

Milborne St Andrew First School

Exclusion Policy

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This policy has been written using the Statutory Guidance issued in September 2017

It is the policy of Milborne St Andrew First School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion. (See Behaviour Policy).

Principles

1) Exclusion is a sanction used by the school only in cases deemed as serious breaches of the School Behaviour Policy. A student may be at risk of exclusion from school for:

- Verbal or physical assault of a student or adult;
- Persistent and repetitive disruption of lessons and other students' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.

or if:

- The school thinks order and discipline in the school and the education of the other pupils will be badly affected if the child continues to attend.
- The school thinks that the parents have not followed the school's rules and have allowed their child to break the school rules.

2) A Fixed Term Exclusion from the school can only be authorised by the Headteacher or one of the Deputy Headteachers acting on their behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available.

3) In the case of a Permanent Exclusion this can only be authorised by the Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the LGB of the of the school.

4) The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.

5) The school regularly monitors the number of Fixed Term Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

Notification of an Exclusion

1) Parents will be notified as soon as possible of the decision to exclude a student and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day.

They must provide parents with the following information in writing:

- *the reason(s) for the exclusion;*
- *the period of a fixed-period exclusion or, for a permanent exclusion, the fact that it is permanent;*

- *parents' right to make representations about the exclusion to the governing board (in line with the requirements set out in paragraphs 52 to 60) and how the pupil may be involved in this;*
- *how any representations should be made; and*
- *where there is a legal requirement for the governing board to consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend. 28.*

Written notification of the information mentioned in the above paragraph 27 can be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way
Statutory Guidance Sept 2017.

2) In the case of a Permanent Exclusion parents will be notified by the Headteacher in a face-to-face meeting and Governors and the Local Authority will be informed, without delay.

3) A student who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.

4) The school will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the school, parents, if appropriate, and any other appropriate bodies e.g. School Home Support Practitioner, Attendance Service or the Local Authority. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following an exclusion, the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

5) The Chair of Governors, LA Inclusion Officer and relevant school staff will be notified of all Fixed Term Exclusions the same day of the production of the exclusion letter, which they will receive a copy of; it will clearly outline the reasons for the exclusion.

Students Returning from a Fixed Term Exclusion

All students returning from a Fixed Term Exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school.

Permanent Exclusions

A school will usually only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a headteacher may decide to permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident.

If your child has been permanently excluded, be aware that:

- the school's governing body is required to review the headteacher's decision and you may meet with them to explain your views on the exclusion
- if the governing body confirms the exclusion, you can appeal to an independent appeal panel organised by the local authority
- the school must explain in a letter how to lodge an appeal
- the local authority must provide full-time education from the sixth day of a permanent exclusion

Appeals

All correspondence regarding an exclusion from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the Clerk to the Governors.

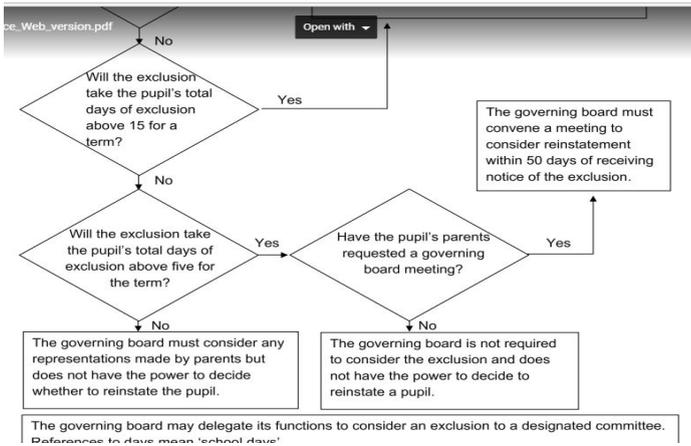
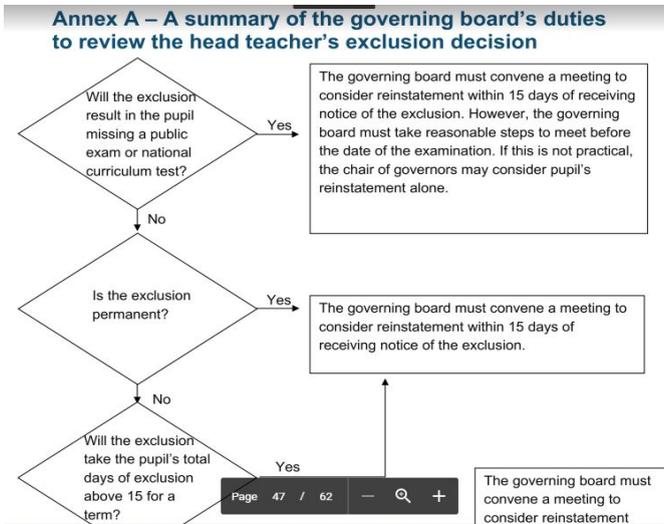
Relationship to other school policies

The Exclusion Policy should be read in tandem with the school's Behaviour Policy as well as other relevant school policies. It also has a close inter-relationship with the Anti-Bullying Policy and Attendance Policy.

Monitoring and Review

- 1) The impact of this policy will be reviewed by the Governors
- 2) The Headteacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 3) The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.

Annex A



Model Letters

Letter 1: Fixed period exclusion of less than 6 days in one term

Dear **[Parents/Carers Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[period of exclusion]**. This means that **[he/she]** will not be allowed in school for this period. The exclusion begins on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude **[Child's Name]** permanently.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a fixed penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **[Name of child]** during the **[..... days]** of the exclusion **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the school's governing body. If you wish make representations please contact **[Name of Contact]** on/at **[Contact Details-Address, Phone Number, email]** as soon as possible. Whilst the governing body has no power to direct reinstatement for an exclusion of this length, they must consider any representations you make and may place a copy of their findings on your child's school record.

Where a public examination will be missed, please insert the following text

As a public examination will be missed, the Chair of Governing Body may exceptionally consider the exclusion and decide whether or not to allow [pupil's name] to return for the duration of the examination.

You also have the right to see and have a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Name of Child]**'s school record. I will be happy to supply

you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Victoria Day, School Exclusions – Guidance and Training Officer 01305 228658 or v.c.day@dorsetcc.gov.uk if you have any questions about the exclusion procedures.

You may also find it useful to contact: The Children’s Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at www.childrenslegalcentre.com/ The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via:
www.education.gov.uk

[Name of Child]’s exclusion expires on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely

[Name] Head teacher

Letter 1a: Lunchtime half-day exclusion totalling a fixed period exclusion of less than 6 days per term.

*** Delete as appropriate

Dear **[Parents/Carers Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** during lunchtimes for **[number of days]** days from **[date]** to **[date]**. **[Child's Name]** can return for lunchtime as from **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

This exclusion covers the lunch period only from **[time]** to **[time]** and you are asked to please make arrangements for your child's supervision away from school during this period.

***As **[Child's Name]** is eligible to receive a free school meal, I have made arrangements for **him/her** to be provided with a packed lunch for the period of the exclusion.

Each lunchtime exclusion will count as a half-day exclusion and will be added to your child's record of exclusions.

The total number of days of exclusion from this period of lunchtime exclusion is **[number of days]**.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a fixed penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to make representations about this decision to the Governing body. If you wish make representations please contact **[Name of Contact]** on/at **[Contact Details-Address, Phone Number, email]** as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You also have the right to see and have a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Victoria Day, School Exclusions – Guidance and Training

Officer 01305 228658 or v.c.day@dorsetcc.gov.uk if you have any questions about the exclusion procedures.

You may also find it useful to contact: The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at www.childrenslegalcentre.com/. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via:
www.education.gov.uk

[Child's Name] exclusion expires on **[Date]** and we expect **[Child's Name]** to be back at lunchtimes on **[Date]** at **[Time]**.

Yours sincerely

[Name] Head teacher

Letter 2: Fixed term exclusion of 6-15 days or where cumulative exclusions in the same term fall within this range

Dear **[Parents/Carers Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[period of exclusion]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion begins on **[date]** and ends on **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude **[Child's Name]** permanently.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify dates]**. It will be for you to show that there is reasonable justification for this. I must advise you that you may receive a fixed penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **[Name of Child]** during the **[first 5]** school days of his **[or her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

(Delete the following paragraph if this exclusion is less than 6 days)

From the **[6th school day of the pupil's exclusion [specify date]** until the expiry of his exclusion we will provide suitable full-time education. On **[date]** he should attend **[give name and address of the alternative provider if not the home school]** at **[specify the time – this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **(If applicable – say something about transport arrangements from home to the alternative provider)**. **If not known, say the arrangements for suitable full time education will be notified by a further letter.**

You have the right to request a meeting of the governing body to whom representations and by whom my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the governing body must meet if you request it to do so. The latest date by which the governing body must meet, if you request a meeting is **[insert date – no later than 50 school days]**

after the date on which the governing body were notified of this exclusion]. If you do wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details – Address, Phone Number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

Where a public examination will be missed, please insert the following text

As a public examination will be missed, the Governing Body will try to consider the exclusion before that date or the Chair of Governing Body may exceptionally consider the exclusion and decide whether or not to reinstate (pupil's name) or allow return for the duration of the examination.

You also have the right to see and have a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Victoria Day, School Exclusions – Guidance and Training Officer 01305 228658 or v.c.day@dorsetcc.gov.uk if you have any questions about the exclusion procedures.

You may also find it useful to contact: The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at www.childrenslegalcentre.com/. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via www.education.gov.uk

[Name of Child]'s exclusion expires on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely,

[Name] Head teacher

Letter 3: Fixed term exclusion of 16 days or more or where cumulative exclusions in the same term are 16 days or more

Dear **[Parents/Carers Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period of exclusion]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **(Reason for Exclusion)**.

[Use this paragraph only where there is consideration of permanent exclusion]

In view of the nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to exclude **[Child's Name]** permanently.

[Use this paragraph for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a fixed penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **[Name of Child]** during the **[first 5]** school days of his/her exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

(Delete the following paragraph if this exclusion is less than 6 days)

From the **[6th school day of the pupil's exclusion [specify date]** until the expiry of his exclusion we will provide suitable full-time education. **[set out the arrangements if known at time of writing, e.g. On [date] he should attend [give name and address of the alternative provider if not the home school] at [specify the time – this may not be identical to the start time of the home school] and report to [staff member's name]. (If applicable – say something about transport arrangements from home to the alternative provider). [If not known say that the arrangements for suitable full-time education will be notified shortly by a further letter].**

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the meeting you may make representations to the discipline committee if you wish. The latest date on which the discipline committee can meet is **[date ... no later than 15 school days after the date on which the Governing Body was notified of this exclusion]**. If you wish

to make representations to the governing body and wish to be accompanied by a friend or representative please contact [**Name of contact**] on/at [**Contact Details - Address, Phone Number, email**], as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs that would affect your ability to attend or take part in a meeting at the school. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

Where a public examination would be missed, please insert the following text into the letter

‘As a public examination will be missed, the Governing Body will try to consider the exclusion before that date or the Chair of Governing Body may exceptionally consider the exclusion and decide whether or not to reinstate (pupil’s name)’ or allow return for the duration of the examination.’

You also have the right to see and have a copy of [**Name of Child**]’s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [**Name of Child**]’s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Victoria Day, School Exclusions – Guidance and Training Officer 01305 228658 or v.c.day@dorsetcc.gov.uk if you have any questions about the exclusion procedures.

You may also find it useful to contact: The Coram Children’s Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at www.childrenslegalcentre.com/. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via www.education.gov.uk

[**Name of Child**]’s exclusion expires on [**Date**] and we expect [**Name of Child**] to be back in school on [**Date**] at [**Time**].

Yours sincerely,

[**Name**] Head teacher

Letter 4 : Permanent Exclusion

Dear **[Parents/Carers Name]**

I regret to inform you of my decision to exclude **[Child's Name]** permanently with effect from **[Date]**. This means that **[he/she]** will not be allowed in this school unless **[he/she]** is reinstated by the school's governing body.

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded permanently because **[Reason for Exclusion – also include any relevant previous history here]**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify precise dates]** unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

Alternative arrangements for **[child's name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[child's name]** and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day]**. From the sixth school day of the exclusion onwards – i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that arrangements will be notified shortly by a further letter or by phone]**.

[Add this paragraph where a pupil lives in a local authority other than the excluding school's local authority]

I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **his/her** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governing body must meet to consider it. At the meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The Governing Body committee have the power to reinstate your child immediately or from a specified date; or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an independent review panel. The latest date on which the governing body must meet is **[dateno later than 15 school days after the date on which the governing body were notified of this exclusion]**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details –**

Address, Phone Number, email], as soon as possible. You will, whether you chose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend or take part in the meeting. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

Where a public examination would be missed, please insert the following text

'As a public examination will be missed, the Governing Body will try to consider the exclusion before that date or the Chair of Governing Body may exceptionally consider the exclusion and decide whether or not to reinstate (pupil's name) or allow return for the duration of the examination.'

You also have the right to see and have a copy of [**Name of Child**]'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [**Name of Child**]'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Victoria Day, School Exclusions – Guidance and Training Officer 01305 228658 or v.c.day@dorsetcc.gov.uk if you have any questions about the exclusion procedures.

You may also find it useful to contact: The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at www.childrenslegalcentre.com/. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via www.education.gov.uk

Yours sincerely,

Head teacher

Letter 5: LETTER FROM CLERK TO THE GOVERNING BODY INVITING PARENTS TO THE GOVERNING BODY EXCLUSION MEETING.

Fixed term exclusion up to 45 school days.

Dear **[Parent's Name]**

PUPIL NAME **D.O.B**

I am writing to inform you that a meeting of the Governing body will take place on **[date]** at **[time]** to consider the Head teacher's decision to exclude **[pupil's name]** from school from **[start date]** to **[end date]**. You are welcome to bring a friend or legal advisor with you should you wish.

Add a paragraph to identify the steps you will take to enable and encourage the excluded pupil to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding, or how the excluded pupil may feed in his/her views by other means if attending the meeting is not possible.

A representative of the Local Authority will be invited to the meeting (**in the case of a maintained school or PRU.**) or You may invite a representative of the Local Authority to attend the meeting of the Academy's governing body as an observer; that representative may only make representations with the governing body's consent. Please contact Victoria Day on 01258 455202 if you wish a LA representative to attend)

Please let us know if you have a disability or special needs which would affect your ability to attend or take part in the meeting. Also please inform me if it would be helpful for you to have an interpreter at the meeting.

The Governing Body Committee will consider the exclusion process and there will be 3 Governors' present. At this meeting the Chair will briefly explain the procedure, the reasons for the exclusion and witnesses may be called if appropriate. You and/or your legal representative can present verbal evidence and/or give a written account. You will also have the opportunity to question the Head teacher and the Governing Body.

Please send me any written evidence in advance of the meeting to allow this to be circulated to all parties at least five school days before the meeting date. The Governing Body will then make a decision as to whether the exclusion was made on appropriate grounds.

Please write to me at **[insert full address]** and let me know if you will be attending this meeting.

Yours sincerely,

Clerk to the Governing Body

Cc Head teacher
Victoria Day, School Exclusions – Guidance & Training Officer

Letter 6: LETTER FROM CLERK TO THE GOVERNING BODY INVITING PARENTS TO THE GOVERNING BODY EXCLUSION MEETING.

Permanent Exclusion

Dear **[Parent's name]**

PUPIL NAME **D.O.B**

I am writing to inform you that a meeting of school Governing Body will take place on **[date]** at **[time]** to consider the Head teacher's decision to exclude permanently **[pupil's name]** from school. You are welcome to bring a friend or legal advisor with you should you wish.

Add a paragraph to identify the steps you will take to enable and encourage the excluded pupil to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding, or how the excluded pupil may feed in his/her views by other means if attending the meeting is not possible.

A representative of the Local Authority will be invited to the meeting (**in the case of a maintained school or PRU.**) or You may invite a representative of the Local Authority to attend the meeting of the Academy's governing body as an observer; that representative may only make representations with the governing body's consent. Please contact Victoria Day on 01258 455202 if you wish a LA representative to attend)

Please let us know if you have a disability or special needs which would affect your ability to attend or take part in the meeting. Also please inform **[contact]** if it would be helpful for you to have an interpreter at the meeting.

The Governing Body committee has the power to reinstate your child immediately or from a specified date; or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an independent review panel.

The Governing Body Committee will consider the exclusion process and there will be 3 or 5 Governors present. At this meeting the Chair will briefly explain the procedure, the reasons for the exclusion and witnesses may be called if appropriate. You and/or your legal representative can present verbal evidence and/or give a written account. You will also have the opportunity to question the Head teacher and the Governing Body.

May I remind you that if you want to provide a written account, it should be sent to me at the address given above so that it can be circulated to all parties five days in advance of the meeting.

Please send any written evidence in advance of the meeting to allow the Governing Body to circulate all the information to all parties at least five school days before the meeting date. The Governing Body will then make a decision as to whether the exclusion was made on appropriate grounds.

Please write to me at [**insert full address**] and let me know if you will be attending this meeting.

Yours sincerely,

Clerk to the Governing Body

Cc Head teacher
Victoria Day, School Exclusions – Guidance & Training Officer

Letter 7 : LETTER FROM CLERK TO THE GOVERNING BODY TO A PARENT OF A PUPIL SERVING FIXED TERM EXCLUSION

DECISION ON FIXED TERM EXCLUSIONS 6-45 SCHOOL DAYS

Dear **[Parent's name]**

PUPIL NAME D.O.B

Fixed Term Exclusion From [start date] To [end date]

I am writing to let you know of the decision reached by the School's Governing Body at the meeting held to consider the actions of the Head teacher, in relation to your child's exclusion from school.

The Governing Body decided to:

- * Confirm the Head teacher's action **[stating reasons]**
- * Direct reinstatement **[stating reasons]**
- * Note on **[Pupil's Name]** school file that even though the exclusion has been served the Governing Body felt that it was **[inappropriate / length was inappropriate]** and should have been **[stating reasons]**

Yours sincerely,

Clerk to the Governing Body

Cc Head teacher
Victoria Day, School Exclusions – Guidance & Training Officer

Letter 8: LETTER FROM CLERK TO THE GOVERNING BODY TO THE PARENT OF A PERMANENTLY EXCLUDED PUPIL UPHOLDING A PERMANENT EXCLUSION

Dear **[Parent's Name]**

PERMANENT EXCLUSION: [Pupil's Name] [DOB]

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[Head teacher]** to exclude permanently **[name of pupil]**. The governing body, after carefully considering the representations made and all the available evidence, have decided to uphold **[name of pupil]**'s exclusion.

The reasons for the governing body's decision are as follows: **[give the reasons in as much details as possible, explaining how they were arrived at]**.

You have the right to appeal against this decision. If you wish to appeal, please notify the Clerk to the Independent Review Panel. You must set out the reasons for your appeal in writing and may also include reference to any special educational needs that are considered to be relevant to the exclusion.

You have the right to request the local authority/Academy Trust appoint an SEN expert to attend the review regardless of whether your child has recognised special educational needs.

The role of the SEN expert would be to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion. The SEN expert should base their advice on the evidence provided to the panel. The SEN expert's role does not include making an assessment of the pupil's special educational needs. There will be no cost to you for this appointment.

If you wish the Local Authority/Academy Trust to appoint an SEN expert to attend the review, you must make it clear in your application for a review.

You may, at your own expense, appoint someone to make written and/or oral representations to the panel and also bring a friend to the review.

Send your application to Legal and Democratic Services, by no later than **[specify the latest date –15 school days after receipt of this letter]**. ***(This will be different for an Academy who is arranging their own Independent Review Panel)***

If you have not lodged an appeal by **[repeat latest date]**, you will lose your right to appeal. Please advise if you have a disability or special needs which would affect your ability to attend or take part in the hearing. Also, please inform **[name of the clerk to the review panel]** if it would be helpful for you to have an interpreter present at the hearing.

In addition, if you believe that the exclusion has occurred as a result of discrimination then you can make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability) in the case of a disability discrimination. The address to which appeals should be sent is First-tier Tribunal (Special Educational Needs and Disability), Mowden Hall, Staindrop Road, Darlington, DL3 9BG.

(www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm) or the County Court in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded. Making a claim would not affect your right to make representations to the governing body

Your appeal would be heard by an Independent Review Panel. A three-member panel will comprise one serving or recently retired (within the last 5 years) Head teacher, one serving, or recently serving, experienced governor and one lay member who will be the Chairman. The review panel will rehear all the facts of the case – if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn a hearing until a later date.

In determining your appeal the review panel can make one of three decisions:

- they may uphold your child's exclusion;
- they may recommend that the governing body reconsiders the exclusion again
- they may quash the decision and direct that the governing body considered the exclusion again.

You may wish to contact Victoria Day, School Exclusions – Guidance & Training Officer on 01305 228658.

You may also find it useful to contact: The Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

The statutory exclusions guidance can be found via www.education.gov.uk

The arrangements currently being made for [**pupil's name**]'s education will continue.

Yours sincerely,

Clerk to the Governing Body

Cc Head teacher
Victoria Day, School Exclusions – Guidance & Training Officer
Letter 9

LETTER FROM CLERK TO THE GOVERNING BODY TO THE PARENT OF A PERMANENTLY EXCLUDED PUPIL OVERTURNING A PERMANENT EXCLUSION

Dear **[Parent's Name]**

PERMANENT EXCLUSION: [Pupil's Name] [DOB]

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[Head teacher]** to exclude **[name of pupil]** permanently. The governing body, after carefully considering the representations made and all the available evidence, have decided to not to uphold **[name of pupil]**'s exclusion.

The reasons for the governing body's decision are as follows: **[give the reasons in as much details as possible, explaining how they were arrived at]**.

You and **[your child or pupil's name]** will be invited to attend a reintegration interview with **[Name of Head teacher]**. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

The Exclusions & Reintegration Officer will be pleased to discuss the reintegration process with you. The telephone number is .

Yours sincerely,

[Name]
Clerk to the Governing Body

Cc Head teacher
Exclusions & Reintegration Team

