



EXCLUSIONS POLICY

Authors: HM/SM
Group: Linton Village College Full Governing Body
Last Reviewed: May 2019

Contents

1. Aims	2
2. Legislation and statutory guidance.....	2
3. Definition.....	3
4. The decision to exclude	4
5. Roles and responsibilities	4
6. Considering the reinstatement of a pupil.....	5
7. An independent review	6
8. School registers	7
9. Returning from a fixed-term exclusion.....	7
10. Monitoring arrangements	8
11. Links with other policies	8
Appendix 1: South Cambridgeshire Inclusion Partnership Agreement	9
Appendix 2: Standard Exclusions Letter	13

1. Aims

Our College aims to ensure that:

- the exclusions process is applied fairly, consistently and only as a last resort;
- the exclusions process is understood by governors, staff, parents/carers and students;
- students in the College are safe and happy and
- students 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](#) and 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' and
- 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. Definition

'Excluded' status is not the same as short-term isolation or removal from mainstream lessons. Exclusion is noted on a student's 'record' and has to be reported on transfer to other schools. It can be for a fixed term or permanent (please see below).

Fixed term exclusion is a serious sanction and can be given for a period of 1 – 5 school days depending on the seriousness of the incident. In exceptional circumstances, a student could be fixed term excluded for more than 5 days, but the College would make education provision from the 6th day of exclusion. 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.

A fixed-term exclusion can also be for parts of the school day. For example, if a student's behaviour at lunchtime is disruptive, they may be excluded from the College premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the Principal's duty to notify parents, apply in all cases. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing board meeting is triggered.

Following a fixed term exclusion, parents/carers are invited to a re-admission meeting before a student is reinstated in mainstream lessons. However, where a parent/carer refuses to come to a meeting, the College would not further punish the student for that parents'/carers' action.

The kinds of behaviour that could result in an exclusion are:

- stealing;
- causing damage to the College environment and property of LVC/members of its community;
- verbal/physical abuse including racial, sexist, religious and homophobic abuse towards student(s)/staff;
- despite all sanctions, persisting to demonstrate a blatant disregard of the LVC Code of Conduct and behavioural expectations;
- extreme defiance towards College staff;
- being caught in possession of alcohol, weapons or illegal substances;
- tampering with fire safety equipment;
- bringing the College into disrepute; and,
- disruption of an examination.

Permanent exclusion (from the mainstream setting at Linton Village College) means a decision has been made by the Principal to exclude a student permanently from the College. A permanent exclusion can be issued as a last resort following a significant and extreme one-off event or in response to a culmination of behaviours (for example dangerous, disruptive and defiant behaviour described above in non-exhaustive lists) and where allowing the student to remain in the College would seriously undermine the learning and safety of members of the College community.

This may include, but is not limited to the following behaviours to be considered on a case by case basis:

- significant theft/environmental damage;
- repeated defiance towards members of staff and deliberate flouting of College expectations, despite sanctions and support;
- persistent/extreme disruption to students' learning and examinations;
- persistent/extreme verbally abusive/threatening behaviour towards a student/adult;
- malicious behaviour/damage intended to undermine the safety of the College community;
- persistent bullying behaviour, including racial, sexist, religious and homophobic abuse towards student(s)/staff, despite sanctions and support;
- carrying/using a weapon; possession/use of illegal substances on College premises;
- significant physical assault/injury against a student/adult;
- sexual misconduct towards a member of the College community; and
- criminal behaviours.

Under the South Cambridgeshire Behaviour and Attendance Improvement Partnership (BAIP, see Appendix 1), this could mean that any of the following could result in:

- permanent exclusion could be avoided because the College, the LA and parents/carers agree a managed move to another school using the Managed Move Protocol;
- the student's case could be referred to the South Cambridgeshire Inclusion Partnership panel to determine an education placement outside of the College;
- the College could provide an alternative education via an IAP (Individual Alternative Education Plan) and EIO (Education Inclusion Officer).
- This may be provided on or off site (the provision will be designed and reviewed in partnership with the EIO and will take into account the educational needs of the student and what is practicable and possible to deliver); and,
- permanent exclusion from Linton Village College.

4. The decision to exclude

Only the Principal, or acting Principal, can exclude a student from the College.

A decision to exclude a student will be taken as a last resort and only:

- in response to serious or persistent breaches of the College's Behaviour and Discipline Policy; and
- if allowing the student to remain in the College would seriously harm the education or welfare of others.

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

- consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked;
- allow the student to give their version of events;
- consider if the student has special educational needs (SEN);
- review previous involvement of the College's Student and/or Learning Support Teams and if there has been an Early Help Assessment completed and strategies deployed; and
- consider who else might need to be consulted (for example SENCo, ESLAC teachers, social worker, designated safeguarding lead).

5. Roles and responsibilities

5.1 The Principal

Informing parents/carers

A senior member of staff will contact parents/carers as soon as the decision to exclude has been made by the Principal. Within 24 hours, this will be followed up with a letter to the parents/carers of an excluded student in which the following information will be included:

- 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'/carers' right to make representations about the exclusion to the governing board and how the student may be involved in this and
- where there is a legal requirement for the governing board to meet to consider the reinstatement of a student, and that parents/carers 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/carers 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/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents/carers 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/carers of an exclusion:

- the start date for any 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; and
- any information required by the student 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'/carers' consent.

Informing the governing body and local authority

The Principal will immediately notify the governing body and the local authority (LA) of:

- a permanent exclusion;
- exclusions which would result in the student being excluded for more than 5 school days (or more than 10 lunchtimes) in a term and
- exclusions which would result in the student missing a public examination.

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

For all other exclusions, the Principal will notify the governing body and LA once a term.

5.2 The governing body

Responsibilities regarding exclusions is delegated to a Discipline Committee consisting of at least 3 governors.

The Discipline Committee has a duty to consider the reinstatement of an excluded student (see section 6).

Within 14 days of receipt of a request, the governing body will provide the secretary of state with information about any exclusions in the last 12 months.

For a fixed-period exclusion of more than 5 school days, the governing body will arrange suitable fulltime education for the student. This provision will begin no later than the sixth day of the exclusion.

Provision does not have to be arranged for students 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 College 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 student

The Discipline Committee will consider the reinstatement of an excluded student 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 and
- it would result in a student missing a public examination.

If requested to do so by parents/carers, the Discipline Committee will consider the reinstatement (it would not be possible to reinstate as the exclusion will have long passed- all governors can do is decide whether or not they believe the exclusion was appropriate, and if they feel it was not then a letter stating that should be sent to parents put into the student's file) of an excluded student within 50 school days of receiving notice of the exclusion if the student 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 student missing a public examination, the Discipline Committee will consider the reinstatement of the student before the date of the examination. If this is not practicable, the Discipline Committee will consider the exclusion and decide whether or not to reinstate the student.

The Discipline Committee can either:

- decline to reinstate the student, or
- direct the reinstatement of the student immediately, or on a particular date.

In reaching a decision, a Discipline Committee will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the Principal followed his/her 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 student's educational record.

The Discipline Committee will notify, in writing, the Principal, parents/carers and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, a Discipline Committee's decision will also include the following:

- the fact that it is permanent;
- notice of parents'/carers' 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 student's SEN are considered to be relevant to the exclusion;
 - that, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the Chilford Hundred Education 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/carers for this appointment;
 - that parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review;
 - that parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review;
- that if parents/carers 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/carers apply for an independent review, the Chilford Hundred Education Trust will arrange for an independent panel to review the decision of the governing body not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 school days of notice being given to the parents/carers by the Discipline Committee of its decision to not reinstate a student.

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 Chilford Hundred Education Trust, or governing body 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 Chilford Hundred Education Trust, or the governing board, 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 Chilford Hundred Education Trust, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality and
- have not had the required training within the last 2 years.

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- uphold the governing body's decision;
- recommend that the governing board reconsiders reinstatement or
- quash the governing board'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 student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents/carers were notified of the exclusion panel's decision to not reinstate the student and no application has been made for an independent review panel, or
- the parents/carers 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 governing body will wait until that review has concluded before removing a student's name from the register.

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

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

9. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the student, parents/carers, a senior member of staff and other staff, where appropriate.

The following measures may be implemented when a student returns from a fixed-term exclusion:

- Agreeing a behaviour contract
- Monitoring a student's behaviour 'on report'
- Arranging for a period of internal isolation, including social times
- Additional 'bespoke' reintegration support
- Modifying curriculum arrangements

- Instigating Alternative Provision through an IAEP (Individual Alternative Education Plan) in partnership with the Education Inclusion Officer (EIO).

10. Monitoring arrangements

The Senior Leadership Team monitors the number of exclusions every term and reports to the governing body. They also liaise with the local authority to ensure suitable full-time education for excluded students.

11. Links with other policies

This Exclusions Policy is linked to the following additional documentation:

- Behaviour and Discipline Policy;
- SEN Policy;
- Equalities Policy and
- the South Cambridgeshire Inclusion Partnership Agreement.

Behaviour and Attendance Improvement Partnership (BAIP) Service Level Agreement (SLA) for school financial years 2016/17 – 2018/19

1. The Agreement

1.1 This agreement sets out the role and responsibilities between Children Family and Adults Services (CFA) and the schools who constitute Behaviour Attendance Improvement Partnerships (the BAIPs) for the funding of alternative education. This agreement will cover the period from September 2016 – August 2019. It is expected that this Agreement will be reviewed on an annual basis at the BAIP Leads' meeting each May and rolled forward between years. Any changes or modifications will be negotiated and agreed by this group. Should an individual BAIP wish to make any changes then these will need to be agreed and ratified by the BAIP Leads who may in turn seek to further consult with their own partnerships. This version of the SLA will be next revised in May 2019.

1.2 This agreement is based upon principles established in collaboration with the Head teachers and partnerships in Cambridgeshire. These are as follows

- i) To work for the benefit of all pupils who are usually resident in Cambridgeshire ii) To be responsible to the community which schools serve iii) To make a choice for collaboration and working in partnership with peer Heads iv) To reduce permanent exclusion as far as practicable and to retain responsibility for permanently excluded pupils
- v) To maintain pupils on school rolls
- vi) To adhere to the principle of peer challenge as a means of governance and also in service of pupil outcomes.
- vii) To champion the needs of the vulnerable child

2. Devolved Functions

2.1 The devolvement of funds for alternative education from the High Needs Block to schools via BAIPS is to put Head teachers in control of the decision making process by giving Heads direct financial control of the budget. Head teachers are best placed to make the decisions for their schools and pupils. Schools, working in partnership within the BAIP allows for Heads to plan, collaborate and to challenge each other as peers to ensure that the system remains coherent, fair and transparent. This requires trust and also investment in the partnership as an entity by Heads.

2.2 The devolution of funding does not change the current statutory responsibilities of the Local Authority and schools. However, the devolved arrangements clearly shift the responsibility and accountability of the provision of alternative education through devolved funding of the budget to schools and partnerships. It is by mutual consent that the Local Authority and the schools have agreed to work in partnership, to devolve the budget and therefore to pass the operational responsibility for decision-making and placement for alternative education to the Head teachers. The Education White Paper 2016 follows this direction of travel and statutory change is likely to result. It is likely that the SLA may need to be changed in anticipation of legislative changes which may follow.

2.3 It is an explicit condition of the devolvement of the budget that schools within each BAIP accept the responsibility for the education of all Cambridgeshire pupils. This includes Cambridgeshire resident pupils, previously Electively Home Educated pupils, Looked After Children placed by other Local Authorities as well as those Accommodated by Cambridgeshire and Cambridgeshire resident pupils whose catchment school is not in Cambridgeshire. Annex 1 sets out a flowchart for determining schools and BAIP responsibility for students. The devolved budget is for all pupils with behavioural and medical needs. It includes transport costs except when these are covered by the Authority's home to school/college travel assistance policy. It does not cover pupils with an Education Health Care Plan (EHCP) as these pupils are placed by the Statutory Assessment and Resources Team (START).

2.4 CFA will retain responsibility and central funding for the Pilgrim Pupil Referral Unit (PRU) which supports in-patient medical needs students. This includes pupils who are placed in in-patient beds through NHS admission out of County. CFA will retain management responsibility for behaviour support functions offered to schools where these are not already offered on a traded basis, for example the Education Inclusion Officers who will contribute to the inclusion work of schools.

2.5 All pupils will remain on or be placed upon a school roll. The principle is for all pupils to belong to a school and for schools to have continuing responsibility for the pupils and for their results. The default position is that a pupil will be placed on the roll of the catchment school. The County will not open a County educational roll for pupils who are not placed on a school roll for the purpose of generating AWPU as previously existed several years ago. Pupils who are not on a school roll will be placed via the In Year Fair Access Panel if local agreement cannot be reached.

2.6 It is recognised that there are tensions for Heads who are leading their school and also working in an area based partnership when they may also be part of a Multi-Academy Trust (MAT) which has a very different geographic reach. It is important that the Cambridgeshire arrangements are made clear to new MATs which are formed or expand to include schools in Cambridgeshire. The Local Authority will expect to negotiate and enter into agreements with MATs when necessary.

Schools within each BAIP agree to:

- Provide all secondary age pupils with appropriate educational provision in accordance with national regulations and guidance.
- Adhere with the provisions detailed in the quality assurance policy, including the use of appropriate forms and documentation and to work with the County Alternative Education Manager who is the owner of this policy.
- Provide alternative education to excluded students from the 6th day of their exclusion (permanent or fixed term) and from the first day if the pupil is LAC. Whilst this remains a statutory function for the Local Authority the funding for such provision has been devolved to the BAIP. Schools are also required to provide for any student for whom a school can no longer provide onsite provision, whether they are excluded or not.
- Only use devolved funding for services (including preventative work) for pupils who are, or who may be at risk of exclusion, or where there is medical evidence from a Consultant Medical Practitioner that they are not well enough to attend school in line with the Medical Needs Protocol.

- Maintain an up-to-date register of all students receiving alternative education as required by Ofsted and share with the County AP Manager on a termly basis so a central register can be maintained.) The local definition of a pupil who is receiving alternative education is where a pupil receives an education with a 20% or more variance from the mainstream curriculum offer. All such pupils should have their educational plans detailed in an Individual Alternative Education Plan. Schools should also have a CAF for these pupils.
- Maintain attendance data records with accurate coding to record the attendance of pupils attending alternative provision where this is provided off site.
- Send information about prior attainment to any alternative education provider as part of the planning process.
- Review the Individual Alternative Education Plan with the pupil and parents termly. The BAIP should take steps to ensure that the pastoral care and oversight of all pupils receiving alternative education is maintained by the responsible school. The IAEP form should be signed by the parent where possible.
- Meet as a partnership at least once a term. The internal organisation of the BAIP is a matter for the partnership. It is advised that the BAIP maintain a Partnership Agreement for the working of their BAIP, setting out the responsibilities of the individual schools that comprise the BAIP. The BAIP should make their partnership organisational structure and points of contact known to the Local Authority. The BAIP may wish to invite Local Authority Officers to attend their meetings in full or in part, as non-voting attendees.
- Comply with the Local Authority's policies. The devolvement of funds for alternative education is predicated upon the BAIP and their schools adhering to the Authority's policies and protocols for Managed Moves, Medical Needs, Mid-phase transfers and Approved transfers, Registration, In Year Fair Access and the statutory Admissions Code.
- Permanent Exclusions are rare in Cambridgeshire Secondary Schools; the possibility to arrange a Managed Move or refer to alternative education has largely removed the need to permanently exclude. Where, however, a Head does use this sanction, the excluding school will retain the responsibility for that pupil's education until such time as they can be placed in another school; if another mainstream setting is not considered appropriate then they will need to continue to educate the student. It should be noted that DfE requires schools to remove permanently excluded pupils from roll. Therefore the AWPU will be lost so the excluding school will have reduced funding with which to provide alternative provision. Where a permanently excluded student is placed in another school and that placement also breaks down, there is an expectation for the BAIP to look to a solution which would not penalise the receiving school with liability remaining with the sending school for 15 weeks.

BAIP Chair responsibilities

- The BAIP Chair is elected by the BAIP partnership and should be a Head teacher. The post is unremunerated but limited costs may be recouped from the BAIP subject to the partnership agreeing to this annually.
- The BAIP Chair agrees to attend the BAIP Leads meetings (since November 2015 now amalgamated with the CSH Inclusion Group). The BAIP Chair is the first point of contact for dispute resolution between Heads or between Heads and the Local Authority. The Chair may hold any contingency funds retained centrally by the partnership for exceptional cases. The Chair may delegate functions for local collaborative or operational arrangements to a BAIP inclusion sub-group.

- The Chair may also act as a gatekeeper for the access to AP places if the partnership has commissioned places from the AP Academy. If places have been commissioned then the chair will be responsible for the negotiation with the AP provider (currently TBAP) regarding the number of places to be commissioned.
- The Chair agrees to convene the BAIP partnership and to induct new Heads into the area into the processes concerning alternative education in Cambridgeshire.

The Local Authority agrees to

- Provide funding from the High Needs Block and to manage the devolvement of funds and formula for budget allocation.
- Provide a dedicated County Manager for Alternative Education as a lead Officer who will be supported by the County Inclusion Manager, County Behaviour and Attendance Manager and the Education Inclusion Officers.
- Provide support and assistance to the BAIP partnerships by way of attendance at meetings.
- Maintain the integrity of the functioning of the policies and protocols in place through casework, challenge and enforcement where necessary.
- Keep schools and BAIPs informed of any changes to funding from the High Needs Block and to seek to maintain the funding commitment via an annual review.
- Act as an arbiter in disputes and to maintain the effective operational structures and process which underpin the devolvement of funding.

3. Funding and Financial Management

The funding formula for the devolvement of the budget was reviewed in 2015 and agreed in anticipation of the budget being revised for September 2016. The final budget allocation will be agreed by Schools Forum until the national funding formula for schools is agreed and settled. The budget for alternative education is derived from the High Needs Block and this budget is subject to variation. The budget year will run from September to August in line with Academy budgets. Payment will be made to schools directly or through a BAIP nominated banker school.

The financial management of the BAIP must accord with the systems, procedures and other protocols of the Local Authority. The partnership agreement of the BAIP should set out the delegated authority of any individual or group entitled to commit BAIP funds.

The Local Authority will expect to manage and deliver the provided services (where commissioned) according to the budget allocated to it as the employing authority. The Authority accepts the financial risk which this entails and retains responsibility for under or overspends except where such overspend may be due to additional placements in excess of agreed numbers or agreed additional work responsibilities.

4. Rectification Processes

Where a school in the BAIP does not meet the agreed quality standards then CFA and the school will meet to discuss improvement measures. In the first instance this will be the role of the County Alternative Education Manager. Subject to the outcomes of these discussions, CFA may request that the school prepares a written plan setting out the steps it proposes to take to address the issues raised. The matter will also be raised with the BAIP chair.

5. Signatures

This agreement is signed on behalf of the BAIP by

Name:

Date:

Appendix 2: Cambridgeshire Standard Fixed Period Exclusion Letter (up to and including 5 days in any 1 term)

Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to exclude (James) for a fixed period of..... days. He has been excluded for the following reasons:

.....
.....

We have taken the following steps to try to avoid this exclusion:

[This brings the total days excluded this term to]

This means that (James) should not attend school until

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this – include if appropriate

.....]

I will arrange for (James) to have school work during his exclusion and for this work to be marked. Please contact [.....] regarding these arrangements.

[You are invited to a meeting to discuss how James will be supported on his return to school on at

You have a right to make written representations to the Discipline Committee of the governing body. If you wish to make representations you should contact The Clerk to The Governors Discipline Committee at the school.

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice of £50 issued by the Local Authority.

A Local Authority Officer with responsibility for exclusions who can provide you with advice on the exclusions process is: **Anna Wahlandt – 01354 750369.**

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January.

Yours sincerely

Principal

cc. Chair of Governors