

Exclusions policy

Eastern Multi Academy Trust



Approved by:

Trust Board

Date: 21st October 2020

Last reviewed on:

October 2020

Next review due by:

September 2022

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1. Aims

Our school aims to ensure that:

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

2. Legislation and statutory guidance

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

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

- › Section 52 of the Education Act 2002, as amended by the Education Act 2011
- › The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- › Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

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

This policy complies with our funding agreement and articles of association.

3. The decision to exclude

Only the Principal, or acting Principal, can exclude a pupil from school. The decision to exclude a child or student will not be taken lightly and any decision to permanently exclude will only be taken as a last resort.

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

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

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

A decision to exclude a pupil will be taken only:

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

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

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

4. Definition

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

5. Roles and responsibilities

5.1 The Principal

Informing parents

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

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

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

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

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

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

Informing the Academy Council and local authority

The Principal will immediately notify the Academy Council and the local authority (LA) of:

- › Exclusions which would result in the pupil being excluded for more than 15 school days (or more than 10 lunchtimes) in a term
- › Exclusions which would result in the pupil missing a public examination
- › A permanent exclusion, including when a fixed-period exclusion is made permanent. ***A fixed term exclusion can only be made into a permanent exclusion if new and substantial evidence comes to light that was not available at the time the fixed term exclusion was made.***

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

For all other exclusions, the Principal will notify the Academy Council and LA.

5.2 The Academy Council

Responsibilities regarding exclusions is delegated to the Local Academy Council

The Local Academy Council has a duty to consider the reinstatement of an excluded pupil (see section 6).

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

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

For secondary schools only:

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

5.3 The LA

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

6. Considering the reinstatement of a pupil

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

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

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

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

The Academy Council can either:

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

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

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

The Academy Council will notify, in writing, the Principal, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the Academy Council's decision will also include the following:

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

7. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the Academy Council not to reinstate a permanently excluded pupil. This will be done on behalf of the academy.

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

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

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

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

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

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

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

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

8. School registers

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

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

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

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

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

9. Returning from a fixed-term exclusion

Following a fixed-term exclusion, unless there are exceptional circumstances, a re-integration meeting **must** be convened between the pupil, parents, a member of senior staff and other staff, where appropriate. Ideally this meeting will be convened before the child's return date.

The following measures may be implemented when a pupil returns from a fixed-term exclusion. Each academy will have their own approach to reintegration but support may include:

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

10. Monitoring arrangements

The Principal will monitor the number of exclusions every term and report back to the Academy Council. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the Trust Board every 2 years. At every review, the policy will be shared with the Local Academy Councils.

11. Links with other policies

This exclusions policy is linked to our

- Behaviour policy
- SEN policy and information report

Appendix to the Policy

In the case of all Permanent Exclusions the academy must provide the following information to all parties at the permanent exclusion hearing so that a complete judgment can be made to uphold or quash the decision.

This information should be in a written pack received by all members of the hearing five working days before the hearing date. The information to be included in this pack include:

- Copy of letter advising parent/carer of permanent exclusion
- Letter to parent confirming date and time of Governors Disciplinary Hearing together with:-
 - Agenda with names of Governors and evidence sent to all parties attending the Governors Meeting send to all parents as defined in law
 - Principal's report giving details of the reason for the permanent exclusion including a summary of time at the academy
 - Witness statements from any staff or students regarding any one off incident
 - Pupils views - interview with the pupil and their views
 - Record of intervention strategies, with outcomes and impacts
 - Any copies of PSP, IEP, Behaviour Support Plan and details of any other agencies that have been involved. If there is more than one incident that behaviour records highlighting behaviour over time.
 - Previous exclusion letters including information on fixed term exclusions and letters
 - Risk assessment
 - Short Stay School for Norfolk referral with relevant risk assessment
 - Copy of e mail so that the Norfolk Single Point of Contact is aware of the exclusion
 - Information on Family Support Plan offered and any other support
 - Timetable
 - Attendance herringbone for the present academic year
 - Behaviour & Exclusion Policy



Norfolk County Council

Exclusions & Reviews 2020/2021

Model letters

**Children's Services Fair Access Team and
Governor Services**

Exclusion Model letters

These letters have been produced by Norfolk Children's Services – it is recommended that you use these model letters as this ensures you meet the statutory requirements for notifications.

The Department for Education issued New Guidance in 2017:

['Exclusion from maintained schools, academies and pupil referral units in England – Statutory guidance for those with legal responsibilities in relation to exclusion'](#)

Please note these letters should be sent to anyone with parental responsibility for the child, even if the child does not live with them. The school should take reasonable steps to ascertain the addresses for everyone with parental responsibility.

The head teacher should ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English consideration should be given, where practical, 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.

Any letters must be issued without delay.

Page 4 **Model Letter 1**

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying parent(s) of a fixed period exclusion which takes the total exclusions to 5 school days or fewer in one term.

Page 7 **Model Letter 2**

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying parent(s) of a pupil's fixed period exclusion which takes the total exclusions to more than 5 school days (up to and including 15 school days) in a term.

Page 10 **Model Letter 3**

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying parent of a fixed period exclusion which takes the total exclusions in one term to more than 15 school days.

Page 13 **Model Letter 4**

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying the parent(s) of the pupil's permanent exclusion.

- Page 16 **Model Letter 5**
Outcome letter from the clerk to the governing body (management committee of a PRU/board of directors of an Academy/Free School) to parent(s) where the panel have declined to reinstate the pupil
- Page 19 **Model Letter 6**
From clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) (after speaking to them) to confirm the date and time of the meeting to consider the exclusion of a pupil
- Page 20 **Model Letter 7**
Outcome letter from clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) that the pupil has been reinstated
- Page 21 **Model Letter 8**
From clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) of the outcome after a reconsideration of the reinstatement of the pupil following an Independent Review Panel
- Page 23 **Model letter 9**
From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying the parent(s) that a pupil's permanent exclusion has been withdrawn.

Model letter 1

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying parent(s) of a fixed period exclusion which takes the total exclusions to 5 school days or fewer in one term.

Dear **[Parent's name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded for this fixed period because **[state reason for exclusion. This can be more than one reason but be clear on the reasons and how the behaviour policy has been breached]**.

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

[For a non-consecutive fixed-term exclusion]

We will set work for **[pupil's name]** during the first five 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.

[For consecutive fixed-term exclusions of more than 5 days]

From the **[6th school day of the pupil's exclusion [specify date] until the expiry of this exclusion we [For PRUs the local authority, for Academies it would be the Academy Trust] - set out the arrangements for provision if known]** will provide suitable full-time education. On **[date]** **[he/she]** should attend at **[give name and address of the alternative provider if not the home school/Academy]** at **[specify the time]** and report to **[staff member's name]**. **[If applicable — say something about transport arrangements from home to the alternative provider. Note: where a child receives consecutive fixed period exclusions, these are regarded as a cumulative period of exclusion. This means that if a child has more than five consecutive school days of exclusion, then education must be arranged for the 6th day regardless of whether this is as a result of one fixed-period or more than one fixed-period exclusion]**

You have the right to make representations about this decision to the **[governing body/management committee/board of directors of the Academy Trust]**. If you wish to make representations please contact **[Name of Contact]** at **[contact details — address, phone number, email]**, as soon as possible. Whilst the **[governing**

body/management committee/board of directors of the Academy Trust] has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination.

[This paragraph can be used if school/PRU/academy chooses to hold a reintegration interview.]

You and **[pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school to discuss how best we can support your child.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

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

Yours sincerely

[Name]

Head teacher (teacher in charge of a PRU)

Principal of Academy/Free School

Model letter 2

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/ Principal of an Academy/Free School notifying parent(s) of a pupil's fixed period exclusion which takes the total exclusions to more than 5 school days (up to and including 15 school days) in a term.

Dear **[Parent's name]**

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

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded for this fixed period because **[state reason for exclusion. This can be more than one reason but be clear on the reasons and how the behaviour policy has been breached]**.

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **[or specify dates if exclusion is for fewer than 5 days]** of this exclusion, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

[For a non-consecutive fixed-term exclusion]

We will set work for **[pupil's name]** during the first five 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.

[In all cases]

From the **[6th school day of the pupil's exclusion [specify date] until the expiry of this exclusion we [For PRUs the local authority, for Academies it would be the Academy Trust] - set out the arrangements for provision if known]** will provide suitable full-time education. On **[date]** **[he/she]** should attend at **[give name and address of the alternative provider if not the home school/Academy]** at **[specify the time]** and report to **[staff member's name]**. **[If applicable — say something about transport arrangements from home to the alternative provider.]**

Note- where a child receives consecutive fixed period exclusions, these are regarded as a cumulative period of exclusion. This means that if a child has more than five consecutive school days of exclusion, then education must be arranged for the 6th day regardless of whether this is as a result of one fixed-period or more than one fixed-period exclusion].

You have the right to request a meeting of the **[governing body/PRU's management committee/board of directors of the Academy Trust]** to whom you may make representations, where the decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the **[governing body/management committee/board of directors of the Academy Trust]** must meet if you request it to do so to consider reinstatement. The latest date by which the **[governing body/management committee/board of directors of the Academy Trust]** must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the governing body/management committee/board of directors were notified of this exclusion]**. If you do wish to make representations to the **[governing body/management committee/board of directors of the Academy Trust]** and wish to be accompanied by your child and friend or representative, please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body/management committee/board of directors of the Academy Trust.

[This paragraph can be used if school/PRU/academy chooses to hold a reintegration interview.]

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

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

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

Yours sincerely

[Name]

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

Principal of Academy/Free School

Model letter 3

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/ Principal of an Academy/Free School notifying parent of a fixed period exclusion which takes the total exclusions in one term to more than 15 school days.

Dear **[Parent's name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded for this fixed period because **[state reason for exclusion. This can be more than one reason but be clear on the reasons and how the behaviour policy has been breached]**

[For pupils of compulsory school age]

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

[For a non-consecutive fixed-term exclusion]

We will set work for **[pupil's name]** during the **[first five school days or specify dates]** of **[his/her]** exclusion **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[In all cases]

From the **[6th school day of the pupil's exclusion]** **[specify date]** until the expiry of **[his/her]** exclusion we **[For PRUs the local authority for Academies it would be the Academy trust - set out the arrangements for provision if known]** will provide suitable full-time education. On **[date]** **[he/she]** should attend **[give name and address of the alternative provider]** at **[specify the time]** and report to **[staff member's name]**. **[If applicable — say something about transport arrangements from home to the alternative provider.]**

Note- where a child receives consecutive fixed period exclusions, these are regarded as a cumulative period of exclusion. This means that if a child has more than five consecutive school days of exclusion, then education must be arranged for the 6th day regardless of whether this is as a result of one fixed-period or more than one fixed-period exclusion].

As the length of exclusions is more than 15 school days in total in one term the **[governing body/management committee/board of directors of the Academy Trust]** must meet to consider reinstatement. At the meeting you may make representations. The latest date on which the **[governing body/management committee/board of directors of the Academy Trust]** can meet is **[date here — no later than 15 school days from the date the governing body/management committee/board of director of Academy Trust is notified]**. If you wish to make representations to the **[governing body/management committee/board of directors of the Academy Trust]** and wish to be accompanied by your child and friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the **[governing body/management committee/board of directors of the Academy Trust]** of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the **[governing body/management committee/board of directors of the Academy Trust]**.

[This paragraph can be used if school/PRU/academy chooses to hold a reintegration interview.]

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

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

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

Yours sincerely

[Name]

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

Principal of Academy/Free School

Model letter 4

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying the parent(s) of the pupil's permanent exclusion.

Dear **[Parent's Name]**

I regret to inform you of my decision to permanently exclude **[pupil's name]** with effect from **[date]**. This means that **[pupil's name]** will not be allowed in this school unless **[he/she]** is reinstated by the **[governing body/PRU management committee/board of directors of the Academy Trust]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[pupil's name]** has not been taken lightly. **[Pupil's name]** has been excluded because **[state reason for exclusion. This can be more than one reason but be clear on the reasons and how the behaviour policy has been breached]**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for **[pupil's name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[pupil's name]** and would ask you to ensure this work is completed and returned promptly to school for marking. 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.]**

[Where pupil lives in a local authority other than the excluding school's local authority] I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the **[governing body/PRU management committee/board of directors of the Academy Trust]** must meet to consider it. At the meeting you may make representations, your **[son/daughter]** can also attend the meeting if you wish and you can ask them to reinstate your child in school. In light of its consideration, the **[governing body/PRU management committee/board of directors of the Academy Trust]** can either direct reinstatement immediately or on a particular date, or decline to reinstate your child in which case you may make application against their decision to an Independent Review Panel. The latest date by which the **[governing body/PRU management committee/board of directors of the Academy Trust]** must meet is **[specify the date — the 15th school day after the date on which the governing body/PRU management committee/board of directors of the Academy Trust was notified of the exclusion]**. If you wish to make representations to the **[governing body/PRU management committee/board of directors of the Academy Trust]** and wish to be accompanied by your **[son/daughter]**, a friend or representative please contact **[name of contact]** on/at **[contact**

details — address, phone number, email], as soon as possible. You will, whether you choose to make representations or not, be notified by the **[governing body/PRU management committee/board of directors of the Academy Trust]** of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the **[governing body/management committee/board of directors of the Academy Trust]**.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

Yours sincerely

[Name]

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

Principal of Academy/Free School



Model letter 5

Outcome letter from the clerk to the governing body (management committee of a PRU/board of directors of an Academy/Free School) to parent(s) where the panel have declined to reinstate the pupil

Dear **[Parent's name]**

The meeting of the **[governing body/management committee/board of directors of the Academy Trust]** at **[school/PRU/Academy]** on **[date]** considered the decision by **[head teacher/teacher in charge/Principal of Academy]** to permanently exclude your **[son/daughter] [name of pupil]**. The **[governing body/management committee/board of directors of the Academy Trust]**, after carefully considering the representations made and all the available evidence, has decided not to reinstate **[name of pupil]**.

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

You have the right to apply for a review against this decision to an Independent Review Panel. If you wish to request a review, please notify **[insert full contact details as per the footnote]** in writing no later than **[specify the latest date — the 15th school day after receipt of this letter]** together with any written evidence, and also include if appropriate details of how the pupil's special education needs are considered relevant to the exclusion. If you have not lodged a request for a review by **[repeat latest date]**, you will lose your right to a review. If you require an SEN expert at the Independent Review please request this when requesting a review. The **[Local Authority/Academy Trust]** must appoint a Special Educational Needs expert. Please advise if you have a disability or special needs which would affect your ability to attend the hearing.

The role of the Special Educational Needs expert is to give impartial advice to the panel on how special educational needs might be relevant to the exclusion. Their advice will be based on the evidence provided by the panel but does not include making an assessment of the pupil's special education need. The SEN expert should give advice on whether the schools policies relate to SEN in relation to the excluded pupil were legal, reasonable and fair and any possible contribution that could have been made. Where SEN had not been recognised by the school with regard to the pupil the SEN expert should advise the panel whether they believe the school acted legally, reasonable and procedurally fair with respect to the identification of any special education need that the pupil may have. There would be no cost for this advice for you. Please inform **[insert full contact details as per the footnote]** if it would be helpful for you to have an interpreter present at the hearing.

The review panel can make the following decisions:

- Uphold the decision;
- Recommend that the **[governing body/management committee/board of directors of Academy Trust]** reconsiders reinstatement; or

- Quash the decision and direct that the **[governing body/management committee/board of directors of Academy Trust]** reconsiders reinstatement.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

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

Yours sincerely

[Name]

Clerk to the **[governing body/management committee/board of directors of the Academy Trust]**

Footnote: Address for parents to use when requesting an Independent Review Panel: If you are an Academy, then the clerk will need to check whether they use the Local Authority service to arrange review panels, or

whether they have their own arrangements. You must insert the contact details accordingly – this should include clear instructions of to whom and where the parent should write, including the full address. Often this will be the Clerk to the Governing Body in the first instance, who would then contact the LA Service to arrange a review if one is subsequently requested. In the case of an LA maintained school, you must always enter the contact details below.

If you use the Local Authority service, please insert the following contact details in the above letter:

Perry Richens-Pyatt, Administrator to the Independent Review Panels, Bay 33, Floor 8, County Hall, Martineau Lane, Norwich, Norfolk NR1 2DH.

Model letter 6

From clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) (after speaking to them) to confirm the date and time of the meeting to consider the exclusion of a pupil.

Please note – everyone with parental responsibility for the child should be invited to make representations at the hearing, even if the child does not live with them.

Dear **[Parent's name]**

With reference to the decision by the head teacher to **[permanently/fixed term]** exclude your **[son/daughter]** and recent telephone conversations we would like to confirm the arrangement for you and **[pupil's name]** to attend a meeting of the **[governing body/management committee/board of directors of the Academy Trust]** at **[address of venue]** to consider the exclusion. This has been arranged for **[date]** at **[time]**.

Please contact us on **[telephone number and email if available]** if this is no longer a convenient date and time to re-arrange a suitable time for you to attend a meeting.

[We will forward all evidence to you 5 school days prior to the meeting/Please find enclosed evidence for the meeting].

Yours sincerely,

[Name]

Clerk to the **[governing body/management committee/board of directors of the Academy Trust]**

Model letter 7

Outcome letter from clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) that the pupil has been reinstated

Dear **[Parent's Name]**

Meeting of governing body to consider the permanent exclusion of **[pupil's name]**

Following the meeting of the **[governing body/management committee/board of directors of Academy Trust]** today and after careful consideration of all the evidence and your representations and those of the **[Name of School/PRU/Academy]** the panel decided to direct re-instatement of **[pupil's name]** to **[Name of School/PRU/Academy]** on **[specify date]**.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.iass@norfolk.gov.uk (for pupils with special educational needs).

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

You and **[pupil's name]** are invited to attend a reintegration meeting with **[Staff member's name]** on **[date]** and **[time]**

Yours sincerely,

Clerk to the **[governing body/management committee/board of directors of the Academy Trust]**

Model letter 8

From clerk to the governing body (management committee of PRU/board of directors of an Academy Trust/Free School) advising parent(s) of the outcome after a reconsideration of the reinstatement of the pupil following an Independent Review Panel

Dear [Parent's name]

The [governing body/management committee/board of directors of Academy Trust] have reconsidered the decision to reinstate [pupil's name] after being requested to do so by the Independent Review Panel. After careful considerations the panel have decided [not to reinstate/to reinstate] [pupil's name]. [If reinstatement please advise date to be reinstated]

The reasons for the [governing body/management committee/ board of directors of the Academy Trust] decision are as follows: [give the reasons in as much detail as possible, explaining how they were arrived at. The governing body/management committee/board of directors of the Academy Trust's decision should demonstrate how they have addressed the concerns raised by the Independent Review Panel, as it may face challenge in the courts if it refuses to reinstate the pupil without strong justification].

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01603 307727 or by email to exclusions@norfolk.gov.uk, or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to sendpartnership.ias@norfolk.gov.uk (for pupils with special educational needs).

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)

<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination.

[Where considered relevant by the head teacher, add links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) (<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>), the National Autistic Society (NAS) School Exclusion Service (England) <http://www.autism.org.uk/services/helplines/school-exclusions.aspx> (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>)]

[Only required if reinstated by governing body/management committee/board of directors of Academy Trust]

You and **[pupil's name]** are invited to attend a reintegration meeting with **[Staff member's name]** on **[date]** and **[time]**

Yours sincerely,

Clerk to the **[governing body/management committee/board of directors of the Academy Trust]**

Model letter 9

From the head teacher of a Primary, Secondary or Special school or teacher in charge of a PRU/Principal of an Academy/Free School notifying the parent(s) that a pupil's permanent exclusion has been withdrawn.

Dear **[Parent/Carer's name]**

Further to my decision to permanently exclude **[Child's name]** effective from **[date]**; I am writing to inform you of my decision to withdraw this permanent exclusion **[insert description of the reason]**.

[If the pupil is leaving the school use the following paragraph]

Once **[Child's name]** has started at **[receiving school's name]** **[his/her]** name will be removed from **[sending school's name]**'s roll. **[Enter details of any interim arrangements]**

[If the pupil is remaining at the school use the following paragraph]

I would like to confirm that **[child's name]** is welcome to return to **[school's name]**. To facilitate **[child's name]**'s reintegration I have planned a reintegration meeting on **[date]** at **[time]** at the school.

As we notified the local authority of the permanent exclusion, a copy of this letter has been sent to the Fair Access Team for Norfolk County Council **[Include the details of the home authority if the pupil living in a different local authority]** to inform them that the permanent exclusion has been withdrawn.

You may wish to contact the local authority's Exclusion Team to discuss this or if you have any questions about the exclusion procedures on 01603 307727 or by email to csexclusions@norfolk.gov.uk.

Yours sincerely

[Name]

Head teacher/Principal

cc Exclusions - Fair Access Team - csexclusions@norfolk.gov.uk.