



Lawford C of E Primary School

Exclusions Policy

Reviewed December 24

Review December 25

## Introduction

1. Lawford CE Primary School is committed to valuing diversity and to equality of opportunity. We aim to create and promote an environment in which pupils, parents and staff are treated fairly and with respect, and feel able to contribute to the best of their abilities. The government supports headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating a calm, safe, and supportive environment in which pupils can learn and thrive. [This policy reflects the DfE Exclusion and Suspension Guidance August 2024](#)

## Partnership with Parents<sup>1</sup>

2. Parents working in partnership with the school to consistently reinforce the school's expectations is an important factor in every child's success. At Lawford CE Primary School, we will work in partnership with parents to ensure that expectations are clear, and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's misbehaviour so that we can work together in the best interests of pupils to ensure expectations for behaviour are made clear. The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct. These are:

Behaviour Policy;  
Anti-Bullying Policy;  
E-safety policy  
RSE policy  
School rules and routines  
School vision and values

3. We aim to include, not exclude, and we approach all challenging behaviour in a supportive and positive way. We recognise that such behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding. All children can go through times of inappropriate behaviour, and we strive to never "give up" easily on a child as we recognise that each person has a unique contribution to make to school life and we want to support them to achieve this. We will use behaviour data to assess patterns of challenging behaviour in pupils. Where patterns emerge we will systematically intervene, drawing up an action plan with the child, parent and teacher.

4. The SENCo has overall responsibility for sharing data with class teachers and analysing the data. It is class teachers', parents' and the child's responsibility to ensure the action plan is followed.

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<sup>1</sup> Parent is defined in this policy as per the Education Act 1996 and therefore more broadly than just those with parental responsibility. For the purposes of education law, the Department for Education (DfE) considers a 'parent' to include:

- all biological parents, whether they are married or not
- any person who, although not a biological parent, has parental responsibility for a child or young person – this could be an adoptive parent, a step-parent, a guardian or other relative
- any person who, although they are not a biological parent and do not have parental responsibility, has care of a child or young person

A person typically has care of a child or young person if the child lives with them either full or part time and they look after them, irrespective of what their biological or legal relationship is with the child.

No exclusion will be initiated without first attempting other strategies or, in the case of a serious single incident, a proper investigation.

### **Reasons for exclusion:**

5. Under the Education and Inspections Act 2006, headteachers of maintained schools and pupil referral units must determine measures to be taken with a view to:

- promoting, among pupils, self-discipline, and proper regard for authority,
- encouraging good behaviour and respect for others on the part of pupils and, in particular, preventing all forms of bullying among pupils,
- securing that the standard of behaviour of pupils is acceptable,
- securing that pupils complete any tasks reasonably assigned to them in connection with their education, and
- otherwise regulating the conduct of pupils.

Permanent exclusions can be used to help achieve these aims when they are absolutely necessary, as a last resort. Therefore, exclusions occur as a result of:

- Serious breach of the school's rules or policies;
- Serious risk of harm to the education or welfare of the pupil or others in the school.

6. This can either be a single very serious incident or the repetition of incidents. Any exclusion will be at the decision of the Headteacher, usually in consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident).

7. The duties placed on us under the Equality Act 2010 and the Children and Families Act 2014 need to be complied with when deciding whether to exclude a pupil. We must ensure that any provision, criterion, or practice does not discriminate against pupils by unfairly increasing their risk of exclusion.

8. The governing board must also comply with their statutory duties in relation to pupils with Special Educational Need (SEN) when administering the exclusion process, including using their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN and having regard to the Special Educational Need and Disability (SEND) Code of Practice.

### **Types of Exclusion**

#### Internal Exclusion

9. Internal exclusion is when a pupil is excluded from the rest of the class and must work away from their class for a fixed amount of time. This will be in a different classroom. An internal exclusion is a discretionary measure, where a pupil's behaviour is escalating, and more serious measures need to be taken but there are not yet grounds for an external / fixed-term exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a fixed term exclusion is necessary (examples: behaviour chart to address specific behaviours causing a problem; support from the SENCo)

#### Suspension (previously Fixed-Term exclusion)

10. A suspension is when a child is excluded from school and must remain home for a fixed amount of time. This should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy and the time needed to reassess/review the risk management and behaviour management protocols for the child. A child can be excluded using fixed term exclusions up to 15 days a term and 45 days in the whole year. It is unlawful for a child to be out of their home during school hours for the duration of a fixed term exclusion. Breaches of this regulation may result in parents receiving a fine or a parenting order.

### Exclusion

11. An exclusion is when a child is permanently excluded from school and not allowed to return. This is a very serious decision and the Headteacher will consult with senior leaders and Chair of the Governing Body as soon as possible in such a case.

### **Reasons for Exclusion**

12. A decision to exclude a pupil, either internally, for a fixed period or permanently is seen as a last resort by the school. The physical and emotional health of our children and staff is our primary concern, and we therefore accept, that in some serious situations, exclusion may be necessary, if all other reasonable strategies have been exhausted. The decision to exclude will usually follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies or a disciplinary offence for example (though the list is not exhaustive):

- Serious actual or threatened violence against another pupil or a member of staff;
- Possession or use of an illegal drug on school premises;
- Persistent bullying;
- Persistent prejudice-based harassment or hatred-based acts
- Exclusion may be the result of persistently poor behaviour or a serious single incident.

The headteacher may exclude/suspend a child for behaviour that is contrary to the behaviour policy when off site – for example on a school trip or in cases where the school is identifiable e.g. from the child's clothing and their behaviour is not in accordance with the tenets of the behaviour policy.

### **Persistent or cumulative problems**

13. Internal exclusion and suspension may be used in response to a persistent poor behaviour which breaches school rules and policies. In the most serious cases where the problem persists and there is no improvement, an exclusion may be necessary. These sanctions would be imposed only when the school had already offered and implemented a range of support and management strategies. These could be joint action plans with parents, child and school, behaviour intervention with the SENCo, target setting, home/school communication book etc.

14. The length of an exclusion will depend upon several factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child, whilst also mindful of the need to maintain order and reinforce the rules and expectations of the school in a clear and consistent way.

### **Single incident**

15. Internal exclusion and suspension may be used in response to a serious breach of school rules and policies or a disciplinary offence. In the most serious cases where the problem persists and there is no improvement a permanent exclusion may be necessary. In such cases, the Headteacher or a designated senior leader will investigate the incident and consider all evidence to support the allegation, taking account of the school's policies. The pupil will be encouraged to give his/her version of events and the Headteacher will check whether the incident may have been provoked, for example by bullying or racial harassment. The Governing Body will be informed of all exclusions on a termly basis; and additional consultation may take place about key incidents with the Chair of Governors.

### **The decision to exclude**

16. If the headteacher, based on the evidence, decides, on the balance of probabilities, that a child has breached the behaviour policy and therefore, to exclude a pupil they will:

- ensure that there is sufficient recorded evidence to support the decision;
- explain the decision to the pupil, if the pupil is in the state of mind to listen to the decision
- contact the parents, explain the decision and ask that the child be collected;
- send a letter to the parents confirming the reasons for the exclusion, whether it is a permanent or temporary exclusion (suspension);
- the length of the suspension and any terms or conditions agreed for the pupil's return;
- in cases of more than a day's suspension, ensure that appropriate work is set and that arrangements are in place for it to be marked;
- plan how to address the pupil's needs and integration back into their class on his/her return;
- plan a meeting with parents and pupil on his/her return to be conducted by a suitable senior member of staff.
- notify the local authority (in all cases) and where there is social care involvement with the pupil or they are a looked after child: social care/ virtual school head.

### **Safeguarding**

14. An exclusion will not be enforced if doing so may put the safety of the pupil at risk. In cases where parents will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school may consider an internal exclusion until the end of the day, implementing the original suspension/exclusion decision from the time the child is collected from school, or, in more severe circumstances the school may contact Social Services and/or the Police to safely take the pupil off site.

### **Re-integration**

15. After a suspension, the pupil and parent will be requested to attend a reintegration meeting with a senior member of staff. At this meeting the behaviour leading to suspension will be discussed and targets will be set for improvement. Support around behaviour will be also be discussed. The meeting will be recorded on the school re-integration form and a copy retained by the parent, and school.

### **Work Set**

16. When a pupil is suspended for more than one day, work should be set by the school within a reasonable time-scale and this should be returned to the school when the exclusion is over. If a child is suspended at the end of a school day, then it may not be possible to arrange for work to be set until the following morning. A pupil can be suspended for up to 10 continuous days on a fixed term basis. On the sixth continuous day, the school is responsible for providing education for the pupil, which could be at another local school, the pupil referral unit or by providing home education.

### **Behaviour outside school**

17. Pupils' behaviour outside school e.g. on school trips, at sports events, is subject to the school's behaviour policy. Unacceptable behaviour in such circumstances will be dealt with as if it had taken place in school; and additionally, this includes the any serious breach of policy which could 'bring the school into disrepute' for example incidents outside of the school day where the child is identifiable as a member of the school.

### **Pupils with special educational needs and disabled pupils**

18. The school must take account of any special educational needs when considering whether or not to exclude a pupil. The Headteacher should ensure that reasonable steps, in line with the SENDCo have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

### **Managed move**

19. In cases where the Headteacher and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered, or if a parent's failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the headteacher may consult with the Local Authority and propose a managed move to another school. This is not exclusion and, in such cases, the Headteacher may assist the parents in placing the pupil in another school.

### **Removal from the school for other reasons**

20. The headteacher may send a pupil home, after consultation with that pupil's parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, for example because of a diagnosed illness such as a notifiable disease. This is not an exclusion and should be for the shortest possible time. A pupil cannot be 'sent home' for other reasons, including poor behaviour.

### **Equal Opportunities**

21. The Governing Body recognise that it is unlawful to consider anyone's gender, marital status, colour, race, nationality, ethnic or national origin, disability, religious beliefs, age, or sexual orientation. Full consideration has been given to this during the formulation of this policy as it is the governors' aim that no-one at Lawford CE Primary School should suffer discrimination, either directly or indirectly, or harassment on any of these grounds.

### **Reintegration meeting**

22. After every period of fixed term exclusion, the parent and child will be offered a reintegration meeting with a senior member of school's staff. At this meeting targets will be agreed for improving behaviour and a written agreement produced for all parties to sign. The next steps will be explained

to the parents, in terms of change in support and likely outcomes if there is no improvement/repeated behaviour.

### **Reasons for exclusion**

23. The DfE list provides descriptors of reasons for exclusions – this is not exhaustive. This will be used as a guide when completing exclusion paperwork and these reasons are linked to our behaviour policy. Up to three reasons can be recoded against an exclusion.

PP- Physical assault against a pupil

Includes:

- Fighting
- Violent behaviour
- Wounding
- Obstruction and jostling

PA- Physical assault against an adult

Includes:

- Violent behaviour
- Wounding
- Obstruction and jostling

VP- Verbal abuse / threatening behaviour against pupil

Includes:

- Threatened violence
- Aggressive behaviour
- Swearing
- Homophobic abuse and harassment
- Verbal intimidation
- Carrying an offensive weapon

VA- Verbal abuse / threatening behaviour against an adult

Includes:

- Threatened violence
- Aggressive Behaviour
- Swearing
- Homophobic abuse and harassment
- Verbal intimidation
- Carrying an offensive weapon

BU- Bullying

Includes

- Verbal bullying
- Physical bullying
- Homophobic bullying
- Racist bullying

#### RA- Racist abuse

##### Includes:

- Racist taunting and harassment
- Derogatory racist statements
- Swearing that can be attributed to racist characteristics
- Racist bullying
- Racist graffiti

#### SM- Sexual misconduct

##### Includes:

- Sexual abuse
- Sexual assault
- Sexual harassment
- Lewd behaviour
- Sexual bullying
- Sexual graffiti

#### DA- Drug and alcohol related

##### Includes:

- Possession of illegal drugs
- Inappropriate use of prescribed drugs
- Drug dealing
- Smoking
- Alcohol abuse
- Substance abuse

#### DM- Damage

##### Includes:

- Vandalism
- Arson
- Graffiti

#### TH- Theft

##### Includes:

- Stealing school property



- Stealing personal property (pupil or adult)
- Stealing from local shops on school outing
- Selling and dealing in stolen property

DB- Persistent disruptive behaviour

Includes:

- Challenging behaviour
- Disobedience
- Persistent violation of school rules

OT- Other

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

### **Procedure for appeal**

24. If parents wish to appeal the decision to exclude, the matter will be referred to the Governing Body and handled through the school and LA appeal procedure. This meeting may be remote at the request of parents or in cases of school closure e.g. for fire, infectious illness/disease.

### **Reporting**

25. In all cases of suspension and exclusion no matter how short, parents (those with parental responsibility and those who have care of the child), the local authority must be informed ([suspensions@essex.gov.uk](mailto:suspensions@essex.gov.uk)). If the child has a social worker or is a looked after child then social care and the virtual school head will also be informed.

### **Cancellation**

The suspension or exclusion can be cancelled by the head teacher before it commences or once it has started – this is known as withdrawing the exclusion. If this should occur the headteacher will notify (without delay) the fact of and reasons for the cancellation, to:

Parents/carers,  
Governing board,  
Local Authority,  
Pupil Social worker (if applicable),  
Virtual School Head – if appropriate.

The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;

Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay;

The pupil must be allowed back into the school from which they were excluded without delay.

Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

All procedures for the process will be carried out in accordance with [‘Suspension and permanent exclusion guidance September 2024’](#)

#### Appendices:

A - Guidance at a Glance

B – model letters

C – Governors duty to review at a glance.

## Appendix 1 Guidance on Exclusions: At a Glance:

Informing Parents of an Exclusion -	
MUST	SHOULD
<ul style="list-style-type: none"> <li>• Notify parents/carers immediately- ideally by telephone</li> <li>• Letter within 1 school day specifying:               <ul style="list-style-type: none"> <li>o Precise period of suspension or effective date of permanent exclusion</li> <li>o If permanent, that it is permanent</li> <li>o Reasons for the exclusion</li> <li>o Parents right to make representations to the governing body</li> <li>o Parents right to see and have a copy of child's school record upon written request</li> <li>o Date and time when pupil should return from suspension</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>o Any relevant previous history</li> <li>o Arrangements for continuing education, including the marking and setting of work</li> <li>o Latest date by which governing body must meet</li> <li>o Person whom the parent should contact if they wish to make representations (usually the clerk to the governors)</li> <li>o Name and contact information for Head of Social Inclusion (LEA Officer)</li> <li>o The Coram Children's Legal Centre on 0345 345 4345 <a href="http://www.childrenslegalcentre.com">www.childrenslegalcentre.com</a> or Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. <a href="http://www.ace-ed.org.uk">www.ace-ed.org.uk</a></li> <li>o Information translated as necessary</li> </ul>

Guidance for Headteachers		
No Grounds	Reasonable Grounds	Strong Grounds
Minor incidents, for example: o Failure to do homework o Failure to bring dinner money	Breach of the school's behaviour policy (see possible examples below):	Serious breach of the school's behaviour policy (see possible examples below)
Poor academic performance	<ul style="list-style-type: none"> <li>• Serious harm to the education or welfare of the pupil or others</li> </ul>	<ul style="list-style-type: none"> <li>• Bringing the school into disrepute through inappropriate or dangerous behaviour or seriously endangering the safety of others</li> </ul>
<ul style="list-style-type: none"> <li>• Lateness or truancy</li> </ul>	<ul style="list-style-type: none"> <li>• Persistently leaving school premises without authorisation</li> </ul>	<ul style="list-style-type: none"> <li>• Supplying or using an illegal drug on school premises</li> </ul>
<ul style="list-style-type: none"> <li>• Breaches of school uniform or rules on appearance, for example, wearing jewellery or displaying body-piercing</li> </ul>	<ul style="list-style-type: none"> <li>• Bringing adults or other young people onto school premises with malicious intent</li> </ul>	<ul style="list-style-type: none"> <li>• Carrying, threatening to use and or using an offensive weapon (including fireworks)</li> </ul>
<ul style="list-style-type: none"> <li>• Failing to meet the requirements of the Disability Discrimination Act by excluding disabled pupils without due regard to their disability or treating them less favourably than others because of their disability</li> </ul>	<ul style="list-style-type: none"> <li>• Bringing the school into disrepute at a public event</li> </ul>	<ul style="list-style-type: none"> <li>• Attempted arson on school grounds, destruction or serious damage of school property or buildings</li> </ul>
Failing to meet the requirements of the Race Relations Act by excluding pupils or discriminating unfavourably on the grounds of race	<ul style="list-style-type: none"> <li>• Persistent refusal to co-operate with school staff, verbal aggression towards staff, pupils or other members of the school community</li> </ul>	<ul style="list-style-type: none"> <li>• Repeated threats and highly offensive and abusive language towards school staff, pupils or other members of the school community</li> </ul>
	<ul style="list-style-type: none"> <li>• Bullying, racial, sexual or other harassment of staff, pupils or other members of the school community</li> </ul>	<ul style="list-style-type: none"> <li>• Repeated bullying, racial, sexual or other harassment of staff, pupils or other members of the school community</li> </ul>

## Appendix B Model letters

### Model Letter 1:

**From Head Teacher (or Teacher in Charge of a PRU) notifying parent of a suspension of 5 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 suspend **[child's name]** for a period of **[number of days]** days. This means that he/she will not be allowed in school for this period. The suspension will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended for this period because **[reason for suspension]**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]**. 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 unless there is reasonable justification.

We will set work for **[child's name]** to be completed on the days specified in the previous paragraph. **[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 Board. If you wish to make representations please contact **[Name of contact]** on/at **[contact details – address, phone number, email]** as soon as possible. The governing board must consider any representations you wish to make but it cannot direct reinstatement and is not required to arrange a meeting with parents.

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 make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination). Making a claim would not affect your right to make representations to the Governing Board.

You **[and your child]** 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 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 may find it useful to contact the following services who will be able to offer you free and impartial advice:  
The Coram Children's Legal Centre on 0345 345 4345 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)  
Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

SEN Information Advice & Support Services Network (formerly known as the local parent partnership) on 01245 204338 <https://www.essexsendiass.co.uk/>

**[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]**

Headteacher

## **Model Letter 2:**

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a period of **[number of days]** days. This means that he/she will not be allowed in school for this period. The exclusion will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended for this period because **[reason for suspension]**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]**. 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 unless there is reasonable justification.

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

From the 6<sup>th</sup> school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education. **[Set out alternative provision arrangements; if not ascertainable, it must be provided in a subsequent notice no later than 48 hours before the provision is due to start]**

On **[date]** he/she should attend **[give name and address of alternative provider]** at **[specify the time]** and report to **[staff members name]**.

As the period of suspension is more than 5 school days in a term, you have the right to make representations to the School's Governing Board and request that my decision be reviewed. The latest date by which the Governing Board must meet is **[specify date – no later than the 50<sup>th</sup> school day after the date on which the Governing Board were notified of this exclusion]**. If you wish to make representations 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 at the meeting.

The Governing Board must consider reinstatement where possible. If the pupil has returned to school before the Governing Board meet, they must still place a copy of their findings on the pupil'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 make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the School's Governing Board.

You may find it useful to contact the following services who will be able to offer you free and impartial advice:

The Coram Children's Legal Centre on 0345 345 4345 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

SEN Information Advice & Support Services Network (formerly known as the local parent partnership) on 01245 204338 <https://www.essexsendiass.co.uk/>

You and **[child'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 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

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

Yours sincerely

**[Name]**

Headteacher



### **Model letter 3**

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a period of **[number of days]** days. This means that he/she will not be allowed in school for this period. The exclusion will start on **[date]** until the **[date]**. Your child should return to school on **[date]**.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **[child's name]** has not been taken lightly. **[Child's name]** has been suspended for this period because **[reason for suspension]**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]**. 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 unless there is reasonable justification.

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

From the 6<sup>th</sup> school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education. **[Set out alternative provision arrangements; if not ascertainable, it must be provided in a subsequent notice no later than 48 hours before the provision is due to start]**

On **[date]** he/she should attend **[give name and address of alternative provider]** at **[specify the time]** and report to **[staff members name]**.

As the period of this suspension is more than 15 school days in one term the school's Governing Board must meet to consider the exclusion. The latest date by which the Governing Board must meet is **[specify date – no later than the 15 school days from the date which the Governing Board were notified of this suspension]**.

At the hearing you have the right to make representations to the Governing Board. If you wish to make representations and wish to be accompanied by a representative or friend, 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 Board of the time, date, and location of this 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. Please inform **[contact]** if it would be helpful for you to have an interpreter at the meeting.

The Governing Board must consider reinstatement where possible. If the pupil has returned to school before the Governing Board meet, they must still place a copy of their findings on the pupil'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 make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the Governing Body.

You and **[child'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

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 may find it useful to contact the following services who will be able to offer you free and impartial advice:

The Coram Children's Legal Centre on 0345 345 4345 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

SEN Information Advice & Support Services Network (formerly known as the local parent partnership) on 01245 204338 <https://www.essexsendiass.co.uk/>

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

Yours sincerely,

**[Name]**

Headteacher

#### **Model Letter 4**

**From Head Teacher notifying parent of that pupil's permanent exclusion.**

Dear **[Parent's name]**

I am writing to inform you of my decision to permanently exclude **[child's name]** with effect from **[specify date]**. This means that he/she will not be allowed in this school/PRU unless he/she is reinstated by the School's Governing Board.

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

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.

Alternative arrangements for **[child's name]** 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. From the sixth school day of the exclusion onwards – i.e from **[specify date]** the Local Authority, will provide suitable full-time education.

**[Where the 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 **[contact details]**

As this is a permanent exclusion the school's Governing Board must meet to consider the exclusion. The latest date by which the Governing Board must meet is **[specify date – no later than the 15 school days from the date which the Governing Board were notified of this exclusion]**.

At the hearing you and your child, if they are over the age of eighteen, may make representations to the Governing Board. The Governing Board can either reinstate your child immediately or on a particular date or decline reinstatement. If the reinstatement is declined, you have the right to request an Independent Review. If you do wish to make representations 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 be notified by the Clerk to the Governing Board of the time, date and location of this 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 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 make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) or the County Court (for other forms of discrimination).

Making a claim would not affect your right to make representations to the Governing Body.

You may find it useful to contact the following services who will be able to offer you free and impartial advice:

The Coram Children's Legal Centre on 0345 345 4345 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

SEN Information Advice & Support Services Network (formerly known as the local parent partnership) on 03330 138913 <https://www.essexsendiass.co.uk/>

You may wish to contact Education Access at Essex County Council - 03330 131157 or 03330 131150.

Yours sincerely

**[Name]**

Headteacher

## **Model Letter 5**

**From the clerk to the Governing Body to the parent upholding the permanent exclusion.**

Dear **[parent's name]**

The meeting of the Governing Board at **[school]** on **[date]** considered the decision by **[Head Teacher]** to permanently exclude your son/daughter. The Governing Board, after carefully considering the representations made and all the available evidence, has decided not to reinstate your child.

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

If you wish for this decision to be reviewed by an Independent Review Panel, please notify **[name of clerk to the review panel at the school or address of Essex County Council's Statutory Appeals Service if the school has subscribed to their services – please contact the Education Access Service prior to sending the letter to parents to confirm which you will be using - this alters the process used by parents to request an Independent Review and an additional form may be required]** of your request. You must set out the reasons for your review in writing, and, if appropriate this may also include reference to any disability discrimination claim you may wish to make. Please send this notice to by no later than **[specify the latest date – the 15<sup>th</sup> school day after the parents would receive this letter – weekends, bank holidays, school holidays and non-pupil days do not count]**.

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 15<sup>th</sup> school day after the date on which your request for a review is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

In determining your review, the panel can make one of three decisions: they may uphold the Governing Board's decision; recommend that the Governing Board reconsiders reinstatement; or quash the decision and direct that the Governing Board reconsiders reinstatement.

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

You may wish to contact Education Access at Essex County Council on either 03330 131157 or 13330 131150.

You may find it useful to contact the following services who will be able to offer you free and impartial advice:

The Coram Children's Legal Centre on 0345 345 4345 [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

Ace Education on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time. [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

SEN Information Advice & Support Services Network (formerly known as the local parent partnership) on 01245 204338 <https://www.essexsendiass.co.uk/>

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

**Yours sincerely**

**[Name]**

**Clerk to the Discipline/Management Committee**

## A summary of the governing board's duties to consider reinstatement<sup>62</sup>



