

Case study: SENDIASS support with exclusions

This case study and its timeline demonstrates how an IAS service has the essential knowledge of relevant law to provide responsive and on-going support when situations escalate.

Referral Information

This case study is about a 13-year-old boy called Tom who was in year 9 when he was referred to us by his father Nigel and mother Sarah.

Nigel contacted us in January 2017 as Tom had been issued with a permanent exclusion following an altercation with another pupil in school and for “persistent disruptive behaviour”. At the time Tom had a diagnosis of dyslexia and ADHD was being investigated. The LA exclusions team had suggested the family contact our service in order to help them appeal the decision of the governors to uphold the exclusion.

Nigel and Sarah are separated and Tom lives predominantly with Sarah although has a close relationship with Nigel and stays over on a weekly basis. Nigel and Sarah work as a team despite their separation to ensure the best for their son. English is Nigel’s second language and Sarah has learning difficulties.

Upon referral Nigel reported that Tom is experiencing low mood since the exclusion and has lost interest in activities he used to enjoy. Nigel expressed his concerns that Tom would need to attend the local PRU which had recently had been deemed “inadequate” in an OFSTED inspection.

It was Nigel and Sarah’s view that school had not put SEND support in place and so Tom was not able to understand what was being taught in lessons and was disruptive as a result. Nigel and Sarah also thought the altercation in school had been the result of racist language towards Tom and that the consequence for Tom was disproportionate compared to what the other boy received. I explained Nigel’s options over the phone, including appealing the exclusion at an Independent Review Panel (IRP). Nigel was clear that he wanted to progress to IRP and explained that Sarah felt the same way.

I met with Tom, Nigel and Sarah to discuss what would be required for IRP and to capture Tom’s views. Tom requested to meet alongside his parents rather than separately. Tom appeared withdrawn and needed lots of prompts to talk about the situation from his perspective. I explained my role to Tom including that he can access the IASS with or without his parents. I supported the family to complete their appeal paperwork. I talked through SEN support and element two funding. I described the types of support that could be in place for a child on the SEN register. The parents said they had not had any involvement with school and were unaware of any support being put in place. The parents also told me that they had requested support and an assessment by an Educational Psychologist but that school had not acted upon their requests or concerns.

Following the meeting I sent Nigel a template and notes detailing how to present a case at panel. I had frequent calls and emails with Nigel offering advice around this and sent references to legislation that may support the case.

I liaised with the LA on the parent's behalf and Tom was put on a PRU 12-week programme, which upon successful completion would result in re-integration back into mainstream school.

On the day of the hearing I met with parents. I calmed and reassured them and supported them throughout. I was asked to put the case forward by the parents because of the SEND issues and language barrier. I encouraged both parents to ask questions and Nigel to read his own statement, which he did. I also ensured Tom's views were represented throughout and voiced what he had told us in our initial meeting.

The panel lasted all day and was adjourned, as the case had not fully been heard. During this time new information had come to light and we sought the panels and legal advisor's permission for it to be included.

Between the adjourned hearing dates Nigel was taken into hospital with a serious illness and Sarah was overwhelmed by the process. I supported her to complete an application for Tom to go to a mainstream school and ensured it was submitted on time. I also kept regular telephone and email contact with Nigel whilst he was in hospital, as he said this helped to keep him in the loop and ease his anxieties a little.

Once Nigel was well enough we returned to panel for a further half day hearing. The outcome was that the panel felt the final exclusion was lawful but that procedural impropriety had occurred due to school not following SEND legislation, they recommended the governors re-look at their decision to exclude and to see if Tom could be re-instated.

The governors looked at the decision but upheld the exclusion again so I helped the family focus on the future and look at making the best of the situation, whilst also explaining the process of judicial review. I supported Tom's integration into the PRU by attending a meeting with Tom, parents and head teacher to agree SEN support.

Tom spent 8 weeks on the programme linked to the PRU and by November 2017 was ready for re-integration back into mainstream school. During this time I was attending a meeting for another family at the PRU and saw Tom with his peers, he waved, cheerfully and shouted "Hi" and I thought that he was like a different person to the withdrawn boy I had initially encountered.

I supported with the transition to mainstream ensuring SEN support was in place from the off-set, including support around Tom's recent diagnosis of ADHD. The new school were happy to make reasonable adjustments and an additional support plan was drawn up, Tom was given a laptop to work from which the parents were happy about.

Tom is now settled and doing well in a new mainstream school with adequate SEND support. The parents are happy that he is in the right school and is now able to reach his potential. Tom told us he felt listened to and understood by our service and is aware how to contact us if he needs us in the future. The parents report a better understanding of the SEND system and good communication with the new school. Tom's mental health improved as a result, the parents feel, of being included, accepted and supported at the new school.

The case was left open until February 2018 at Nigel's request as he wanted to ensure support remained in place. Our last conversation the new placement continued to be positive and Nigel reported Tom was

happy and settled. Nigel said “I don’t know how we would have managed without your support” and thanked the service for our help. Sarah said “next time I will give you a ring before things go completely wrong”.

Summary

Although this case required a high level of support, it was felt that we could support parents whilst challenging and hopefully educating the school and governors about correct SEND procedure, in order to improve things for other children with SEND.

As a result of this work we identified a need for resources for families around preparing for governor’s meetings and IRP’s and created a checklist and factsheet. We also worked with the PRU and LA to flag up the trend of children with ADHD or under assessment for ADHD being permanently excluded. The LA arranged ADHD training for all SENCo’s and a number of schools have since bought this in for whole school training.