



Bridgewater Primary School

EXCLUSION POLICY AND PROCEDURES 2018 - 2019

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At Bridgewater Primary School, we believe that it is the right of all people to work and learn in a pleasant, calm environment where they feel safe, happy and valued. Our school is a place where high standards of behaviour are considered the norm. We aim to ensure mutual respect amongst members of the school community.

This policy is underpinned by the Behaviour Policy. The policy reflects the Education and Inspections Act 2006 and the procedure follows the statutory Guidance and Regulations on Exclusion (2012) and relates to The Amended Education Act 2011, The School Discipline Regulations 2012, The Education (Provision of full-time Education for excluded pupils (England)) Regulations 2007, the Education Equality Act 2010 and Exclusions from Maintained Schools, academies and pupil referral units in England 2017.

Exclusion is taken very seriously and it is used only as a last resort. The Headteacher, or a member of the Senior Leadership Team acting in the absence of the Head, is the only person who can take the decision to exclude a pupil from school. The school will work to ensure early intervention for underlying disruptive behaviour to prior exclusion wherever possible.

The decision to apply such an extreme sanction as exclusion, whether fixed term or permanent, would be in response to a serious breach or persistent breaches of the school behaviour policy and if allowing the pupil to remain in school would be detrimental to the welfare or education of the pupil or others in the school. A decision is made after due consideration that it is lawful, rational, fair and proportionate.

The behaviour of pupils outside school can also be considered as grounds for exclusion. This will be a matter of judgement for the Headteacher in accordance with the school's published behaviour policy.

Governors are informed and consulted on behavioural issues, when necessary, and are updated regularly on the general behaviour. Consideration of any potential impact the policy may have with regard to equality and diversity has been made.

No exclusions will be made due to a child's attainment or ability, because of actions from their parent or carer or if they fail to meet the specific conditions before a reintegration meeting for a prior exclusion. No child will be discriminated against, harassed or victimised due to their sex, race, disability, religious beliefs or due to gender reassignment (see Equality Policy/Duty.)

2. Managed Moves

A pupil can also be transferred to another school as part of a 'managed move'. This is to allow the pupil to have a fresh start in a new school and is an alternative to an exclusion. Managed moves are *voluntary* – they must only be arranged with the consent of the parties involved, including the parents. The threat of exclusion must not be used to influence parents to remove their child from the school. Managed moves are usually subject to a trial period in the new school. Pupils can be returned to the original school if the placement fails. For more information see our behaviour policy.

3. Fixed Term Exclusion

If the Headteacher decides to exclude a pupil for a fixed period, the parents/carers will be involved at the earliest possible time, usually by a telephone call, and a request will be made for the pupil to be taken home.

Parents/carers will also be notified in writing. The letter will give details of the reason for exclusion, the type/term of exclusion, their right to make a representation to the governing body and how to do this.

Where there is a legal requirement for the governing body to consider the exclusion, parents will be advised of their rights to attend a meeting, be represented at this meeting (at their own expense) or to bring a friend. The letter will provide details of how to appeal against the decisions if they feel that their child has been unfairly discriminated against (under the Equality Act 2010) in relation to the fixed term exclusion. Information will be provided of the arrangements by which a pupil will be readmitted to the school. In most circumstances, this letter will be handed directly to the parent collecting. We will hand the letter to another adult collecting on behalf of the parent, if they are unable to collect due to exceptional circumstances (see Appendix 1, model letters 1 to 3). The school will make reasonable steps to give the child work to complete that is accessible and achievable, to try to ensure that they do not fall behind their peers in class.

A fixed term exclusion is expected to be used as an opportunity to reflect on the circumstances and behaviour that led to the exclusion and, with the support of parents/carers and school staff, develop strategies to reduce the risk of the behaviour reoccurring.

Long term fixed exclusions can be given at the discretion of the Headteacher for up to 15 days in any one term.

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. An exclusion that takes place over a lunchtime would be counted as half a school day.

For fixed term exclusions of 5 school days or fewer during a term, parents/carers can make representations to the governing body via the Chair of Governors who must consider them, but cannot direct reinstatement. The governing board is not required to meet and cannot direct the reinstatement of the pupil for exclusions of more than 5 but fewer than 15 school days in the term, if the parents do not make representations.

Where pupils are excluded for more than 5 school days and less than 15 during a term, parents/carers can request a meeting of the governing body to consider parents' representations about the exclusion. The governing body may delegate their functions, with respect to the consideration of an exclusion decision, to a designated sub-committee consisting of at least three governors. The governing body must convene a meeting to consider reinstatement within 50 days of receiving notice of the exclusion. The governing body must arrange suitable full time education e.g. home tutoring or online studies from day 6 onwards (Section 100, Education Inspections Act 2006.)

All fixed term exclusions relating to an individual pupil and amounting to **more than 15 school days in any one term** or missing public examinations must be reviewed at a meeting of governing body or its' designated sub-committee.

A pupil cannot be excluded for more than 45 school days in any one year. This applies to the pupil not the institution. A pupil whose behaviour at lunch-time is disruptive may be excluded from the school premises for the duration of the lunch period. The school has an obligation to continue to provide education for an excluded pupil. Up until the 6th day of exclusion a pupil will receive work to do at home. From the 6th day onwards the school will provide full-time education in collaboration with external partners.

If a parent/carer refuses to comply with an exclusion the school will contact the Education and Inclusion Entitlement Service and seek the advice of the Local Authority (LA). The Headteacher will report short fixed period exclusions once a term to the governing body and LA.

3.1 Pupils found in a public place during the first 5 days of a fixed-term or permanent exclusion

If a child is subject to a fixed-term or permanent exclusion it is the responsibility of parents/carers to ensure that their children are **not** in a public place during the first five days of their exclusion, during school hours of a school day, including lunch and break times, without reasonable justification. Following this time, a child would either return to school or be offered alternative provision by the school. There may be reasonable justification for a parent/carer to have not ensured the pupil is not in a public place and the circumstances of each case will be considered.

In the instance where a child or young person is found in public place during fixed-term or permanent exclusion, a Penalty Notice can be issued even though the absences during the exclusion may be regarded as authorised.

3.2 Re-Integration Interview after Fixed Term Exclusion

The Headteacher will arrange a re-integration meeting with parents/carers during or following the expiry of any fixed period exclusion. The re-inclusion interview is to:

- emphasise the importance of parents working with the school to take joint responsibility for their child's behaviour;
- discuss how behaviour problems can be addressed;
- explore wider issues and any circumstances that may be affecting the pupil's behaviour and
- to reach agreement on how the pupil's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour.

The interview must be held during the period beginning with the first school day to which the exclusion relates and ending within the fifteenth school day following the day on which the pupil returns to school.

After speaking to the parents, the child will be spoken to with the parents and Headteacher, the next steps and expectations will be shared at an age appropriate level.

4. Permanent Exclusion

A decision to exclude a pupil permanently will be taken only:

- in response to a serious breach 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 the pupil or others in the school.

A decision to exclude a pupil permanently is a serious one and will only be taken where the basic facts of the incident have been clearly established. It will usually be the final step in a process for dealing with disciplinary offences, following a wide range of other strategies, which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil.

There will, however, be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to permanently exclude a pupil for a first or "one off" offence. These might include:

- serious actual or threatened violence against another pupil or member of staff;

- sexual abuse or assault;
- supplying an illegal drug; or
- carrying an offensive weapon. Schools now have a power to screen and search pupils for weapons. The Critical Incident Plan details the school's emergency response to incidents deemed to be critical, such as violence and carrying an offensive weapon.

This is not an exhaustive list, there may be other situations where permanent exclusion is deemed appropriate.

There will be no extension to a fixed-term exclusion once set and it will not be converted into a permanent one. Instead, if a longer exclusion or permanent exclusion is deemed appropriate, the Headteacher will issue a new fixed-term or permanent exclusion to begin immediately after the first one ends, if new evidence becomes known whilst being investigated. If this occurs the Headteacher will notify parents immediately and the correct protocol will be followed.

Parents/carers will be involved at the earliest possible moment following a breach of the school's disciplinary code, usually initially with a telephone call and a request will be made for the pupil to be taken home.

Parents/carers will also be notified in writing. The letter will give details of the reason for the permanent exclusion, the legal requirement for the governing body to consider the exclusion and their rights to attend and to be represented at this meeting. The letter will include details as to how parents can put forward their representation with contact details of the Chair of Governors at the school. The letter will provide details of how to appeal against the decisions if they feel that their child has been unfairly discriminated against (under the Equality Act 2010) in relation to the fixed term exclusion (see Appendix 1, model letter 4). See also the section of Exclusions and SEND below.

The governing body or its' delegated sub-committee will meet within 15 days to consider re-instatement of the pupil. Parents, the Headteacher and a representative from the Local Authority will be invited to attend. Parents may be accompanied by a friend or representative (at the parent's cost). All parties will receive copies of written statements and a list of who will be present at least 5 days before the meeting.

The governing body will notify the parents, Headteacher and local authority of their decision promptly. Where the governing body upholds the Headteacher's decision to permanently exclude a pupil, the parents will be advised of their right for the decision to be reviewed by an independent panel. Parents have the right to request, from the LA, that a Special Educational Needs expert be present at the meeting with the independent panel. The governing body will consider the interests and circumstances of the pupil, the circumstances that the pupil was excluded for and the interests of the other pupils and adults in the school.

When the governing board is considering whether a pupil should be reinstated, it should consider any evidence that was presented in relation to the decision to exclude (in addition to considering whether the decision to exclude the pupil was lawful, reasonable and procedurally fair, and whether the Headteacher followed their legal duties.)

5. The independent review panel

The venue for an independent review panel must be accessible to all parties. The LA must consider what reasonable adjustments should be made under the Equality Act 2010 to support the attendance and contribution of parties at the review.

The LA has a responsibility to ensure that the clerk to an independent review panel follows the statutory guidance.

The SEN expert must be someone with expertise and experience of SEN and be considered by the LA as appropriate to perform the functions specified in the legislation.

When providing details of the role of the SEN expert in an independent review panel, the governing board should explain that:

- There is no cost to parents for this appointment and parents must make it clear in any application for a review if they wish for the expert to be appointed.
- The panel's decision should not be influenced by any stated intention of the parents or pupil not to return to the school. If parents are not considering the reinstatement of the pupil, the panel should acknowledge this but it should not affect the conduct of the panel or its decision.

The focus of the panel's decision is whether there are sufficient grounds for them to direct or recommend that the governing board reconsider its decision to uphold the exclusion. Potential outcomes can still include:

- Recording the panel's findings on a pupil's educational record
- An acknowledgement by the governing board that it would be appropriate for it to offer to reinstate the pupil

The independent review panel can uphold the decision to permanently exclude a pupil; recommend that the governing body reconsider its decision or quash the decision and direct that the governing body to reconsider its decision.

If an independent review panel directs or recommends that a governing board re-considers whether a pupil should be reinstated, the governing board should do so conscientiously. The governing board may still reach the same conclusion as before; however, it may face challenge in the courts if it refuses to reinstate the pupil without strong justification.

A direction to reconsider is limited to circumstances where a panel decides that the school has acted illegally, irrationally or where there are significant flaws in procedure.

The clerk to the independent review panel should not have served as clerk to the governing board in the meeting at which the decision was made not to reinstate the pupil.

Independent review panel members are expected to understand the legislation that is relevant to exclusions and the legal principles that apply.

Should the governing body decide not to offer to reinstate a pupil following a direction from the independent review panel to reconsider its decision, the school may be charged £4,000 by the LA towards the cost of alternative provision for the child.

Where a parent alleges discrimination (under the Equality Act 2010) in relation to a fixed period or permanent exclusion, they are able to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination) within 6 months of the alleged discrimination.

When notifying parents/others of a permanent exclusion from school, reference will be made to previous relevant warnings, fixed period exclusions or other disciplinary measures which preceded the exclusion. Parents have 15 days from the notice of the governing body to uphold a permanent exclusion to request a meeting of the independent review panel and that they have the right of access to their son/daughter's school records (Education {School Records} Regulations 1989).

The Headteacher will advise the Local Authority via the Educational Inclusion Partnership Team (EIPT) and the Chair of the Governing Body immediately of any decisions to permanently exclude a pupil. Copies of all correspondence to the parents will be retained in the pupil's folder.

6. Removal of the child from the school's admissions register

- It is the duty of the governing board to remove the name of a pupil who has been permanently excluded from the school admissions register.
- Where a school is going to delete a pupil's name from the admissions register because of a permanent exclusion, the school must make a return to the LA. It must be made as soon as the grounds for deletion is met and no later than the deletion of the name.
- Our school will work with and co-operate with the LA's virtual school head for possible exclusions of looked after children. Our aim is to avoid the exclusion of a looked after child.

7. Exclusions and SEND

Schools must ensure that they do not discriminate against pupils on any grounds; including race, disability, gender and sexual orientation. Schools must also always comply with the principles of the Equality Act 2010 and are bound by the law as set out in the Act.

As a school we have regard to any SEN a pupil may have. A decision to exclude a child with SEN and one who may have a statement of SEN is taken very carefully indeed; it will be the last resort after alternatives have been tried and failed.

7.1 Pupils with Special Educational Needs and/or Disability (SEN)

In most cases, the school will be aware that there is difficulty managing a child's behaviour before a situation has escalated. In these cases, every practicable effort will have been taken to maintain the child in school, anticipate the barriers that a child might face and attempt to remove or minimise them. These anticipatory steps may include seeking LA advice and staff training, as well as gathering advice from other educational professionals. It may be appropriate, in some cases, for the school to consider asking the LA to consider carrying out a statutory assessment. For children with an existing EHCP, the school will arrange an emergency review if we feel we need additional support to meet a child's needs. The definition of disability is not the same as the definition of special educational needs; however, there is likely to be a large overlap between those pupils who have SEN and those who are disabled.

For some children with complex needs, with or without an identified SEN, the school will discuss whether a referral to the SEMH panel needs to be made, which can lead to further specialist advice.

7.2 Discrimination against Protected Groups

When considering whether it is appropriate to exclude a pupil who may be disabled within the meaning of the Disability Discrimination Act 1995, the Headteacher will carefully consider if the exclusion is justified. The Headteacher has a duty of care to ensure that all pupils and staff, including children with additional needs, are safe. An exclusion of a disabled pupil can be justified if there is a 'material' and 'substantial' reason for it. Maintaining order and discipline in the school is considered a material and substantial reason, taking into account the reasonable adjustments as detailed above. Details for parents/carers on their right to represent their views, if they feel their child has been discriminated against, is given to parents.

Reviewed November 2018, in line with the Department for Education's Exclusion from maintained schools, academies and pupil referral units in England:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

8. Other policies linked to this policy are:

- Attendance Policy
- Behaviour Policy
- Special Educational Needs and Report Policy
- Equality Duty
- Behaviour Policy
- Critical Incident Plan

Key people linked to this policy are:

- Headteacher – Alison Harvey
- Deputy Headteacher/ SENDCo – Frances Troop
- Assistant Headteacher - Laura White
- Assistant Headteacher - Samantha Mawer
- Assistant Headteacher - Zoe Hall
- Learning Mentor – Victoria Ashby
- Parent Link Worker – Louise Thomas
- Joint Chair of Governors- Mary Kay and Chris Grimshaw
- Chair of Learning and Teaching Committee – Joanna Dunkley

Signed.....

Date.....

Chair of Teaching and Learning Committee

Signed.....

Date.....

Chair of the Governing Body

Date adopted: March 2019

Review date: March 2021 or earlier if statutory changes are made.

9. APPENDICES

9.1 Model letter 1

From the Headteacher notifying parent of a fixed period exclusion of 5 school days or fewer in one term,

Dear [Parent's name],

I am writing to inform you of my decision to exclude [pupil's name] for a fixed period of [specify period]. This means that he/she will not be allowed in school for this period. The exclusion begins/began on [date] and ends on [date].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [pupil's name] has not been taken lightly. [Pupil's name] has been excluded for this fixed period because [reason for exclusion this can be more than one reason].

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on [specify dates] unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [pupil's name] to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification [detail the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body/management committee (Academies refer to governing body sometimes as the board of directors of the Academy Trust). If you wish to make representations please contact the Clerk to the Governing Body at Bridgewater Primary School, 01604 637056, as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You and [pupil's name] are requested to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school to discuss how best we can support your child.

Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>.

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/guidance/courts-and-tribunals/tribunals/send/index.htm>).

Advice on the exclusions process can also be obtained from the Education Entitlement Service 0300 126 100 or via the online contact form available <https://northamptonshire.firmstep.com/default.aspx/RenderForm/?F.Name=BSR3B6xZnjG> or Northampton Parent Partnership on 01604 636111 contact@npps.info (for pupils with special educational needs)

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

Yours sincerely

[Name]

Headteacher

9.2 Model letter 2

From the Headteacher notifying parent(s) of a pupil's fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.

Dear [Parent's name]

I am writing to inform you of my decision to exclude [pupil's name] for a fixed period of [specify period]. This means that [pupil's name] will not be allowed in school for this period. The exclusion start date is [date] and the end date is [date]. Your child should return to school on [date].

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude [pupil's name] has not been taken lightly. [Pupil's name] has been excluded for this fixed period because [specify reasons for exclusion].

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days [or specify dates if exclusion is for fewer than 5 days] of this exclusion, that is on [specify dates]. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [pupil's name] during the first five school days of his/her exclusion [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the [6th school day of the pupil's exclusion [specify date] until the expiry of his exclusion we [set out the arrangements for provision if known] will provide suitable full-time education. On [date] he/she should attend at [give name and address of the alternative provider if not the home school] at [specify the time] 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 request a meeting of the governing body to whom you may make representations, where the decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the governing body must meet if you request it to do so. The latest date by which the governing body 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 and wish to be accompanied by your child and friend or representative, please contact Clerk to the Governing Body at Bridgewater Primary School, 01604 637056, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the Clerk 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/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the discipline committee.

You and [pupil's name] are requested to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Advice on the exclusions process can also be obtained from the Education Entitlement Service 0300 126 100 or via the online contact form available <https://northamptonshire.firmstep.com/default.aspx/RenderForm/?F.Name=BSR3B6xZnjG> or Northampton Parent Partnership on 01604 636111 contact@npps.info (for pupils with special educational needs)

Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>.

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

Yours sincerely

[Name]

Headteacher

From the Headteacher notifying parent of a fixed period exclusion of more than 15 school days in total in one term.

Dear [Parent's name]

I am writing to inform you of my decision to exclude [pupil's name] for a fixed period of [specify period]. This means that [pupil'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 [pupil's name] has not been taken lightly. [Pupil's name] has been excluded for this fixed period because [reason for exclusion].

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during [the first five school days of exclusion or specify dates], unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for [pupil's name] during the [first five school days or specify dates] of his/her exclusion [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the [6th school day of the pupil's exclusion] [specify date] until the expiry of his/her exclusion we [set out the arrangements for provision if known] will provide suitable full-time education. On [date] he/she should attend [give name and address of the alternative provider] at [specify the time] and report to [staff member's name]. [If applicable — say something about transport arrangements from home to the alternative provider.]

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the meeting you may make representations. 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 your child and friend or representative please contact the Clerk to the Governing Body at Bridgewater Primary School, 01604 637056, as soon as possible. You will, whether you choose to make representations or not, be notified by the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the Clerk 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/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the governing body.

You and [pupil's name] are invited to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time to discuss how we can best support your child

Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>. You may also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>.

Advice on the exclusions process can also be obtained from the Education Entitlement Service 0300 126 100 or via the online contact form available <https://northamptonshire.firmstep.com/default.aspx/RenderForm/?F.Name=BSR3B6xZnjG> or Northampton Parent Partnership on 01604 636111 contact@npps.info (for pupils with special educational needs)

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

Yours sincerely

[Name]

Headteacher

9.4 Model letter 4

From the Headteacher notifying the parent(s) of the pupil's permanent exclusion.

Dear [Parent's Name]

I regret to inform you of my decision to permanently exclude [pupil's name] with effect from [date]. This means that [pupil's name] will not be allowed in this school unless he/she is reinstated by the governing body.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [pupil's name] has not been taken lightly. [Pupil'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 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for [pupil's name]'s education to continue will be made. For the first five school days of the exclusion we will set work for [pupil'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] Northamptonshire County Council will provide suitable full-time education. [set out the arrangements, if known.]

As this is a permanent exclusion the governing body must meet to consider it. At the meeting you may make representations, your son/daughter can also attend the meeting if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date or, alternatively, they have the power to uphold the exclusion in which case you may make application against their decision to an Independent Review Panel. The latest date by which the governing body must meet is [specify the date — the 15th school day after the date on which the governing body was notified of the exclusion]. If you wish to make representations to the governing body and wish to be accompanied by your son/daughter, a friend or representative please contact the Clerk to the governing body at the school, as soon as possible. You will, whether you choose to make representations or not, be notified by the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the governing body/management committee/board of directors of the Academy Trust.

Exclusion guidance can be obtained from the Department for Education website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>. You may also find it useful to contact the the Children's Legal Centre. They aim to provide free legal advice and information to parents on

state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>.

Advice on the exclusions process can also be obtained from the Education Entitlement Service 0300 126 100 or via the online contact form available <https://northamptonshire.firmstep.com/default.aspx/RenderForm/?F.Name=BSR3B6xZnjG>

or Northampton Parent Partnership on 01604 636111 contact@npps.info (for pupils with special educational needs)

Yours sincerely

[Name]

Headteacher

10. Summary of Governing Body’s duties to review the Headteacher’s exclusion decision

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion from maintained schools academies and pupil referral units.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/269681/Exclusion_from_maintained_schools_academies_and_pupil_referral_units.pdf)

