



INSPIRING FUTURES PARTNERSHIP TRUST

EXCLUSION POLICY

Policy Type	Child Protection
Updated by	Jon Mason
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Review due	September 2019

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or where cumulative exclusions in the same term fall within this range

Page 34/36 Letter 3a - From Headteacher

Fixed-period exclusion of 5½-15 days and a permanent exclusion is being considered

or where cumulative exclusions in the same term fall within this range and a permanent exclusion is being considered

Page 37/39 Letter 4 - From Headteacher

Fixed-period exclusion of 15½ days or more

or where cumulative exclusions in the same term are 15½ days or more

Page 40/42 Letter 4a - From Headteacher

Fixed-period exclusion of 15½ days or more and a permanent exclusion is being considered

or where cumulative exclusions in the same term are 15½ days or more and a permanent exclusion is being considered

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For Permanent Exclusion

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Inviting parents to the Governing Board Exclusion Meeting for a fixed-period exclusion up to 45 school days

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Inviting parents to the Governing Board Exclusion Meeting for consideration of a Permanent Exclusion

Page 51 Letter 8 - From Clerk to the Governing Board

To a parent of a pupil for decision on a fixed-period exclusion of 5½ or more school days

Page 52/54 Letter 9 - From Clerk to the Governing Board

To the parent of a permanently excluded pupil informing them of the Governing Board's decision not to reinstate the pupil

Page 55 Letter 10 - From Clerk to the Governing Board

To the parent of a permanently excluded pupil informing them of the Governing Board's decision to direct reinstatement

LOCAL AUTHORITY CONTACTS

Atifa Sayani – Education Champion 01296 383105

EXCLUSIONS & REINTEGRATION:

Vivian Trundell – Education Entitlement Manager	01296 383884
Jan Underhill - E & R Officer (Secondary North)	01296 382879
Rose Lindsay – E & R Officer (Secondary Centre)	01296 387819
Nasim Khan - E & R Officer (Secondary South)	01296 387819
Catherine Fletcher – E & R Officer (Primary)	01296 382117
Lynn Osman - Business Support Specialist	01296 382835

Schoolsweb link:

<https://schoolsweb.buckscc.gov.uk/childrens-services/exclusions-and-reintegration/>
(you will need a log-on and password to access these pages).

SEN:

Telephone:	01296 382269
Email:	sen@buckscc.gov.uk

Or contact your allocated SEN Officer directly

LOCAL AUTHORITY DESIGNATED OFFICER (LADO):

Jonathon Kempster/Maria Thompson	01296 382070
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EDUCATION SAFEGUARDING ADVISORY SERVICE (ESAS):

Therese McAlorum	01296 382732
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COUNTY ATTENDANCE TEAM:

countyattendanceteam@buckscc.gov.uk

SCHOOLS DRUG EDUCATION CONSULTANT:

01296 334994

YOUNG ADDACTION BUCKINGHAMSHIRE:

01296 331933

VIRTUAL SCHOOL (Education of Children in Public Care):

Penny Todd, Virtual School Headteacher	TheVirtualSchool@buckscc.gov.uk
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SEND IAS (Special Educational Needs and Disability Information, Advice and Support Service, formerly Parent Partnership)

Telephone:	01296 383754
Email:	sendias@buckscc.gov.uk

GOVERNING BOARD SERVICES MANAGER

Nicola Cook, Head of Governor Services	01296 382614
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References:

A web link to the Department for Education exclusion website:

www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance

DfE Guidance: Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance for those with legal responsibilities in relation to exclusion. September 2017:

www.gov.uk/government/publications/school-exclusion

Principal legislation that the exclusions guidance relates to:

- Section 51A of the Education Act 2002, as inserted in the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 100 to 108 of the Education and Inspections Act 2006
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2014, amending the Education (Provision of Full-Time Education for Excluded Pupils) (England).

The information in this guide is in addition to the DfE guidance on exclusions ([DfE Exclusions Guidance 2017](#)) and should be considered alongside the statutory guidance above.

Headteacher's attention is also directed to the **Annex B – A non-statutory guide for headteachers**, located at the end of the statutory DfE Guidance (link above), for further clarification and information.

The term 'Headteacher' in this guide applies equally to the Teacher in Charge at a pupil referral unit (PRU) and the Principal of an academy.

The term 'Governing Board' also applies to PRU management committees. In respect of academies, references to the 'Governing Board' should be read to mean the Board of directors or the directors of the academy trust company.

Model letters are attached to this guidance. You may choose to write your own letters but you must ensure the wording incorporates all the points covered by the statutory guidance.

If you have saved versions of letters from previous editions of this Guidance, please ensure that these are deleted and that you are using only the new versions from this edition as these incorporate changes for the 2017 DfE Guidance.

September 2017 DfE Exclusion Guidance Key Points:

The Guidance was updated for September 2017 although the legislation Governing the exclusion process remained unchanged. The new Guidance (replacing the September 2012 Guidance) is intended to provide greater confidence and clarity around some areas.

- In January 2015, the Department amended regulations to clarify that a Governing Board's duty to arrange education from the sixth day of a fixed-period exclusion is triggered by consecutive fixed-period exclusions totalling more than five days.
- Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports headteachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to serious or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- The decision to exclude a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.
- Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour it should try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion. In this situation, schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs.
- Schools should have a strategy for reintegrating pupils that return to school following a fixed-period exclusion, and for managing their future behaviour.
- All children have a right to an education. Schools should take reasonable steps to set and mark work for pupils during the first five school days of an exclusion; and alternative provision must be arranged from the sixth day. There are obvious benefits in arranging alternative provision to begin as soon as possible after an exclusion.
- Where parents dispute the decision of a Governing Board not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an Independent Review Panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) or a County Court for other forms of discrimination.
- An independent review panel does not have the power to direct a Governing Board to reinstate an excluded pupil. However, where a panel decides that a Governing Board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a Governing Board to reconsider its decision. The panel will then be expected to order that the school must make an additional payment of £4000 if it does not offer to reinstate the pupil.
- Whether or not a school recognises a pupil as having Special Educational Needs (SEN), all parents have the right to request the presence of an SEN expert at a review meeting. The SEN expert's role is to advise the review panel, orally or in writing or both, impartially, of the relevance of SEN in the context and circumstances of the review. For example, they may advise whether the school acted reasonably in relation to its legal duties when excluding the pupil

- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and ability to understand.

SCHOOL PROCEDURE - FIXED-PERIOD EXCLUSION

PLEASE NOTE

- It may be helpful to consult the Exclusions and Reintegration Team for advice before making a decision to issue an exclusion.
- The smallest recordable exclusion is for **½ a day**. Any amount less than this is still recorded as half a day.
- Each lunch-time exclusion counts statistically as half a day.
- If a pupil is receiving multiple fixed-period exclusions, alternative strategies should be considered. If a pupil receives 45 FTE in one school year, no further fixed-period exclusions can be issued. A permanent exclusion is **NOT** an automatic next step. A decision to issue a permanent exclusion following 45 days of fixed-period exclusions needs to have the same consideration and level of evidence as any other permanent exclusion.
- If a pupil is issued with a fixed-period exclusion of more than 5 school days, the **school** must provide suitable education from the 6th day. Sending work home would not qualify as suitable education. This includes where a fixed-period exclusion is issued and, due to the extreme seriousness of the incident, this subsequently becomes a permanent exclusion. The LA will provide education from the 6th day of a permanent exclusion only so the school retains responsibility for any intervening days (i.e. from days 5 – 10 of a continuous period of exclusion even if a permanent exclusion is issued after the initial 5 day fixed-period exclusion).
- Pupils cannot be sent home for health and safety reasons or to 'cool off'. Apart from illness, all instances of sending home must be treated as, and recorded as, an exclusion.
- **The Governing Board and the LA must, without delay, be informed of:**
 - i) all permanent exclusions (including where a fixed-period exclusion is made permanent).
 - ii) exclusions which will result in the pupils being excluded for more than 5 school days, or more than 10 lunchtimes, in any one term.
 - iii) exclusions which will result in the pupil missing a public examination or national curriculum test.

Notifications must include the reasons for the exclusion and the duration of any fixed-period exclusion.

Fixed-period exclusions totalling 5 or fewer school days, or 10 or fewer lunchtimes or half days, in any one term must be reported to the Governing Board and LA once a term or as soon as is practicable. However, the LA requests that they are notified promptly of ALL exclusions when they occur in order to monitor and support developing situations.

Headteacher decides to issue a fixed-period exclusion:

- (a) Headteacher to inform parents by telephone or face-to-face
- (b) Inform parents in writing using appropriate letter by the end of the afternoon session of the day the exclusion occurs – **Letters 1- 4**
- Letter 1 – Fixed-period exclusion of 5 or fewer school days in one term and where a public examination is not missed and there is no consideration of a permanent exclusion. (*Parents' right to make representations*)
 - Letter 1a - Fixed-period exclusion of 5 or fewer school days in one term where there is **consideration of a permanent exclusion**
 - Letter 2 - Lunchtime (half-day) exclusions totalling up to 5 days in one term. (*Parents' right to make representations*)
 - Letter 3 - 5½ -15 school days in one term (single exclusion or cumulative) or where a public examination is missed and there is no consideration of a permanent exclusion.. (*Meeting of Governing Board Committee no later than 50 school days if parents request it*)
 - Letter 3a - 5½ -15 school days in one term (single exclusion or cumulative) where there is **consideration of a permanent exclusion**
 - Letter 4 - 15½ - 45 school days in one term (single exclusion or cumulative) and there is no consideration of a permanent exclusion.. (*Governing Board Committee must meet no later than 15 school days whether or not parents request*)
 - Letter 4a - 15½ - 45 school days in one term (single exclusion or cumulative) where there is **consideration of a permanent exclusion**
- (c) Arrange for work to be sent for excluded pupil during days 1-5. Arrange suitable full-time education from day 6.

- (d) Send completed **Form X1** and a **copy of the letter to parents** to the Exclusions & Reintegration Team via exclusions@buckscc.gov.uk without delay.



Meeting of Governing Board Committee convened:

- (a) Clerk to Chair of Governing Board Committee sends **Letter 6** (inviting parents). This may be done by the school rather than the Clerk
- (b) LA representative may be invited (in the case of a maintained school or PRU) if school considers it appropriate.



Governing Board Committee consider Headteacher's action:

- (a) At conclusion, Clerk sends **Letter 8** without delay

SCHOOL PROCEDURE - PERMANENT EXCLUSION

PLEASE NOTE

- It may be helpful to consult the Exclusions and Reintegration Team for advice before making a decision to issue a permanent exclusion.

- **The Governing Board Committee and the LA must, without delay, be informed of:**
 - i) all permanent exclusions (including where a fixed-period exclusion is made permanent).
 - ii) exclusions which will result in the pupil missing a public examination

Headteacher decides to exclude permanently:

- (a) Contact Exclusions & Reintegration Team on 01296 382835
- (b) Headteacher to inform parents by telephone or face-to-face
- (c) Inform parents in writing by the end of the afternoon session of the day the exclusion occurs using **Letter 5**
- (d) Arrange for work to be set for excluded pupil for days 1 - 5
- (e) If the permanent exclusion follows a 5-day fixed-period exclusion (i.e. a 'considering permanent' was issued), the school must provide suitable education for the first five days of the permanent exclusion. The LA will provide education from the 6th day of a permanent exclusion only.
- (f) Send completed **Form X1** and a copy of **Letter 5** to the Exclusions & Reintegration Team via exclusions@buckscc.gov.uk – **on the day of the PX**
- (g) Send a copy of **Letter 5** to the Headteacher, Pupil Referral Unit - **without delay**



Meeting of Governing Board Committee convened no later than 15 school days from notice of exclusion:

- (a) LA representative invited (liaise over date and time) in the case of a maintained school or PRU. A parent may invite a representative of the LA to attend a meeting of an Academy's Governing Board as an observer; that representative may only make representations with the Governing Board's consent.
- (b) Clerk to Chair of Governing Board Committee (or the school on their behalf) invites parents to meeting - **Letter 7**



Governing Board Committee considers Headteacher's action:

- (a) At conclusion of meeting Clerk sends **Letter 9** (if upheld) or **Letter 10** (if overturned) Confirms Headteacher's action or directs reinstatement. Letter 9 includes information on the parents' right to request an IRP. Copy to the Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury HP20 1UZ.– without delay



Exclusions & Reintegration Team respond to actions of Headteacher/Governing Board :

- (a) If exclusion is upheld, the Team writes to parents advising them of how to request an Independent Review - copy to Headteacher and Chair of Governing Board.



If the Governing Board confirms the permanent exclusion, parents may appeal to an Independent Review Panel within 15 school days of receiving notification from the Governing Board of their decision to uphold a permanent exclusion. Where the notice is sent by first class post, it is treated as having been given on the second working day after it was posted.

Secondary aged

- (a) If appeal is unsuccessful, pupil permanently excluded. Pupil referred to Fair Access Board or placed by SEN.
- (b) Schools should ensure that they have sent relevant information regarding the pupil, including education achievements, special needs and associated risks to the Exclusions and Reintegration Team prior to the Pupil being discussed at the Fair Access Board.

Primary aged

- (a) If appeal is unsuccessful, pupil permanently excluded. Pupil placed via SEN route or by admissions. A Fair Access Board may be convened.

EXCLUSION CHECKLIST FOR HEADTEACHERS

<ul style="list-style-type: none"> • Has there been a serious breach or persistent breaches of the school’s behaviour policy? • Would allowing the pupil to remain in school seriously harm the education or welfare of the pupil or others in the school? (16) 	
<ul style="list-style-type: none"> • Standard of proof - Apply civil standard of proof - balance of probabilities (8) 	
<ul style="list-style-type: none"> • Has the school exhausted all available strategies; exclusion must be a last resort? – see examples of alternatives to exclusions below. • Is this a serious first or ‘one-off’ offence? 	
<ul style="list-style-type: none"> • Does the pupil have special educational needs? (12, 19, 21, 23) • Is there evidence of “assess – plan – do – review” • Have external agencies been contacted for advice and support? (Educational Psychologist, CAMHS, First Response, etc) • Does the pupil have an Education Health and Care Plan (or a Statement)? • Have you consulted your school’s allocated BCC SEN Officer? • Has there been an emergency annual review? (25) 	
<ul style="list-style-type: none"> • Is this exclusion for persistent disruptive behaviour? If so, have you followed the Graduated Response Guidance? Graduated Approach Guidance 	
<ul style="list-style-type: none"> • Factors to consider before making a decision to exclude: 	
<ul style="list-style-type: none"> ➤ Exclusion should not be imposed in the heat of the moment 	
<ul style="list-style-type: none"> ➤ Ensure thorough investigation is carried out, consulting with all involved and witnesses 	
<ul style="list-style-type: none"> ➤ Consider evidence in relation to school policies 	
<ul style="list-style-type: none"> ➤ Ensure the pupil’s version of events is heard and recorded (17) 	
<ul style="list-style-type: none"> ➤ Consider any provocation – bullying, racial/sexual harassment (18) 	
<ul style="list-style-type: none"> ➤ Keep written record of all actions taken (witness statements dated and signed) 	
<ul style="list-style-type: none"> ➤ Has extra support been considered for those who are at higher risk of exclusion (certain ethnic groups, SEN, Looked After children, those eligible for Free School Meals)? (10, 11, 19, 21, 22) 	
<ul style="list-style-type: none"> ➤ Consider Multi Agency Assessment (19) 	
<ul style="list-style-type: none"> ➤ Has a PSP been held? Have parent and child signed the paperwork? 	
<ul style="list-style-type: none"> • Are there exceptional circumstances: 	
<ul style="list-style-type: none"> ➤ Are there any contributing factors – bereavement, mental health, bullying? (18) 	
<ul style="list-style-type: none"> ➤ For children with disabilities, have all reasonable adjustments been made? (9) 	
<ul style="list-style-type: none"> ➤ Is the pupil a child in care to the Local Authority? (23, 24) 	
<ul style="list-style-type: none"> ➤ Have issues of discrimination been considered under the Equality Act 2010? (9, 10) 	
<ul style="list-style-type: none"> • Headteachers must be able to evidence that the exclusion was the <u>last resort</u>. Therefore, ALL possible alternatives to exclusion must be considered BEFORE deciding to exclude: 	

➤ Restorative Justice/Mediation/Internal Exclusion	
➤ Managed Move	
➤ Discussion of support needs and outreach provision from the Pupil Referral Unit	
➤ Key Stage 3 provision at Aspire	
➤ Referral to Early Help Panel	
➤ Discussion with Exclusion & Reintegration Team	
<ul style="list-style-type: none"> • Has the appropriate length of the exclusion been considered (permanent/fixed-period/lunchtime)? A short exclusion may be just as effective as a longer one. 	
<p>* Please note: the numbers in brackets above refer to relevant paragraphs in the DfE guidance – September 2017: “Exclusion from maintained schools, Academies and pupil referral units in England” can be found at: www.gov.uk/government/publications/school-exclusion</p>	

School Procedure - checklist to monitor exclusion process

Pupil Name: _____ DOB _____

Name of Excluding School: _____

Ethnic Origin: _____ Gender: _____

Authority: _____

Unique Pupil Number: _____ SEN: _____

Reason for Exclusion: _____

Looked After Child: YES NO (If yes, inform Social Care and Virtual School)

PROCEDURE	TIMELINE	KEY DATES		PUPIL STATUS	COMMENTS
		ACTUAL	END		
(a) Headteacher notifies parents, Governing Board, LA and PRU	On day of exclusion by phone or face-to-face. Followed with a letter - sent by end of school day			On roll out of school	
(b) School work set for days 1-5. Full-time provision arranged from day 6 (this cannot be a continuation of work sent home)	From day 1			On roll out of school (E code on registration certificate)	

<p>(c) Governing Board Committee meeting held</p>	<p>Exclusion up to 5 days – Meeting not required</p> <p>Exclusion 5½ -15 days – At parents’ request</p> <p style="text-align: center;">no later than 50 school days after exclusion</p> <p>Exclusion 15½ -45 days – no later than 15 school days after exclusion</p> <p>Exclusion Permanent – no later than 15 school days after exclusion</p>			<p>On roll</p> <p>out of school</p> <p>(D code from 6th day when in provision. If no provision in place continue with E code)</p>	
<p>(d) Governing Board notifies parent/s, Head Teacher and the LA. Exclusion upheld or pupil reinstated.</p>	<p>Without delay</p>			<p>On roll</p> <p>out of school (as above) or</p> <p>On roll</p> <p>in school if</p>	

				reinstated	
(e) LA writes to parents, Headteacher confirming Governing Board Committee decision and rights of appeal where appropriate.	Without delay			On roll out of school (D code if in provision)	
(f) Parents notify LA/Academy, in writing, that they do not intend to appeal or expiry of time allowed for lodging request for a review	Review period 15 school days after the day on which notice was given. Where notice sent by first class post, it is treated as having been given on the second working day after it was posted.			Pupil off roll once notified to do so by E&R Team	

Notification to LA of Permanent, Fixed-period or Lunchtime Exclusion

School Name			Home Education Authority (if not Bucks)	
Pupil's Legal Surname		Pupil's Legal First Name(s)		
Date of Birth	Gender	Year Group	Looked After Child Yes No	
Ethnic Origin (must be included)		SEN Code of Practice Stage (circle) N K E S		
Pupil's Address				
Parent/Carer Name		Parent/Carer address (if different from above)		
Parental contacts: Home: Mobile: Email:		Lunchtime only Exclusion		
		Start Date		End Date
		Reason		No. of lunchtimes

Fixed-period Exclusion	Permanent Exclusion
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Start Date	End Date	Start Date	
No. of Days	Reason	Reason for Exclusion	
Total days this year (including this)		One-Off Incident	Yes <input type="checkbox"/> No <input type="checkbox"/>

General

Governing Board Informed Yes <input type="checkbox"/> No <input type="checkbox"/>	Child has PSP Yes <input type="checkbox"/> No <input type="checkbox"/>	Is PSP Current Yes <input type="checkbox"/> No <input type="checkbox"/>
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Other Agency Involvement

Education Psychology Service Yes <input type="checkbox"/> No <input type="checkbox"/>	Social Services/ECPC Yes <input type="checkbox"/> No <input type="checkbox"/>	County Attendance Team Yes <input type="checkbox"/> No <input type="checkbox"/>
PRU Yes <input type="checkbox"/> No <input type="checkbox"/>	Family Resilience Service Yes <input type="checkbox"/> No <input type="checkbox"/>	Other:..... Yes <input type="checkbox"/> No <input type="checkbox"/>

Please send to: Exclusions & Reintegration Team, Buckinghamshire County Council, 1st Floor, County Hall, Aylesbury, HP20 1UZ or, preferably, email to exclusions@buckscc.gov.uk

(Please note: Pages 15 – 17 are for your information. They do not need to be sent to the LA with the Form X1)

Codes - ETHNIC ORIGIN

Please enter one of the following categories:

- AAO - Any other Asian Background
- ABA - Bangladeshi
- AIN - Indian
- APK - Pakistani
- BLB - Black Caribbean
- BLF - African
- BLG - Any other Black background
- CHE - Chinese
- MBA - White/Black African
- MOT - Any other Mixed background
- MWA - White/Asian
- MWB - White/Black Caribbean
- NOT - Info not obtained
- OEO - Any other Ethnic Group
- REF - Refused
- WHA - Any other White background
- WHB - White British
- WHR - Irish
- WHT - Traveller Irish Heritage
- WRO - Roma/Roma Gypsy

Code - REASON FOR EXCLUSION

Please enter the code against one of these categories:

BUL	-	Bullying
DAM	-	Damage
DAR	-	Drug and alcohol related
PAA	-	Physical assault against adult
PAP	-	Physical assault against pupil
PDB	-	Persistent disruptive behaviour
RA	-	Racist abuse
SM	-	Sexual Misconduct
THE	-	Theft
VAA	-	Verbal abuse/threatening behaviour against adult
VAP	-	Verbal abuse/threatening behaviour against pupil

This information is essential to enable Exclusions & Reintegration Team to meet its requirements to monitor and report upon exclusions.

A full list of reasons for each of these categories follows:

NATIONAL STANDARD LIST OF REASONS FOR EXCLUSION

The DfE has produced a national standard list of reasons to be used when reporting an exclusion. The 12 categories should cover the main reasons for exclusions and the 'other' category should be used sparingly. The further details suggesting what the descriptors cover should be used as a guide and are not intended to be used as a tick list for exclusions.

Physical assault against pupil

Includes:

- (c) fighting
- (d) violent behaviour
- (e) wounding
- (f) obstruction and jostling

Physical assault against adult

Includes:

- violent behaviour
- wounding
- obstruction and jostling

Verbal abuse/threatening behaviour against pupil

Includes:

- threatened violence
- aggressive behaviour
- swearing
- homophobic abuse and harassment
- verbal intimidation
- carrying an offensive weapon

Verbal abuse/threatening behaviour against adult

Includes:

- threatened violence
- aggressive behaviour

- swearing
- homophobic abuse and harassment
- verbal intimidation
- carrying an offensive weapon

Bullying

Includes:

- verbal
- physical
- homophobic bullying
- racist bullying

Racist abuse

Includes:

- racist taunting and harassment
- derogatory racist statements
- swearing that can be attributed to racist characteristics
- racist bullying
- racist graffiti

Sexual misconduct

Includes:

- sexual abuse
- sexual assault
- sexual harassment
- lewd behaviour
- sexual bullying
- sexual graffiti

Drug & Alcohol related

Includes:

- possession of illegal drugs
- inappropriate use of prescribed drugs
- drug dealing
- smoking
- alcohol abuse
- substance abuse

Damage

Includes damage to school or personal property belonging to any member of the school community:

- vandalism
- arson
- graffiti

Theft

Includes:

- stealing school property
- stealing personal property (pupil or adult)
- stealing from local shops on a school outing
- selling and dealing in stolen property

Persistent disruptive behaviour

Includes:

- challenging behaviour
- disobedience
- persistent violation of school rules



Other

Includes incidents which are not covered by the categories above but this category should be used sparingly.

GOVERNING BOARD EXCLUSION PROCEDURE

PLEASE NOTE

- ◆ For any exclusion which would result in a pupil missing a public examination, the Governing Board must be informed.

Headteacher excludes pupil	
	
Fixed-period exclusion	Permanent exclusion
<p>(a) Chair of Committee receives copy of exclusion letter from Headteacher and appoints clerk.</p> <p>(b) Clerk arranges a meeting of the Governing Board Committee if appropriate and contacts all involved. <i>(In practice, this is often done by the school.)</i></p> <ul style="list-style-type: none"> ◆ 1-5 days – Governing Board is not required to arrange a meeting. ◆ 5½ -15 school days’ exclusion in one term - meeting no later than 50 school days – meeting only in event of parental request. ◆ 15½ - 45 school days’ exclusion in one term - meeting no later than 15 school days <p>(c) Clerk (or school) sends</p> <ul style="list-style-type: none"> ◆ Letter 6 inviting parents to the Governing Board Committee meeting ◆ Order of proceedings (see page 19) ◆ Any evidence to be considered at the meeting (the ‘Pack’) <p>(d) Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>(e) At the conclusion of the meeting, Clerk sends Letter 8 (without delay) informing parents of</p>	<p>(f) Chair of Committee receives copy of exclusion letter from Headteacher and appoints clerk.</p> <p>(g) Clerk contacts all involved and arranges a suitable date for a meeting of the Governing Board. <i>(In practice, this is often done by the school.)</i>The meeting must take place no later than 15 school days of notice of the exclusion.</p> <p>(h) Clerk (or school) sends:</p> <ul style="list-style-type: none"> ◆ Letter 7 inviting parents to the Governing Board Committee meeting ◆ Order of proceedings (see page 19) ◆ Any evidence to be considered at the meeting (the ‘Pack’) <p>(i) Clerk takes notes of meeting and records the decision of the Governing Board Committee. None of the parties, with the exception of the Clerk, should be alone with the Governing Board Committee at any time.</p> <p>(j) At the conclusion of the meeting, Clerk sends without delay Letter 9 (if upheld) or Letter 10 (if overturned) informing parents of the decision, with copy to Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury HP20 1UZ. (without</p>

<p>the decision with copy to Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury HP20 1UZ.</p>	<p>delay)</p>
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Governing Board Sample Procedure for an Exclusion Hearing

This section should be reproduced separately for parents and sent with the Clerk's letter giving details of the Governing Board Committee Meeting.

1. You will receive a letter from the Clerk to the Committee giving details of the time and place for the formal meeting to consider your child's exclusion.
2. You are advised in the letter notifying you of your child's exclusion that you may bring a legal representative or friend with you to the hearing.
3. It is important that you notify the school of your intention to attend the formal hearing, and confirm whether you will be bringing other people with you. This is to ensure that the room is of a suitable size.
4. The formal hearing follows a set procedure:
 - a. Introduction and brief explanation of procedures by the Chair, who will lead the Committee in establishing the relevant factors. There will be an opportunity for questioning by the other parties after each presentation. Questions from the Committee will generally be taken at the end of each party's statement and following questioning by the other parties.
 - b. The Headteacher presents his/her reasons for the exclusion and calls such witnesses as he/she considers appropriate.
 - c. Parents and the Governing Board Committee ask questions of the Headteacher and his/her witnesses to clarify any points or seek further information.
 - d. Parents and/or their representative, state their case (the parent remains the appellant unless the pupil is over 18). The Chair of the Committee should consider representations from the excluded pupil, if the parent and pupil ask for this.
 - e. Any witnesses who are pupils at the school may only appear voluntarily and with their parents' consent. It is normally more appropriate for the Committee to rely on written statements from witnesses.
 - f. The Headteacher and the Governing Board Committee ask questions of the Parents, their representatives, the pupil (if present) and any witnesses to clarify any points or seek further information.
 - g. A representative of the Local Authority may make oral representations in the case of a maintained school or PRU. A parent may invite a representative of the LA to attend a meeting of an Academy's Governing Board as an observer; that representative may only make representations with the Governing Board's consent.

- h. Summing up by the Headteacher.
 - i. Summing up by the parents and/or their representatives.
5. After this everyone except the Clerk and the Governors must withdraw before the Governing Board Committee consider their decision. The Clerk remains to help the Governing Board Committee by reference to their notes and advises on the wording of their decision letter.
 6. The Committee should base its decision on oral evidence presented at the formal hearing and written evidence submitted beforehand. The Clerk to the Chair of the Governing Board Committee will notify the parents in writing of the decision and the reason for it, and send copies to the Headteacher and the Local Authority, without delay. The letter should be sufficiently detailed that the parents can see how the Governing Board reached its decision for **both parts** of the required criteria.

Governing Board Sample Proforma for use at Exclusion Hearing

Name of pupil:		Reason for exclusion:	Does pupil have SEN:
Date of Birth:			Looked After Child: Yes / No
Year Group:			
Permanent / Fixed-period	Number of School Days:		
What facts are not disputed?			

What are the issues in dispute?

Has consideration been given to issues of special educational needs, race relations, disability discrimination or bullying?

Was the decision to exclude the **last resort**?

What questions do we need to ask of whom?

Conclusion:

Are the Minutes clear and detailed: Yes No, they need further revision

Is the outcome letter sufficiently clear and detailed? Is it clear how decisions were reached?

Yes No, it needs further revision

Independent Review Panels

If the Governing Board's decision is not to reinstate a pupil, the parents can request an Independent Review Panel. Headteachers and Governing Boards should be familiar with the process and requirements of an IRP as their actions at earlier stages will be thoroughly overviewed should a parent make this request. Parents can request an IRP even if they did not attend or make any representations to the Governing Board Meeting.

1. A parent must request an IRP within 15 school days of notice being given to the parents by the Governing Board of its decision not to reinstate a permanently excluded pupil or where an application has not been made within this timeframe, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.
2. The local authority/academy trust must take reasonable steps to identify a date for the review that all parties, and any SEN expert appointed to give advice in person, are able to attend.
3. The review must begin within 15 school days of the day on which the parent's application for a review was made. Panels have the power to adjourn a hearing if required.
4. The venue must be accessible to all parties. The local authority/academy trust must comply with its duties under the Equality Act 2010 and consider what reasonable adjustments should be made to support attendance and contribution of parties at the Review.
5. The panel should support all parties to participate in the Review and ensure that their views are properly heard. The Independent Review should be conducted in an accessible, unthreatening and non-adversarial manner. A parent can notify the LA Appeals Team if they require an interpreter or translation services. Academy Trusts will need to make their own appropriate arrangements.
6. All written witness statements should be attributed, signed and dated, unless the school has good reason to wish to protect the anonymity of the witness, in which case the statement should at least be dated and labelled in a way that allows it to be

distinguished from other statements. The general principle remains that excluded pupils are entitled to know the substance behind the reason for their exclusion.

7. Where the issues raised by two or more applications for review are the same, or connected, the Panel may combine the reviews if, after consultation with all parties, there are no objections. If they are not combined, the local authority/academy trust should take reasonable steps to ensure fairness and consistency. Where possible, the same Panel members should hear all related reviews.
8. Where an excluding Headteacher has left the school, the Panel may use its discretion whether to also invite this person to make representations.
9. All Panel members and clerks must have received appropriate training within the two years prior to the date of the review.
10. If requested by the parent, the local authority/academy trust must appoint an SEN expert to attend the Panel regardless of whether the school recognises that the child has SEN.
11. Where parents are not seeking reinstatement for their child, this fact should be acknowledged by the Panel, but it should not affect the conduct of the Panel or its decision. The Panel should not be influenced by any stated intention of the parents or pupil not to return to the school.
12. The IRP can:
 - uphold the Governing Board's decision;
 - recommend that the Governing Board reconsiders reinstatement; or
 - quash the decision and direct that the Governing Board reconsiders reinstatement.
13. If a Panel directs a Governing Board to reconsider reinstatement, it may order the local authority to make an adjustment to the school's budget or (in the case of an academy) the academy trust to make an equivalent payment to the local authority in whose area the school is located, unless within 10 school days of receiving notice of the Panel's decision, the Governing Board decides to reinstate the pupil. The sum of the adjustment/payment must be £4000 and would be in addition to any funding that would normally follow an excluded pupil.
14. When considering the Governing Board's decision in light of the principles applicable in an application for judicial review, the Panel should apply the following tests:
 - Illegality – did the Governing Board act outside the scope of its legal powers in deciding that the pupil should not be reinstated?
 - Irrationality – did the Governing Board rely on irrelevant points, fail to take account of all relevant points, or make a decision so unreasonable that no Governing Board acting reasonably in such circumstances could have made?
 - Procedural impropriety – was the Governing Board's consideration so procedurally unfair or flawed that justice was clearly not done?

15. Procedural impropriety could include (but is not limited to): bias, failing to notify parents of their right to make representations, the Governing Board making a decision without having given parents an opportunity to make representations, or failing to give reasons for a decision.
16. In light of this, Governing Boards should be cautious about proceeding with a Governing Board Meeting where the parents have expressed an intention to attend and make representations but have not arrived at the scheduled time of the meeting as this could be interpreted as the Governing Board not giving them an opportunity to make representations. Consideration should be given to delaying the start of the meeting whilst attempts are made to contact the parents and, if this proves impossible, to consider postponing the meeting.
17. Governing Boards should make sure that if they decide against reinstating a pupil their reasons for doing so are communicated clearly and in detail to the parents. This should include the reasons they agree that there was a serious breach or persistent breaches of the school's behaviour policy AND why they feel that allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school. Simply stating that they feel these were proven is not adequate without a full explanation of how they reached that decision.

Model Letters

On the following pages there are Model Letters for different circumstances around exclusions. You may choose to write your own letters but you must ensure the wording incorporates all the points covered by the statutory guidance.

These letters have been updated to incorporate the 2017 DfE Guidance 'Exclusions from maintained schools, academies and pupil referral units in England. Statutory guidance for those with legal responsibilities in relation to exclusion'.

Please ensure that you use the appropriate letter for each circumstance or stage of the process. If you have saved letters from previous versions of this Guidance, please ensure that these are deleted and replaced with the new letters that follow.

Where the parents' first language is not English consideration should be given, where practicable, to translating the letter or taking additional steps to ensure that the details of the exclusion and their right to make representations to the Governing Board have been understood.

LETTER 1 - Fixed-period exclusion of 5 days or fewer in one term.

IF THERE IS CONSIDERATION OF A PERMANENT EXCLUSION, USE LETTER 1a.

From Headteacher – to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with Form X1 (page 14 above).

Dear **[Parents Name]**

Name of pupil:

DoB:

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed-period because **[Reason for Exclusion: The reason for the exclusion should be given in plain English and should be explicit. The headteacher should have investigated the incident fully, checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events]**.

[Where the exclusion relates to a weapons related incident please insert the following text into the letter here:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted directly by a member of the Exclusions and Reintegration Team who will give you further details.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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 date(s). If so, it will be for you to show reasonable justification.

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

You have the right to make representations about this decision to the school's Governing Board. 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 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.

You should also be aware that, if you think this 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 First-tier Tribunal. For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 1a - Fixed-period exclusion of 5 days or fewer in one term **WHERE THERE IS AN EXCEPTIONAL CIRCUMSTANCE RESULTING IN THE CONSIDERATION OF A PERMANENT EXCLUSION.**

From Headteacher – to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with Form X1 (page 14 above).

Please note: schools are required to provide work for the first five days of an exclusion. From the 6th day, the school must provide suitable full-time education. Sending work home would not be sufficient. Schools can consider working with a neighbouring school to provide education at another site. The LA will only provide education from the 6th day following a permanent exclusion. If a permanent exclusion follows a five day fixed-period exclusion, the school will be responsible for days 1 – 10, which will include five days of providing suitable full-time provision.

Dear [Parents Name]

Name of pupil:

DoB:

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

In view of the exceptionally serious nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to issue a longer fixed-period exclusion or to exclude [Child's Name] permanently.

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: The reason for the exclusion should be given in plain English and should be explicit. The headteacher should have investigated the incident fully, checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events].

[Where the exclusion relates to a weapons related incident please insert the following text into the letter here:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted directly by a member of the Exclusions and Reintegration Team who will give you further details.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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 date(s). If so, it will be for you to show reasonable justification.

We will set work for **[Name of child]** during the **[first] [..... days]** of the exclusion **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. If a permanent exclusion is issued we will write to you again informing you of this and with details of what provision we have made for days **[6 -10 or as appropriate]** of **[Child's name]** exclusion.

You have the right to make representations about this fixed-period exclusion to the school's Governing Board. 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 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.

You should also be aware that, if you think this 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 First-tier Tribunal. For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@bucksccl.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 2 - Lunchtime only exclusion totalling a fixed-period exclusion of no more than 5 days per term (each lunchtime exclusion counts as half a day).

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Dear **[Parents Name]**

Name of pupil:

DoB:

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed-period because **[Reason for Exclusion: The reason for the exclusion should be given in plain English and should be explicit. The headteacher should have investigated the incident fully, checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events]**.

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

[Insert this paragraph if the child is entitled to a free school meal.]

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

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

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

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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.

You have the right to make representations about this decision to the Governing Board. If you wish make representations please contact **[Name of Contact]** on/at

[Contact Details-Address, Phone Number, email] as soon as possible. Whilst the Governing 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.

You should also be aware that, if you think this 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 First-tier Tribunal. For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely

Head teacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 3 - Fixed-period exclusion of 5½ -15 days

- Or where cumulative exclusions in the same term fall within this range

IF THERE IS CONSIDERATION OF A PERMANENT EXCLUSION, USE LETTER 3a.

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Dear **{Parents Name}**

Name of pupil:

DoB:

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **{Child's Name}** has not been taken lightly. **{Child's Name}** has been excluded for this fixed-period because **{Reason for Exclusion: The reason for the exclusion should be given in plain English and should be explicit. The head teacher should have investigated the incident fully, checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events}**.

{Where the exclusion relates to a weapons related incident please insert the following text into the letter:}

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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

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

[Insert the following paragraph if this exclusion is more than 5 days:]

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

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

If you do wish to make representations to the Governing Board 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 also note that **[pupil's name]** can attend. 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.

[Where a public examination will be missed, please insert the following text into the letter:]

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-tribunal). For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely,

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 3a - Fixed-period exclusion of 5½ -15 days **WHERE THERE IS AN EXCEPTIONAL CIRCUMSTANCE RESULTING IN THE CONSIDERATION OF A PERMANENT EXCLUSION.** - Or where cumulative exclusions in the same term fall within this range **WHERE THERE IS AN EXCEPTIONAL CIRCUMSTANCE RESULTING IN THE CONSIDERATION OF A PERMANENT EXCLUSION.**

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Please note: schools are required to provide work for the first five days of an exclusion. From the 6th day, the school must provide suitable full-time education. Sending work home would not be sufficient. Schools can consider working with a neighbouring school to provide education at another site. The LA will only provide education from the 6th day following a permanent exclusion. For example, if a permanent exclusion follows a five day fixed-period exclusion, the school will be responsible for days 1 – 10, which will include five days of providing suitable full-time provision.

Dear **[Parents Name]**

Name of pupil:

DoB:

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

In view of the exceptionally serious nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to issue a longer fixed-period exclusion or to exclude **[Child's Name]** permanently.

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: The reason for the exclusion should be given in plain English and should be explicit. The head teacher should have investigated**

the incident fully, checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events].

[Where the exclusion relates to a weapons related incident please insert the following text into the letter:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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

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

[Insert the following paragraph if this exclusion is more than 5 days:]

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

If a permanent exclusion is issued we will write to you again informing you of this and with details of what provision we have made for days **[6 -10 or as appropriate]** of **[Child's name]** exclusion.

You have the right to request a meeting of the Governing Board to make representations and for my decision to exclude to be reviewed. As the period of this fixed-period exclusion is more than 5 school days in a term the Governing Board must meet if you request it to do so. The latest date by which the Governing Board must meet, if you request a meeting is **[insert date – no later than 50 school days after the date on which the Governing Board were notified of this exclusion]**. If you do wish to make representations to the Governing Board 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 also note that **[pupil's name]** can attend. 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.

[Where a public examination will be missed, please insert the following text into the letter here:]

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-tribunal). For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County

Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely,

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 4 - Fixed-period exclusion of 15½ days or more

Or where cumulative exclusions in the same term are 15½ days or more

IF THERE IS CONSIDERATION OF A PERMANENT EXCLUSION, USE LETTER 4a.

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Dear **[Parents Name]**

Name of pupil:

DoB:

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed-period of **[specify period of exclusion]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion begins 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 : The reason for the exclusion should be given in plain English and should be explicit. The head teacher should have investigated the incident fully, have checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events]**.

[Where the exclusion relates to a weapons related incident please insert the following text into the letter here:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted directly by a member of the Exclusions and Reintegration Team who will give you further details.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may 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 **[Name of Child]** during the **[first 5]** school days of **[his/her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[Delete the following paragraph if this exclusion is less than 6 days:]

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

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

If you wish to make representations to the Governing Board 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 also note that [**pupil's name**] can attend. You will, whether you choose to make representations or not, be notified by the Clerk to the Governing Board of the time, date and location of the meeting. Please advise if you have a disability or special needs that would affect your ability to attend or take part in a meeting at the school. Also, please inform [**name of contact**] if it would be helpful for you to have an interpreter present at the meeting.

[Where a public examination would be missed, please insert the following text into the letter here:]

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-tribunal). For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about

the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely,

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 4a - Fixed-period exclusion of 15½ days or more **WHERE THERE IS AN EXCEPTIONAL CIRCUMSTANCE RESULTING IN THE CONSIDERATION OF A PERMANENT EXCLUSION.**

Or where cumulative exclusions in the same term are 15½ days or more **WHERE THERE IS AN EXCEPTIONAL CIRCUMSTANCE RESULTING IN THE CONSIDERATION OF A PERMANENT EXCLUSION.**

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Please note: schools are required to provide work for the first five days of an exclusion. From the 6th day, the school must provide suitable full-time education. Sending work home would not be sufficient. Schools can consider working with a neighbouring school to provide education at another site. The LA will only provide education from the 6th day following a permanent exclusion. For example, if a permanent exclusion follows a five day fixed-period exclusion, the school will be responsible for days 1 – 10, which will include five days of providing suitable full-time provision.

Dear **[Parents Name]**

Name of pupil:

DoB:

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

In view of the exceptionally serious nature of the incident, I feel that it is necessary to conduct further investigation before deciding whether it is appropriate to issue a longer fixed-period exclusion or to exclude **[Child's Name]** permanently.

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 : The reason for the exclusion should be given in plain English and should be explicit. The head teacher should have investigated the incident fully, have checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events**].

[Where the exclusion relates to a weapons related incident please insert the following text into the letter here:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted directly by a member of the Exclusions and Reintegration Team who will give you further details.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may 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 **[Name of Child]** during the **[first 5]** school days of **[his/her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. If a permanent exclusion is issued we will write to you again informing you of this and with details of what provision we have made for days **[6 -10 or as appropriate]** of **[Child's name]** exclusion.

[Delete the following paragraph if this exclusion is less than 6 days:]

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

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

If you wish to make representations to the Governing Board 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 also note that **[pupil's name]** can attend. You will, whether you choose to make representations or not, be notified by the Clerk to the Governing Board of the time, date and location of the meeting. Please advise if you have a disability or special needs that would affect your ability to attend or take part in a meeting at the school. Also, please inform **[name of contact]** if it would be helpful for you to have an interpreter present at the meeting.

[Where a public examination would be missed, please insert the following text into the letter here:]

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-

[tribunal](#)). For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

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

Yours sincerely,

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 5 - For a Permanent Exclusion

From Headteacher - to be sent *on the day* of the exclusion following telephone or face-to-face notification to the parent by the Headteacher. Copy to be sent (preferably electronically) to the E&R Team together with the Form X1 (page 14 above).

Dear **[Parent's Name]**

Name of pupil: **DoB:**

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

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded permanently because **[Reason for Exclusion – The reason for the exclusion should be given in plain English and should be explicit. The head teacher should have investigated the incident fully, have checked whether the incident was provoked by racial or sexual harassment and allowed the pupil to give their version of events. Also include any relevant previous history here]**.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

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

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]**.

[Delete this paragraph for pupils not yet of compulsory school age or for those above compulsory school age (sixth formers):]

From the sixth school day of the exclusion onwards – i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that arrangements will be notified shortly by a further letter or by phone]**.

[Insert this paragraph for pupils not yet of compulsory school age:]

As **[Child's name]** is not yet of Statutory School Age, the Local Authority is not under an obligation to provide education for **[him/her]** until the term after **[his/her]** 5th birthday. You can make your own education arrangements if you wish. The Exclusions and Reintegration Team will be in touch with you to explain this further.

[Insert this paragraph for pupils above compulsory school age (sixth formers)]

As **[Child's name]** is above compulsory school age, the Local Authority is not under an obligation to arrange education for **[him/her]** following this permanent exclusion. You might like to speak to Adviza [www.adviza.org.uk/] for advice about how to find an alternative school or college place or to consider other options.

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

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

[Where the exclusion relates to a weapons related incident please insert the following text into the letter here:]

As your child's exclusion is for a weapons related offence you and your child will be invited to attend a session to discuss the consequences of their actions. The aim is to examine what has happened, to learn from this and be able to move on positively as a result. You will be contacted directly by a member of the Exclusions and Reintegration Team who will give you further details.

As this is a permanent exclusion the Governing Board must meet to consider it. At the meeting you may make representations to the Governing Board if you wish and

ask them to reinstate your child in school. The Governing Board committee have the power to direct reinstatement of your child immediately or from a specified date; or, alternatively, they have the power to decline to reinstate your child in which case you may appeal against their decision to an independent review panel. The latest date on which the Governing Board must meet is **[insert date. (This should be 15 school days after the date on which the Governing Board were notified of this exclusion)]**.

If you wish to make representations to the Governing Board 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 also note that **[pupil's name]** can attend. You will, whether you chose to make representations or not, be notified by the Clerk to the Governing Board of the time, date and location of the meeting. Please let us

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

[Where a public examination would be missed, please insert the following text into the letter here:]

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-tribunal). For further information or advice you can contact them on 01325 289350 or sendistqueries@hmcts.gsi.gov.uk.

If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email

sendias@buckscc.gov.uk

- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

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

Yours sincerely,

Headteacher

cc Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ
Headteacher, Pupil Referral Unit

LETTER 6 – Parents’ invitation to the Governing Board Exclusion Meeting for fixed-period exclusions of 5½ days upwards

FROM CLERK TO THE GOVERNING BOARD (In practise, this letter is very often *sent by the school*. Ensure you know who is sending it.)

Dear **[Parent’s Name]**

Name of pupil:

DoB:

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

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

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

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

[If the Panel members are known, insert this information here:]

The Governing Board Committee members will be **[Names of panel members]**. Please inform me if you feel that there is a conflict of interest with any of these Committee members.

May I remind you that if you want to provide any written evidence for the meeting, it should be sent to me at the address given above to allow the Governing Board to circulate all the information to all parties at least five school days before the meeting date. Following their consideration of all evidence and representations, the Governing Board will make a decision as to whether the exclusion was made on appropriate grounds.

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

Please find enclosed an order of proceedings for the meeting **[enclose procedure for Governing Board Meeting set out at page 19]**.

Yours sincerely,

[Name]

Clerk to the Governing Board

Cc Head teacher
Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ

LETTER 7 – Parents’ invitation to the Governing Board Permanent Exclusion Hearing

LETTER FROM CLERK (or sent by school)

Dear **[Parent’s name]**

Name of pupil:

DoB:

I am writing to inform you that a meeting of the school Governing Board will take place on **[date]** at **[time]** to consider the Headteacher's decision to exclude permanently **[pupil’s name]** from school and you are invited to this meeting. You are welcome to bring a friend or legal advisor with you should you wish. Please also note that **[pupil’s name]** can attend.

[Add a paragraph at this point to identify the steps you will take to enable and encourage the excluded pupils to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil’s age and understanding, or how the excluded pupil may feed in his/her views

[In the case of a maintained school or PRU insert:]

A representative of the Local Authority will be invited to the meeting.

by other means if attending the exclusion meeting is not possible.]

[In the case of an Academy insert:]

You may invite a representative of the Local Authority to attend the meeting of the Academy's Governing Board as an observer. That representative may only make representations with the Governing Board's consent. Please contact the Exclusions & Reintegration Team on 01296 382835 if you wish a LA representative to attend.

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

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

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

[If the Panel members are known, insert this information here:]

The Governing Board Committee members will be **[Names of panel members]**. Please inform me if you feel that there is a conflict of interest with any of these Committee members.

May I remind you that if you want to provide any written evidence for the meeting, it should be sent to me at the address given above to allow the Governing Board to circulate all the information to all parties at least five school days before the meeting date. Following their consideration of all evidence and representations, the Governing Board will make a decision as to whether the exclusion was made on appropriate grounds.

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

Please find enclosed an order of proceedings for the meeting. **[Enclose procedure for Governing Board Meeting set out at page 19].**

Yours sincerely,

[Name]

Clerk to the Governing Board

Cc Head teacher
Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ

LETTER 8 – To parent informing them of the outcome of the Governing Board Hearing for a fixed-period exclusion of 5½ days or more.

LETTER FROM CLERK

Dear **[Parent's name]**

Name of pupil:

DoB:

Fixed-period Exclusion From [start date] to [end date]

I am writing to let you know of the decision reached by the School's Governing Board at the meeting held on **[insert date]** to consider the actions of the Headteacher, in relation to your child's exclusion from school.

The Governing Board decided to: **[complete relevant section from options below]**

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

Yours sincerely,

[Name]

Clerk to the Governing Board

Cc Head teacher
Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ

LETTER 9 – To parent informing them of the Governing Board’s decision not to reinstate the pupil

LETTER FROM CLERK

Please note: it is important that the reasons given for deciding not to reinstate a pupil are given in sufficient detail that the Governing Board’s reasoning is clear. It must also refer to both of the required elements (serious breach or persistent breaches AND where allowing the pupil to remain would seriously harm the education or welfare of the pupil or others). Failure to do so may result in an IRP, if requested, quashing the Governing Board’s decision.

Dear [Parent’s Name]

PERMANENT EXCLUSION

Name of pupil:

DoB:

The meeting of the Governing Board at [school] on [date] considered the decision by [Headteacher] to exclude permanently [name of pupil]. The Governing Board, after carefully considering the representations made and all the available evidence, have decided to decline to reinstate [name of pupil]. This means that the permanent exclusion has been upheld.

The reasons for the Governing Board’s decision are as follows: [give the reasons in as much details as possible, explaining how they were arrived at. It is important to explain how and why both of the required elements were considered and decided upon.]

You have the right to appeal against this decision. If you wish to appeal, please notify the Clerk to the Independent Review Panel within 15 school days of receipt of this letter. You must set out the reasons for your appeal in writing and may also include reference to any special educational needs that are considered to be relevant to the exclusion.

[In the case of a maintained school or PRU insert:]

Send your application to Legal and Administrative Services, County Hall, Aylesbury, HP20 1UZ for the attention of Jeanette King by no later than **[specify the latest date –15 school days after receipt of this letter]**.

[In the case of an Academy insert:]

[If an Academy has bought into the Local Authority's Legal Services, please use the paragraph above. If the Academy has made their own IRP arrangements, add the relevant information here.]

You have the right to require the **[Local Authority/Academy Trust - delete as appropriate]** to appoint an SEN expert to attend the review regardless of whether your child has recognised special educational needs.

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

If you wish the **[Local Authority/Academy Trust - delete as appropriate]** to appoint an SEN expert to attend the review, you must make it clear in your application for a review.

You may, at your own expense, appoint someone to make written and/or oral representations to the panel and also bring a friend to the review. Please note that **[pupil's name]** may also attend.

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

You should also be aware that, if you think this 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 First-tier Tribunal (www.gov.uk/special-educational-needs-disability-tribunal). For further information or advice you can contact them on 01325 289350 or sendistquiries@hmcts.gsi.gov.uk. If you believe any other form of discrimination has occurred, you can appeal to the County Court. Making a claim would not affect your right to make representations to the Governing Board. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

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

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

- they may uphold the Governing Board’s decision;
- they may recommend that the Governing Board reconsiders your child’s reinstatement
- they may quash the decision and direct that the Governing Board reconsiders your child’s reinstatement

You may wish to contact: Exclusions & Reintegration Team at Buckinghamshire LA, County Hall, Aylesbury, Bucks. HP20 1UZ, telephone 01296 382835 if you have any questions about the exclusion procedures.

You may also find it useful to contact any of the following organisations for advice or support:

- Child Law Advice. They aim to provide legal advice and information to parents on state education matters. They can be contacted on www.childlawadvice.org.uk or 0300 330 5485
- SEND IAS (formerly Parent Partnership) on 01296 383754 or email sendias@buckscc.gov.uk
- National Autistic Society School Exclusion Service (England) on 0808 800 4002 or

schoolexclusions@nas.org.uk

- Independent Parental Special Education Advice (IPSEA) on www.ipsea.org.uk

[Insert reference to other local sources of independent advice if known].

The statutory exclusions guidance can be found at:

www.gov.uk/government/publications/school-exclusion

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

Yours sincerely,

[name]

Clerk to the Governing Board

Cc Head teacher

Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ

LETTER 10 – To the parent of a permanently excluded pupil informing them of the Governing Board’s decision to direct reinstatement

LETTER FROM CLERK

Dear **[Parent’s Name]**

PERMANENT EXCLUSION

Name of pupil:

DoB:

The meeting of the Governing Board at **[school]** on **[date]** considered the decision by **[Headteacher]** to exclude **[name of pupil]** permanently. The Governing Board, after carefully considering the representations made and all the available evidence, have decided to direct the reinstatement of **[name of pupil]** at **[name of school]** **[immediately or from [state date]]**. This means that the permanent exclusion has been overturned.

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

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

The Exclusions & Reintegration Officer will be pleased to discuss the reintegration process with you. The telephone number is 01296 382835.

Yours sincerely,

[name]

Clerk to the Governing Board

Cc Head teacher

Exclusions & Reintegration Team, 1st Floor, County Hall, Aylesbury, Bucks HP20 1UZ