## VULNERABLE PUPILS PANEL

**TERMS OF REFERENCE**

Originated: 29 May 2019

Revised: 23 July 2019, 31 January 2020, 30 August 2021.

1. **INTRODUCTION**Together for Children (TFC), on behalf of the Local Authority (LA) has a responsibility within the terms of the *1996 Education Act* to make arrangements for the provision of suitable education at school, or otherwise than at school, for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not, for any period, receive suitable education unless such arrangements are made for them. Section 3 of the Children, Schools and Families Act 2010 extends the duty in section 19 of the Education Act 1996 ("the 1996 Act"), so that local authorities are under a duty to arrange full-time education for all children who, for reasons which relate to illness, exclusion or otherwise, would not receive suitable education unless arrangements are made for them.  
     
   Governing bodies of maintained schools and academies have the power to direct a pupil off-site for education to improve his or her behaviour[[1]](#footnote-1)
2. **PURPOSE**The purpose of the Vulnerable Pupil Panel (VPP) is to provide a transparent, fair and impartial referral system into the Vulnerable Pupils Assessment Hub and appropriate alternative educational provision for pupils who are experiencing social, emotional and mental health difficulties within mainstream school settings.  
     
   The VPP considers referrals to the Vulnerable Pupils Assessment Hub and alternative commissioned places, and determines places in accordance with the needs of an individual young person..   
   The functions of the VPP will be quality assured by the Executive Behaviour and Attendance Panel.
3. **OBJECTIVES OF VPP**
   1. To serve as a forum for consultation and discussion that aims to support consistent and transparent decisions for the allocation of VP Hub assessment placement and alternative provisions, commissioned by the TFC.
   2. To provide effective assessment to ensure early intervention to meet children and young people’s educational needs.
   3. To ensure pupil's needs are met locally, timely and in the most inclusive educational settings available.
   4. To provide a forum for professional challenge and support to ensure settings meet the educational needs of children and young people.
   5. To ensure that Looked After Children and permanently excluded children have the highest priority and must be considered in the first instance when considering placements for pupils.
   6. To evaluate the effectiveness and success of the Vulnerable Pupil’s Panel process to determine future need and inform the Executive Behaviour and Attendance Panel.
4. **MEMBERSHIP OF VPP**The VPP will consider primary and secondary referrals. Membership of the panel may differ in terms of membership reflecting the alternative provisions relating the age range of pupils. Both Panels consist of both ‘core’ and ‘other’ members. Members from both groups are of statutory and non-statutory services outlined below.  
     
   Members should have a good understanding of compulsory school age education requirements and a good awareness of the needs of vulnerable children and young people and/or be members of the Senior Leadership.   
     
   The VPP Panel reflects the diversity of the wider community and it actively works with members and partners to establish inclusive working practices

**CORE MEMBERS (BOTH SECONDARY AND PRIMARY PANEL)**

**Together for Children Representatives;**

**Commissioned Provider Representatives**

* + - * Link School Headteacher
* Beacon of Light Representative
* Returners Representative
* Hopespring Representative
  + - * Home Tuition – Virtual School Headteacher, as above.

**PRIMARY SCHOOL MEMBERSHIP**

* 4 x Headteacher representing each of the locality groups.
* Headteacher from SEMH Specialist Primary provision

**SECONDARY SCHOOL MEMBERSHIP**

* 4 x Headteachers representing each of the locality groups.
* Specialist SEMH School representative
  1. **CORE MEMBERS (BOTH SECONDARY AND PRIMARY PANEL)**
     1. **Together for Children Representatives;**
        + Education Services Strategic Lead
        + Inclusions and Access Officer
        + Special Educational Needs Operational Manager,
        + Early Help Team Manager
        + Virtual School Headteacher, Home Tuition and Young Mums Home Tuition
        + Education Psychologist
        + Social Care Representative
        + Clinical Commissioning Group representative

4.1.2. **Commissioned Provider Representatives;**

* + - * Link School Headteacher
* Beacon of Light Representative
* Returners Representative
* Hopespring Representative
  + - * Home Tuition – Virtual School Headteacher, as above.

**4.2** **PRIMARY SCHOOL MEMBERSHIP**

* 4 x Headteacher representing each of the locality groups.
* Headteacher from SEMH Specialist Primary provision

**4.3 SECONDARY SCHOOL MEMBERSHIP**

* 4 x Headteachers representing each of the locality groups.
* Specialist SEMH School representative
* Beacon of Light Representative
* Returners and Young Mums Representative

1. **OPERATING PROTOCOLS**
   1. **Roles and responsibilities of panel members**

**Chair   
The VPP will be chaired by an officer from Together for Children Core Member, identified above.**

**Vice Chair**

**The chair will be support by a vice chair elected by the group from the identified additional membership, as above.**

**All Members  
It is the responsibility of all members to;**

* + 1. **Have read all referrals itemised at the meeting.**
    2. **Participate in discussions and provide experience and knowledge from their own service area to the issues that may arise in each referral.**
    3. **Provide a link between their own area of service and the Panel so that there is a greater understanding when considering referrals.**
    4. **Participate fully in the decision-making process.**
  1. **Panel Procedures**

**5.2.1. Frequency of Meetings**

* + - * **Meetings will take place fortnightly, during term time. The Inclusion and Access Officer will schedule meeting dates and times at the beginning of each academic year.**
      * Extraordinary business meetings can be called by TFC where at least three working days notice will be given.
    1. **Decision Making**
       1. The Panel’s decision is final with no right to appeal.
       2. Decisions regarding the outcome should be made following full consideration of the evidence provided.
       3. Final decision will be based on the consensus of opinion from those present at meetings.
       4. Where a consensus cannot be reached a vote will take place whereby the Chair will have the casting vote.
       5. Where an application is being considered for a school whereby a Panel member has the responsibility of the education of a pupil (i.e. headteacher of the school that the pupil being considered attends) it is expected that the aforementioned panel member will declare an interest and remove themselves from the meeting. The aforementioned member will be contacted by the Chair of the meeting once the decision has been reached by the rest of the Panel and resume their role of Panel member.
       6. The following decisions can be made;
          - Allocation of provision or assessment – where all members have agreed an outcome as stipulated in 5.2.2.
          - Deferred decision – where further information is required from the referrer.
          - Not allocated
       7. 50% of core members under the terms of reference must be present to represent quorum.
       8. The Panels decisions are taken in accordance with the following principles:
       9. The child/young person is at the centre of all decision-making
       10. Discussion at the panel is confidential.
       11. The decision and action points will be recorded.
       12. Referrals must have signed consent from the Headteacher and parent/carer.
       13. All referrals and supporting documentation must remain with the Inclusion and Access Officer at the end of the Panel unless action is required by a Panel member or their service.
    2. **Declarations of Interest**It is the responsibility of all members to declare any personal and/or professional interest in referrals that are considered by the VPP. Personal and/or professional interest can be construed as “A member who has a vested interest in a particular outcome regarding the placement for a young person.   
         
       A member who has declared an interest may remain in the meeting and take part in any discussions but must abstain from the final decision-making process. An exception to the above statement will occur as outlined in 5.2.2.5. above.
    3. **Pre Panel**Referrals will usually be accepted from maintained schools, free schools, academies, hospitals and the Local Authority, in advance of the meeting. Tabled referrals will not be considered, other than for priority groups identified in 3.4, but will be deferred to the next meeting.
    4. **Referrals Process**

**All referrals must be in writing, via the proformas obtained by the Inclusion and Access Officer and submitted one week prior to a scheduled meeting. Two full working days prior to the meeting all members will receive the meeting Agenda and referrals.   
  
VPP will consider a maximum of 15 cases per meeting. The agenda will include cases received in date and time order.**

* + 1. **Implementation of Decisions**

Decisions will be implemented as follows:

* The outcomes of the decisions will be provided in writing to referrers within five working days. Notification will be copied to parents and associated parties.
* Where the outcome resulted in the allocation of provision, the provision’s representative will contact the referrer and parents/carers to arrange appropriate documentation for completion, induction and start date.
* Contracts will be agreed with;
* (a) the alternative provider and mainstream school.
* or
* (b) the assessment hub and the mainstream school.  
  1. **Post Panel**
* The outcomes of the Panel meeting will be recorded by the Inclusion and Access Officer.
* Where the outcome resulted in the allocation of a provision, referrers will sign an agreement or contract that details the conditions placed on all parties during the period of the placement including a review process. If any party does not adhere to the conditions stipulated then the provision can be withdrawn. Two weeks’ notice will be given to the referrer if the placement is withdrawn.
* Where a placement is for a specified fixed period, an exit review will be carried out, in line with the VPP Provision Protocols, prior to the expected end date. The referrer or a senior manager acting as the key worker for the pupil, must attend and agree a support plan that will aid the pupil’s transition into their agreed educational setting. The support plan agreed should be shared with the SENCO and Pastoral Team in the home school.
* In exceptional circumstances, where a placement has been allocated and an end date agreed by the Panel (i.e. 12 week placement), but it is felt that the pupil is not ready to return to mainstream the case must be referred back to the Panel for consideration. The decision of the Panel is final.
* Each assessment or alternative provision will provide Together for Children the details of those pupils allocated commissioned places on a half-termly basis. Details to include: name of pupil, date commissioned place commenced, expected completion date; end date and outcome if progressed to other alternative provision.   
  1. **Review of Terms of Reference**Terms of Reference will be reviewed annually.

1. See section 29A of the Education Act 2002, [↑](#footnote-ref-1)