

Manor Hall Academy



Exclusion Policy

Responsibility for monitoring and reviewing this policy lies with the Chief Business Development Officer. A review of this policy and recommendations for change should be presented to the Directors of the trust for verifications.

The Directors of the trust, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to day responsibility to the Chief Executive Officer.

Directors will take account of recommendations from the Central MHAT team in review of this policy and seek HR advice as to such revisions.

MANOR HALL ACADEMY TRUST

Exclusion Policy

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Appendix 1: independent review panel training defined.	Error! Bookmark not defined.

Date	Version	Change	Origin of Change	Changed by
12/2/21	1	Addition of Exclusion example letters and notification to the CEO (section 3)	HAB	CSBO

1. Aims

Manor Hall Academy Trust's (MHAT) aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils 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](#)

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'

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](#)

Academies, including free schools, if applicable, add/amend: This policy complies with our funding agreement and articles of association.

3. 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. If a pupil is excluded for 6 or more days then the Headteacher must also notify the CEO of Manor Hall Academy Trust.

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."

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

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

4. 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.

5. Roles and responsibilities

5.1 The headteacher

Informing the Parents or Guardians

The headteacher will immediately provide the following information, in writing, to the parents or guardian 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
- 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 made permanent
- 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.

For all other exclusions, the headteacher will notify the governing board and LA once a term.

5.2 The Local Academy Board

Responsibilities regarding exclusions is delegated to LABs.

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

Provision does not have to be arranged for pupils 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 LA 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 pupil

The LAB 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
- If requested to do so by parents, the LAB 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.

Maintained school: Where an exclusion would result in a pupil missing a public examination, the LAB will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.

For all of the MHATs schools: Where an exclusion would result in a pupil missing a public examination, the LAB will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the LAB will consider the exclusion and decide whether or not to reinstate the pupil.

The LAB can either:

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

In reaching a decision, the LAB 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 LAB 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 LAB's 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 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

7. An independent review

If parents apply for an independent review, MHAT 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 LAB 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/director of MHAT, 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 MHAT, 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 MHAT, 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.

8. 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.

9. 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'

- Internal isolation

10. Monitoring arrangements

The Headteacher monitors the number of exclusions every term and reports back to the LAB, who in turn report to the MHAT. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the Chief Business Development Officer every 2 years. At every review the Head Teachers Advisory Board, Directors and CEO will be consulted with.

11. Links with other policies

This exclusions policy is linked to our

- Behaviour policy

Appendix 1: Independent review panel training

The MHAT 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

Appendix 2 – Model Letters and Templates

Model letter 1

From head teacher (or teacher in charge of PRU) 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]**

[child's name] [date of birth]

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 starts on **[date]** and ends on **[date]**. Your child should return to school 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 be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. It will be for you to show reasonable justification.

We will set work for **[child's name]** during this exclusion and would ask you to ensure that the work is completed and returned promptly to school for marking. **[specify the arrangements for this]**.

You have the right to make representations about this exclusion to the **[governing body/PRU management committee]**. 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/PRU management committee]** is not required to meet and 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.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on **[his/her]** own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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, MHAT Exclusion Policy v2 (MHAT)

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

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

Yours sincerely

[Name]

Headteacher (or teacher in charge of PRU)

cc. Child's school file

MHAT Exclusion Policy v2 (MHAT)

Model letter 2

From head teacher (or teacher in charge of PRU) notifying parent of a fixed period exclusion of 5 school days or fewer in one term but where the number of school days has accumulated to 6 to 15 school days in one term.

Dear **[parent's name]**

[child's name] [date of birth]

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 starts on **[date]** and ends on **[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 **[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 be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. It will be for you to show reasonable justification.

We will set work for **[child's name]** during this exclusion and would ask you to ensure that the work is completed and returned promptly to school for marking. **[specify the arrangements for this]**.

You have the right to make representations about this exclusion to the **[governing body/PRU management committee]**. As the number of school days **[child's name]** has been excluded has accumulated to more than five school days in a term, the **[governing body/PRU management committee]** must meet if you request it to do so. The latest date by which the **[governing body/PRU management committee]** must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the governing body were notified of this exclusion]**. If you do wish to make representations to the **[governing body/PRU management committee]** please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on **[his/her]** own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]** .
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

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

Yours sincerely

[Name]

Headteacher **(or teacher in charge of PRU)**

cc. Clerk to governors' committee **(or clerk to PRU management committee)**

District Inclusion Officer

Child's school file

Model letter 3

From head teacher (or teacher in charge of PRU) notifying parent when a new fixed period exclusion has been issued following straight on from a previous exclusion and which brings the exclusion to 6 to 15 consecutive school days in one term. NOTE: a further fixed period exclusion may be issued in exceptional circumstances, usually where further evidence has come to light.

Dear [parent's name]

[child's name] [date of birth]

I am writing to inform you of my decision to issue a further fixed period exclusion of [child's name] for [specify period] which follows on immediately from my previous letter dated [insert date of previous letter]. This means that [he/she] will not be allowed in school for this period which will begin immediately after the first fixed period exclusion ends. The further fixed period exclusion starts on [date] and ends on [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 [reason for exclusion].

From the [sixth school day of the pupil's exclusion] [specify date] until the expiry of this exclusion we [school or for PRUs the local authority] will provide suitable full-time education. [child's name] 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] until [specify the finish time, also include where relevant, any times for morning and afternoon sessions] and report to [staff member's name]. [If applicable — say something about transport arrangements from home to the alternative provider]

You have the right to make representations about this exclusion to the [governing body/PRU management committee]. As the number of school days [child's name] has been excluded has accumulated to more than five school days in a term, the [governing body/PRU management committee] must meet if you request it to do so. The latest date by which the [governing body/PRU management committee] must meet, if you request a meeting, is [specify date — no later than the 50th school day after the date on which the governing body were notified of this exclusion]. If you do wish to make representations to the [governing body/PRU management committee] please contact [name of contact] on/at [contact details — address, phone number, email], as soon as possible.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, [he/she] may also attend the meeting to speak on [his/her] own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate [his/her] views by other means.

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
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- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

[paragraph below is optional]

Other Useful Links:

The National Autistic Society (NAS) School Exclusion Service (England): 0808 088 4002 or schoolexclusions@nas.org.uk

- Independent Parental Special Education Advice: <http://www.ipsea.org.uk/>

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

Yours sincerely

[Name]

Headteacher **(or teacher in charge of PRU)**

cc. Clerk to governors' committee **(or clerk to PRU management committee)**

District Inclusion Officer

Child's school file

MHAT Exclusion Policy v2 (MHAT)

Model letter 4

From head teacher (or teacher in charge of PRU) notifying parent of a fixed period exclusion of 6 to 15 school days in one term.

Dear **[parent's name]**

[child's name] [date of birth]

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 starts on **[date]** and ends on **[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 **[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 this exclusion, that is on **[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 during school hours on the specified dates. It will be for you to show that there is reasonable justification.

For the first five school days of the exclusion we will set work for **[child's name]** and would ask you to ensure that the work is completed and returned promptly to school for marking. **[specify the arrangements for this]**

From the **[sixth school day of the pupil's exclusion] [specify date]** until the expiry of this exclusion we **[For PRUs the local authority]** will provide suitable full-time education. **[Set out the arrangements if known at the time of writing. Please note that full time education can be provided from the first day of the exclusion]**. On **[date]** **[child's name]** 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 make representations about this exclusion to the **[governing body/PRU management committee]**. As the period of this exclusion is more than five school days in a term the **[governing body/PRU management committee]** must meet if you request it to do so. The latest date by which the **[governing body/PRU management 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 **[governing body/PRU management committee]** please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on **[his/her]** own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

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

Yours sincerely

[Name]

Headteacher (or teacher in charge of PRU)

cc. Clerk to governors' committee (or clerk to PRU management committee)

District Inclusion Officer

Child's school file

Model letter 5

From head teacher (or teacher in charge of PRU) notifying parent of a fixed period exclusion of 16 school days or more in one term. (individual exclusion or accumulation)

Dear **[parent's name]**

[child's name] [date of birth]

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 starts on **[date]** and ends on **[date]**. Your child should return to school 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 this exclusion, that is on **[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 during school hours on the specified dates. It will be for you to show that there is reasonable justification.

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. **[specify the arrangements for this]**

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

From the **[sixth school day of the pupil's exclusion] [specify date]** until the expiry of this exclusion we **[For PRUs the local authority]** will provide suitable full-time education. **[Set out the arrangements if known at the time of writing. Please note that full time education can be provided from the first day of the exclusion]**. On **[date]** **[child's name]** 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 make representations about this exclusion to the **[governing body/PRU management committee]**. As the length of the exclusion is more than 15 school days **(or)** **[As the number of school days [child's name] has been excluded has accumulated to more than 15 school days in one term]**, the **[governing body/PRU management committee]** must meet to consider the exclusion. The latest date on which the **[governing body/PRU management committee]** must meet is **[insert 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/PRU management committee]** 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/PRU management committee]** of the time, date and location of the meeting.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on

[his/her] own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

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

Yours sincerely

[Name]

Headteacher (or teacher in charge of PRU)

cc. Clerk to governors' committee (or clerk to PRU management committee)

District Inclusion Officer

Child's school file

Model letter 6

From head teacher (or teacher in charge of PRU) notifying parent when a new fixed period exclusion has been issued immediately following a previous and which brings the exclusion to 16 or more consecutive school days in one term.

Dear **[parent's name]**

[child's name] [date of birth]

I am writing to inform you of my decision to **issue a further fixed** period exclusion of **[child's name]** for a further period of **[specify period]**. This means that **[he/she]** will not be allowed in school for this period **which will begin immediately after the first fixed period exclusion ends.** The exclusion starts on **[date]** and ends on **[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 **[reason for exclusion]**.

From the **[sixth school day of the pupil's exclusion] [specify date]** until the expiry of this exclusion we **[for PRUs the local authority]** will provide suitable full-time education. **[child's name]** 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]** until **[specify the finish time, also include where relevant, any times for morning and afternoon sessions]** and report to **[staff member's name]**. **[If applicable — say something about transport arrangements from home to the alternative provider]**

You have the right to make representations about this exclusion to the **[governing body/PRU management committee]**. As the number of school days **[child's name]** has been excluded has accumulated to more than 15 school days in one term, the **[governing body/PRU management committee]** must meet to consider the exclusion. The latest date on which the **[governing body/PRU management committee]** must meet is **[insert 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/PRU management committee]** 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/PRU management committee]** of the time, date and location of the meeting.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on **[his/her]** own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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/PRU management committee.

[paragraph below is optional]

You and **[child's name]** are requested to attend a reintegration interview with me at **[time]** on **[date]** at **[place]**. 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. I will be happy to supply you with a copy if you request it but due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy. There may be a charge for photocopying.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

[paragraph below is optional]

Other Useful Links:

- The National Autistic Society (NAS) School Exclusion Service (England): 0808 088 4002 or schoolexclusions@nas.org.uk
- Independent Parental Special Education Advice: <http://www.ipsea.org.uk/>

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

Yours sincerely

[Name]

Headteacher (or teacher in charge of PRU)

cc. Clerk to governors' committee (or clerk to PRU management committee)

District Inclusion Officer

Child's school file

MHAT Exclusion Policy v2 (MHAT)

Model letter 7

From the clerk to the governing body (clerk to PRU management committee) to parent upholding a fixed period exclusion

Dear **[parent's name]**

Re: [child's name] [date of birth]

The meeting of the **[governing body/PRU management committee]** at **[school]** on **[date]** considered the decision by **[head teacher/teacher in charge]** to exclude **[child's name]**. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold **[child's name]**'s exclusion.

The reasons for the **[governing body's/PRU management committee's]** decision are as follows: **[give the reasons in as much detail as possible, explaining how they were arrived at]**

There is no further right of representation about this exclusion and a copy of this letter will be placed on your child's curriculum record.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]. Telephone Office: 01785 278810**
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely,

[Name]

Clerk to the governors' committee **(or clerk to PRU management committee)**

cc. Headteacher **(or teacher in charge of PRU)**

District Inclusion Office

Child's school file

Model letter 8

From head teacher (or teacher in charge of PRU) notifying parent of a permanent exclusion.

Dear **[parent's name]**

[child's name] [date of birth]

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/this PRU]** unless **[he/she]** is reinstated by the governing body/the discipline committee **[or PRU management committee]** or by the recommendation of a review panel.

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]**.

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 this exclusion, that is on **[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 during school hours on the specified dates. It will be for you to show that there is reasonable justification.

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. 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.

[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]**.

You have the right to make representations about this decision to the **[governing body/PRU management committee]** and ask them to reinstate your child. As this is a permanent exclusion the **[governing body /PRU management committee]** must meet to consider it. The **[governing body/PRU management committee]** 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 ask for the decision to be reviewed by an Independent Review Panel. The latest date by which the **[governing body/PRU management committee]** must meet is **[specify the date — the 15th school day after the date on which the governing body/PRU management committee was notified of the exclusion]**. If you wish to make representations to the **[governing body/PRU management committee]** 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/PRU management committee]** of the time, date and location of the meeting.

At the meeting you have the right to be accompanied by a friend or representative. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on

[his/her] own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

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/PRU management committee.

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

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely

[Name]

Headteacher **(or teacher in charge of PRU)**

cc. Clerk to governors' committee **(or clerk to PRU management committee)**

District Inclusion Officer

Child's school file

Model letter 9

From head teacher (or teacher in charge of PRU) notifying parent of the date of the governors' meeting

Dear **[parent's name]**

[child's name] [date of birth]

I refer to my letter dated **[date of letter informing parent of exclusion]** and wish to inform you that the **[governors/management committee]** will meet to review my decision on **[time and date]** at **[location]**.

You are invited to attend this meeting and you may bring a friend or representative with you. Taking into account your child's age and understanding, **[he/she]** may also attend the meeting to speak on **[his/her]** own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate **[his/her]** views by other means.

If you wish to attend please contact **[name of contact]** on/at **[contact details — address, phone number, email]** or alternatively please complete and return the reply slip at the bottom of this letter.

The following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely

[Name]

Headteacher **(or teacher in charge of PRU)**

To: Headteacher **[name and address of school/PRU]**

[child's name] [date of birth]

Meeting of **[governing body/PRU management committee]** on **[insert time and date]** to review headteacher's decision to exclude **[child's name]** from school

I wish/ do not wish* to attend the meeting to review my child's exclusion.

I will/ will not be* accompanied by a friend and/or representative. (if applicable)

My child will/will not be* attending. (if applicable)

My child will/ will not be* accompanied by a friend and/or representative. (if applicable)

* please delete as applicable

Signed: Date:

Model letter 10

From head teacher (or teacher in charge of PRU) notifying parent of the decision to withdraw an exclusion

Dear **[parent's name]**

[child's name] [date of birth]

I am writing to inform you of my decision to withdraw your child's permanent exclusion.

This decision is based on discussion with **XXXX**, District Inclusion Officer, and is on the understanding that **[child's name]** will receive education at **[name of provision/new school etc]** and will not return to **[name of excluding school]**.

This will mean that the permanent exclusion will be removed from **[child's name]**'s school record.

I would be grateful if you could complete the attached acknowledgement form and return it to me. I would like to wish you and **[child's name]** best wishes for the future.

Yours sincerely,

[name]

Headteacher **(or teacher in charge of PRU)**

Copy to:

Chair of governors/**PRU management committee**

District Inclusion Officer

Child's school file

To: Headteacher [name and address of school/**PRU**]

MHAT Exclusion Policy v2 (MHAT)

[child's name] [date of birth]

I acknowledge receipt of your letter regarding your decision to withdraw the exclusion

Name: Date:

Model letter 11

From the clerk to the governing body (clerk to PRU management committee) to parent upholding a permanent exclusion

Dear **[parent's name]**

[child's name] [date of birth]

The meeting of the **[governing body/ PRU management committee]** at **[school]** on **[date]** considered the decision by **[head teacher/teacher in charge]** to permanently exclude your son/daughter **[child's name]**. The **[governing body/PRU management committee]**, after carefully considering the representations made and all the available evidence, has decided to uphold **[child's name]**'s exclusion.

The reasons for the **[governing body/PRU management committee]**'s decision are as follows: **[give the reasons in as much detail as possible, explaining how they were arrived at.]**

You have the right to request a review of the governors' decision. If you wish to request a review, please notify the Staffordshire Education Exclusion Review Panel. You must set out the reasons for your request in writing, either by letter or by completing the enclosed form and send the request to:

The Independent Review Panel Administrator

Legal Services Unit

Staffordshire County Council

1 Staffordshire Place

Stafford

ST16 2DH

Please note that your letter/form informing the Review Panel of your request must be delivered by no later than **[specify the latest date - 15th school day after receipt of this letter and even if letter goes by 1st Class post, allow two days for delivery]** and it would be advisable to obtain proof of posting of your letter/form.

If you have not lodged a request for a review by **[repeat latest date]**, you will lose your right to a review.

Please advise the Review Panel if you have a disability or any needs which would affect your ability to attend the hearing. Also, please inform the Review Panel if it would be helpful for you to have an interpreter present at the hearing.

Regardless of whether your child has recognised special educational needs, you have a right to require the local authority / academy trust to appoint an SEN expert to attend the review. There would be no cost to you and the SEN expert is there to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion. Please indicate on your letter/form whether or not you wish for an SEN expert to be appointed.

If you consider that your child's special educational needs are relevant to the exclusion, please refer to this in your request for a review.

The review will be heard by an Independent Review Panel (IRP). The IRP will rehear all the facts of the case and if you have fresh evidence, which you have not previously provided to the school or the governing body, you may present it at the hearing. The IRP must meet no later than the 15th school day after the date on which you made your request. In exceptional circumstances the IRP may adjourn the hearing until a later date.

In determining your review, the IRP can make one of three decisions.

- they may uphold exclusion decision;
- they may recommend that the **[governing body/PRU management committee]** reconsiders their decision; or
- they may quash the **[governing body/PRU management committee]**'s decision and direct that the **[governing body/PRU management committee]** considers the exclusion again.

In addition to the right to apply for a review by an IRP, if you believe that the exclusion has occurred as a result of discrimination, you 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 six months of the date on which the discrimination is alleged to have taken place e.g. the day on which your child was excluded. The First-tier Tribunal or County Court has the power to direct that your child should be reinstated.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]. Telephone Office:**
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Statutory guidance on exclusion can be found here: <https://www.gov.uk/government/publications/school-exclusion>

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

Yours sincerely

[name]

Clerk to the governing body **(or clerk to PRU management committee)**

cc. Headteacher **(or teacher in charge of PRU)**

District Inclusion Officer

Child's school file

APPLICATION FOR INDEPENDENT EXCLUSION REVIEW PANEL HEARING

DETAILS OF THE EXCLUDED PUPIL
Name: Date of birth: Address:
DETAILS OF THE PERSON REQUESTING THE REVIEW
Name: Address: Relationship to the pupil: PLEASE NOTE: All parents of a child are entitled to attend and make representations at an exclusion review panel hearing. Please therefore provide below details (including name, address and relationship to the pupil) of any other person with whom we should correspond regarding the review.
DETAILS OF THE EXCLUDING SCHOOL
Name: Is the school an Academy? YES/NO/NOT SURE (<i>please circle</i>) Address or general location:

Date of permanent exclusion (if known):	
ATTENDANCE AT THE REVIEW HEARING	
Will you be attending the hearing in person? YES/NO	
<p>If "YES"</p> <ul style="list-style-type: none"> Please provide a telephone number below on which we can contact you to make arrangements. <u>If you fail to turn up when we are expecting you and we don't know how to contact you to find out why you can no longer attend, it is likely that the hearing will go ahead in your absence.</u> <p>Tel:</p>	<p>If "NO"</p> <ul style="list-style-type: none"> Will someone be attending on your behalf? If so, please provide details, including a daytime contact telephone number:
<p>You are entitled to bring a friend or representative along with you to the hearing. If you do intend to bring someone with you then please provide his/her details (name, title and address) and indicate their relationship i.e. friend or representative, also provide telephone and email details together with name of the organisation. (Please note that the Panel's permission will be required if you intend to bring more than one person):</p>	
<p>The excluded pupil is entitled to attend the review hearing in person, or to make a statement to be read out at the hearing. Please indicate below whether or not the excluded pupil will be attending</p> <p>YES NO</p>	
SPECIAL EDUCATIONAL NEEDS	
<p>You are entitled to request a Special Educational Needs (SEN) expert to attend the review panel hearing. The SEN expert is there to provide impartial advice to the Independent Review Panel.</p> <p>Would you like to request a SEN expert to attend the review panel hearing?</p>	

YES

NO

REASONS FOR REQUESTING THE REVIEW

(Please note that you will have the opportunity to explain your reasons in greater detail at a later date)



Send to: *The Independent Review Panel Administrator, Legal Services Unit,
Staffordshire County Council, 1 Staffordshire Place, Stafford, ST16 2DH*

(It would be advisable to obtain proof of posting of this form)

Model letter 12

From clerk to the governors' committee (clerk to PRU management committee) notifying the parent - exclusion not upheld

Dear **[parent's name]**

[child's name] [date of birth]

The meeting of the **[governing body/ PRU management committee]** at **[school]** on **[date]** considered the decision by **[head teacher]** to exclude **[child's name]**. The **[governing body/PRU management committee]**, after carefully considering the representations made and all the available evidence, has decided not to uphold **[child's name]**'s exclusion.

The reasons for the **[governing body's/ PRU management committee's decision]** are as follows: **[give the reasons in as much detail as possible, explaining how they were arrived at]**

Your child may therefore return to school on **[time & date] [if applicable]**. A copy of this letter will be placed on **[his/her]** curriculum record. Please note that it is not possible to delete all record of this exclusion having been imposed, but the child's file will make it clear that it was subsequently overturned by the governors.

For your information the following sources of advice are available to you.

- District Inclusion Officer **[enter details – name, address, email]**.
- 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 education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/>
- ACE Education provides information on law and guidance covering state funded education for children aged 5 to 16 years in England only. can be contacted on 03000 115 142 Monday to Wednesday from 10am to 1pm during term time or for more information visit <http://www.ace-ed.org.uk>
- Staffordshire SEND Family Partnership Service (formerly known as the Parent Partnership Service) provides information advice and support to parents and carers of children and young people with special educational needs and disabilities. This may include those children with behaviour difficulties as well as those who are at risk of or have been excluded from school. They can be contacted on 01785 356921, email to sfps@staffordshire.gov.uk or visit the website for more information www.staffordshire.gov.uk/sfps

- Statutory guidance on exclusion can be found here:
<https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely,

[Name]

Clerk to the governors' committee **(or clerk to PRU management committee)**

cc. Headteacher **(or teacher in charge of PRU)**

District Inclusion Office

Child's school file

Model letter 13

From the head teacher (or teacher in charge of PRU) notifying home LA of pupil's permanent exclusion.

Dear **[colleague]**

[child's name] [date of birth]

I am writing to inform you that I have had to permanently exclude **[child's name]** from school with effect from **[date]**. **[child's name]** resides in your Local Authority area at:

[address of child]

[child's name] has been excluded because **[reasons for the exclusion — include any other relevant previous history here]**.

[if known] The governors are due to meet on **[date]**. The clerk to the governors will notify you of the result of the governors' meeting in due course.

You may wish to contact the District Inclusion Officer **[contact details — address, email] Telephone Office: 01785 278810** for further information.

Yours sincerely,

[Name]

Headteacher **(or teacher in charge of PRU)**

cc. Clerk to governors' committee **(or clerk to PRU management committee)**

District Inclusion Officer

Child's school file