



**Wellington
Primary**

A Policy to Support the Use of Exclusion Guidance and Legislation

Drafted by D Norton
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1. Aims

Our school aims to ensure that:

- Pupils in school are safe, happy and able to develop their knowledge, skills and understanding
- The exclusions process is understood by staff, parents, pupils and Governors
- The exclusions process is applied fairly and consistently
- Excluded pupils do not become NEET (not in education, employment or training)

Wellington Primary school is committed to safeguarding and promoting the welfare of children and young people and expects all members of the school and its community to demonstrably share this commitment, promote our aims and model our values.

It is our responsibility to communicate our expectations and code of conduct to pupils, staff parents so that everybody understands their role in upholding the ethos and expectations. Our school behaviour policy should be communicated and understood by pupils so they have the opportunity to demonstrate our school ethos and values. Parents and staff also have a role to play in modelling our ethos and expectations at every opportunity.

We are bound by our duty of care to pupils and staff at Wellington Primary School. When reaching a decision to exclude a pupil, whether it be for a fixed period of time or permanently, it is regarded as the last possible resort by the school after having provided enough opportunity for the pupil to have grasped an understanding of our school expectations.

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 \(Sept 2022\)](#) and the temporary changes outlined in [Changes to the school suspension and permanent exclusion process during the coronavirus outbreak](#) (Sept 21).

The legislation outlines the 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

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'

- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

3. Definition

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

4. The decision to exclude

Only the headteacher, or acting headteacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

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

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

A decision to exclude a pupil will be taken only:

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

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

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

For example:

- Working with the pupils to ensure they fully understand the school’s behaviour policy;
- Strategies in place to ensure that pupil’s behaviour choices are improved;
- External help has been requested if necessary;
- Staff have been trained to ensure they have provided enough opportunity for the pupil to understand the policy.

See Appendix 1 Hounslow exclusions proformas and explanatory notes for completion of documentation.

5. Rights Respecting Responsibilities and Equality

We are a Gold Accredited Rights Respecting school. The decision to exclude a pupil takes into account the following Articles from the UNCRC:

Article 1 (definition of the child) Everyone under the age of 18 has all the rights in the Convention.

Article 3 (best interests of the child) The best interests of the child must be a top priority in all decisions and actions that affect children.

Article 12 (respect for the views of the child) Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously.

Article 13 (freedom of expression) Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

Article 23 (children with a disability) A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community.

Article 28 (right to education) Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights.

Article 29 (goals of education) Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

Article 42 (knowledge of rights) Governments must actively work to make sure children and adults know about the Convention.

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

6. Roles and responsibilities

6.1 The Head Teacher

The Head Teacher will inform parents (See Appendices 2 to 5 for letter templates). The headteacher will provide the following information, in writing, to the parents of an excluded pupil:

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

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

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

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

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

Informing the Governing Board and local authority

The headteacher will immediately notify the Governing Board and the Local Authority (LA) of:

- A permanent exclusion, including when a fixed-period exclusion is followed by a decision to permanently exclude a pupil
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

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

6.2 The Governing Board

The school Governing Board has a duty to consider the reinstatement of an excluded pupil (see section 6).

Within 14 days of receipt of a request, the Governing Board 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 Board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

6.3 The Local Authority (LA)

As Wellington Primary School is a Local Authority maintained school, for permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

7. Considering the reinstatement of a pupil

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

- The exclusion is permanent
- It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test
- If requested to do so by parents, the school Governing Board will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

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

The Governing Board can either:

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

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

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

The school Governing Board will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the school Governing Board decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
 - The date by which an application for an independent review must be made
 - The name and address to whom an application for a review should be submitted

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

8. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the Governing Board not to reinstate a permanently excluded pupil.

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

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors' category and 2 members will come from the headteacher 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 headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

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

- Are a member of the LA or Governing Board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years

- Are an employee of the LA or the Governing Board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the LA school, Governing Board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)
- A clerk will be appointed to the panel.
- The independent panel will decide one of the following:
 - Uphold the Governing Board's decision
 - Recommend that the Governing Board reconsiders reinstatement
 - 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.

9. School Registers

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

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

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

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

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

10. Returning from a fixed-term exclusion

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

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

- Agreeing a behaviour contract
- Putting a pupil 'on report' with a report card to be signed by a member of SLT
- Internal isolation

11. Monitoring arrangements

The Head Teacher monitors the number of exclusions termly and reports information as necessary through the HT report to the governors. The Head Teacher also liaises with the local authority to ensure suitable full-time education for excluded pupils should the need arise.

This policy will be reviewed every year. The policy will be shared with the Teaching and Learning committee and ratified by the full Governing Board.

12. Links with other policies

This exclusions policy is linked to the following:

- Staff Handbook
- Behaviour policy
- Code of conduct
- Special Educational Needs and Disabilities Policy



Explanatory Notes for Completion of
Documentation for ALL Hounslow Exclusions

Please find below explanatory notes on the paperwork required to be completed, and when, for ALL notifications of Hounslow exclusions.

Permanent Exclusions – the local authority and Governing Board MUST be notified without delay

Please **fully** complete the form and forward **ON DAY 1** to exclusions@hounslow.gov.uk
For permanent exclusions the Governing Board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the exclusion.

NB: If the pupil **does not** live within the Hounslow Local Authority, **the head teacher must also advise the ‘home’ Local Authority of the exclusion** so that they can make arrangements for the pupil’s full-time education from and including the sixth school day of exclusion.

Fixed Period Exclusions – which would result in the pupil being excluded for a total of more than 5 school days (or more than ten lunchtimes) in a term must notify the local authority and Governing Board without delay

Please complete **Sections A, B, C and D on Day 1** and forward to your 6-day provision provider if the fixed term exclusion is for more than 5 days and send a copy to exclusions@hounslow.gov.uk.

For a fixed period, exclusion of more than 15 school days in one term the Governing Board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the exclusion.

For a fixed period, exclusion of more than 5, but not more than 15 school days in one term (which does not bring the pupil’s total number of days of exclusion to more than 15 in one term), the Governing Board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the fixed period exclusion, to consider the exclusion, **but only if the parent requests such a meeting.**

Fixed Period Exclusions of 5 days or less must notify the local authority and Governing Board once per term of any exclusions not already notified

Please complete **Sections A, B, and C** and send to exclusions@hounslow.gov.uk

The Governing Board must convene a meeting to discuss the exclusion within 50 school days but does not have the power to decide whether to reinstate the pupil, **but only if the parent requests such a meeting**

Lunchtime Exclusions (less than 10 lunchtimes) must notify the local authority and Governing Board once per term

Please complete **Sections A, B, and C** and send to exclusions@hounslow.gov.uk

SECTION A – SCHOOL AND STUDENT DETAILS:

EXCLUDING SCHOOL:	
FORENAME OF CHILD:	SURNAME OF CHILD:
DOB: DD/MM/YY	GENDER: MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
UPN:	YEAR GROUP:
ADDRESS:	
	POST CODE:
HOUNSLOW LA PUPIL: YES <input type="checkbox"/> NO <input type="checkbox"/>	OTHER LA: (PROVIDE DETAILS)
FREE SCHOOL MEALS (FSM) REQUIRED:	YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION B – EXCLUSION DETAILS

TYPE OF EXCLUSION:		DATE OF FIRST DAY OF EXCLUSION: DD/MM/YY
FIXED PERIOD: <input type="checkbox"/>	DAYS	DATE OF RETURN: DD/MM/YY
LUNCHTIME: <input type="checkbox"/>	1/2 DAYS	DATE OF RETURN: DD/MM/YY
PERMANENT: <input type="checkbox"/>	DATE OF DISCIPLINE COMMITTEE / REINTEGRATION MEETING, IF REQUIRED DD/MM/YY	
PRIMARY REASON FOR EXCLUSION (NATIONAL CATEGORY) – SCHOOLS ARE ABLE TO RECORD A MAIN REASON AND, IF REQUIRED, A SECOND AND THIRD.		
PHYSICAL ASSAULT AGAINST PUPIL (PP) <input type="checkbox"/>	PHYSICAL ASSAULT AGAINST ADULT (PA) <input type="checkbox"/>	
VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST PUPIL (VP) <input type="checkbox"/>	BULLYING (BU) <input type="checkbox"/>	
VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST ADULT (VA) <input type="checkbox"/>	WILFUL AND REPEATED TRANSGRESSION OF PROTECTIVE MEASURES IN PLACE TO PROTECT PUBLIC HEALTH (PH) <input type="checkbox"/>	
SEXUAL MISCONDUCT (SM) <input type="checkbox"/>	RACIST ABUSE (RA) <input type="checkbox"/>	
DAMAGE (DM) <input type="checkbox"/>	DRUG AND ALCOHOL RELATED (DA) <input type="checkbox"/>	
PERSISTENT OR GENERAL DISRUPTIVE BEHAVIOUR (DB) <input type="checkbox"/>	THEFT (TH) <input type="checkbox"/>	
USE OR THREAT OF USE OF AN OFFENSIVE WEAPON OR PROHIBITED ITEM (OW) <input type="checkbox"/>	ABUSE AGAINST SEXUAL ORIENTATION AND GENDER IDENTITY (LG) <input type="checkbox"/>	
ABUSE RELATING TO DISABILITY (DS) <input type="checkbox"/>	INAPPROPRIATE USE OF SOCIAL MEDIA OR ONLINE TECHNOLOGY (MT) <input type="checkbox"/>	
ANY ADDITIONAL INFORMATION IF REQUIRED:		

SECTION C – MONITORING INFORMATION:

ETHNICITY:	RELIGION:	HOME LANGUAGE:
DOES THE PUPIL HAVE SPECIAL EDUCATIONAL NEEDS?	YES <input type="checkbox"/>	EHCP <input type="checkbox"/> UNDER ASSESSMENT <input type="checkbox"/>

IF YES, PLEASE TICK SEN STAGE	NO <input type="checkbox"/>		
IS THE PUPIL IN PUBLIC CARE? YES <input type="checkbox"/> NO <input type="checkbox"/> Public Care means either: <ul style="list-style-type: none"> The child is accommodated by a Local Authority, and placed with a foster carer or in a children's home, or The child is subject of a care order (s. 31 Children Act 1989) 			
DOES THE PUPIL HAVE A PSP / IEP / PEP	PSP YES <input type="checkbox"/> NO <input type="checkbox"/>	IEP YES <input type="checkbox"/> NO <input type="checkbox"/>	PEP YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION D – DAY 6 PROVISION, IF REQUIRED:

DAY 6 DATE: DD/MM/YY		NUMBER OF DAYS REQUIRED:	
SCHOOL CONTACT:	NAME:	TELEPHONE NUMBER:	
PARENT/CARER NAME:			
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:
OTHER CONTACT DETAILS – NAME:			
ADDRESS:			
POST CODE:			
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:

DOCTOR'S SURGERY AND TELEPHONE NUMBER	ANY KNOWN MEDICAL CONDITION:
ADDRESS:	
CONTACT TELEPHONE:	

SECTION E – INFORMATION FOR FAP MEETING:

PREVIOUS SCHOOL(S), WITH DATES:	
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PRIMARY:

ATTENDANCE	YEAR 1 %	YEAR 2 %	YEAR 3 %	YEAR 4 %	YEAR 5 %	YEAR 6 %
ATTAINMENT SUMMARY:	KEY STAGE 1:		EN LEVEL:		MA LEVEL:	
	KEY STAGE 2		EN LEVEL:		MA LEVEL:	
			SC LEVEL:			

SECONDARY:

ATTENDANCE	YEAR 7 %	YEAR 8 %	YEAR 9 %	YEAR 10 %	YEAR 11 %
ATTAINMENT SUMMARY:	KEY STAGE 3		EN LEVEL:		MA LEVEL:
			SC LEVEL:		

	KEY STAGE 4	EN LEVEL:	MA LEVEL:	SC LEVEL:
MIDYIS BAND:		YELLIS BAND:		
CURRENT PERFORMANCE:				

EXCLUSION DETAILS:

SUMMARY OF REASONS FOR PERMANENT EXCLUSION:

PUPIL BACKGROUND:

AGENCY INVOLVEMENT:

EARLY INTERVENTION INVOLVEMENT:	DATES:	REASON:	OUTCOME:
BEHAVIOUR SUPPORT: <input type="checkbox"/>			
LEARNING SUPPORT: <input type="checkbox"/>			
CAMHS: <input type="checkbox"/>			
EPS: <input type="checkbox"/>			
EWO: <input type="checkbox"/>			
FAMILY SUPPORT: <input type="checkbox"/>			

OTHER AGENCY INVOLVEMENT:	DATES:	REASON:	OUTCOME:
BRIDGE OUTREACH KS1/2: <input type="checkbox"/>			
SOCIAL CARE: <input type="checkbox"/>			
YOT / POLICE: <input type="checkbox"/>			
OTHER: <input type="checkbox"/>			

SCHOOL SUPPORT STRATEGIES / INTERVENTION	DATES:	OUTCOME:

PARENTAL INVOLVEMENT:

CONCLUSION / HEADTEACHER GUIDANCE:

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NAME OF PERSON COMPLETING FORM & DESIGNATED POST (BLOCK CAPITALS)	
SIGNATURE:	DATE:

Please send this form together with a copy of the letter sent to the pupil's parent/carer to:

Access to Education, Children's, Housing & Adults' Services, Hounslow House, 4th floor, 7 Bath Road, Hounslow, Middlesex TW3 3EB
Tel: 020 8583 2784 / email: exclusions@hounslow.gov.uk

Appendix 2

Model exclusion letter 1 (Sept 2012)

From the head teacher notifying the 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/carer's name]**

I am writing to inform you of my decision to exclude **[child's name]** for a fixed period of **[period of exclusion]**. 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]**.

We will set work for **[name of child]** to be completed during the period of exclusion as specified in the previous paragraph. Please ensure that work set by the school is completed and returned to us promptly for marking **[detail the arrangements for this]**.

You have a duty to ensure that your child is not found in a public place during this exclusion i.e. **[specify dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

You have the right to make representations to the governing body. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, telephone 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.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see a copy of **[name of 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 **[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.

You may wish to contact Mrs Hilary Baker, Access to Education Team Leader at London Borough of Hounslow on 0208 583 2784. Alternatively, you can write to her at Access to Education, Children's & Adult's Services, London Borough of Hounslow, 4th Floor Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to exclusions@hounslow.gov.uk who can provide advice.

You may also find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **0300 330 5485** or at

www.childrenslegalcentre.com. A copy of the Government's guidance, '*Exclusion from maintained schools, Academies and Pupil Referral Units in England*', can be downloaded from the Department for Education's website at www.education.gov.uk.

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible 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 exclusion expires on **[date]** and we expect **[child's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Head teacher

Appendix 3

Model exclusion letter 2 (Sept 2012)

From head teacher notifying the parent of a fixed period exclusion when the total period of exclusion is more than 5 and up to and including 15 school days in total in one term

Dear **[parent/carer'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]**.

We will set work for **[name of child]** to be completed during the first five school days of this exclusion. Please ensure that work set by the school is completed and returned to us promptly for marking.

[Paragraph for use if the individual exclusion is for more than five days. If you are unable to supply information on the alternative arrangements now it must be provided in a follow up letter without delay and no later than 48 hours before the provision is due to start].

From the sixth school day of **[pupil name]'s** exclusion **[specify date]** until the expiry of the exclusion **[specify date]** we will provide suitable full-time education. On **[specify date]** **[child's name]** should attend at **[give the 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]**.

You have a duty to ensure that your child is not found in a public place during the first five school days of this exclusion i.e. **[specify dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible 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 request a meeting of the governing body at which you may make representations and the decision to exclude can be reviewed. As the period of exclusion exceeds more than five school days in one term the governing body must meet if you request it to do so. The latest date by which the governing body must meet is **[insert date — no later than 50 school days from the date the governing body is notified of this 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, telephone number, email]**, as soon as possible. **[Pupil's name]** is also able to attend and

participate in the meeting if you feel it is appropriate to do so. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see and have a copy of **[name of 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 **[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.

You may wish to contact Mrs Hilary Baker, Access to Education Team Leader at London Borough of Hounslow on 0208 583 2784. Alternatively, you can write to her at Access to Education, Children's & Adult's Services, London Borough of Hounslow, 4th Floor Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to exclusions@hounslow.gov.uk who can provide advice.

You may also find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **0300 330 5485** or at www.childrenslegalcentre.com. A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at www.education.gov.uk.

Yours sincerely

[Name]
Head teacher

Appendix 4

Model exclusion letter 3 (Sept 2012)

From the head teacher notifying the parent of a fixed period exclusion when the total period of exclusion is more than 15 school days in one term

Dear **[parent/carer'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 **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively specify the name of another member of staff]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school as soon as possible 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.

We will set work for **[name of child]** to be completed during the first five school days of this exclusion. Please ensure that work set by the school is completed and returned to us promptly for marking **[detail the arrangements for this]**.

[Paragraph for use if the individual exclusion is for more than five days. If you are unable to supply information on the alternative arrangements now it must be provided in a follow up letter without delay and no later than 48 hours before the provision is due to start].

From the sixth school day of **[pupil name]**'s exclusion **[specify date]** until the expiry of the exclusion **[specify date]** we will provide suitable full-time education. On **[specify date]** **[child's name]** should attend at **[give the 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]**.

You have a duty to ensure that your child is not found in a public place during the first five school days of this exclusion i.e. **[specify dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

As the period of 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, telephone number, email]**, as soon as possible. **[Pupil's name]** is also able to attend and participate in the meeting if you feel it is appropriate for them to do so.

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 a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see and have a copy of **[name of 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 **[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.

You may wish to contact Mrs Hilary Baker, Access to Education Team Leader at London Borough of Hounslow on 0208 583 2784. Alternatively, you can write to her at Access to Education, Children's & Adult's Services, London Borough of Hounslow, 4th Floor Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to exclusions@hounslow.gov.uk who can provide advice.

You may also find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **0300 330 5485** or at www.childrenslegalcentre.com. A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at www.education.gov.uk.

Yours sincerely

[Name]
Head teacher

Appendix 5

Model exclusion letter 4a (Sept 2012)

From a head teacher notifying the parent of a permanent exclusion

Dear **[parent/carer's name]**

I regret to inform you of my decision to exclude **[child's name]** permanently 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. Alternative arrangements for **[child's name]**'s education will be made.

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 permanently because **[reason for exclusion — also include any other relevant previous history here]**.

As this is a permanent exclusion the governing body must meet to consider it. At the hearing 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. They also have the power to uphold the exclusion, in which case you have the right to ask for their decision reviewed by an Independent Review Panel.

The latest date on which the governing body can meet is **[date — 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, telephone number, email]**, as soon as possible. **[Pupil's name]** is also able to attend and participate in the meeting if you feel it is appropriate for them to do so.

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 the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You also have the right to see and have a copy of **[name of child]**'s school record. Owing to confidentiality restrictions, you will need to 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.

We will set work for **[name of child]** to be completed during the first five school days of this exclusion. Please ensure that work set by the school is completed and returned to us promptly for marking **[detail the arrangements for this]**.

From the sixth school day of the exclusion onwards i.e. **[specify date]**, The London Borough of Hounslow will provide suitable full-time education. A LA representative will contact you to discuss this.

You have a duty to ensure that your child is not found in a public place during the first five school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification for this. I must warn you that you may be prosecuted or receive a penalty notice from the local authority, if your child is found in a public place during normal school hours, on the specified dates, without reasonable justification.

[Paragraph for pupils resident outside of your LA]

From the sixth school day of the exclusion onwards i.e. **[specify date]**, **[name of LA where pupil lives]** Council will provide suitable full-time education. I have today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will contact you about the education arrangements from the sixth school day of the exclusion. You can contact them at **[give contact details]**.

You may wish to contact Mrs Hilary Baker, Access to Education Team Leader at London Borough of Hounslow on 0208 583 2784. Alternatively, you can write to her at Access to Education, Children's & Adult's Services, London Borough of Hounslow, 4th Floor Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to exclusions@hounslow.gov.uk who can provide advice.

You may also find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **0300 330 5485** or at www.childrenslegalcentre.com. A copy of the Government's guidance, '*Exclusion from maintained schools, Academies and Pupil Referral Units in England*', can be downloaded from the Department for Education's website at www.education.gov.uk.

Yours sincerely

[Name]
Head teacher

Appendix 6: Independent review panel training

The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, Governing Boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act