



Exclusions Policy

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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](#)
- Sections 64-68 of the [School Standards and Framework Act 1998](#)

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 Head teacher, or acting Head teacher, can exclude a pupil from school.

A permanent exclusion will be taken as a last resort.

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 Head teacher 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 Head teacher

Informing parents

The Head teacher 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 board and how the pupil may be involved in this
- Where there is a legal requirement for the governing board 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 Head teacher 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 board and local authority

The Head teacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is made permanent
- 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 Head teacher 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 Head teacher will notify the governing board and LA once a term.

5.2 The governing board

Responsibilities regarding exclusions is delegated to The First Committee. The First Committee has a duty to consider the reinstatement of an excluded pupil (see section 6).

The governing board has a duty to consider the reinstatement of an excluded pupil (see section 6)

Within 14 days of receipt of a request, the governing board 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 board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

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 First Committee 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

If requested to do so by parents, The First Committee 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 First Committee will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, The First Committee will consider the exclusion and decide whether or not to reinstate the pupil.

[The First Committee 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 First Committee will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Head teacher 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 First Committee will notify, in writing, the Head teacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, The First Committee'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 Futures Trust 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 Futures Trust will arrange for an independent panel to review the decision of the governing board 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 Futures Trust 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 Head teacher 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 Head teachers during this time
- Head teachers or individuals who have been a Head teacher within the last 5 years

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

- Are a member or director of The Futures Trust or governing board of the excluding school
- Are the Head teacher of the excluding school, or have held this position in the last 5 years
- Are an employee of The Futures Trust or the governing board, of the excluding school (unless they are employed as a Head teacher at another school)
- Have, or at any time have had, any connection with The Futures Trust, school, governing board, 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)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board'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 board 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' – Start Chart*

10. Monitoring arrangements

The Head teacher monitors the number of exclusions every term and reports back to the Governing Body as part of the termly report. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by Nicola Penlington every 2 years. At every review, the policy will be shared with the governing board.

11. Links with other policies

This exclusions policy is linked to our

- Behaviour policy
- SEN policy and information report

Appendix 1: Independent review panel training

The Futures Trust 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 Head teachers, governing boards 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

Appendix 2: Model Exclusion Letters

Model letter 1: From Head teacher notifying parent(s) 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 start date is [date] and the end date is [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(s) for exclusion].

[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 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 without reasonable justification. 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. [Detail the arrangements for this.] Please ensure that work set by the school is completed and returned to us promptly for marking.

[School/PRU]

You have the right to make representations about this decision to the **governing body/management committee**. 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/management committee** 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 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 (Special Educational Needs and Disability). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9BG.

[This paragraph applies to all fixed period exclusions of primary-aged pupils and may be used for fixed period exclusions of up to 5 days of secondary aged pupils if the Head teacher chooses to hold a reintegration interview.]

You [and child's name] are requested to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If this is not convenient, please contact the school [within the next ten days] 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 [not for parents of secondary aged pupils]. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see and have 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 **[child's name]**'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 the Attendance and Inclusion Team for Coventry Local Authority on (024) 7678 6700 or the SENDIASS (Special Educational Needs Information and Advice Service) for parents on (024) 7669 4307, who can provide advice. The Department for Education statutory guidance on exclusions can be obtained from

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012> .

You may also find it useful to contact the Coram Children's Legal Centre (an independent national advice centre) on 08088 020 008 (Monday-Friday, 8am-8pm). Further information can be found at www.childrenslegalcentre.com.

[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 (or teacher in charge of a PRU) notifying parent(s) of a 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 **he/she** will not be allowed in school for this period. The exclusion start date is **[date]** and the end date is **[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(s) for exclusion]**.

[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 **[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 during school hours 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. **[Detail 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 [child's name] exclusion (specify date) until the expiry of his/her exclusion**, we **[for PRUs the local 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.]** On **[date]**, **he/she** should attend at **[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, detail transport arrangements from home to the alternative provider; if not known, say that the arrangements for suitable full-time education will be notified by a further letter].**

[School/PRU]

You have the right to request a meeting of the **school's behaviour committee/PRU's management committee** to whom you may make representations. **[Specify how the pupil may be involved in this]**, and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the behaviour committee/management committee must meet if you request it to do so. The latest date by which the behaviour committee/management committee 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]**. You have a right to attend the meeting, be represented at the meeting (at your own expense) and to

bring a friend. If you do wish to make representations to the behaviour committee/management committee 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 (Special Educational Needs and Disability). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9BG. Making a claim would not affect your right to make representations to the **behaviour committee/management committee**.

[Reintegration meetings are no longer mandatory but you may wish to maintain them as good practice]

You **[and your child's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If this 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 [not for parents of secondary aged pupils]**. You also 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 **[child's name]**'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 the Attendance and Inclusion Team for Coventry Local Authority on (024) 7678 6700 or the SENDIASS (Special Educational Needs Information and Advice Service) for parents on (024) 7669 4307, who can provide advice. The Department for Education statutory guidance on exclusions can be obtained from <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012> .

You may also find it useful to contact the Coram Children's Legal Centre (an independent national advice centre) on 08088 020 008 (Monday-Friday, 8am-8pm). Further information can be found at www.childrenslegalcentre.com.

[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 / [In case of PRU – teacher in charge]

Model letter 3: From Head teacher (or teacher in charge of a PRU) 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 start date is [date] and the end date is [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(s) for exclusion].

[For pupils of compulsory school age — next 3 paragraphs]

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 [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 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. [Detail 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 [child's name] exclusion [specify date] until the expiry of his/her exclusion we [for PRUs the local 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.] On [date] he/she should attend at [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, detail transport arrangements from home to the alternative provider; if not known, say that the arrangements for suitable full-time education will be notified by a further letter].

[School and PRU]

As the length of the exclusion is more than 15 school days in total in one term, the governing body/management committee must meet to consider the exclusion. At the review meeting you may make representations to the governing body/management committee if you wish [specify how the pupil may be involved in this]. The latest date on which the governing body/management committee can meet is [date – no later than 15 school days from the date the governing body is notified of the exclusion]. You

have a right to be represented at this meeting (at your own expense) and to bring a friend. If you wish to make representations to the **governing body/management committee**, 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/management committee** 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 **[name of 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 (Special Educational Needs and Disability). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9BG. Making a claim would not affect your right to make representations to the **behaviour committee/management committee**.

[Reintegration meetings are no longer mandatory but you may wish to maintain them as good practice]

You **[and your child's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If this 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 [not for parents of secondary aged pupils]**. You also 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 **[child's name]**'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 the Attendance and Inclusion Team for Coventry Local Authority on (024) 7678 6700 or the SENDIASS (Special Educational Needs Information and Advice Service) for parents on (024) 7669 4307, who can provide advice. The Department for Education statutory guidance on exclusions can be obtained from <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012> .

You may also find it useful to contact the Coram Children's Legal Centre (an independent national advice centre) on 08088 020 008 (Monday-Friday, 8am-8pm). Further information can be found at www.childrenslegalcentre.com.

[Name of child]'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 / [In case of PRU – teacher in charge]

Model letter 4: From the Head teacher of a primary, secondary or special school (or the teacher in charge of a PRU) notifying the parent(s) of a 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/PRU** unless **he/she** is reinstated by the **governing body/management committee**.

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 **[reason(s) for 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. 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.

[For pupils of compulsory school age]

Alternative arrangements for **[child's name]**'s education to continue will be made. For the first 5 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 **[unless 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]** – Coventry Local 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.]**

[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 on/at **[give contact details]**.

As this is a permanent exclusion, the **governing body/management committee** must meet to consider it. At the review meeting, you may make representations to the **governing body/management committee** if you wish and ask them to reinstate your child in school **[specify how the pupil may be involved in this]**. The **governing body/management 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 ask for the decision to be reviewed by an independent review panel. The latest date by which the governing body/PRU management committee must

meet is **[date – no later than 15 school days from the date the governing body is notified of the exclusion]**. You have the right to be represented at this meeting (at your own expense) and to bring a friend. If you wish to make representations to the **governing body/management committee** 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/management committee** 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.

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 (Special Educational Needs and Disability). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9BG. Making a claim would not affect your right to make representations to the **behaviour committee/management 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 **[child's name]**'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 the Attendance and Inclusion Team for Coventry Local Authority on (024) 7678 6700 or the SENDIASS (Special Educational Needs Information and Advice Service) for parents on (024) 7669 4307, who can provide advice. The Department for Education statutory guidance on exclusions can be obtained from <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion/g00210521/statutory-guidance-regs-2012> .

You may also find it useful to contact the Coram Children's Legal Centre (an independent national advice centre) on 08088 020 008 (Monday-Friday, 8am-8pm). Further information can be found at www.childrenslegalcentre.com.

Yours Sincerely,

[Name]

Head teacher / [In case of PRU – teacher in charge]

Model letter 5: From the clerk of the governing body (of a primary, secondary or special school) to parent upholding a 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]**. After carefully considering the representations made and all of the available evidence, the governing body has decided to uphold **[name of pupil]**'s permanent exclusion.

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 request for a review of this decision by an Independent Review Panel. If you would like to request a review, please notify Jacqui Warren / Julie Bowell (Legal Officer – School Appeals) in writing. You must set out the grounds on which the request for a review is being made and send this to SchoolAppeals@coventry.gov.uk by no later than **[date — the 15th school day after receipt of this letter]**. Alternatively, you can send this via post to Coventry City Council, Governance Services & Scrutiny, 2nd Floor, Council House, Coventry, CV1 5RR (again, by **[date]**). Please note that requests received after **[date]** will be rejected. If you have a disability or special needs that would affect your ability to attend the meeting, please advise the School Appeals Officer. It would also be helpful to advise if you require an interpreter to be present.

Where appropriate, your request should include a reference to how your child's Special Educational Needs (SEN) are considered to be relevant to the exclusion. You have a right to request the attendance of a Special Educational Needs 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 it clear that you wish for an SEN expert to be appointed when you make your request 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.

Your review will be heard by an Independent Review Panel. The panel will comprise of one serving (or recently retired within the last five years) Head teacher, one serving (or recently served) school governor, who has served as a governor for at least 12 consecutive months, 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 your child's exclusion;

- Recommend that the governing body reconsiders their decision;
- Or quash the decision and direct that the governing body considers the exclusion again.

In order to assist you to make an informed decision on whether, and if so, how to seek a review, please see the information below. 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 (Special Educational Needs and Disability). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9BG.

The following sources of information are available to you:

The Department for Education statutory exclusions guidance can be found at www.gov.uk/government/publications/school-exclusion.

You may find it useful to contact the Coram Children's Legal Centre (an independent national advice centre) on 08088 020 008 (Monday-Friday, 8am-8pm). Further information can be found at www.childrenslegalcentre.com.

You may wish to contact the Attendance and Inclusion Team for Coventry Local Authority on (024) 7678 6700 or the SENDIASS (Special Educational Needs Information and Advice Service) for parents on (024) 7669 4307, who can provide advice.

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

Yours Sincerely,

[Name]
Clerk to the Governing Body