

EXCLUSIONS POLICY

THIS POLICY LINKS WITH:

- **BEHAVIOUR MANAGEMENT POLICY**
- **SEND REPORT**
- **EQUAL OPPORTUNITIES POLICY**

Date of Latest Review:	May 2021
Next Review Date:	May 2022
Policy Available for Staff at:	Staff Handbook
Policy Available for Parents at:	Website
Headteacher:	Ms M Roberts

Introduction

The decision to exclude a student will be taken in the following circumstances:

- In response to a serious breach or persistent breaches of the Behaviour Management Policy
- If allowing the student to remain in the school would seriously harm the education or welfare of the student or others in school
- In cases where there has been a major breach of normal expectations of conduct

Exclusion is a serious sanction and is only administered by the Headteacher (or, in the absence of the Headteacher, the Deputy Headteacher who is acting in that role).

Over serious matters which may result in a Fixed Term Exclusion, a member of the SLT may interview students. If the nature of the incident is very serious then two members of staff should be present to conduct the interview. The student should be questioned fairly and given ample opportunity to give a response. The student may be asked to provide a written statement of what happened or one of the members of staff will take notes from the interview. At this stage these statements or notes will help the Headteacher to decide on what further action should be taken.

This policy is supplementary to the Student Behaviour Management Policy and deals with the policy and practice which informs the use of exclusion.

Exclusion Procedure

Most exclusions are of a fixed term nature and are of short duration (usually between one and three days). The DFE guidance allows the Headteacher to exclude a student for one or more fixed periods not exceeding 45 school days in any one school year.

The Governors have established arrangements to review promptly all permanent exclusions from St Joseph's College and all fixed term exclusions that would lead to a student being excluded for over 15 days in a school term or missing a public examination.

The Governors and SLT have established arrangements to review fixed term exclusions which would lead to a student being excluded for over five days and have made arrangements for working in partnership with the Local Authority to provide for education on the sixth day.

Following exclusion, parents are contacted immediately where possible. A letter will be sent by post giving details of the exclusion and the date the exclusion ends. Parents have a right to make representations to the Governing Body as explained in the letter.

A post exclusion meeting will be held following the expiry of the fixed term exclusion with the parents and Headteacher, it may also involve a member of the Senior Leadership Team or other staff where appropriate. Where it is deemed necessary; an inclusion plan will be drawn up. This needs to be agreed with the school, student and parents. This may involve support from the SEND team with the introduction of a Pupil Passport, the Inclusion Manager or other outside agencies

During the course of a fixed term exclusion where the student is to be at home, parents are advised that the student is not allowed on the school premises, and that daytime supervision is their responsibility, as parents/guardians.

Permanent Exclusion

The decision to exclude a student permanently is a serious one. There are two main types of situation in which permanent exclusion may be considered.

- The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.
- The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a student for a first or 'one off' offence.

St Joseph's College will consider Police involvement for any offence which is illegal.

Factors Considered Before Exclusion

Exclusion will not be imposed instantly unless there is an immediate threat to the safety of others in the school or the student concerned. Before deciding whether to exclude a student either permanently or for a fixed period the Headteacher will:

- Ensure appropriate investigations have been carried out
- Consider all the evidence available to support the allegations taking into account the Behaviour Policy and the student's version of events.

If the Headteacher, is satisfied that on the balance of probabilities, the student did what he or she is alleged to have done, exclusion will be the outcome.

In reaching a decision, the Headteacher will always look at each case on its own merits. Therefore, a tariff system, fixing a standard penalty for a particular action, is both unfair and inappropriate.

In considering whether permanent exclusion is the most appropriate sanction, the Headteacher will consider:

- The gravity of the incident, or series of incidents, and whether it constitutes a serious breach of the Behaviour Policy
- The effect that the student remaining in school would have on the education and welfare of other students and staff

In line with its statutory duty, these same two tests of appropriateness will form the basis of the deliberations of the Governors' Pupil Discipline Committee, when it meets to consider the Headteacher's decision to exclude. This Committee will require the Headteacher to explain the reasons for the decision and will look at appropriate evidence, such as the student's behaviour record, witness statements and the strategies used by the school to support the student prior to exclusion.

The headteacher may feel it appropriate to seek advice from the local authority regarding a potential managed move as an alternative to permanent exclusion. The headteacher reserves the right for this not to be judged the most appropriate action.

Behaviour Outside School

Students' behaviour outside of school may still be subject to the expectations outlined in the behaviour policy:

The school may discipline pupils when they are:

- taking part in any school-organised or school-related activity
- travelling to or from school
- wearing school uniform
- in some other way identifiable as a pupil at the school.

For behaviour outside school but not on school business this policy will still have effect if there is a clear link between that behaviour and maintaining good behaviour and discipline among the student body as a whole. If students' behaviour in the immediate vicinity of school or on a journey to and from school is poor and meets the school criteria for exclusion then the Headteacher may decide to exclude. This includes behaviour that:

- could have repercussions for the orderly running of the school

- poses a threat to another pupil or member of the public
- could adversely affect the reputation of the school.

(Behaviour and discipline in schools Advice for headteachers and school staff January 2016)

Drug Related Exclusions

In making a decision on whether or not to exclude for a drug-related offence, the Headteacher will have regard to the Behaviour Policy and the school's policy on drugs.

The Appeals Process

Details of how to appeal to the Governor's Disciplinary Committee will be made clear in the exclusion letter. Examples of our exclusion letters are included at the end of this policy.

Fixed Period Exclusions of five days or less

The parent/guardian may wish to make written representation to the Chair of the Governors Disciplinary Panel about the exclusion. A parent/guardian wishing to make representation should do so in writing within five school days of the reintegration meeting. Governors will respond as appropriate within twenty school days. The Chair of the Governor Panel has discretion as to whether to call a meeting or not. Whatever is done, will be recorded and placed on the student file. In considering the representations from the parent, the Chair of the Governor Panel should seek clarification and information from the school.

If a meeting is held, it will be after the period of exclusion has been served. The parent/guardian may, if they wish, have someone of their choice to accompany and assist them at the meeting. The school may be represented by the Headteacher or Deputy Headteacher. However the meeting is **NOT AN APPEAL** and will not cause an interim postponement of the exclusion.

The purpose of the meeting is to enable the parent/guardian to be satisfied that their views have been heard and consideration given as to whether more information should be added to the student's record. The decision of the Governors will be final in respect of matters regarding temporary exclusions for fixed periods in any one term of 5 days or less.

In the event of a meeting being called, Governors cannot overturn the exclusion, but can add a note to the student file. The letter informing parent/guardian of the exclusion will explain the procedure to make representations.

Fixed Period Exclusions of more than five and less than fifteen days in any one Term

For an exclusion (or series of exclusions) of more than 5 days but not more than 15 days in any one term, the Governors' meeting should take place between the 6th and 50th school day after the date of notification, if the parent/guardian requests it.

The parent/guardian should request an appeal within five School days of notification.

The parent/guardian and the school will be invited to present evidence to the Governors challenging the decision to impose a fixed term exclusion. Governors will make a decision, which will be provided via the Clerk to Governors in writing to the parent/guardian and posted within five school days after the meeting.

Fixed Period Exclusions of more than fifteen days in any one term

For a fixed period exclusion (or series of temporary exclusions) adding up to more than fifteen days in any one term, the panel must meet within 15 school days from the date of exclusion whether the parent/guardian requests it or not.

The parent/guardian and the School will be invited to present evidence. Governors will make a decision which will be provided via the Clerk to Governors in writing to the parent/guardian and posted within 5 school days after the meeting.

Where a student is excluded on a number of occasions, their situation will be reviewed leading to either the agreement of an inclusion plan or sanctions up to and including permanent exclusion, either on the grounds of there being a serious one-off incident or on the grounds of persistent and defiant misbehaviour. The decision will be conveyed in writing and include details of the procedure for a parent/guardian to follow in exercising their right of appeal against permanent exclusion.

Permanent Exclusion

The parent/guardian will be informed in writing by the Headteacher of their right of appeal against a decision to exclude permanently. The parent/guardian will be advised that they may, if they wish, have someone of their choice to accompany and assist them at the appeal meeting. Appeals should be made in writing to the Chair of the Governor Panel via the Clerk to Governors within ten School days of notification of the exclusion.

A minimum of three Governors will constitute the Governor Panel convened for the purpose of considering appeals against permanent exclusions. The Chair of Governors, who will have previously been consulted regarding permanent exclusions, will not be a member of this Governor Student Appeals Committee.

For permanent exclusions, the Governor Panel must meet to ratify the decision or consider the reinstatement of an excluded pupil between within 15 school days after receiving notification of the exclusion.

There is no restriction on Governors who have served on a fixed period exclusion panel serving on any subsequent exclusion panel for the same student. The decision of the Governors will be final.

Any meeting of the Governor Panel may, at their discretion, consider in sequence more than one exclusion case at that meeting.

Appropriate permanent exclusion forms will also be completed. If permanent exclusion is upheld, parents/carers have the right to an independent appeal against a permanent exclusion. Details of this process will be communicated to parents/guardians from the Governor's Disciplinary Panel. Parents should do this through the clerk to the review panel.

If a student is being referred to a Pupil Referral Unit contact with the LA must be initiated.

Procedure for requesting an Independent Review Panel (IRP)

- Appeals to an IRP, should be made in writing within fifteen School days of notification of the permanent exclusion having been upheld.
- Any application made outside the legal timeframe will be rejected by the school.
- Parents may request an IRP even if they did not make a case to, or attend the original meeting where the Governing Body considered the exclusion.
- Parents have the right to request the presence of an SEND expert at an IRP, irrespective of whether the child has a recognised SEND.

Procedure for Meetings of Governors to hear Parents'/Carers' Representations

All Student Discipline Committee meetings will be conducted using the procedure below:

- Written statements will be requested in advance from Parents and the School by the Clerk to the Governors.
- The School and Parents will be allowed to call witnesses. Any witnesses should provide written statements in advance.
- Documents should be circulated at least five days in advance alongside a list of all those attending to all parties. (These documents will include witness statements generally showing witness names unless it is judged be putting these witnesses at risk).
- The student should be allowed to attend and to speak if the parents request this.
- Where an allegation of misconduct is in dispute, Governors will apply the balance of probabilities standard proof.

The procedure for hearing the representations and evidence will be as follows:

1. The School Case

- a) The Headteacher or Deputy Headteacher presents the School case
- b) The parents/carers question the Head or Deputy
- c) The Governors question the Head or Deputy Headteacher

2. The Parents'/Carers' Case

- a) The parents/carers present their case
- b) The Head or Deputy question the parents/carers
- c) The Governors question the parents/carers

3. Summing-up by the School

The Head or Deputy sums up the School case

4. Summing-up by the Parents/Carers

The parents/carers sum up their case

5. The Headteacher/Deputy Headteacher, School representatives (and any representatives) withdraw while the Committee considers the case.

EXAMPLE CORRESPONDENCE:

From head teacher 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 pupil]** 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 Exclusions Officer at Stoke-on-Trent City Council by telephone: 01782 236821, by email: louise.mcmanus@stoke.gov.uk or view the website at www.stoke.gov.uk , who can offer general advice on the Exclusions process.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- The Department for Education statutory exclusions guidance can be found at www.education.gov.uk/schools/pupilsupport/behaviour/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]

Head teacher

From head teacher notifying parent(s) of a pupil of that pupil'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 pupil'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 pupil]** 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 Exclusions Officer at Stoke-on-Trent City Council by telephone: 01782 236821, by email: louise.mcmanus@stoke.gov.uk or view the website at www.stoke.gov.uk , who can offer general advice on the Exclusions process.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- The Department for Education statutory exclusions guidance can be found at www.education.gov.uk/schools/pupilsupport/behaviour/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]

Head teacher

From head teacher 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 pupil'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 pupil]** 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 Exclusions Officer at Stoke-on-Trent City Council by telephone: 01782 236821, by email: louise.mcmanus@stoke.gov.uk or view the website at www.stoke.gov.uk , who can offer general advice on the Exclusions process.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- The Department for Education statutory exclusions guidance can be found at www.education.gov.uk/schools/pupilsupport/behaviour/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]

Head teacher

From the head teacher of a primary, secondary or special school notifying the parent(s) of that pupil'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 pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days 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 pupils 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 pupils of compulsory school age where pupil lives in a local authority other than the excluding school's local authority] I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governing body 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 Exclusions Officer at Stoke-on-Trent City Council by telephone: 01782 238653 or email: louise.mcmanus@stoke.gov.uk or view the website at www.stoke.gov.uk, who can offer general advice on the Exclusions process.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or on <http://childlawadvice.org.uk/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- The Department for Education statutory exclusions guidance can be found at www.education.gov.uk/schools/pupilsupport/behaviour/exclusion

Yours sincerely

[Name]

Head teacher

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

Private & Confidential

«Parent_Postal_Salutation»

«Address_1»

«Address_2»

«Address_3»

«Address_4»

«Post_Code»

Date

Dear **[Parent's name]**

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[head teacher]** to permanently exclude your son/daughter **[name of pupil]**. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold **[name of pupil]**'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 **[name of the clerk to the review panel]**. You must set out the reasons for requesting a review in writing and send this notice of appeal to **[address]**, 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 **[name of the clerk to the review panel]** if it would be helpful for you to have an interpreter present at the hearing.

Your appeal will be heard by an Independent Review Panel. A three-member panel will comprise one serving, or recently retired (within the last five years), head teacher, 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 pupil was excluded.

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

- You may wish to contact the Exclusions Officer at Stoke-on-Trent City Council by telephone: 01782 236821, by email: louise.mcmanus@stoke.gov.uk or view the website at www.stoke.gov.uk , who can offer general advice on the Exclusions process.
- You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- The Department for Education statutory exclusions guidance can be found at www.education.gov.uk/schools/pupilsupport/behaviour/exclusion

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

Yours sincerely

[name]

Clerk to the Governing Body