

MOORFIELD PRIMARY SCHOOL



EXCLUSION OF PUPILS POLICY

Term Of Staff Review:	Spring 2022 (updated Autumn 2022)
Reviewed & Approved By Governing Body:	Summer 2022
Committee:	Teaching and Learning
Term of Next Review:	Spring 2023

Inspiring Creative Learners for Exciting Futures

Background

This policy (in line with the Behaviours for Learning Policy) deals with the policy and practice which informs the School's use of exclusion. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

1. The first is to ensure the safety and well-being of all members of the school community, and to maintain an appropriate education environment in which all can learn and succeed;
2. The second is to realise the aim of reducing the need to use exclusion as a sanction.

We follow the statutory exclusion guidance issued by the Department for Education (DfE) when making decisions regarding exclusion from school and carrying out the exclusion process.

The current version of the DfE exclusion guidance '**Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies, and pupil referral units in England**' can be found on the school exclusion page of the Gov.uk website:

<https://www.gov.uk/government/publications/school-exclusion>

All maintained schools in England must have regard to this guidance when carrying out their functions in relation to exclusions. The phrase 'must have regard', when used in this context, means that everyone involved in the exclusion process at Moorfield will follow the sections of statutory guidance unless there is a good reason not to in a particular case, in which case the reason must be justified.

This exclusion policy will be reviewed annually and with any published changes to the statutory DfE exclusion guidance.

Introduction

The decision to exclude a pupil will be taken in the following circumstances:

- (a) In response to a serious breach of the school's Behaviours for Learning Policy
- (b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

Exclusion is an extreme sanction and is only administered by the Headteacher (Deputy Headteacher in their absence). Exclusion, whether for a fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the school's Behaviours for Learning Policy:

- Verbal abuse to staff and others
- Verbal abuse to pupils
- Bullying both verbal or physical
- Physical abuse to/attack on staff
- Physical abuse to/attack on pupils
- Indecent behaviour
- Damage to property
- Misuse or supplying of illegal and/or legal drugs
- Theft
- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Carrying an offensive weapon
- Arson
- Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.
- As the last line of authority in the school, refusing to carry out a reasonable request for their safety or the safety of others from the Headteacher

This is not an exhaustive list and there may be other situations where the Headteacher makes the judgement that exclusion is an appropriate sanction.

General factors the school considers before making a decision to exclude

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the pupil concerned. Before deciding whether to exclude a pupil either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviours for Learning Policy and Single Equality Policy
- Allow the pupil to give her/his version of events
- Explore the wider context, taking into consideration how much the incident may have been provoked (for example by bullying or by harassment)

If the Headteacher is satisfied that on the balance of probabilities the pupil did what he/she is alleged to have done, then exclusion will be the outcome.

Model letters from the Local Authority are attached to this policy.

At times the Headteacher will decide not to use the extreme sanction of an exclusion but will decide that a Pastoral Support Plan or Behaviour Support Plan should be drawn up to try avoid the sanction of an exclusion in the future. This might be accompanied by an internal exclusion.

Exclusion procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). The DfE regulations allow the Headteacher to exclude a pupil for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors will review promptly all permanent exclusions from the school and all fixed term exclusions that would lead to a pupil being excluded for more than 15 days in a school term or missing a public examination.

The Governors will review fixed term exclusions which would lead to a pupil being excluded for more than five days but not more than 15 days in a school term where a parent has expressed a wish to make representations.

Following exclusion parents are contacted immediately where possible. A letter will be sent by post or delivered by hand, giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body and the Local Authority as directed in the letter.

A return to school meeting will be held if deemed necessary following the expiry of the fixed term exclusion and this will involve a member of the Senior Leadership Team and other staff where appropriate. During this meeting a Pastoral Support Plan or Behaviour Support Plan will be drawn up (if appropriate), which will include a review date.

During the course of a fixed term exclusion where the pupil is to be at home, parents are advised that the pupil is not allowed on the school premises, and that daytime supervision is their responsibility as parents/carers.

Records relating to exclusions will be stored confidentially.

Permanent Exclusion

The decision to exclude a pupil permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered:

1. The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success.

It is an acknowledgement that all available strategies have been exhausted and is used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include racist or homophobic bullying) or repeat offences such as damage to property, theft, verbal or physical abuse to adults or pupils, indecent behaviour

2. The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Misuse or supplying illegal and/or legal drugs
- Carrying an Offensive Weapon (Offensive weapons are defined in the Prevention of Crime Act 1993 as “any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him”).
- Arson
- Behaviour which poses a significant risk to the child’s own safety

The school will involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the school.

Adopted by the Governing Body Spring 2022

	Chair of Committee	Headteacher
Signed:
Dated:

The Department for Education’s statutory guidance “**Exclusion from maintained schools, Academies and pupil referral units in England – a guide for those with legal responsibilities in relation to exclusion**” (September 2017) details the legislation around exclusions and provides statutory guidance that head teachers, governing bodies and local authorities must have regard to when carrying out their functions in this area: www.gov.uk/government/publications/school-exclusion

Notifying parents of an exclusion

Head teachers are required to notify parents of an exclusion in writing without delay. Ideally parents should be notified of an exclusion in person or by telephone first to give them an opportunity to ask any initial questions or raise concerns directly with the head teacher. Head teachers may use the following model exclusion letters, which include all of the required content, or may choose to write their own letters, in which case they should consult paragraphs 26 to 39 of the DfE guidance to ensure that the letters meet all the requirements of the legislation and statutory guidance.

Provision of education during fixed period exclusions

There is a legal duty on governing bodies to provide suitable, full-time education from the sixth day of a fixed period exclusion over five days in length. The statutory guidance suggests that schools should arrange alternative provision before the sixth day, and during shorter fixed period exclusions if possible, to minimise disruption to education. The arrangements for this should be notified to parents in writing. Where it is not possible or appropriate to arrange alternative provision during the first five days of an exclusion, the school should set and mark work for the pupil which is accessible and achievable at home.

Exclusions issued pending further investigation

The DfE has clarified that the law does not allow for extending a fixed period exclusion or ‘converting’ a fixed period to a permanent exclusion. Following serious incidents, head teachers may issue a short fixed period exclusion in the first instance, pending further investigation and consideration. The exclusion notification letter should make it clear that a further exclusion (either fixed period or permanent) may be issued to begin immediately afterwards, once the investigation is complete (see Model Letter 4). If a further exclusion is issued, the decision should be communicated to the parent in person or by telephone and the appropriate notification letter sent.

Exclusions which result in a student missing a public examination or national curriculum test

Where an exclusion will result in a student missing a public examination or national curriculum test, the Governing Board is required to consider the exclusion before the date of the exam or test. The Chair of Governors can consider the exclusion independently if it is impractical for the Discipline Committee (or equivalent) to meet. In most cases it would be more practical for the head teacher to allow the excluded student into school to sit their exam(s) whilst excluded, making special arrangements if necessary.

Reintegration meetings

There is no requirement for schools to hold reintegration meetings following fixed period exclusions, but the guidance states that ‘schools should have a strategy for reintegrating a pupil who returns to school following a fixed period exclusion and for managing their future behaviour.’ If a school decides to hold a reintegration meeting, the relevant details should be notified to parents in the exclusion letter if possible. The excluded pupil must be allowed to return to school at the end of the exclusion period, whether or not parents attend a reintegration meeting.

Model Letters – Contents

*Parts of the model letters highlighted in **[Bold]** should be completed/deleted by the school as appropriate.*

- **Model Letter 1** – From the head teacher notifying parent of a fixed period exclusion of 5 school days or fewer, or where exclusions total less than 5 school days in one term
- **Model Letter 2** – From the head teacher notifying parent of a fixed period exclusion of between 6 and 15 school days, or where exclusions total between 6 and 15 school days in one term
- **Model Letter 3** – From the head teacher notifying parent of a fixed period exclusion of more than 15 school days, or where exclusions total more than 15 school days in one term
- **Model Letter 4** – From the head teacher notifying parent of a fixed period exclusion, which may be immediately followed by a further fixed period or permanent exclusion after investigation/consideration
- **Model Letter 5** – From the head teacher notifying parent of a permanent exclusion
- **Model Letter 6** – From the Governing Board notifying parent of decision to uphold a fixed period exclusion
- **Model Letter 7** – From the Governing Board notifying parent of a decision to reinstate a pupil excluded for a fixed period
- **Model Letter 8** – From the Governing Board notifying parent of decision to uphold a permanent exclusion
- **Model Letter 9** - From the Governing Board notifying parent of decision to reinstate a permanently excluded pupil

Rescinding a permanent exclusion

A model letter has not been provided as the content will be dependent on the circumstances of the decision and any alternative to permanent exclusion arranged. The Education Access Service will provide advice on the content of a rescind letter if necessary.

Please contact the Education Access Service for any advice relating to exclusion letters and notification procedures.

Tel: 0161 474 3805

Email: eas@stockport.gov.uk

MODEL LETTER 1

From the head teacher notifying parent of a fixed period exclusion of **5 school days or fewer, or where exclusions total less than 5 school days in one term**

Dear **[Name of Parent(s)]**

I am writing to inform you of my decision to exclude **[Name of pupil]** for a fixed period of **[number of days]**. This means that **[he/she]** will not be allowed in school during this period. The exclusion starts on **[date]** and ends on **[date]**. Therefore **[Name of pupil]** should return to school on **[date]**. **[Name of pupil]** has been excluded for **[reason(s) for exclusion]**.

We will set work for **[Name of pupil]** to be completed on the days specified above. **[Detail the arrangements for provision of work and how it will be marked]**. **[If alternative education provision is being arranged during this exclusion period, use paragraph 3 of Model Letter 2]**

You have the right to make representations about this decision to the school's Governing Board. If you wish to make representations please contact Denise Bradley as soon as possible on 0161 474 3957, email denise.bradley@stockport.gov.uk, or in writing to the following address: Education Business Support, 3rd Floor, Stockport Council, Stopford House, Stockport, SK1 3XE. Whilst the Governing Board 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.

If you believe that the exclusion has occurred as a result of disability discrimination you can also make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability). You should make such a claim within 6 months of the date of the exclusion. Visit www.justice.gov.uk/tribunals/send/appeals for more information.

The Government's statutory guidance on exclusion from school can be accessed at www.gov.uk/government/publications/school-exclusion. For further advice, you may wish to contact the Education Access Service at Stockport Council on 0161 474 3805 or by email at eas@stockport.gov.uk. You may also find it useful to visit the contact the Coram's Children's Legal Centre website, which has information about exclusion from school www.childlawadvice.org.uk/information-pages/school-exclusion. They can be contacted on 0300 330 5485 (Mon-Fri 8am-6pm). Another source of advice is the Advisory Centre for Education (ACE) – a charity that provides information, support and advice to parents on education-related matters, including exclusion from school – www.ace-ed.org.uk. They can be contacted on 03000 115 142 (Mon-Wed 10am-1pm).

You have a duty to ensure that **[Name of pupil]** is not present in a public place during school hours whilst excluded **[on/between - specify dates, days 1 to 5 of any fixed period exclusion]** without reasonable justification. You may be prosecuted or receive a penalty notice from the local authority if you fail to ensure this. **[Name of pupil]** must not enter the premises and should keep away from the immediate vicinity of the school whilst excluded, unless an appointment has been arranged.

[Name of pupil]'s exclusion expires on **[date]** and we expect **[him/her]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Head teacher

MODEL LETTER 2

From the head teacher notifying parent of a fixed period exclusion of **between 6 and 15 school days, or where exclusions total between 6 and 15 school days in one term**

Dear **[Name of Parent(s)]**

I am writing to inform you of my decision to exclude **[Name of pupil]** for a fixed period of **[number of days]**. This means that **[he/she]** will not be allowed in school during this period. The exclusion starts on **[date]** and ends on **[date]**. Therefore **[Name of pupil]** should return to school on **[date]**. **[Name of pupil]** has been excluded for **[reason(s) for exclusion]**.

We will set work for **[Name of pupil]** to be completed **[on/between] [specify dates – work must be provided for the first 5 school days of any exclusion. Detail the arrangements for provision of work and how it will be marked]**.

[If the individual exclusion is more than 5 days in length]

From **[specify date – the 6th school day of the pupil's exclusion, or earlier if provision can be arranged prior to the 6th day]** until the expiry of the exclusion, we will provide full-time education for **[Name of pupil]** at **[detail the arrangements for this including the name and address at which the provision will take place, the start date, the start and finish times, and information about who the pupil should report to on the first day. If the arrangements are not known at this stage, advise that the arrangements for full-time education will be notified by a further letter. For 6th day provision the information must be provided at least 48 hours before the provision is due to start]**.

You have the right to request a meeting of the school's Governing Board, at which you may make representations, and the exclusion decision can be reviewed. As the period of this exclusion is more than 5 school days in one term, the Governing Board must meet if you request it to do so (within 50 school days of the exclusion). If you do wish to make representations to the Governing Board, please contact Denise Bradley as soon as possible on 0161 474 3957, email denise.bradley@stockport.gov.uk, or in writing to the following address: Education Business Support, 3rd Floor, Stockport Council, Stopford House, Stockport, SK1 3XE. Please advise if you wish to be accompanied by a friend or representative, if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school, or if it would be helpful for you to have an interpreter present. **[Name of pupil]** can also attend this meeting, or make **[his/her]** views known in writing or through a representative.

If you believe that the exclusion has occurred as a result of disability discrimination you can also make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability). You should make such a claim within 6 months of the date of the exclusion. Visit www.justice.gov.uk/tribunals/send/appeals for more information.

The Government's statutory guidance on exclusion from school can be accessed at www.gov.uk/government/publications/school-exclusion. For further advice, you may wish to contact the Education Access Service at Stockport Council on 0161 474 3805 or by email at eas@stockport.gov.uk. You may also find it useful to visit the contact the Coram's Children's Legal Centre website, which has information about exclusion from school www.childlawadvice.org.uk/information-pages/school-exclusion. They can be contacted on 0300 330 5485 (Mon-Fri 8am-6pm). Another source of advice is the Advisory Centre for Education (ACE) – a charity that provides information, support and advice to parents on education-related matters, including exclusion from school – www.ace-ed.org.uk. They can be contacted on 03000 115 142 (Mon-Wed 10am-1pm).

You have a duty to ensure that **[Name of pupil]** is not present in a public place during school hours whilst excluded **[on/between - specify dates, days 1 to 5 of any fixed period exclusion]** without reasonable justification. You may be prosecuted or receive a penalty notice from the local authority if you fail to ensure this. **[Name of pupil]** must not enter the premises and should keep away from the immediate vicinity of the school whilst excluded, unless an appointment has been arranged.

[Name of pupil]'s exclusion expires on **[date]** and we expect **[him/her]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Head teacher

MODEL LETTER 3

From the head teacher notifying parent of a fixed period exclusion of **more than 15 school days, or where exclusions total more than 15 school days in one term**

Dear [Name of Parent(s)]

I am writing to inform you of my decision to exclude [Name of pupil] for a fixed period of [number of days]. This means that [he/she] will not be allowed in school during this period. The exclusion starts on [date] and ends on [date]. Therefore [Name of pupil] should return to school on [date]. [Name of pupil] has been excluded for [reason(s) for exclusion].

We will set work for [Name of pupil] during the first 5 school days of this exclusion [Detail the arrangements for provision of work and how it will be marked].

From [specify date – the 6th school day of the pupil's exclusion, or earlier if provision can be arranged prior to the 6th day] until the expiry of the exclusion, we will provide full-time education for [Name of pupil] at [Name of pupil] at [detail the arrangements for this including the name and address at which the provision will take place, the start date, the start and finish times, and information about who the pupil should report to on the first day. If the arrangements are not known at this stage, advise that the arrangements for full-time education will be notified by a further letter. For 6th day provision the information must be provided at least 48 hours before the provision is due to start].

As the length of the exclusion is more than 15 school days in total in one term, the school's Governing Board must meet to review the exclusion. You may make representations to the Governing Board if you wish. The latest date on which the Governing Board can meet is [insert date – no later than 15 school days from the date the Governing Board was notified of the exclusion]. If you wish to attend this meeting please contact Denise Bradley as soon as possible on 0161 474 3957, email denise.bradley@stockport.gov.uk, or in writing to the following address: Education Business Support, 3rd Floor, Stockport Council, Stopford House, Stockport, SK1 3XE. You will, whether you choose to attend or not, be notified of the time, date and location of the meeting. Please advise if you wish to be accompanied by a friend or representative, if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school, or if it would be helpful for you to have an interpreter present. [Name of pupil] can also attend this meeting, or make [his/her] views known in writing or through a representative.

If you believe that the exclusion has occurred as a result of disability discrimination you can also make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability). You should make such a claim within 6 months of the date of the exclusion. Visit www.justice.gov.uk/tribunals/send/appeals for more information.

The Government's statutory guidance on exclusion from school can be accessed at www.gov.uk/government/publications/school-exclusion. For further advice, you may wish to contact the Education Access Service at Stockport Council on 0161 474 3805 or by email at eas@stockport.gov.uk. You may also find it useful to visit the contact the Coram's Children's Legal Centre website, which has information about exclusion from school www.childlawadvice.org.uk/information-pages/school-exclusion. They can be contacted on 0300 330 5485 (Mon-Fri 8am-6pm). Another source of advice is the Advisory Centre for Education (ACE) – a charity that provides information, support and advice to parents on education-related matters, including exclusion from school – www.ace-ed.org.uk. They can be contacted on 03000 115 142 (Mon-Wed 10am-1pm).

You have a duty to ensure that [Name of pupil] is not present in a public place during school hours whilst excluded [on/between - specify dates, days 1 to 5 of any fixed period exclusion] without reasonable justification. You may be prosecuted or receive a penalty notice from the local authority if you fail to ensure this. [Name of pupil] must not enter the premises and should keep away from the immediate vicinity of the school whilst excluded, unless an appointment has been arranged.

[Name of pupil]'s exclusion expires on **[date]** and we expect **[him/her]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Head teacher

MODEL LETTER 4

From the head teacher notifying parent of a **fixed period exclusion, which may be immediately followed by a further fixed period or permanent exclusion after investigation/consideration**

Dear **[Name of Parent(s)]**

I am writing to inform you of my decision to exclude **[Name of pupil]** for a fixed period of **[number of days]** in the first instance. This means that **[he/she]** will not be allowed in school during this period. The exclusion starts on **[date]** and ends on **[date]**. **[Name of pupil]** has been excluded for **[reason(s) for exclusion]**.

During this period of exclusion, **[further investigations will be carried out into the incident(s) and/or further consideration will be given to Name of pupil's future at this school. *Provide details about why this is being considered if possible*]**. This may result in a further fixed period exclusion or permanent exclusion to begin immediately after this exclusion, in which case you will be notified of this separately.

[Use paragraph 2 onwards from Model letter 1 to 3, depending on the length of exclusion and number of previous exclusions that term, but do not include the final paragraph about return to school or include any reference to a reintegration meeting]

Yours sincerely

[Name]

Head teacher

MODEL LETTER 5

From the head teacher notifying parent of a **permanent exclusion**

Dear **[Name of Parent(s)]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[Name of pupil]** has not been taken lightly. **[Name of pupil]** has been excluded for **[reason(s) for exclusion, including other relevant history, and where appropriate, the steps taken to avoid the exclusion]**.

Alternative arrangements for the continuation of **[Name of pupil]**'s education will be made. We will set work for **[Name of pupil]** during the first 5 school days of this exclusion **[Detail the arrangements for provision of work and how it will be marked]**.

[For Stockport residents]

From the sixth school day of the exclusion onwards – i.e. from **[specify date]**, Stockport Council will be responsible for providing full-time education for **[Name of pupil]**. You will shortly be contacted by the Education Access Service at Stockport Council, who will invite you and **[Name of pupil]** to a post-exclusion information meeting, where you will have the opportunity to discuss the circumstances of the exclusion, arrangements for education and the options available to you. The Education Access Service can be contacted on 0161 474 3805, by email at eas@stockport.gov.uk, or at the following address: Education Access Service, Stockport Council, Central House, 17 & 18 Grand Central Square, Stockport, SK1 3TA.

[For pupils resident in another local authority]

I have informed **[Name of contact]** at **[Name of local authority]** about **[Name of pupil]**'s exclusion. They will be in touch with you about arrangements for full-time education from the sixth school day of the exclusion. You can contact them at **[give contact details - contact the Education Access Team for relevant contact information if unknown]**.

As this is a permanent exclusion, the school's Governing Board must meet to review the exclusion. You may make representations to the Governing Board if you wish. The Committee has the power to reinstate **[Name of pupil]** at the school immediately or from a specified date, or alternatively, they have the power to uphold the exclusion in which case you may request that their decision is reviewed by an independent review panel. The latest date on which the Governing Board can meet is **[insert date – no later than 15 school days from the date the Governing Board was notified of the exclusion]**. If you wish to attend this meeting please contact Denise Bradley as soon as possible on 0161 474 3957, email denise.bradley@stockport.gov.uk, or in writing to the following address: Education Business Support, 3rd Floor, Stockport Council, Stopford House, Stockport, SK1 3XE. You will, whether you choose to attend or not, be notified of the time, date and location of the meeting. Please advise if you wish to be accompanied by a friend or representative, if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school, or if it would be helpful for you to have an interpreter present. **[Name of pupil]** can also attend this meeting, or make **[his/her]** views known in writing or through a representative.

If you believe that the exclusion has occurred as a result of disability discrimination you can also make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability). You should make such a claim within 6 months of the date of the exclusion. Visit www.justice.gov.uk/tribunals/send/appeals for more information.

The Government's statutory guidance on exclusion from school can be accessed at www.gov.uk/government/publications/school-exclusion. You may also find it useful to visit the contact the Coram's Children's Legal Centre website, which has information about exclusion from school www.childlawadvice.org.uk/information-pages/school-exclusion. They can be contacted on 0300 330 5485

(Mon-Fri 8am-6pm). Another source of advice is the Advisory Centre for Education (ACE) – a charity that provides information, support and advice to parents on education-related matters, including exclusion from school – www.ace-ed.org.uk. They can be contacted on 03000 115 142 (Mon-Wed 10am-1pm).

You have a duty to ensure that **[Name of pupil]** is not present in a public place during school hours whilst excluded **[on/between - specify dates, days 1 to 5 of the permanent exclusion]** without reasonable justification. You may be prosecuted or receive a penalty notice from the local authority if you fail to ensure this. **[Name of pupil]** must not enter the premises and should keep away from the immediate vicinity of the school, unless an appointment has been arranged.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 6

From the Governing Board notifying parent of decision to **uphold a fixed period exclusion**

Dear **[Name of Parent(s)]**

The meeting of the Governing Board at **[Name of school]** on **[date]** considered the decision of the head teacher to exclude **[Name of pupil]** for a fixed period of **[number of days]**. After careful consideration of the representations made and all the available evidence, the Governing Board has decided to uphold **[Name of pupil]**'s exclusion.

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

Yours sincerely

[Name]

Clerk to the Governing Board

MODEL LETTER 7

From the Governing Board notifying parent of decision to **reinstate a pupil excluded for a fixed period**

Dear **[Name of Parent(s)]**

The meeting of the Governing Board at **[Name of school]** on **[date]** considered the decision of the head teacher to exclude **[Name of pupil]** for a fixed period of **[number of days]**. After careful consideration of the representations made and all the available evidence, the Governing Board has decided not to uphold the exclusion, and has reinstated **[Name of pupil]** in school.

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

As **[Name of pupil]** has already returned to school following **[his/her]** exclusion, the Governing Board will ensure that a note of their decision is placed on **[his/her]** pupil record.

OR

The Governing Board agreed that **[Name of pupil]** should be reinstated **[immediately] [or by – specify date]**. The head teacher or another member of staff will contact you to discuss **[Name of pupil]**'s reinstatement in school and may wish to meet you before this takes place.

Yours sincerely

[Name]

Clerk to the Governing Board

MODEL LETTER 8

From the Governing Board notifying parent of decision to **uphold a permanent exclusion**

Dear **[Name of Parent(s)]**

The meeting of the Governing Board at **[Name of school]** on **[date]** considered the decision of the head teacher to permanently exclude **[Name of pupil]** from school. The Governing Board, after careful consideration of the representations made and all the available evidence, has decided to uphold **[Name of pupil]**'s permanent exclusion.

The reasons for the Governing Board's decision are as follows: **[give the reasons in as much detail as possible, explaining how they were arrived at. Sufficient detail should be given to enable all parties to understand why the decision was made].**

You have the right to request that this decision is reviewed by an independent review panel. An independent review panel is made up of three trained independent persons – a lay person (someone who has not worked in a school in a paid capacity), a school governor and a Head teacher – who have no knowledge of the case or any connection to the excluding school. The role of the panel is to review the Governing Board's decision not to reinstate your child in school. They must consider the circumstances of the exclusion, the interests and circumstances of your child, and have regard to the interests of other students and staff at the school.

The panel can make one of three decisions: they can uphold the exclusion decision; recommend that the Governing Board reconsiders their decision; or quash the Governing Board's decision and direct them to consider the exclusion again.

If you wish to request an independent review panel hearing, you must apply in writing and include the reasons for your request. Please advise if you have a disability or special needs which would affect your ability to attend the hearing, or if it would be helpful for you to have an interpreter present. You may bring someone to the review to make written and/or verbal representations to the panel on your behalf, and you may also bring a friend. **[Name of pupil]** can also attend this meeting, or make **[his/her]** views known in writing or through a representative.

You are also entitled to request that a Special Educational Needs (SEN) expert is appointed to attend the independent review hearing at no cost to yourself. The role of the SEN expert is to provide impartial advice to the review panel on how special educational needs might be relevant to your child's exclusion. You have a right to request a SEN expert even if the school has not identified your child as having special educational needs. If you wish a SEN expert to be appointed, you should include this in your written application, explaining why you think special educational needs are relevant to your child's exclusion.

Your written application for a review should be made no later than **[specify the latest date – the 15th school day after expected receipt of this letter. Notice is deemed to have been given on the same day if hand-delivered, or on the second working day after posting is sent by first class mail]**. Applications received after this date will not be accepted.

Please send your written application to:

[For maintained schools]

Democratic Services
Stockport Council
Room 324, Town Hall
Stockport
SK1 3XE

You can also send your written request via email to democratic.services@stockport.gov.uk

[For Academy Schools]

[Independent review panels must be constituted by the relevant Academy Trust. Please insert the name and address to whom the application for a review should be submitted]

In addition to your right to apply for an independent review panel, if you believe that the exclusion has occurred as a result of disability discrimination you can also make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability). You should make such a claim within 6 months of the alleged discrimination taking place. Visit www.justice.gov.uk/tribunals/send/appeals for more information.

For further advice, please contact the Education Access Service at Stockport Council on 0161 474 3805, by email at eas@stockport.gov.uk, or at the following address: Education Access Service, Stockport Council, Central House, 17 & 18 Grand Central Square, Stockport, SK1 3TA. You may also find it useful to visit the contact the Coram's Children's Legal Centre website, which has information about exclusion from school www.childlawadvice.org.uk/information-pages/school-exclusion. They can be contacted on 0300 330 5485 (Mon-Fri 8am-6pm). Another source of advice is the Advisory Centre for Education (ACE) – a charity that provides information, support and advice to parents on education-related matters, including exclusion from school – www.ace-ed.org.uk. They can be contacted on 03000 115 142 (Mon-Wed 10am-1pm).

The arrangements currently being made for **[Name of pupil]**'s education will continue for the time being. The local authority will liaise with you about future education provision. If you have any questions about this, please contact the Education Access Service on 0161 474 3805.

Yours sincerely

[Name]

Clerk to the Governing Board

MODEL LETTER 9

From the Governing Board notifying parent of decision to **reinstate a permanently excluded pupil**

Dear **[Name of Parent(s)]**

The meeting of the Governing Board at **[Name of school]** on **[date]** considered the decision of the head teacher to permanently exclude **[Name of pupil]**. After careful consideration of the representations made and all the available evidence, the Governing Board has decided to reinstate **[Name of pupil]** in school.

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

The Governing Board agreed that **[Name of pupil]** should be reinstated **[immediately] [or by – specify date]**. The head teacher or another member of staff will contact you to discuss **[Name of pupil]**'s reinstatement in school and will wish to meet you before this takes place.

Yours sincerely

[Name]

Clerk to the Governing Board