

School exclusions guidance: Managed moves between schools

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Since the Department for Education (DfE) explained managed moves for the first time in the Exclusions and Suspension Statutory Guidance in 2022, we've received many questions about how managed moves should operate in practice.

Whilst the DfE updated the Exclusions and Suspension Statutory Guidance in September 2023, and subsequently again in August 2024 as part of a technical update, the DfE didn't take the opportunity to change the previous provisions on managed moves, and so it still does not cover the mechanics of how a managed move should operate in any significant detail.

What the Statutory Guidance does say is that a managed move should only be used where it is in the pupil's best interests and where initial interventions have been put in place prior to considering a managed move. Information sharing is required too (including on attainment and risk management) so that the new school is able to support pupils from day one.

'Trial periods' and dual registration

The Statutory Guidance does not itself cover 'trial periods' but the DfE's parent guidance on exclusions is explicit that they are not permitted. It was historically the case that schools would agree a 'trial' at a new school to see if this should become a permanent move, with pupils returning to the home school if it was 'failed'. We do not believe that there is anything unlawful with some short period of dual registration, but schools need to understand the limits of dual registration. The DfE's parent guidance is clear that a direction off-site to another school could be used initially and then become a permanent managed move if everyone was in agreement. Whilst the intention of a managed move is a permanent transfer of a pupil from one school to another, this is described as a "process" in the Statutory Guidance.

If a young person is attending a school and receiving education, then they will be caught by the relatively wide definition of 'pupil' and they will need to be put on the roll of the school. Whenever a pupil is put on a school's roll, the School Attendance (Pupil Registration) (England) Regulations 2024 apply.

These Regulations provide specific requirements on pupil registration and also the circumstances in which a pupil can be deleted from the roll. If a child is dual registered, then the requirements apply to both schools.

Ending a dual registered placement

There is one specific ground for deletion from the roll that applies to dual registered pupils. This ground would apply where a dual registered child has ceased to attend one of the schools; there is no school attendance order naming that school; the child is not a mobile child (and if they are the removing school is not the main school); and is where the other dual registered school has consented to the removal.

The recent DfE interpretation of the predecessor Regulations was that on a managed move, if the new school wanted to terminate the placement early due to behaviour during a period of dual registration, they would need to follow the permanent exclusion process in the normal way, with all the relevant rights offered. There is no other ground to remove a child from a roll due to behaviour. Clearly there is

also a link here to Ofsted's definition of 'off-rolling'. That does mean that if both schools wish to remove the pupil from each of their rolls due to behaviour, both must follow the permanent exclusion process.

Therefore, whilst a direction off-site or a short dual registration period (e.g. four weeks) can be used, it is not akin to a probationary period for an employee. Suspension remains an option for the school where the pupil has been directed/dual registered to, if the pupil has breached their behaviour policy and the relevant tests are fulfilled.

Using directions off-site

A direction off-site, with the aim of seeking to improve the pupil's behaviour may well be the best initial step before seeking to arrange a permanent managed move. As with any direction off-site it needs to have clear aims, timescales and reviews by both schools and whilst the requirements on maintained schools regarding directions off-site don't apply to all schools, these are still a sensible framework for all schools. As with any direction off-site, the pupil would return to the home school at the end of the agreed period of the direction, unless it was agreed that it should be extended or made permanent.

Local variation

Whilst this isn't a change resulting from the Statutory Guidance and has been the position for some time, the wording introduced in 2022 on managed moves has raised questions about how these should operate given the previous complete lack of guidance. In our experience, different local areas had very different practices and that continues to be the case now. It does also make managed moves potentially less attractive and places a much greater emphasis on schools sharing information before the new school makes a decision on the managed move.

Reciprocity is the key

Managed moves have always operated on the basis of each school taking its share of moves to give pupils a fresh start. As there is no requirement to accept a managed move, reciprocity is the key to it working.

Schools that decide not to accept managed moves given the inability to easily end the arrangement due to behaviour, will likely find that other schools don't want to offer their students moves in the future.

Available support

We offer a range of advice and support relating to [pupil behaviour and exclusions](#), including a [popular support pack](#) of resources to effectively manage the whole exclusions process. For more bespoke support and advice please get in touch.

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