



# Exclusions Policy

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<b>Approved by:</b>	Mohammed Ummar Azam -Chair of Governors
<b>Reviewed by:</b>	Laura Webb - Governor
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# 1. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

# 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

# 3. The decision to exclude

Only the Headteacher, or acting Headteacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the Headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

# 4. Definition

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

# 5. Roles and responsibilities

## 5.1 The Headteacher

## **Informing parents**

The Headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the Governing Body and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the Governing Body to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

## **Informing the Governing Body and local authority**

The Headteacher will immediately notify the Governing Body and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the Headteacher will notify the Governing Body and LA once a term.

## **5.2 The Governing Body**

The Governing Body has a duty to consider the reinstatement of an excluded pupil (see section 6).

Within 14 days of receipt of a request, the Governing Body will provide the secretary of state with information about any exclusions in the last 12 months.

For a fixed-period exclusion of more than 5 school days, the Governing Body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

## **5.3 The LA**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

## 6. Considering the reinstatement of a pupil

The governing body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test

If requested to do so by parents, the governing body will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the governing body will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the governing body will consider the exclusion and decide whether or not to reinstate the pupil.

The governing body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the governing body will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The governing body will notify, in writing, the Headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the governing body's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
  - The date by which an application for an independent review must be made
  - The name and address to whom an application for a review should be submitted
  - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
  - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the school to appoint an SEN expert to attend the review
  - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
  - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
  - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7. An independent review

If parents apply for an independent review, the school will arrange for an independent panel to review the decision of the Governing Body not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing body of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the Headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteachers during this time
- Headteachers or individuals who have been a Headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the Governing Body of the excluding school
- Are the Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Governing Body, of the excluding school (unless they are employed as a Headteacher at another school)
- Have, or at any time have had, any connection with the school, Governing Body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

Additionally, the school must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Headteachers, Governing Bodies and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the Governing Body's decision
- Recommend that the Governing Body reconsiders reinstatement
- Quash the Governing Body's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## **8. School registers**

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the Governing Body will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

## **9. Returning from a fixed-term exclusion**

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Putting a pupil 'on report'
- Internal isolation

## **10. Monitoring arrangements**

The Headteacher monitors the number of exclusions every term and reports back to the welfare committee within the governing body. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This document will be reviewed every year but may be reviewed and updated more frequently if necessary.

It will be reviewed by the Governing Body and approved by the Chair of Governors at every review.

## **11. Links with other policies**

This exclusions policy is linked to our:

- Admissions Policy
- Anti-bullying Policy
- Attendance Policy
- Child Protection and Safeguarding Policy
- Curriculum Policy
- Complaints Policy
- Data Protection Policy
- Equality and Diversity Policy
- ICT and Internet Acceptable Use Policy
- Privacy Notice for Parents & Carers - Child's data
- Privacy Notice for Pupils
- Online Safety Policy

## Appendix 1: Model letters

### Model letter 1

**From head teacher notifying parent of a fixed period exclusion of 5 school days or fewer in one term, and where a public examination is not missed.**

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that he/she 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]**.

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 penalty notice from the local authority 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 **[Child's Name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her 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 Governing Body. If you wish to 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 should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>.

You have the right to see a copy of **[child's name]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

**[Optional paragraph for reintegration interview]**

You ***[and your child or name of pupil]*** are invited to attend a reintegration interview with me ***[alternatively, specify the name of another staff member]*** at ***[place]*** on ***[date]*** at ***[time]***. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

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

Yours sincerely

**[Name]**

Head teacher



## **Model letter 2**

**From head teacher notifying parent(s) of a pupil of that pupil's fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.**

Dear **[Parent's name]**

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

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

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 **[or specify dates if exclusion is for fewer than 5 days]** of this exclusion, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[Child's Name]** during the **[first 5 or specify other number as appropriate]** 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.

**[if the individual exclusion is for more than 5 days]**

From the **[6th school day of the pupil's exclusion]** **[specify date]** until the expiry of the exclusion we **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]** will provide suitable full-time education. **[Set out the arrangements if known at the time of writing, e.g.]** On **[date]** he/she should attend **[give name and address of the alternative provider]** 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]**

You have the right to request a meeting of the Governing Body to whom you may make representations, and 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 **[specify date — no later than the 50th school day after the date on which the discipline committee 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.

**You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the discipline committee.**

You have the right to see and have a copy of, your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

**[Optional paragraph for reintegration interview]**

You *[and your child or name of pupil]* are invited to attend a reintegration interview with me *[alternatively, specify the name of another staff member]* at *[place]* on *[date]* at *[time]*. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

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

Yours sincerely

**[Name]**

Head teacher

### Model letter 3

#### From head teacher notifying parent of a fixed period exclusion of more than 15 school days in total in one term.

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. 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]**.

You have a duty to ensure that your child is not present in a public place in school hours during **[the first five school days of exclusion or specify dates]**, unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority 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.

We will set work for **[Child's Name]** during the **[first five school days or specify dates]** 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.

#### **[if the individual exclusion is for more than 5 days]**

From the **[6th school day of the pupil's exclusion]** **[specify date]** until the expiry of this exclusion we **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]** will provide suitable full-time education. **[Set out the arrangements if known at the time of writing, e.g.]** On **[date]** he/she should attend **[give name and address of the alternative provider]** 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 review meeting you may make representations to the Governing Body if you wish. The latest date on which the Governing Body can meet is **[date here — no later than 15 school days from the date the Governing Body is notified]**. 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 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.

You should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the Governing Body.

You have the right to see a copy of **[Child's Name]**'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 your 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

**[Optional paragraph for reintegration interview]**

You ***[and your child or name of pupil]*** are invited to attend a reintegration interview with me ***[alternatively, specify the name of another staff member]*** at ***[place]*** on ***[date]*** at ***[time]***. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

**[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

#### **Model letter 4**

**From the head teacher of a primary, secondary or special school notifying the parent(s) of the pupil's permanent exclusion.**

Dear **[Parent's Name]**

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

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

**[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, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

**[For pupils of compulsory school age]**

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 the arrangements will be notified shortly by a further letter.]**

**[For pupils of compulsory school age where 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 review meeting you may make representations to the Governing Body if you wish and ask them to reinstate your child in school. The Governing Body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to decline reinstatement, in which case **you may request a review of their decision by an Independent Review Panel**. The latest date by which the Governing Body must meet is **[specify the date — the 15th school day after the date on which the Governing Body was notified of the 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 let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

**You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the Governing Body.**

You have the right to see a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you must 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

Yours sincerely

**[Name]**

Head teacher



## **Model letter 5**

### **From the Clerk to the Governing Body to the parent declining to reinstate (permanent exclusion).**

Dear **[Parent's name]**

The meeting of the Governing Body at **[school]** on **[date]** considered the decision by **[head teacher]** to permanently exclude your son/daughter **[name of pupil]**. The Governing Body, after carefully considering the representations made and all the available evidence, has decided not to reinstate **[name of pupil]**.

The reasons for the Governing Body's decision are as follows: **[set out reasons for the decision in sufficient detail to enable all parties to understand why the decision was made and how they arrived at that decision]**

You have the right to a review of this decision by an Independent Review Panel. If you would like to request a review, please notify the Clerk to the Education Appeal Panel. You must set out the reasons for requesting a review in writing and send this notice of appeal to Clerk to the Education Appeal Panel, c/o Member Services Division, Business Services Directorate, Civic Centre, Glebe Street, Stoke-on-Trent, ST4 1RN, by no later than **[specify the latest date — the 15th school day after receipt of this letter]**. If you have not requested a review by **[repeat latest date]**, you will lose your right to a review. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform the Clerk to the Education Appeal Panel if it would be helpful for you to have an interpreter present at the hearing.

Your appeal will be heard by an Independent Review Panel. A three-member panel will comprise one serving, or recently retired (within the last five years), head teacher, one serving, or recently serving, experienced governor member and one lay member who will be the Chairperson. 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 the review request is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

Following its review the panel can decide to:

- uphold the Governing Body's decision;
- recommend that the Governing Body reconsiders reinstatement, or
- quash the decision and direct that the Governing Body reconsiders reinstatement

You have a right to request the attendance of a Special Educational Needs (SEN) Expert at the review, regardless of whether the school recognises that your child has SEN. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion and does not include making an assessment of your child's special educational needs. There is no cost to yourself for this service but you must make clear that you wish for a SEN expert to be appointed in any application for a review.

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

As stated above you have the right to apply for an independent review panel. In order to assist you to make an informed decision on whether, and if so, how to seek a review please see the information at the end of this letter. In addition if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals> who have the jurisdiction to hear claims of discrimination under the Equality Act 2010 or the County Court (for 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 236821; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

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

Yours sincerely

**[name]**

Clerk to the Governing Body



## **Model letter 6**

### **From the clerk to the Governing Body to the parent directing reinstatement of a pupil**

Dear **[Parent's name]**

The meeting of the Governing Body at **[school]** on **[date]** considered the decision by **[head teacher]** to permanently exclude your son/daughter **[name of pupil]**. The Governing Body, after carefully considering the representations made and all the available evidence, has decided to direct **[name of pupil]**'s reinstatement of immediately **[or enter date]**

The reasons for the Governing Body's decision are as follows: **[set out reasons for the decision in sufficient detail to enable all parties to understand why the decision was made and how they arrived at that decision]**

You **[and your child or name of pupil]** are invited to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Yours sincerely

**[name]**

Clerk to the Governing Body

## **Model letter 7**

### **From the Clerk to the Governing Body to the parent declining reinstatement of a pupil (fixed term exclusion).**

Dear **[Parent's name]**

The meeting of the Governing Body at **[school]** on **[date]** considered the decision by **[head teacher]** to exclude your son/daughter **[name of pupil]** for **[x]** days. The Governing Body, after carefully considering the representations made and all the available evidence, has decided to decline the reinstatement of **[name of pupil]**.

The reasons for the Governing Body's decision are as follows: **[set out reasons for the decision in sufficient detail to enable all parties to understand why the decision was made and how they arrived at that decision]**

This means that the fixed term exclusion will remain on your child's record.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

### **[Optional paragraph for reintegration interview]**

You **[and your child or name of pupil]** are invited to attend a reintegration interview **[specify the name of staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Yours sincerely

**[name]**

Clerk to the Governing Body

## **Model letter 10**

**From head teacher notifying parent of a fixed period exclusion of no more than 3 school days, where a permanent exclusion is being considered, following persistent disruptive behaviour and where a public examination is not missed.**

Dear **[Parent's Name]**

I am writing in relation to the incident which occurred on **[date]**.

Whilst I must inform you that I am minded to permanently exclude **[Child's Name]**, I wish to take time to review and consider all the evidence available, including any mitigating circumstances of which you might like to make me aware. Please contact the academy should this be the case.

I am therefore initially excluding **[Child's Name]**, for **[specify period]**. The exclusion begins/began on **[date]** and ends on **[date]**. This means that he/she will not be allowed in school for this period.

I will contact you again, as soon as possible, to inform you of my decision in relation to any permanent exclusion.

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]**.

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 penalty notice from the local authority 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 **[Child's Name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her 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 Governing Body. If you wish to 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 should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>.

You have the right to see a copy of **[child's name]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

**[Optional paragraph for reintegration interview]**

You ***[and your child or name of pupil]*** are invited to attend a reintegration interview with me ***[alternatively, specify the name of another staff member]*** at ***[place]*** on ***[date]*** at ***[time]***. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

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

Yours sincerely

**[Name]**

Head teacher

## **Model letter 11**

**From head teacher notifying parent of a fixed period exclusion of no more than 5 school days, where a permanent exclusion is being considered, following persistent disruptive behaviour / a serious incident and where a public examination is not missed.**

Dear **[Parent's Name]**

I am writing in relation to the incident which occurred on **[date]**.

Whilst I must inform you that I am minded to permanently exclude **[Child's Name]**, I wish to take time to review and consider all the evidence available, including any mitigating circumstances of which you might like to make me aware. Please contact the academy should this be the case.

I am therefore initially excluding **[Child's Name]**, for **[specify period/number of days, pending further investigation]**. The exclusion begins on **[date]** and ends on **[date]**. This means that he/she will not be allowed in school for this period.

I will contact you again, as soon as possible, to inform you of my decision in relation to any permanent exclusion.

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]**.

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 penalty notice from the local authority 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 **[Child's Name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her 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 Governing Body. If you wish to 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 should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>.

You have the right to see a copy of **[child's name]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your 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.

For your information the following sources of information are available to you:

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council, who can offer general advice on the Exclusions process. Telephone: 01782 238653; email: [louise.mcmanus@stoke.gov.uk](mailto:louise.mcmanus@stoke.gov.uk)
- 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 0345 345 4345 or on [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm term time only. Information can be found on the website: <http://www.ace-ed.org.uk>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk>
- The Department for Education statutory exclusions guidance can be found at [www.education.gov.uk/schools/pupilsupport/behaviour/exclusion](http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion)

**[Optional paragraph for reintegration interview]**

You *[and your child or name of pupil]* are invited to attend a reintegration interview with me *[alternatively, specify the name of another staff member]* at *[place]* on *[date]* at *[time]*. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

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

Yours sincerely

**[Name]**

Head teacher