriate transition to an appropriate specialist setting for Year 7.

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