



Information Advice and Support

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Exclusions

This leaflet explains about exclusions and what happens should your child be excluded.



**Information,
Advice & Support
Services Network**



Updated: July 2017



Exclusion from school is when your child is sent home from school for not following the school's Behaviour Policy.

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

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

The decision on whether to exclude is for a Headteacher to take. However, where practical, head teachers should give pupils an opportunity to present their case before taking the decision to exclude.

Where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with a Statement of SEN/EHC Plan/ under an EHC assessment or a looked after child it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has a Statement of SEN or an EHC Plan, schools should consider requesting an early Annual Review or Interim/ Emergency Review.

What happens when your child is Excluded

Your child's school will let you know about an exclusion as soon as possible and follow up with a letter including information about how long your child is excluded for and why. Exclusions can start the same day but the school can't make you collect your child straight away.

The letter the school sends you must tell you:

- The reasons for the Exclusion
- The length of the Fixed Term Exclusion or, for a Permanent Exclusion, the fact that it is a Permanent Exclusion
- The parents rights to make representations about the Exclusion to the Governing Body and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the Governing Body to consider the Exclusion, that parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend

- Where an excluded pupil is of compulsory age, the headteacher must also notify the pupils parents of the days on which they must ensure that the pupil is not present in a public place at any time

You should also be told how to challenge the exclusion, if you want to.

Types of Exclusion

There are 2 kinds of exclusion - Fixed Term (suspended) and Permanent (expelled).

Fixed Term Exclusion

A Fixed Term Exclusion is where your child is temporarily removed from school. They can only be removed for up to 45 school days in one school year.

If a child has been excluded for a fixed period, schools should set and mark work for the first 5 school days.

If the exclusion is longer than 5 school days, the school must arrange full-time education from the sixth school day.

Permanent Exclusion

Permanent Exclusion means your child is expelled. The Local Authority must arrange full-time education from the sixth school day, there is an obvious benefit in starting this provision as soon as possible. In particular, in the case of a looked after child, schools and Local Authorities should work together to arrange alternative provision from the first day following the exclusion.

Where it is not possible, or appropriate, to arrange alternative provision during the first five school days of an exclusion, schools should take reasonable steps to set and mark work for pupils. Work that is provided should be accessible and achievable by pupils outside of school.

Alternative Education and Exclusion

The school must tell you about any alternative education they or the local council arrange. It's your responsibility to make sure your child attends.

Contact the school (for fixed term exclusions) or the local council (for permanent exclusions) if they haven't arranged anything after 5 days, or if you have a complaint about the education.

Challenging Exclusion

The letter from school about the exclusion will tell you how to challenge the decision.

Challenging Fixed Term Exclusion

You can challenge fixed period exclusions if a pupil has been excluded for more than 5 school days in a term or an exclusion will mean they will miss a public exam or national curriculum test. For exclusions of 5 school days or less, parents can ask the governing body to consider their views.

Challenging Permanent Exclusion

You can challenge permanent exclusion with the governing body. If they agree with the exclusion, you can appeal to the local council or the Academy Trust if the school is an academy. The governing body must tell you how to do this.

Risk of prosecution if child is found in public place

For the first 5 school days of an exclusion, it's your responsibility to make sure your child isn't in a public place during normal school hours unless there is a good reason. *You might be prosecuted if your child is found in a public place when they're not supposed to be.*