

VOYAGE LEARNING CAMPUS



EXCLUSION POLICY

This policy has been adopted by the Management Committee on:

Date adopted: 22nd July 2017

Signed: 

Next review due: July 2019

Voyage Learning Campus Exclusion Policy

1. Who this policy applies to: All students on roll at the Voyage Learning Campus.

2. Key Requirements/ Legal Responsibilities

- This policy responds to the requirements of the Education Act 2002 all schools must have policies on student discipline and exclusion, which must be available to all parents and carers.
- This current exclusion policy and guidance is based on *Exclusion from maintained schools, Academies and pupil referral units in England, September 2017*.
- This policy will be ratified or updated annually with care taken that it reflects the most recent guidelines.
- Parents and carers have the right to appeal against the decision to exclude a student.

3. The Key principals of our policy

- Students who attend the Voyage Learning Campus are given the best possible education, whatever their background or ability.
- Our Home Centre Agreement emphasises the students' entitlements and responsibilities.
- Students have the right to expect that their learning should not be disrupted by others.
- Exclusions will normally remain a last resort after a range of measures have been tried to improve a student's behaviour.

4. Our Campus context

The Campus endeavours to provide a safe learning environment in which our students can enjoy and achieve. The school's Behaviour for Learning Policy emphasises positive strategies and, for the most part, our Campus school environment is one of cooperation and shared responsibility. However, despite attempts, some incidents of unacceptable behaviour may not be able to be satisfactorily resolved through the normal channels and in these cases exclusion may be considered as a last resort

5. Decision to exclude

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

- a) In response to a serious breach of the Voyage Learning Campus Behaviour for Learning Policy and Home Centre Agreement.
- b) If allowing the student to remain at the Campus would seriously harm the education or welfare of other students.

5.2 Exclusions whether fixed-term or permanent may be used in response to any of the following, all of which are examples of unacceptable conduct:

- Physical assault against a student;

- Physical assault against an adult;
- Verbal abuse/threatening behaviour against student;
- Verbal abuse/threatening behaviour against an adult;
- Bullying;
- Racist abuse;
- Sexual misconduct;
- Drug and alcohol related;
- Damage;
- Theft;
- Persistent disruptive behaviour;
- Weapons related.

5.3 This is not an exhaustive list and there may be other situations where the Principal judges that exclusion is an appropriate sanction.

6. Supporting Students and Families

6.1 We have a range of strategies in place to address challenging behaviour that could potentially lead to exclusion.

6.2 Students who are identified as at risk of exclusion may be offered alternative or additional provision to meet their individual needs. This further support will include:

- More contact and regular meetings with the students Key Worker;
- Working with our Teaching Assistants on ways to improve behaviour;
- Detentions (Key Stage 2&3);
- An alternative curriculum;
- Implementation of a pastoral support programme (PSP);
- Offer of possible interventions and support from the Vulnerable Learners Service Team;
- Referral to other relevant agencies;
- Reduction in time in centre – temporary part time programme;
- Assessment of Special Educational Needs and Disabilities, including possible placement in a special school;
- Small group work;
- Time working in a different setting;
- Mentoring.

7. Permanent Exclusion

7.1 The decision to exclude students permanently is a serious one and will be taken only:

- a) In response to a serious breach of the Behaviour for Learning Policy.
- b) If allowing the student to remain at the Campus would seriously harm the education or welfare of the student or others in the Campus.

7.2 There are two main types of situation in which permanent exclusion may be considered in line with exclusion guidance:

- Where a student exhibits a build-up of disruptive behaviours over time and continues to display persistent and defiant behaviour in spite of sanctions and the use of other strategies. In this respect it is a final, formal step in a concerted process for dealing with the disciplinary offences and adverse behaviours.
- In the exceptional set of circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a student for a first or 'one off' offence, regardless of previous disciplinary history. These circumstances may include:
 1. Serious actual or threatened violence against another student or a member of staff;
 2. Sexual abuse or assault;
 3. Supplying an illegal drug;
 4. Carrying an offensive weapon.

"Offensive weapons are defined in the Prevention of Crime Act 1953" 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."

- 7.3 In order to protect the safety of the community, the Campus's usual practice is to permanently exclude in respect to offensive weapon and knife crime.
- 7.4 The above list is not exhaustive but serves as an illustration of the severity of the offence. There may be other situations where the Principal judges that permanent exclusion is an appropriate sanction given the extreme nature of the incident.
- 7.5 Where the VLC considers a criminal offence may have taken place, it reserves the right to inform the Police and other agencies as appropriate.

8. Making a decision to exclude

- 8.1 Before deciding whether to exclude a student, the Principal will:
- Ensure that an appropriate investigation has been carried out;
 - Consider all the evidence available to support the allegations taking into account the Behaviour for Learning policy, Home Centre Agreement, Equality Policy;
 - Allow the student to give his/her version of events.
- 8.2 The Principal has to be satisfied on the balance of probabilities that the student was responsible for the behaviour in question.

9. Exercise of Discretion

- 9.1 The Principal will always look at the particular circumstances of each case.
- 9.2 In considering whether permanent exclusion is the most appropriate sanction, the Principal will consider:
- a) The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Behaviour for Learning Policy;

b) The effect that the student remaining in the Campus would have on the education and welfare of other members of the Campus community.

9.3 Nonetheless, in the case of a student found in possession of an offensive weapon; whether there is an intention to use it or not, it is the Campus's usual policy in this particular serious matter to issue a permanent exclusion.

9.4 In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Management Committee Review Panel when it meets to consider the Principals decision to exclude. The Committee will require the Principal to explain the reasons for the decision and will look at appropriate evidence such as the student's school record, witness statements and the strategies used by the Campus to support the student prior to exclusion.

10. Behaviour outside the Voyage Learning Campus

10.1 Students who breach the Behaviour for Learning Policy and Home Centre Agreement whilst on Campus 'business' such as trips and journeys, sports fixtures or a work-experience placement will be dealt with in the same manner as if the incident had taken place on a Campus site.

10.2 For incidents that take place outside the Campus and not on Campus business, this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. This includes behaviour in the immediate vicinity of the Campus or on a journey to and from the Campus

11. SEND Students and Exclusions

11.1 When considering whether to exclude a student with SEND, the VLC will pay due regard to Government guidance issued in April 2012 which states that schools should try every practicable means to maintain a student with SEND in school and should seek local authority and other professional advice as appropriate.

11.2 Schools should permanently exclude students with SEN statements or EHCP only in exceptional circumstances. The guidance sets out that schools should make every effort to avoid excluding students who are being supported via SEN Support, including, where appropriate, by asking a local authority to consider carrying out a statutory assessment.

11.3 The guidance further states that, where a student with SEND is excluded, the head teacher should work with the local authority to see whether more support can be made available or whether an SEN statement or EHCP can be changed to name a new school. If either of those options is available, the head should normally withdraw the exclusion.

12. Roles and Responsibilities

12.1 The Principal is responsible for monitoring the implementation of the policy, including recording and analysing the profile of excluded students, in line with the aims of the Equality Statement and Equal Opportunities Policy.

12.2 The Principal is also responsible for ensuring the fair and consistent implementation of the policy and for all decisions on whether or not to exclude a student. The Principal may delegate to other senior leaders the arrangements for the support for students in danger of exclusion and for the reintegration of students returning to school after fixed-term exclusion.

12.3 The Management Committee is responsible for deciding whether or not to confirm the Principal's decision to exclude a student.

13. Monitoring, Evaluation and Review

13.1 The Principal will monitor the implementation and effectiveness of this policy, review it annually and report to the Management Committee. The policy will be promoted and implemented throughout the Campus.

Exclusion of Pupil Report

Revised 08/16



To: Gill Scott, Hayden Southon & Nick Donnelly

From: Voyage Learning Campus

Date of Management Committee Meeting:

Readmission meeting
scheduled :DFE
Number:

802 1102

Pupil details:

Full Name:				UPN:			
Gender:		Dob:		Age:		Year Group:	
Address:				Ethnic origin			<i>Please see code lists overleaf</i>
				Religion			
				First language			
Does the pupil have English as an additional language?	Yes / No		Does the pupil have Free School Meals?	Yes / No			

SEN status (<i>please indicate</i>)	K – SEN Support		E – Education Health Care Plan	
	N – No Special Educational Need		S - Statement	
Is the pupil a Looked After Child?	Care Authority (<i>if not North Somerset</i>):			
On Child Protection Register:	Yes / No	Social Worker:		

Parent/Carer details:

Mother:			Father:		
Address: (<i>if different from above</i>)	As above		Address: (<i>if different from above</i>)		
Telephone:			Telephone:		
Does any other person have parental responsibility?			If so, give details:		

Please indicate if any of the following agencies are involved with the pupil or this family.

Education Welfare	Social Care	Education Psychology	Police	Youth Offending	Other please state

Exclusion details:

Type of Exclusion:	Lunchtime (Counts as half days)		Fixed Term		Permanent	
Date of Lunchtime/ Fixed Term Exclusion:			Number of days (in half days):			
Has the pupil been fixed term excluded this academic year?			IF YES, how many times?			

Provision if exclusion is over 5 days:

Venue:		Start Date:		End Date:		Times:	am to pm
Date of Permanent Exclusion:		Date of Governor Meeting:		Has the pupil been permanently excluded before?			
If YES, name of excluding school/s:							
Pastoral Support Programme		If YES, attach copy and give date started:					

PP = Physical assault against pupil		SM = Sexual misconduct	
PA = Physical assault against adult		DA = Drug and alcohol related *	
VP = Verbal abuse/threatening behaviour against pupil		DM = Damage	
VA = Verbal abuse/threatening behaviour against adult		TH = Theft	
BU = Bullying		DB = Persistent disruptive behaviour	
RA = Racist abuse**		OT = Other (<i>please use sparingly</i>)	

*Please specify:

Misbehaviour related to alcohol, tobacco, solvent abuse		Possession of illicit drugs on school premises	
Other forms of misbehaviour related to illicit drugs		Dealing in illicit drugs on school premises	
<i>If illicit drugs involved, please state which:</i>			

Curriculum: Pupils in Year Groups 10 & 11 only please add subjects and indicate exam course/entries

Subjects	Tick as appropriate		Exam Board	Subjects	Tick as appropriate		Exam Board
	Exam	Non-exam			Exam	Non-exam	
English	GCSE			Citizenship	GCSE		
Maths	GCSE			Home Cooking	BTEC		
Science	GCSE			Motor Vehicle	BTEC		
Art & Design	GCSE						

Ethnic monitoring codes									
Ethnic Origin				Home Language				Religion	
Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
AAO	Any other Asian background	MWA	White Asian	UNC	Not known	ITA	Italian	ANG	Anglican
ABA	Bangladeshi	MWB	White/Black Caribbean	BEN	Bengali	OTH	Other	BPT	Baptist
AIN	Indian	NOT	Info not obtained	CAN	Cantonese	PAN	Panjabi	CHR	Christian
APK	Pakistani	OEO	Other Ethnic Group	ENG	English	POR	Portuguese	HIN	Hindu
BLB	Black Caribbean	REF	Refused	FRE	French	SPA	Spanish	JEW	Jewish
BLF	African	WHA	Any other White background	GER	German	TUR	Turkish	MTH	Methodist
BLG	Any other Black background	WHB	British	GRE	Greek	UNC	Unclassified	MUS	Muslim
CHE	Chinese	WHR	Irish	GUD	Gudjerati	URD	Urdu	NON	No Religion
MBA	White/black African	WHT	Traveller – Irish Heritage	HIN	Hindi	WEL	Welsh	OTH	Other
MOT	Any other Mixed background	WRO	Gypsy/Roma	SIK	Sikh	UNC	Unclassified	CAT	Catholic
								URC	United Reform Church

Check List: Please include the following information:

- Copy of Principal's letter informing parent of permanent exclusion
- Previous behavioural record of pupil (if relevant)
- Witness statements (if relevant)
- Copies of other relevant correspondence sent to parents
- Copy of Individual Education Plan (IEP) (if relevant)
- Copy of Pastoral Support Programme (PSP)
- **Copy of racial/homophobic harassment incident form (if applicable)

Head of Centre's signature:	Date:
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Model letter 1

From head teacher (or teacher in charge of a PRU) 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]**.

[for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a 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 when you must ensure that he/she is not present in a public place without reasonable justification. **[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 under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

[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 your child or pupil'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 that 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 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 also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to the 1 January. **[Insert reference to local sources of independent advice if known.]**

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

Further information about statutory guidance and regulations on exclusions can be found on:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance>

Yours sincerely,

[Name]
Head teacher

Model letter 2

From head teacher (or teacher in charge of a PRU) 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]**.

[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 **[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 **[or her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[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 his exclusion we [For PRUs the local authority] - 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. On [date] he 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 — 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 by a further letter].

[School/PRU] You have the right to request a meeting of the school's discipline committee/PRU's management committee 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 discipline committee/management committee must meet if you request it to do so. The latest date by which the discipline 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]. If you do wish to make representations to the discipline committee/management committee, 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 under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm> Making a claim would not affect your right to make representations to the discipline committee.

[not mandatory for fixed period exclusions of five days or fewer of secondary aged pupils]

You **[and your child or pupil'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 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. 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 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.

You may also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to the 1 January. **[insert reference to local sources of independent advice if known.]**

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

Further information about statutory guidance and regulations on exclusions can be found on:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance>

Yours sincerely,

[Name]

Head teacher

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 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]**.

[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 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 his exclusion we **[For PRUs the local authority - 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 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]**

[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. The latest date on which the governing body/management committee 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/management committee 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/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 **[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 under Equality Act 2010, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal or a County Court.

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

Making a claim would not affect your right to make representations to the governing body/management committee.

[mandatory for all exclusions of primary-aged pupils and those of more than 5 days of secondary-aged pupils]

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. 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 also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to the 1 January. **[insert reference to local sources of independent advice if known.]**

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

Further information about statutory guidance and regulations on exclusions can be found on:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance>

Yours sincerely,

[Name]

Head teacher

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 that 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/this PRU unless he/she is reinstated by the governing body/the discipline committee (management committee in case of a PRU) or by an appeal panel.

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 (or management committee in case of a PRU) must meet to consider it. At the review meeting you may make representations to the governing body/PRU management committee if you wish and ask them to reinstate your child in school. The governing body/PRU 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 appeal against their decision to an Independent Appeal Panel. The latest date by which the governing body/PRU management committee must meet is **[specify the date — the 15th school day after the date on which the governing body/PRU management committee was notified of the exclusion]**. If you wish to make representations to the governing body/PRU management committee 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/PRU 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 this exclusion relates to a disability your child has under Equality Act 2010, and you think discrimination has occurred, you may raise the issue with the governing body/PRU management committee.]

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.

You may also wish to contact **[Name]** at **[LA name]** on/at **[contact details — address, phone number, email]**, who can provide advice on what options are available to you.

You may also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to the 1 January. **[insert reference to local sources of independent advice if known.]**

Further information about statutory guidance and regulations on exclusions can be found on:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance>

Yours sincerely,

[Name]

Head teacher (teacher in charge in case of a PRU)

Model letter 5

From the clerk to the governing body (management committee in case of a PRU) to parent upholding a permanent exclusion.

Dear **[Parent's name]**

The meeting of the governing body/management committee at **[school]** on **[date]** considered the decision by **[head teacher/teacher in charge]** to permanently exclude your son/daughter **[name of pupil]**. The governing body/PRU management committee, after carefully considering the representations made and all the available evidence, has decided to uphold **[name of pupil]**'s exclusion.

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

You have the right to appeal against this decision. If you wish to appeal, please notify **[name of the clerk to the appeal panel]** of your wish to appeal. You must set out the reasons for your appeal in writing, and if appropriate may also include reference to any disability discrimination claim you may wish to make, under the Equality Act 2010 and send this notice of appeal to **[address]** by no later than **[specify the latest date — the 15th school day after receipt of this letter]**. If you have not lodged an appeal by **[repeat latest date]**, you will lose your right to appeal. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform **[name of the clerk to the 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, which can also hear disability discrimination claims. 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/ management committee members and one lay member who will be the Chairman. **[Use the following if there is a possibility that a five-member panel may sit: A five-member panel will comprise two serving, or recently retired (within the last 5 years), head teachers, two serving, or recently serving, experienced governors / management committee members and one lay member who will be the Chairman.]** The Review Panel will rehear all the facts of the case — if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

You have a right to request the attendance of a Special Educational Needs (SEN) expert at a review, regardless of whether the school recognises that your child has SEN. Where requested by a parent, an SEN expert will need to be appointed by the Local Authority or Academy Trust to advise the independent review panel. There would be no cost to parents for this appointment. It should be made clear if you wish for an SEN expert to be appointed. At your own expense, you may appoint someone to make written and/or oral representations to the panel and may also bring a friend to the review.

In determining your appeal the panel can make one of three decisions: they may uphold your child's exclusion; they may recommend that the governing body reconsiders their decision, or quash the decision and direct that that the governing body considers the exclusion again. (A direction to reconsider will be limited to circumstances where a panel

decides that the school has acted illegally, irrationally or where there are significant flaws in procedure.)

You may find it useful to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on education matters. They can be contacted on Tel: 0808 802 0008 or <http://www.children'slegalcentre.com/>. The advice line is open from 9am-6.30pm Monday to Friday.

If you believe the exclusion has occurred as a result of discrimination, you 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.

The 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 e.g. the date **(name of child)** was excluded.

Further information about statutory guidance and regulations on exclusions can be found on:

<http://www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance>

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

Yours sincerely

[name]

Clerk to the Governing Body (or clerk to the Management Committee in case of a PRU)