



Exclusion Policy

Our Ethos and Vision

Sir Thomas Fremantle School will be a school which has at its heart an ethos that thrives on trust and mutual respect. It will be a forgiving, secure and inspirational place which promotes confidence, humility and success

Our School is committed to the philosophy and practice of inclusion. Therefore we believe our policy should be an overarching policy, true to the school's vision and aims. Consequently, it sets out to make clear the importance of:

- Leadership from all members of our school community
- the culture within the school
- policy and practice

The leadership and management team has agreed that the shared vision will be given high priority and all stakeholders will be aware of our whole school commitment.

We aim to provide a stimulating learning environment that varies according to the age of the learner across the whole curriculum. We recognise that the curriculum is subject to imposed and developing change. We aim to be in a position to maximise individual potential and ensure that students of varied abilities level and attitudes to learning within our high ability context and staff at differing stages in their career are well equipped to meet the challenges of education, work and life.

This will be achieved by:

- Designing a curriculum to promote a full range of learning, thinking and life skills
- Providing a broad, balanced relevant and challenging curriculum
- Using flexible and responsive teaching and learning styles linked to an understanding of assessment for learning practices and higher order questioning skills
- Equipping students with the skills, knowledge and attitudes necessary to fulfil their potential and develop as forward thinking and resilient members of society
- Developing a close partnership within and with the whole community, including all stakeholders

Within the context of being an academically selective school, we aim to be an inclusive school and offer equality of opportunity and diversity when needed to all groups of students within school.

These groups include:

- Students from minority faiths, ethnicities, travellers, asylum seekers, refugees
- Students who have English as an additional language
- Students who have Special Educational Needs and/or disabilities
- Students who are gifted and talented
- Students who are looked after children
- Students who are at risk of disaffection or exclusion, young carers, sick children, children from families under permanent or temporary stress

We aim to provide a challenging curriculum that meets the high academic aspirations of all students, individuals and groups by:

- Setting challenging learning experiences
- Responding to students' diverse learning needs
- Overcoming potential barriers to learning and assessment

We aim to provide a happy, healthy and safe school by:

- Recognising, reflecting and celebrating the skills, talents, contributions and diversity of all our students and staff members
- Providing high quality pastoral care, support and guidance, driven by the leadership team
- Safeguarding the health, safety and welfare of students and staff
- Listening and responding to the concerns of learners and parents
- Taking care to balance the needs of all members of the school community

We will secure inclusive education for our students by constant review and evaluating what is done through the following questions:

- Does each student achieve as much as she can?
- Are there differences in the achievements of different groups of students?
- What is in place for students who are not achieving their potential?
- Are our actions effective?
- Are all our students happy to be in school?
- Are all our staff members happy to be in school?

- Are all members of our community valued, do they feel secure and are they offered opportunities to learn?
- Are structures in place to support inclusion if they cannot?

In any circumstances where it becomes necessary to exclude a student the statutory guidelines and regulations will be stringently followed.

Exclusion would normally be used:

- For a major first offence, such as serious actual or threatened violence (against another student or adult), a serious bullying incident, sexual abuse, assault or harassment, supplying banned substances or carrying an offensive weapon
- Where allowing a student to remain in school would be seriously detrimental to the education of other students, to the welfare of other students, staff or of the student him/herself
- When the behaviour of students outside school is such that it can be considered as grounds for exclusion. (in line with our Code of Conduct)
- More usually it follows a series of breaches of the school's disciplinary code and after a range of strategies to resolve the student's disciplinary problems have been tried and have failed

The Principles of our Exclusion Policy

Only the Headmaster or (in the event of his absence, the Deputy Headmaster) may exclude a student. This power may not be delegated to anyone else.

The Headmaster may withdraw an exclusion that has not been reviewed by the governing body.

Any decision the Headmaster makes to exclude a student must be;

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate.

When establishing the facts in relation to a possible exclusion, the Headmaster will always apply the civil standard of proof i.e. on the balance of probabilities.

We will take care to ensure that a decision to exclude does not involve any kind of discrimination as defined by the Equality Act 2010.

The school will always have due regard to its public sector equality duty.

We will not exclude any student for non-disciplinary reasons.

Exclusion will never be used informally or unofficially. This is against the law.

The Headmaster does, however, have the right to direct a student for education off-site to improve behaviour, or to arrange a 'managed move' for the same reason, but this will only be considered when there has been full consultation and agreement with parents and the receiving institution.

Where practical, the Headmaster will give the student an opportunity to present her case before taking the decision to exclude.

When considering exclusion, the Headmaster will take into account;

- Possible short term mitigating circumstances such as bereavement, mental health issues etc.
- Whether the student comes into a category that is known to be a particularly vulnerable group (e.g. students with SEN, FSM students; looked after children; certain ethnic groups; traveller children) and whether all preventative strategies have been fully utilised.
- Whether a student has already had a number of fixed term exclusions which appear to be ineffective

Duration of Exclusions

The Headmaster may exclude a student for one or more fixed periods not exceeding a total of 45 days in any one school year or permanently.

If a student is excluded for lunchtimes only, each lunch time counts as a half day.

The Headmaster may exclude a student permanently if he /she judge the circumstances warrant it.

Action Following Any Exclusion

Following any exclusion of whatever type or duration, the Headmaster will:

- Inform the parents of the period and nature of the exclusion
- Give the reasons for the exclusion
- Advise the parents about rights of representation about the exclusion to the governing body and how these representations may be made
- Take account of his/her legal duty of care when sending a student home following an exclusion.
- 'Holding' arrangements until the student can be collected may be necessary.
- Make arrangements to provide suitable full time education from the sixth day onwards for students who have been given a fixed period exclusion lasting longer than five days. Once alternative provision has been arranged from the sixth day of the exclusion, the Headmaster must

by law inform the parents without delay of the start date, times and venue of the provision. This must be done no later than 48 hours before the alternative provision is to start.

If the excluded student is in year 11 or 13 and has completed all public examinations, no alternative educational provision after six days is necessary.

This information will be put in writing and will be sent either by e-mail, by text, by delivering a letter directly to the parents, leaving it at their last known address or by posting it to this address. The information can also legally be sent home with the excluded student, but in this case we will always send a duplicate copy by a reliable alternative method. The information provided to parents will be clear and free of unnecessary jargon.

Where the excluded student is of compulsory school age, the school will also notify parents without delay and by the end of the afternoon session that for the first five days of an exclusion they are legally required to ensure that their child is not in a public place during school hours without reasonable justification and that they may be given a fixed penalty notice if they fail to do so.

Parents must be informed where a fixed-term exclusion has been extended or converted to a permanent exclusion. In such cases, the Headmaster must write again to the parents explaining the reasons for the change and providing any additional information required.

Informing Other Bodies

For any exclusion of more than five days, be it in a single block of days, an accumulation of short exclusions of more than five days in any one term, or a permanent exclusion, the Headmaster will also:

- notify the Local Authority (LA) giving the details of the exclusion and reasons for it
- notify the governing body giving the same details

For a permanent exclusion, if the student lives outside the local authority in which the school is located, the Headmaster must also inform the 'home authority' of the exclusion without delay.

If any exclusion of even one day would cause a student to miss a public examination, the Headmaster will inform the LA and the governing body.

The Headmaster will make a termly report to the governing body on all exclusions, covering:

- the number and type of exclusions
- the reasons, gender, ethnicity and age of students and whether they were already on Individual Education Programmes or Pastoral Support Programmes
- repeated exclusions and the school's response to them
- links with parents
- truancy punctuality and attendance figures
- follow-up action, including what has subsequently happened to permanently excluded students

- In addition, within 14 days of a request the school will report information about any exclusions within the last 12 months to the Education Secretary

The Powers of the Governing Body

The governing body may review all the various categories of exclusions and will consider any representations made by the parents of the excluded student. If the student is aged 18 or over, she may represent herself provided there is parental agreement.

The governing body has no power to increase the severity of an exclusion. It can, however, uphold an exclusion or direct the student's reinstatement, either immediately or by a particular date.

However, in the case of fixed term exclusion that does not bring the student's total number of days of exclusion to more than five days in a term the governing body cannot direct reinstatement and is not required to arrange a meeting with parents.

Discipline / Appeals Committee

The governing body has established a discipline/appeals committee to which it delegates its functions in respect of exclusions. (Hereafter referred to as 'the committee')

The committee consists of at least three governors,

We ensure that all governors who serve on a discipline committee have received training to help them discharge their duties. A clerk to the discipline committee is also appointed.

The committee can hear more than one appeal at a single sitting, so long as it complies with the statutory time limits related to each one.

If one of the committee has knowledge of the student(s) involved in the exclusion, or of the incident that led to that exclusion that could affect his/her impartiality, he/she should step down.

The chair has a casting vote in all cases where an even number of governors are considering the case. If the exclusion could result in a student missing a public examination, the committee will make every effort to meet before the date of the examination. Should this not be possible, then the Chairman of Governors will consider the exclusion and decide whether to re-instate the student (these are the only circumstances in which the Chairman alone will review an exclusion). When this occurs, the parents also have the right to make oral representations. If possible, the chairman of governors will have the advice of the clerk or an LA officer. The committee or chairman of governors may agree to allow the student back on to the school premises for the sole purpose of sitting an examination but they are not obliged to do so.

Convening an Appeal Meeting

Fixed Term Exclusions of 5-15 Days

If the parents of an excluded student makes written representations,

The committee will consider them

No statutory time limits apply to the consideration of such exclusions

The committee has the discretion to agree to a meeting to discuss the exclusion, if this is requested by the parents

In the case of a fixed term exclusion of more than 5 but not more than 15 school days, the committee, once having agreed to hold a meeting will hold that meeting between the 6th and the 50th school day after receiving notice of the exclusion from Headmaster

Longer Fixed Term Exclusions and Permanent Exclusions

Should the exclusion be for more than 15 days, or the total of fixed term exclusions be more than 15 days that term, or if the exclusion is a permanent one, the committee has a duty to convene a meeting to be held between the 5th and the 16th school day after the date of receipt of a notice to consider the exclusion.

The parents, the Headmaster (and an LA officer if the school chooses) will be invited to the meeting at a time and a place convenient to all the participants within the statutory time limit. The parent and the school may each be accompanied by a friend/advisor

The committee will ask for any written statements including witness statements in advance of the meeting

The clerk will circulate in advance of the meeting any written statements and a list of those who will be present at the meeting to all parties including the student if it is known that he/she will be present.

N.B. if a student has a number of lunchtime exclusions in any one term which add up to more than 5 school days, the rules above also apply.

Prior to the Meeting

The governing body should;

- Not discuss the exclusion with any party outside the meeting.
- Identify the steps they will take to enable and encourage the excluded student to attend the meeting and speak on her own behalf.

Conduct of the Meeting

The meeting will be conducted as follows:

- No party to the review will be alone with the committee before, during or after the meeting
- The clerk makes all introductions and explains the reason for the meeting and the powers held by the committee either to uphold an exclusion or re-instate the student
- The school representative, usually the Headmaster, will present the school's case.

- He/she can be questioned by all the other parties
- The parents will be asked to give their reasons for appealing.
- Very often it is the friend/advisor (who may well be a lawyer) who presents the parents' case.
- The parents and the student, if present, will still be asked if they have anything to add
- The other parties may question the parent and /or comment on what the family has said.
- If present, the LA representative will provide information on support for students in the LA and how similar incidents have been dealt with by other schools, and can be questioned on these, but may not comment on the specific case being discussed.
- The school sums up its case
- The parents or their representative sum up their case
- All the parties except the committee and the clerk leave
- The committee will apply the 'balance of probabilities' standard of proof to the allegation of misconduct by the student. The more serious the allegation, of course the more convincing the substantiating evidence needs to be. This is not the same as requiring the criminal standard of 'beyond all reasonable doubt' to be applied.

The Decision- Fixed Term Exclusions

The clerk may help the committee in making its decision by reference to notes taken, by reminding them of statutory procedures where relevant and by wording the decision letters afterwards.

In reaching that decision, the committee should be mindful that the government does not allow that exclusion is justified for:

- A breach of uniform or appearance, except for persistent defiance
- Minor incidents such as failure to complete homework or to bring in money owed
- Poor academic work
- Lateness or truancy
- Pregnancy
- Misdeeds by a child who has special educational needs, except for very serious offences

In the case of fixed term exclusion, it is possible that the exclusion may already have expired and the student is back in school. In that case:

- The committee will decide whether the Headmaster's decision to exclude the student was justified, based on the evidence

- The outcome should be added to the student's record for future reference

In rare cases, the parents may have already decided that they do not want their child reinstated whatever the committee's decision. Under those circumstances, the committee should simply record whether or not they believed that the Headmaster's decision was justified. This view should be recorded and sent to the parents.

If the fixed term exclusion is still operative:

The committee will decide whether or not the Headmaster's decision to exclude was justified.

They can either uphold the exclusion, which will have to run its course, or
Direct the student's reinstatement either immediately or on a named date

Permanent Exclusion

We follow government guidance which sets out reasons why it would normally be inappropriate to reinstate a student. These are:

- Serious actual or threatened violence against another student or a member of staff
- Sexual abuse or assault
- Supplying illegal drugs
- Persistent and malicious disruptive behaviour, including open defiance or refusal to conform to school rules

When the committee decides to uphold a permanent exclusion, a letter to the parents (or to the student if aged 18 or over) will state:

- Their reason for the decision
- The right of the family to appeal to an Independent Review panel, together with the name and address of the person to whom any request for a review should be sent
- The date by which any request for a review should be lodged
- That any request for a review must set out the grounds on which the request is made
- That any claims on grounds of disability discrimination can also be set out. If a case for discrimination is made, this will be referred to a First Tier Tribunal or a County Court.

If the committee decides to overturn the exclusion, again as with fixed term exclusions, the decision as to whether there is to be an immediate reinstatement or a later date for this to occur will be conveyed to all parties. A note of the governing body's views on the exclusion will be placed on the student's school record with copies of relevant papers.

Independent Review Panels

We advise parents that they can request a review of the decision by the governor's committee to uphold a permanent exclusion. The Academy Trust is responsible for managing and training independent panels concerning cases of permanent exclusion. An independent panel can uphold an exclusion but cannot overturn the decision of a governors' committee. The panel can recommend that the governing body reconsiders its decision, taking account of the findings of the panel. If the panel has grounds for believing that the governors' decision was flawed, they can direct the governing body to reconsider their decision.

The Academy Trust may appoint a clerk to provide advice to the panel and parties to the review on procedure, legislation and statutory guidance on exclusions.

The Academy Trust must ensure that all panel members and clerks have received training within the two years prior to the date of the review.

Follow Up

Where an application for an independent review has been made within 15 school days the student will remain on the school roll until the review has been held and its outcome known.

The Headmaster will, however, remove the name of a permanently excluded student from the school admissions register if:

15 school days have passed since the parents were notified of the governing body' decision to uphold the permanent exclusion.

The parents have stated in writing that they will not be applying for an independent review.

If the parents go on to make a discrimination claim which is upheld by either a First Tier Tribunal or the County Court, student must be re-instated.

Should the LA place an excluded student with us, we will not refuse to take such a student unless we are full. However, if the child has already been excluded from two or more schools, then our governing body may refuse to take her.

Parenting Orders

Under the anti-social Behaviour Act 2003, LAs have powers to apply for a parenting order to help address children's behaviour in school. If necessary, we will request the LA to make an application for a parenting order if we feel it necessary to help us address a child's behaviour in school. A parenting order is a court order which compels parents to attend parenting classes and to fulfil other requirements as determined necessary by the court for improving their child's behaviour.

Parenting orders will only be considered following a permanent exclusion or a second fixed term exclusion within 12 months, particularly if parents have not responded to the opportunity to meet with us or the governor's committee.

Financial Implications of Exclusion

Should a student be permanently excluded, the appropriate sum allotted for that child's education will be deducted immediately from the school budget. The money will remain in the school budget for a



Model letter 1

From Headmaster notifying parent of a fixed period exclusion of 5 school days or fewer in one term, and where a public examination is not missed.

Dear **[Parent's Name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[reason for exclusion]**.

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

We will set work for **[Child's Name]** to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion **[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 governing body. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing body 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 <http://www.justice.gov.uk/tribunals/send/appeals>.

[Optional paragraph for reintegration interview]

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

date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

You also have the right to see a copy of your 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 your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

For your information the following sources of information are available to you:

- You may wish to contact the Appeals Team at Buckinghamshire LA by telephone: 01296 383384/3677, by email at appeals@buckscc.gov.uk

or view the website at

<http://www.buckscc.gov.uk/education/education-support/exclusions-and-reintegration/> , who can offer general advice on the Exclusions process.

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

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

Yours sincerely

[Name]

Headmaster



Model letter 2

From Headmaster notifying parent(s) of a student of that student's fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.

Dear *[Parent's name]*

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

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude *[Child's Name]* has not been taken lightly. *[Child's Name]* has been excluded for this fixed period because *[specify reasons for exclusion]*.

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

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

[if the individual exclusion is for more than 5 days]

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

You have the right to request a meeting of the school's discipline committee to whom you may make representations, and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the discipline committee must meet if you request it to do so. The latest date by which the discipline committee must meet, if you request a meeting, is *[specify date — no later*

than the 50th school day after the date on which the discipline committee were notified of this exclusion]. If you do wish to make representations to the discipline committee/management committee, and wish to be accompanied by a friend or representative, please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the discipline committee.

[Optional paragraph for reintegration interview]

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

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

For your information the following sources of information are available to you:

- You may wish to contact the Appeals Team at Buckinghamshire LA by telephone: 01296 383384/3677, by email at appeals@buckscc.gov.uk

or view the website at

<http://www.buckscc.gov.uk/education/education-support/exclusions-and-reintegration/>, who can offer general advice on the Exclusions process.

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

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

Yours sincerely

[Name]

Headmaster



Model letter 3

From Headmaster notifying parent of a fixed period exclusion of more than 15 school days in total in one term.

Dear *[Parent's Name]*

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude *[Child's Name]* has not been taken lightly. *[Child's Name]* has been excluded for this fixed period because *[reason for exclusion]*.

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

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

[if the individual exclusion is for more than 5 days]

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

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is *[date here — no later than 15 school days from the date the governing body is notified]*. If you wish to make representations to

the governing body and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body 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 <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the governing body/management committee.

[Optional paragraph for reintegration interview]

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

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

For your information the following sources of information are available to you:

- You may wish to contact the Appeals Team at Buckinghamshire LA by telephone: 01296 383384/3677, by email at appeals@buckscc.gov.uk

or view the website at

<http://www.buckscc.gov.uk/education/education-support/exclusions-and-reintegration/> , who can offer general advice on the Exclusions process.

- The Department for Education statutory exclusions guidance can be found at 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

[Name]
Headmaster



Model letter 4

From the Headmaster of a primary, secondary or special school notifying the parent(s) of that student's permanent exclusion.

Dear **[Parent's Name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

[For students of compulsory school age]

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

[For students of compulsory school age]

Alternative arrangements for **[Child's Name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[Child's Name]** and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day]**. From the sixth school day of the exclusion onwards — i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]**

[For students of compulsory school age where student 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 must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may request a

review of their decision by an Independent Review Panel. The latest date by which the governing body must meet is **[specify the date — the 15th school day after the date on which the governing body was notified of the exclusion]**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body 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 <http://www.justice.gov.uk/tribunals/send/appeals>. Making a claim would not affect your right to make representations to the governing body/management committee.

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

For your information the following sources of information are available to you:

- You may wish to contact the Appeals Team at Buckinghamshire LA by telephone: 01296 383384/3677, by email at appeals@buckscc.gov.uk

or view the website at

<http://www.buckscc.gov.uk/education/education-support/exclusions-and-reintegration/>, who can offer general advice on the Exclusions process.

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

Yours sincerely

[Name]
Headmaster



Model letter 5

From the clerk to the governing body to parent upholding a permanent exclusion.

Dear *[Parent's name]*

The meeting of the governing body at *[school]* on *[date]* considered the decision by *[Headmaster]* to permanently exclude your son/daughter *[name of student]*. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold *[name of student]*'s permanent exclusion.

The reasons for the governing body's decision are as follows: *[set out reasons for the decision in sufficient detail to enable all parties to understand why the decision was made and how they arrived at that decision]*

You have the right to a review of this decision by an Independent Review Panel. If you would like to request a review, please notify ... You must set out the reasons for requesting a review in writing and send this to Buckinghamshire County Council, at ... by no later than *[specify the latest date — the 15th school day after receipt of this letter]*. If you have not requested a review by *[repeat latest date]*, you will lose your right to a review. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform ... if it would be helpful for you to have an interpreter present at the hearing.

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

Following its review the panel can decide to:

- uphold your child's exclusion;
- recommend that the governing body reconsiders their decision, or
- quash the decision and direct that the governing body considers the exclusion again.

You have a right to request the attendance of a Special Educational Needs (SEN) Expert at the review, regardless of whether the school recognises that your child has SEN. The SEN expert's role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion and does not include

making an assessment of your child's special educational needs. There is no cost to yourself for this service but you must make clear that you wish for a SEN expert to be appointed in any application for a review.

You may at your own expense, appoint someone to make written and/or oral representation to the panel or bring a friend to the review.

As stated above you have the right to apply for an independent review panel. In order to assist you to make an informed decision on whether, and if so, how to seek a review please see the information at the end of this letter. In addition if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal <http://www.justice.gov.uk/tribunals/send/appeals> who have the jurisdiction to hear claims of discrimination under the Equality Act 2010 or the County Court (for other forms of discrimination). 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 student was excluded.

For your information the following sources of information are available to you:

- You may wish to contact the Appeals Team at Buckinghamshire LA by telephone: 01296 383384/3677, by email at appeals@buckscc.gov.uk

or view the website at

<http://www.buckscc.gov.uk/education/education-support/exclusions-and-reintegration/> , who can offer general advice on the Exclusions process.

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

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

Yours sincerely

[name]

Clerk to the Governing Body