



## West Berkshire SENDIASS: Supporting a child excluded from school which helped to ensure access to education

### The context

West Berkshire SENDIASS covers a large, semi-rural geographical area. Whilst recently our biggest topics of enquiry have been EHCP assessment and provision without EHCP we have also supported with a number of exclusion cases.

### The issue

A parent contacted West Berkshire SENDIASS as they were struggling to get the right support in school. Their son was becoming more and more dysregulated, and this was emerging in a change in his behaviour. An EHCP was in place providing 1:1 support but if their son had a meltdown, school said they needed the head teacher to step in to take over from the TA. If the head teacher was unavailable, their son would have to go home. At the point of SENDIASS contact, within the family unit, dad had received a recent poor health diagnosis and mum was very worried that she would not be able to sustain the ad hoc requests for immediate collection if she was attending hospital appointments and treatments with her husband.

The increase in incidents of challenging behaviour had been managed by school implementing a part time timetable. There had also been an increase in school phoning mum during the school day and requesting she collect her son immediately as they didn't have the staff to manage his behaviour. Mum was complying with this; however, her son was also realising that if he displayed challenging behaviour it would result in him being able to go home. Mum raised her concerns, however, the school seemed happy with the arrangement and no plan was in place to increase the timetable back to full time.

### The support provided by IASS

During the initial call to the parent, SENDIASS explained that it appeared school were not acting in a lawful way, clarifying that a part time timetable with no plan to increase back to full time was an illegal exclusion. Reasons for the timetable were asked of the parent which they felt was to aid staffing shortages, rather than what was best for the child. The advisor also explained that by requesting collection the school was masking that they were struggling to meet need. The advisor talked the parent through how exclusions work and the process of recording attendance in school. The parent asserted that the LA were not aware of the fact the provision in the EHC was not being delivered.

SENDIASS recommended the parent email the head teacher and the LA head of SEN team to explain the situation and state that:

- A plan needed to be implemented immediately to increase the timetable to fulltime
- Any call requesting her son to be collected was to be recorded as a Fixed Term Exclusion and paperwork was to be ready on the point of collection
- To make the LA aware that the needs were not being met despite an EHC being in place
- To request a Multi Professional Meeting (with SENDIASS support if parent wished) to discuss issues in detail.
- To explain to the school that there would be occurrences going forward where immediate collection would not be possible.

The parent was very grateful for the information given and felt empowered to make her requests to the school and LA.

## The difference made

Unsurprisingly, the SEN team were very concerned at the breakdown in support and spoke to the head teacher as a priority, discussing legal duties and budgetary issues to enable the school to put in the right support. It was decided that a meeting was not required to discuss the situation but a plan was implemented to increase the timetable and additional staff support was put in place to ensure there were no further requests for immediate collection.

Without SENDIASS support and knowledge of the child's legal rights the parent would have been unaware of the provisions that should have been in place and unable to advocate on behalf of her son. The parent was very happy and felt supported by SENDIASS in getting the right information to be able to challenge appropriately and get the support her son needed thereby increasing his access to education.

### Contact details

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