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## Developments on Exclusions

What was always viewed as good practice in permanent exclusion was the notion that no Headteacher (for it is the Head, or teacher in charge if the Head is off site, who may execute the decision to exclude) should rush to a decision. In particular, when considering whether to permanently exclude a pupil, that a Head should take their time to reflect on the seriousness of the offence by first imposing a fixed term exclusion and then, if deemed appropriate, to 'convert' the fixed term exclusion into a permanent exclusion. However, the Government's recent decision to amend the statutory guidance has thrown (apparently) this good practice above up in the air.

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## Dealing with Complaints

Dealing with a complaint effectively can ultimately save time and resources, especially if it is complicated or becomes protracted. Understanding the statutory framework and how to take control of the situation can help. Here we examine both.

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## New requirement for state-funded schools to give access to training providers – have you published your policy statement?

As reported in our [December bulletin](#), from 2 January 2018 state-funded schools have a new statutory obligation to enable a range of education and training providers to access registered pupils in years 8 – 13 to inform them about approved technical education qualifications or apprenticeships. School proprietors are required to prepare and publish a policy statement setting out the circumstances in which such access will be given. Recent press reports claim that a number of schools have yet to publish their policy statements. Have you done yours yet?

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### Playing by the rules

School rules are an integral part of daily school life. They promote good behaviour, aim to ensure the safety and welfare of pupils, and prepare them for the wider world. However, the introduction and enforcement of school rules can anger some parents, who may disagree with them. Who decides?

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## Transgender Issues in Practice

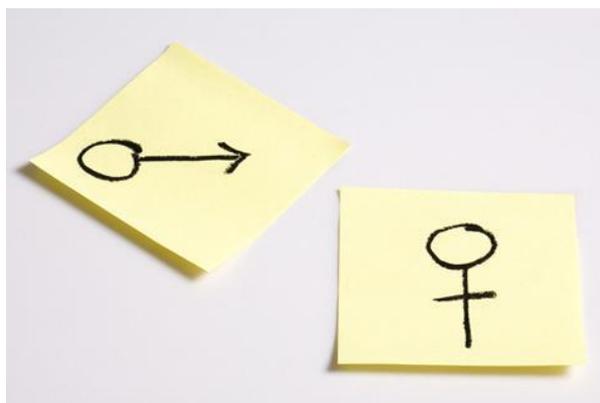
Following our previous article on the complexities covered by the term ‘transgender’ we look at the practical issues for schools encountering transgender pupils for the first time. The Equality Act 2010 provides legal protection from discrimination of pupils proposing, undergoing or who have completed a process of gender reassignment (section 7(1)). It is a protected characteristic. But there is a lack of case law and guidance; and strong opinions from pupils, parents and various pressure groups. Numbers of cases are on the rise. Forward thinking is crucial.

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# What to include in a gender pay gap report narrative

The gender pay gap reporting deadline is fast approaching. The last possible day for publishing the information is 30 March 2018 for public sector employers (including maintained schools and academies) and 4 April 2018 for all other employers (including independent schools). But what if there is a gap? Having a gender pay gap does not necessarily mean that the employer has acted inappropriately or in a discriminatory way. An accompanying narrative can help to explain this.



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## Brief Alerts March 2018



- Hinds Shows His Hand
- National Minimum Wage
- Children Missing from School
- Progress 8
- GDPR
- Inspection Overlap
- Safeguarding and Charities
- Hate Crimes near School
- Female Genital Mutilation
- Related Party Contracts and Other MAT matters
- Disclosure and Barring Service - New Rules
- Knife crime in school
- Participation
- Legal Challenge to Alternative Provision Return
- Meeting Property Responsibilities
- LGBT Guide
- Nice try, but...
- And finally

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# Updates on Our Model Policies

Please note that following various changes in guidance and the emergence of new issues the following new and updated policies have been added in the Retainer Members' Area of the Stone King website:

**UPDATED Search, Screening and Confiscation Policy.** Following updated DfE Guidance this policy now gives added clarity on searching content found on electronic devices. Key points to note are:

- Parental consent to a search is not required if the device has been seized lawfully and is prohibited by the school rules or is reasonably suspected of being, or being likely to be, used to commit an offence or cause personal injury or damage to property
- Where teachers have lawfully seized a device that is prohibited by the school rules or that they reasonably suspect has been or is likely to be used to commit an offence or cause personal injury or damage to property they can examine or erase the data or files if they reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- Where a device is suspected of containing evidence in relation to an offence it must be given to the police as soon as it is reasonably practicable. Material on the device that is suspected to be evidence relevant to an offence, or that is a pornographic image of a child or an extreme pornographic image, should not be deleted prior to giving the device to the police.

**NEW Online Safety Policy** – this is a new policy on the Members' Area. In response to this increasingly important area this model policy is adapted from the UK Council for Child Internet Safety (UKCCIS)'s document *Online Safety in schools and colleges: Questions from the Governing Board*.

**NEW Gifts and Hospitality Policy** – this is a new policy on the Members' Area. The Academies Financial Handbook states that academy trusts should have a policy and register on the acceptance of gifts, hospitality or any other benefit which might be seen to compromise their personal judgement or integrity and should ensure that all members of staff are made aware of this.

**UPDATED Complaints Policies** (Single and Multi-Academy Trust versions) – both model policies have been comprehensively updated to reflect recent developments and address practical issues, including:

- Suggested process and note on dealing with non-parental complaints;
- Updated section on excluded categories of complaints;
- Updated section on complaints panel including the requirement for an independent member;
- Updated section on parental attendance at Complaints Panel Hearings

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# Stone King Education Retainer Clients

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## Upcoming Events



- [20.03.2018 - Leeds - Getting it right as an Academy Clerk or Company Secretary](#)
- [19.04.2018 - London - Gender Reassignment - The Law, Key Issues and Practical Tips](#)
- [26.04.2018 - Bath - Gender Reassignment - The Law, Key Issues and Practical Tips](#)
- [22.05.2018 - London - Getting it right as an Academy Clerk or Company Secretary](#)

[\*\*View all upcoming events\*\*](#)

**In association with FASNA/DfE:**

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**In association with ISBL:**

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