



## **EXCLUSION POLICY**

The school follows the LA guidelines on exclusion that are detailed in this policy.

**The ethos of our school is embedded in our key Christian values**

**Honesty**

**Forgiveness**

**Love for all**

**Celebration**

**Fairness**

**Being Thankful**

**This school is committed to safeguarding and promoting the welfare of children and this policy supports this commitment.**

*Policy approved: May 2012    Review Date: 2015 or when there are new guidelines*

***Updated with new guidance October 2012***

**Rationale**

This policy should be read in consultation with the Behaviour Policy. It deals with the policy and practice which informs the School’s use of exclusion. It is underpinned by the shared commitment of all members of the School community to achieve two important aims:

- 1) The first is to ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed;
- 2) The second is to realise the aim of reducing the need to use exclusion as a sanction.

**Introduction**

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

- (a) In response to a serious breach of the School’s Behaviour Policy;
- (b) If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

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

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School’s Behaviour Policy:

|  |
|--|
| <b>1. Physical assault against pupil: (includes)</b>                           |
| • Fighting   |
| • Violent behaviour  |
| • Wounding   |
| • Obstruction & jostling   |
| <b>2. Physical assault against adult: (includes)</b>                           |
| • Violent behaviour  |
| • Wounding   |
| • Obstruction & jostling   |
| <b>3. Verbal abuse/threatening behaviour against a pupil (includes)</b>        |
| • Threatened violence  |
| • Aggressive behaviour   |
| • Swearing   |
| • Homophobic abuse and harassment  |
| • Verbal intimidation  |
| • Carrying on offensive weapon   |
| <b>4. . . . Verbal abuse/threatening behaviour against an adult (includes)</b> |
| • Threatened violence  |
| • Aggressive behaviour   |
| • Swearing   |
| • Homophobic abuse and harassment  |
| • Verbal intimidation  |
| • Carrying on offensive weapon   |
| <b>5. Bullying (includes):</b>   |

|   |
|---|
| • Verbal  |
| • Physical  |
| • Homophobic bullying                                       |
| • Racial bullying   |
| <b>6. Racist Abuse</b> (includes):                          |
| • Racist taunting and harassment                            |
| • Derogatory racist statements                              |
| • Swearing that can be attributed to racist characteristics |
| • Racist swearing   |
| • Racist graffiti   |
| <b>7. Sexual misconduct</b> (includes):                     |
| • Sexual abuse  |
| • Sexual assault  |
| • Sexual harassment   |
| • Lewd behaviour  |
| • Sexual bullying   |
| • Sexual graffiti   |
| <b>8. Drug and alcohol related</b> (includes):              |
| • Possession of illegal drugs                               |
| • Inappropriate use of prescribed drugs                     |
| • Drug dealing  |
| • Smoking   |
| • Alcohol abuse   |
| • Substance misuse  |
| <b>9. Damage</b> (includes):                                |
| • Vandalism   |
| • Arson   |
| • Graffiti  |
| <b>10. Theft</b> (includes):                                |
| • Stealing school property                                  |
| • Stealing personal property (pupil or adult)               |
| • Stealing from local shops on a school outing              |
| • Selling and dealing in stolen property                    |
| <b>11. Persistent Disruptive Behaviour</b> (includes):      |
| • Challenging behaviour                                     |
| • Disobedience  |
| • Persistent violation of school rules                      |
| <b>12. Other</b>  |

## CHANGES TO EXCLUSION GUIDANCE WITH EFFECT FROM 1<sup>ST</sup> SEPTEMBER 2012

- Independent review panels have replaced independent appeal panels.
  - If applied for by the parents within the legal time frame, the local authority (LA) (in the case of a maintained school) or (in the case of an Academy) the Academy Trust must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.
  - The legal time frame for an application is:
    - within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion; or
    - where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.
  - The independent review panel will be able to:
    - uphold the decision to permanently exclude a pupil;
    - recommend that the governing body reconsider its decision; or
    - quash the decision and direct the governing body to reconsider the exclusion. A direction to reconsider will be limited to circumstances where a panel decides that the school has acted illegally, irrationally or in a procedurally flawed manner.
- Where a governing body decides not to reinstate a pupil following a direction from a panel to reconsider its decision within 10 school days of receiving notice of the panel's decision, the panel has the power to order that a readjustment of the school's budget must be made (or in the case of an Academy) that the school must make an equivalent payment to the LA, of £4,000.
- If requested by a parent in their application for an independent review panel, a SEN expert must be appointed by the LA or Academy Trust to attend the panel. This is regardless of whether the school recognises that the child has SEN. The LA or Academy Trust must cover the associated costs of this appointment.
- Where a parent alleges discrimination (under the Equality Act 2010) in relation to an exclusion, they will also be able to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination).

- A representative of the LA must be invited to a meeting of the governing body and allowed to make representations in the case of a maintained school or Pupil Referral Unit. A parent may invite a representative of the LA to a meeting of an Academy's governing body as an observer. That representative may only make representations with the governing body's consent.
- Governing bodies are no longer prevented from meeting within the five school days following an exclusion.
- There is no longer a statutory requirement for a head teacher to arrange a reintegration interview with parents following a fixed period exclusion of a primary-aged pupil, or a fixed period exclusion of six or more school days of a secondary-aged pupil.

## **PREVENTING EXCLUSION**

### **Early intervention**

Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour, it should attempt to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disabilities that a pupil may have. Head teachers should also consider the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour.

### **Pastoral (Pupil) Support Plan (PSP)**

Schools should consider putting in place a Pastoral Support Plan (PSP) to help pupils better manage their behaviour. It is particularly appropriate for those pupils who have received more than one exclusion in a term.

More details are provided further on in this guidance document.

### **Common Assessment Framework (CAF)**

The Common Assessment Framework (CAF) is a key element to delivering more effective early intervention and prevention. It is a tool for the identification and assessment of children and young people considered to be in need of additional support.

The CAF process is not a referral process but a request for services.

The process is entirely voluntary and informed consent is mandatory, therefore families do not have to engage. However, if they do engage, they can choose what information they want to share.

Further guidance is available through the following link:

[http://www.kingston.gov.uk/browse/community\\_people\\_and\\_living/children\\_and\\_young\\_people/caf/caf\\_guidance.htm](http://www.kingston.gov.uk/browse/community_people_and_living/children_and_young_people/caf/caf_guidance.htm)

Before you start the assessment process, please contact ASKK to check whether a Common Assessment Framework (CAF) has already been completed and logged by another professional. All CAF activity must be logged with the ASKK Service. This is essential to ensure that only one CAF is in existence for a child/young person at any one time.

ASKK - Kingston's Information Sharing Hub

Telephone: 020 8547 5888

## **FACTORS TO CONSIDER BEFORE MAKING A DECISION TO EXCLUDE**

### **The UN Convention on the Rights of the Child**

The UK Government ratified the UN Convention on the Rights of the Child (UNCRC) in 1991. This is the most widely ratified international human rights treaty, setting out what all children and young people need to be happy and healthy. While the UNCRC is not incorporated into UK law, it still has the status of a binding international treaty. By agreeing to the UNCRC the Government has committed itself to promoting and protecting children's rights by all means available to it.

The legislation governing the operation of the Office of the Children's Commissioner requires us to have regard to the UNCRC in all our activities. In relation to school exclusions, and in particular to addressing inequalities in the rates of exclusion for different groups, the articles of the UNCRC which are of most relevance are:

Article 2: All rights apply to all children whatever their ethnicity, gender, religion, abilities, whatever they think or say, and whatever type of family they come from.

Article 3: The best interests of the child must be a primary consideration in all actions.

Article 12: Every child has a right to express their views regarding all matters that affect them; and for these views to be taken seriously.

Article 23: Children with a disability have a right to special care and support to live a full and decent life, with dignity and independence.

Article 28: Every child has the right to an education . Discipline in schools must respect children's human dignity.

Article 29: Children's education must develop each child's personality, talents and abilities to the fullest.

**In most cases exclusion will be the last resort after a range of measures have been tried to improve the pupil's behaviour.**

**Before deciding whether to exclude a pupil, either for a fixed period or permanently, the head teacher should:**

- a) Ensure that an appropriate investigation has been carried out;
- b) Consider all the evidence available;
- c) Allow and encourage the pupil to give his or her version of events;

- d) Take account of any contributing factors that are identified after an incident of poor behaviour has occurred and check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- e) If necessary consult others, but not anyone who may later have a role in reviewing the head teacher's decision, for example a member of the governing body. In Kingston, a head teacher can contact Adrian Bannister, Exclusions & Reintegration Officer, for advice in the first instance; and
- f) Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible.

## **Standard of proof**

Any decision must be in line with the principles of administrative law: lawful, rational, reasonable, fair and proportionate.

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the head teacher may exclude the pupil.

However, the more serious the allegation and thus the possible sanction, the more compelling the evidence substantiating the allegation will need to be. This is not the same as requiring the criminal standard of proof, 'beyond reasonable doubt', to be applied. However it does mean that when investigating more serious allegations, head teachers will need to gather and take account of a wider range of evidence.

## Unofficial exclusions

If a head teacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and needs to be removed from the school site for that reason, formal exclusion is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are carried out with the agreement of the parents or carers.

Where a pupil is sent home for disciplinary reasons for part of a school day, some head teachers have viewed this as a 'cooling off' period and have not taken action to exclude the pupil formally. There is no basis in law for this. If pupils are sent home in response to a breach of discipline, even for short periods of time, this must formally be recorded as exclusion.

In every instance where a pupil is sent home for disciplinary reasons, head teachers should formally record and specify the length of the exclusion (for reporting purposes this should be recorded as a half day, whole day or lunchtime). They should ensure that:

- They are meeting their legal duty of care towards pupils, and that parents are formally notified of the exclusion;
- Child protection issues are taken into account e.g. bearing in mind the child's age and vulnerability, that a parent/carer is at home and the child is not placed at risk by, for example, being left to wander the streets; and
- That work is sent home or alternative educational provision is arranged.

## **THE DECISION TO EXCLUDE**

Only the head teacher can exclude a pupil from school. If the head teacher is absent from school, the authority rests with the most senior teacher who is acting in that role.

A decision to exclude a pupil must be lawful, rational, reasonable, proportionate and fair and 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.

In exceptional cases, usually where further evidence comes to light, a fixed period exclusion may be extended or converted to a permanent exclusion. In such cases the head teacher must write again to the parents explaining the reasons for the change.

The head teacher may withdraw an exclusion that has not yet been reviewed by the governing body.

## Length of fixed period exclusions

- A pupil can be excluded for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year.

**NB** This limit applies to the pupil, not the institution. Therefore, any days of fixed period exclusion served by the pupil in any school or PRU in the same school year will count towards the total.

- Individual exclusions should be **for the shortest time necessary**, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school.
- Where it is clear that fixed period exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, head teachers should consider alternative strategies for addressing that behaviour.
- A fixed period exclusion does not have to be for a continuous period e.g. a pupil may be normally attending school three days a week and a local FE college for the other two; so a five day exclusion from the school could be for three days in one week and two days in the next week.

## Lunchtime exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a fixed period exclusion (deemed to be equivalent to one half of a school day) and should be treated as such. Therefore, parents have the same right to be given information and to make representations. Arrangements should be made for pupils who are entitled to free school meals to receive their entitlement which may mean, for example, providing a packed lunch.

## Permanent exclusion

A decision to exclude a pupil permanently is a serious one and should only be taken:

- In response to serious breaches, or persistent breaches, of the school's behaviour policy;
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school; and
- where the basic facts have been clearly established on the balance of probabilities.

It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies (e.g. Pastoral Support Programme), which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

## Behaviour outside school

The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the head teacher in accordance with the school's published behaviour policy. Advice is set out in *Behaviour and Discipline in Schools – A Guide for Head teachers and School Staff (2012)*.

The school's behaviour policy should set out what the school will do in response to all non-criminal bad behaviour which occurs anywhere off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.

Subject to the school's behaviour policy, the teacher may discipline a pupil for:

- Any misbehaviour when the child is:

- Taking part in any school-organised or school-related activity or
  - Travelling to or from school or
  - Wearing the school uniform or
  - In some other way identifiable as a pupil at the school
- Or misbehaviour at any time, whether or not the conditions above apply, that:
    - Could have repercussions for the orderly running of the school or
    - Possess a threat to another pupil or member of the public or
    - Could adversely affect the reputation of the school

## **Drugs-related exclusions**

In making a decision whether or not to exclude for a drug-related offence the head teacher should have regard to the school's drug policy and should consult the designated senior member of staff responsible for managing drug incidents. However, the decision will also depend upon the precise circumstances of the case, for example, the seriousness of the incident, the needs of those involved and the evidence available.

In Kingston support and advice can be sought from the Borough's Substance Misuse Service on 8547 6920.

## **Parental Co-operation**

If a parent does not comply with an exclusion, for example by sending the excluded child to school, or by refusing to collect or arrange collection of him or her, the school must have due regard for the pupil's safety in deciding what action to take. An exclusion should not be enforced if doing so may put the safety of the pupil at risk. If efforts to resolve the issue with parents are unsuccessful the school should consider whether to contact the Education Welfare Service (on 8547 5262) for advice/help. In some circumstances, police or community support officers could become involved.

## **Managed Move**

This enables a pupil at risk of permanent exclusion to have a fresh start in a new school. The head teacher may ask another head teacher to admit the pupil. This should only be done with the full knowledge and co-operation of all the parties involved, including the parents, governors and LA, and in circumstances where it is in the best interests of the pupil concerned.

Parents should never be pressured into removing their child from the school under threat of a permanent exclusion, nor should pupils' names be deleted from the school roll on disciplinary grounds unless the formal permanent exclusion procedures set out in statute and in this guidance have been adhered to, or unless a managed move has been agreed by all the relevant parties.

See the Local Authority's 'Managed Moves Protocol' for more details.

## **Pupil Referral Units**

Following a review at a School Action Plus meeting where it has been agreed that school based strategies have been tried but the pupils behavioural, emotional or social needs have not been successfully addressed, a request for 'Time Out' at a PRU can be made.

The Inclusion Manager/SENCO completes the PRU Baseline Referral Form, clearly stating the strategies that have been in place, the outcomes of these strategies and the purpose of a 'Time Out' placement.

The Baseline Referral Form should be emailed to the Head Teacher of the PRUs along with a completed CAF.

## **Equality Act 2010**

Under the Equality Act 2010 schools must not discriminate against, harass or victimise pupils because of certain protected characteristics. These are:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

For disabled children this includes a duty to make reasonable adjustments to policies and practices.

### ***How do I avoid discriminating in relation to exclusions from school?***

Reviewing your behaviour and exclusions policies regularly will help you ensure that they do not inadvertently discriminate against pupils with a particular protected characteristic by including factors that would make it more likely that pupils with that particular protected characteristic would be disciplined or excluded than those without.

Indirect discrimination may occur if behaviour or exclusions policies result in a greater proportion of pupils with protected characteristics being disciplined or excluded.

If your exclusions and behaviour policies are non-discriminatory (and you take into account your duty to make reasonable adjustments to your policies and procedures for disabled pupils), then you are less likely to exclude a pupil for a discriminatory reason.

This does not mean that you cannot exclude a pupil with a protected characteristic; however it does mean that you must not exclude a pupil because of their protected characteristic.

**For example:**

An independent school discovers that a pupil has been diagnosed as autistic and immediately excludes him. This would be unlawful direct disability discrimination.

A Catholic school excludes a pupil who has turned away from the Catholic faith and declared himself an atheist. This would be unlawful direct religion or belief discrimination.

Pupils with a protected characteristic must not be excluded for behaviour that pupils without the protected characteristic would not be excluded for.

**For example:**

Two pupils are caught fighting, one (who is a boy) is excluded and the other (who is a girl) is not excluded. This would be unlawful sex discrimination. However, if the school could show that the reason the boy was excluded was because it was the third time he had been in trouble for fighting and it was the first occasion the girl had been caught fighting, they would be able to justify the difference in treatment.

The procedures you use for deciding what punishment a pupil will receive and for investigating incidents must not discriminate against pupils with a particular protected characteristic.

**For example:**

As part of their procedures for investigating and deciding on a punishment, a school arranges for parents or guardians of pupils to come into the school and discuss a course of action with the head teacher. In cases where parents co-operate with the head teacher and are shown to be committed in assisting the pupil to manage their behaviour, it is less likely that the pupil will face exclusion.

This procedure may indirectly discriminate against, for example, a Gypsy and Traveller pupil whose parents may be less likely to come to the school to speak with the head teacher as they face a range of barriers including a lack of confidence in speaking to school staff and a level of mistrust based upon a perception that they are not valued by the school community.

The school reviews their procedures and puts specific measures in place to assist Gypsy and Traveller parents, including an outreach programme with a dedicated member of staff to build trust with the parents so they can get more involved in the school community and their child's education. This is good practice which can help avoid indirect discrimination.

Excluding a disabled pupil for behaviour which arises as a consequence of their disability is likely to result in unlawful disability discrimination unless you can show that the exclusion was a proportionate means of achieving a legitimate aim.

**For example:**

A pupil with ADHD is excluded for his behaviour including refusing to sit at his desk, distracting other pupils by talking and running around during classes. The pupil has been cautioned previously and the school does not see any other option than to exclude him. This is likely to be unlawful

discrimination as he was excluded for behaviour which is related to his disability. It is unlikely to be a proportionate means of achieving a legitimate aim as no other efforts were made to support the pupil to manage his behaviour.

In addition you have a duty to disabled pupils to make reasonable adjustments to your procedures if needed. This might include:

- disregarding behaviour which is a direct consequence of their disability;
- making reasonable adjustments to manage such behaviour;
- considering alternative, more appropriate punishments; and
- ensuring that a disabled pupil is able to present their case fully where their disability might hinder this.

Indirect discrimination may occur if behaviour or exclusions policies result in a greater proportion of pupils with protected characteristics being disciplined or excluded.

## **Pupils with disproportionately high rates of exclusion**

The exclusion rates for certain groups of pupils are consistently higher than average. This includes pupils with SEN, pupils eligible for free school meals, looked after child and pupils from certain ethnic groups.

In addition to early intervention, head teachers should consider what extra support might be needed to identify and address the needs of pupils from these groups in order to reduce the risk of exclusion.

## **Pupils with special educational needs (SEN)**

Statutory guidance on identifying, assessing and making provision for pupils with SEN, including those with behavioural, social and emotional needs, is provided in the Special Educational Needs Code of Practice. Schools must have regard to this guidance.

Where a school has concerns regarding the behaviour or risk of exclusion of a child with a statement of SEN, the school should request an early annual review or interim/emergency review.

Schools might usefully advise parents that advice and information regarding SEN is available through their local SEN Parent Partnership (on 8547 6675). The Parent Partnership should also be able to provide details of voluntary agencies that offer support to parents.

## **Looked After Children (LAC)**

Exclusion of children in care should be an absolute last resort. Schools should co-operate proactively with foster carers/social workers and the local authority that looks after the child.

Where a school has concerns regarding the behaviour or risk of exclusion of a looked after child, in partnership with others it should consider what additional support may be required.

The Education Improvements Advisor for LAC can be contacted on 8547 5270.

## **PROCEDURE FOR EXCLUDING A PUPIL**

### **Informing parents about an exclusion**

Whenever a head teacher excludes a pupil they must, without delay, notify parents of the length of the exclusion and the reason for it.

They must also, without delay, provide parents with the following information in writing:

- The reasons for the exclusion;
- The period of a fixed exclusion or, for a permanent exclusion, the fact that it is permanent;
- The parents' right 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 it is a legal requirement for the governing body to consider the exclusion, the 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 school age, that for the first five 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 reasonable justification and that parents may be given a fixed penalty notice or prosecuted if they fail to do so; and
- Attention should be drawn to relevant sources of free and impartial information that should include:
  - A link to the statutory guidance on exclusions;
  - A link to the Children's Legal Centre

Head teachers should ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English consideration should be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and parents' right to make representations to the governing body have been understood.

Written notification of the above information can be provided by: delivering it directly to the parents; leaving it at their last known address; or by posting it to this address.

### **Exclusion letters**

Model exclusion letters have been provided in this booklet for schools to use which include all the relevant information that needs to be provided to the parent of an excluded child.

In exceptional circumstances only it might be necessary to put in place a 'holding' letter in order to allow time for further investigation in complex cases, or discussion to take place with the Local Authority where a permanent exclusion is being considered. Suggested wording has been provided for such an eventuality.

## Informing the Governing Body

Within one school day the head teacher must inform the governing body of:

- Exclusions which will result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term;
- Exclusions which will result in the pupil missing a public examination or national curriculum test; and
- Permanent exclusions (including where a fixed period exclusion is made permanent).

Fixed period exclusions totalling five or fewer school days in any one term must be reported to the local authority and governing body once a term.

## Informing the Local Authority (LA)

In order that accurate exclusion data can be collated and the overall situation monitored, Kingston schools should notify the LA straight away of all exclusions regardless of their duration.

This is achieved by **emailing** a copy of the exclusion letter together with a completed 'Notification of Exclusion' form (Appendix A) **via the USO-FX system** to Adrian Bannister, Exclusions & Reintegration Officer:

[abanni3@kingstonla.rbksch.org](mailto:abanni3@kingstonla.rbksch.org)

For a permanent exclusion, schools should also complete Appendix B (Pupil Information Form) within one school day of the exclusion and email this together any other relevant documents.

**It is essential that this form is completed and submitted immediately given the requirement on the Local Authority to provide suitable full-time education from the sixth day of a permanent exclusion.**

## Continuing education

The school's obligation to provide education continues and must be met during a fixed period exclusion. Parents are not responsible for making educational provision for their excluded child, but are expected to cooperate with schools in this regard.

## Day 6 provision

Where a pupil is given a fixed period exclusion of six school days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion.

During the initial period of up to five school days, the parent of the excluded pupil must ensure that he or she is not present in a public place during normal school hours without reasonable justification. A failure to comply with this requirement is an offence.

During this period the school should set work for the pupil to complete and for it to be marked, unless the school has made arrangements, on a voluntary basis, for suitable full-time provision to commence earlier than the sixth day. A head teacher considering whether to exclude a pupil for a period which will mean there is a duty to provide suitable full-time educational provision, should plan the following:

- Provision should normally be off-site, but a school may make provision on-site where arrangements for shared on-site provision have been made with the governing body of at least one other school and is available to excluded pupils from that or those other schools;
- To ensure that work is set for the pupil to complete during the first five days school days of exclusion and that it is marked, unless during that time the pupil will be attending alternative provision;
- To ensure that the parent is fully informed of their duties in the first five days and of the school days on which the pupil will be provided with suitable full-time education and must attend that provision and of any sanctions that may be imposed for non-attendance (see model letters);
- How the time might be used to address the pupil's problems; and
- What support will best help with the pupil's reintegration into the school at the end of the exclusion.

## **Reintegration meetings**

Schools should have a strategy for reintegrating pupils following a fixed period exclusion and for managing their future behaviour.

Whilst not a statutory requirement it is good practice to hold a reintegration meeting following the expiry of a fixed period exclusion as it provides an opportunity 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 child's behaviour;
- Reach agreement on how the child's education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour; and
- Create a useful forum to consider with parents the possibility of a parenting contract.

## **Procedure following permanent exclusion**

In the case of a permanent exclusion, the pupil remains on the roll of the school until:

- any appeal is determined;

- until the time limit for the parents to lodge an appeal has expired without an appeal being brought; or
- the parent has informed the LA in writing that no appeal is to be brought.

During the first five days of a permanent exclusion, the school must send work home for the pupil to complete.

From the sixth day of a permanent exclusion, the LA is statutorily responsible for ensuring that suitable full-time education is provided. In order that the LA can assess the pupil's needs, it is essential that schools complete Appendix B (Pupil Information Form) and email this together with the exclusion letter and other relevant documents within one school day.

## **Independent Review Panel**

If applied for by the parents within the legal time frame, the local authority or (in the case of an Academy) the Academy Trust must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.

The legal time frame for an application is within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion, or where an application has not been made within this time frame, within 15 school days of the final determination of a claim under the Equality Act 2010 in relation to the exclusion.

If requested by parents in their application for an independent review panel, the local authority/Academy Trust must appoint an SEN Expert to attend the panel and cover the associated costs of this appointment. The role of the SEN expert is to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion.

Following its review the panel can decide to:

- 1) Uphold the exclusion decision;
- 2) Recommend that the governing body reconsiders their decision; or
- 3) Quash the decision and direct the governing body considers the exclusion again.

Where the panel directs or recommends that the governing body reconsiders their decision, the governing body must reconvene to do so within 10 school days of being given notice of the panel's decision.

## **PASTORAL/PUPIL SUPPORT PLAN**

Pupils who do not respond to school actions to combat disaffection may be at serious risk of permanent exclusion and may need a longer term intervention to prevent them from dropping out of school altogether. Teachers should actively identify such young people. Pupil Support Plans (PSPs) are for students for whom at least one of the following is true:

- The student has had more than one fixed term exclusion in a term;
- The student is in danger of permanent exclusion;

- The student is at risk of failure through disaffection.

The PSP:

- Is a school based intervention;
- Has a nominated member of staff to oversee it;
- Is short and practical;
- Has a 12 week limit, with regular reviews during this period; and
- Has precise and realistic outcomes;

A PSP does not replace the graduated response to SEN.

When the school identifies a student at risk, information should be gathered from subject teachers, the parents and pupil.

- A meeting is then called at which the PSP is drawn up. Participants should include:
  - Member of SMT;
  - SENCO/Inclusion Manager;
  - Head of Year/Key Stage;
  - The pupil and his/her parent(s) or carer(s); and
  - Relevant LA support agency

Relevant support agencies could be:

- Educational Psychology Service;
- Education Welfare Service;
- Children's Services and Safeguarding;
- Pupil Support Service;
- Youth Service;
- Youth Offending Team;
- Family Advice & Support Service (FASS); and/or
- Kingston Family Adolescent & Child Team (FACT).

**PUPIL SUPPORT PLAN**

NAME \_\_\_\_\_ YEAR GROUP \_\_\_\_\_

**The Aim of this Plan is to:**

- summarise behaviour concerns to date;
- outline strategies/targets to support the pupil;
- involve parents/carers in preparing the plan;

**Cc:** all present

| Specific Areas of Concern |  |
|---------------------------|--|
| 1.                        |  |
| 2.                        |  |
| 3.                        |  |

**Other Agencies involved**

| Agency | Name of Worker | Contact Number/Email |
|--------|----------------|----------------------|
| 1.     |                |                      |
| 2.     |                |                      |

| Support Plan (Curricular & Pastoral) to include parental involvement: |              |         |
|---|--------------|---------|
| Tasks   | Target Dates | By whom |
| 1.  |              |         |
| 2.  |              |         |
| 3.  |              |         |

|   |  |
|---|--|
| 1 <sup>st</sup> review date (3 weeks)   |  |
| 2 <sup>nd</sup> review date (6 weeks)   |  |
| 3 <sup>rd</sup> review date (9 weeks)   |  |
| Date of final review meeting (12 weeks) |  |

## **A CHECKLIST OF GOOD PRACTICE**

Schools need to maintain a detailed record of pupil behaviour which can be made available if representations are made against the decision to exclude. You may find the following checklist helpful. Such a record could be submitted as evidence to the Discipline Committee/Independent Review Panel of the strategies the school has attempted to avoid exclusion.

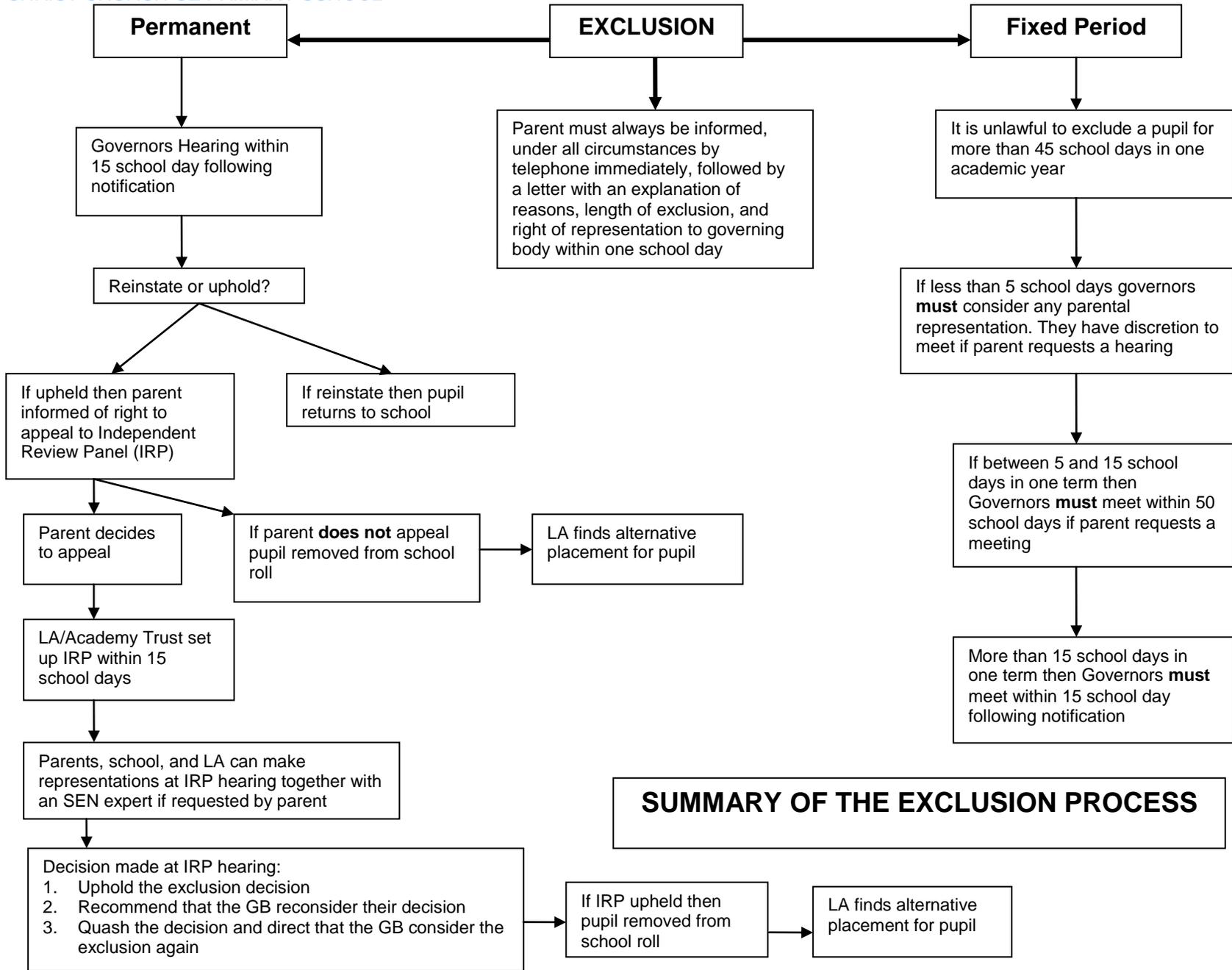
There may be a one off, very serious incident which alone merits exclusion. The following list may not, therefore, be appropriate for all cases but detailed records are still required:

Pupil's Name: \_\_\_\_\_ Year/Group: \_\_\_\_\_

**ACTION TAKEN**

**WHEN?**

|  |  |
|--|--|
| Tutors, heads of department, year heads and deputy/assistant heads have talked to the pupil (recorded in the pupil file) to advise of concerns and offer advice.   |  |
| Positive strategies have been employed to improve behaviour (including a Pupil Support Plan).  |  |
| School strategies have been applied consistently in an attempt to moderate the pupil's behaviour.  |  |
| The school have written to the parents expressing concern and detailing the presenting problems.   |  |
| The parents have been invited to school in order to discuss problems as they arise.  |  |
| The parents have been made aware of the possible consequences of poor behaviour, including exclusion, and that this is consistent with the school's Discipline Policy.   |  |
| The special needs department has investigated whether or not the behavioural problems could be linked to a learning difficulty and appropriate strategies have been employed as recommended by the SEN Code of Practice.                                   |  |
| A CAF been completed with a view to engaging additional support from outside agencies which could include: <ul style="list-style-type: none"> <li>• Youth Support Advisor</li> <li>• Family Support Worker</li> <li>• Prevention Services (YOS)</li> </ul> |  |



## **Model exclusion letter 1 (Sept 2012)**

***From the head teacher notifying the parent, of a fixed period exclusion of 5 school days or fewer in one term and where a public examination is not missed***

Dear [parent/carer's name]

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [child's name] has not been taken lightly. [Child's name] has been excluded for this fixed period because [provide detailed reason for the exclusion. This should include what happened in sufficient detail, when and where it happened, and the impact of the behaviour on others. It should also include any steps that have been taken to try and avoid the exclusion and include details of occasions when previous warnings about the pupil's behaviour were given].

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

We will set work for [name of child] to be completed on the days specified in the previous paragraph [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 [or management committee]. If you wish to make representations please contact [name of contact] on/at [contact details: address, telephone number, email], as soon as possible. Whilst the governing body [or management committee] has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the exclusion relates to a disability your child has and you think discrimination has occurred, you have the right to appeal and/or make a claim to the First-tier Tribunal (for special education needs and disability under the Equality Act 2010) or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be made within six months of the date on which the discrimination is alleged to have taken place. The following is the link to guidance on making a claim of discrimination 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.

You also have the right to see a copy of **[name of child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[name of child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The following are relevant sources of information about exclusion from school:

- The statutory guidance on the use of exclusion from school can be viewed at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

- You may find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- You may wish to contact Adrian Bannister, Exclusions & Reintegration Officer at the Royal Borough of Kingston who can provide advice. He can be contacted by telephoning 0208 547 5253 or by emailing [adrian.bannister@rbk.kingston.gov.uk](mailto:adrian.bannister@rbk.kingston.gov.uk).
- I have also enclosed an information sheet about exclusion from school which you may find useful.

**[The following paragraph may be used if the head teacher chooses to hold a reintegration interview]**

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

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

Yours sincerely  
**[Name]**  
Head teacher

## Model exclusion letter 2 (Sept 2012)

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

Dear [parent/carer's name]

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

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude [child's name] has not been taken lightly. [Child's name] has been excluded for this fixed period because [provide detailed reason for the exclusion. This should include what happened in sufficient detail, when and where it happened, and the impact of the behaviour on others. It should also include any steps that have been taken to try and avoid the exclusion and include details of occasions when previous warnings about the pupil's behaviour were given].

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

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

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

From the sixth school day of [pupil name]'s exclusion [specify date] until the expiry of the exclusion [specify date] we will provide suitable full-time education. On [specify date] [child's name] should attend at [give the name and address of the alternative provider] at [specify the time – this may not be identical to the start time of the home school] and report to [staff member's name] [insert her details of travel arrangements if applicable].

You have the right to request a meeting of the governing body [or management committee] to whom you may make representations and my decision to exclude can be reviewed. As the period of exclusion exceeds more than five school days in one term the governing body [or management committee] 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 [insert date — no later than 50 school days from the date the governing body is notified of this exclusion]. If you do wish to make representations to the governing body [or management committee] and wish to be accompanied by a friend or representative, please contact [name of contact] on/at [contact details - address, telephone number, email], as soon as possible.

**[Pupil's name]** is also able to attend and participate in the meeting if you feel it is appropriate to do so. Please advise if you have a disability or special needs which would affect your ability to attend 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.

If you consider that the exclusion relates to a disability your child has and you think discrimination has occurred, you have the right to appeal and/or make a claim to the First-tier Tribunal (for disability discrimination) under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be made within six months of the date on which the discrimination is alleged to have taken place. The following is the link to guidance on making a claim of discrimination 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.

You also have the right to see and have a copy of **[name of child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[name of child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The following are relevant sources of information about exclusion from school:

- The statutory guidance on the use of exclusion from school can be viewed at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- You may wish to contact Adrian Bannister, Exclusions & Reintegration Officer at the Royal Borough of Kingston who can provide advice. He can be contacted by telephoning 0208 547 5253 or by emailing [adrian.bannister@rbk.kingston.gov.uk](mailto:adrian.bannister@rbk.kingston.gov.uk).
- I have also enclosed an information sheet about exclusion from school which you may find useful.

**[The following paragraph may be used if the head teacher chooses to hold a reintegration interview]**

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

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

Yours sincerely

**[Name]**

Model exclusion letter 3 (Sept 2012)

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

Dear [parent/carer's name]

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

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude [child's name] has not been taken lightly. [Child's name] has been excluded for this fixed period because [provide detailed reason for the exclusion. This should include what happened in sufficient detail, when and where it happened, and the impact of the behaviour on others. It should also include any steps that have been taken to try and avoid the exclusion and include details of occasions when previous warnings about the pupil's behaviour were given].

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

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

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

From the sixth school day of [pupil name]'s exclusion [specify date] until the expiry of the exclusion [specify date] we will provide suitable full-time education. On [specify date] [child's name] should attend at [give the name and address of the alternative provider] at [specify the time – this may not be identical to the start time of the home school] and report to [staff member's name].

As the period of exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is [date here — no later than 15 school days from the date the governing body is notified]. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact [name of contact] on/at [contact details — address, telephone number, email], as soon as possible. [Pupil's name] is also able to attend and participate in the meeting if you feel it is appropriate for them to do so.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you consider that the exclusion relates to a disability your child has and you think discrimination has occurred, you have the right to appeal and/or make a claim to the First-tier Tribunal (for disability discrimination) under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be made within six months of the date on which the discrimination is alleged to have taken place. The following is the link to guidance on making a claim of discrimination 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.

You also have the right to see and have a copy of **[name of child]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[name of child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The following are relevant sources of information about exclusion from school:

- The statutory guidance on the use of exclusion from school can be viewed at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- You may wish to contact Adrian Bannister, Exclusions & Reintegration Officer at the Royal Borough of Kingston who can provide advice. He can be contacted by telephoning 0208 547 5253 or by emailing [adrian.bannister@rbk.kingston.gov.uk](mailto:adrian.bannister@rbk.kingston.gov.uk).
- I have also enclosed an information sheet about exclusion from school which you may find useful.

**[The following paragraph may be used if the head teacher chooses to hold a reintegration interview]**

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

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

Yours sincerely

## Model exclusion letter 4 (Sept 2012)

### *From a head teacher notifying the parent of a permanent exclusion*

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

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

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[provide detailed reason for the exclusion. This should include what happened in sufficient detail, when and where it happened, and the impact of the behaviour on others. Also, what action was taken by the school to try and avoid a permanent exclusion]**.

As this is a permanent exclusion the governing body must meet to consider it. At the hearing you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or alternatively they have the power to uphold the exclusion in which case you may apply for a review of their decision by an Independent Review Panel.

The latest date by which the governing body must meet is **[date — no later than 15 school days from the date the governing body is notified]**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, telephone number, email]**, as soon as possible. **[Pupil's name]** is also able to attend and participate in the meeting if you feel it is appropriate for them to do so.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you consider that the exclusion relates to a disability your child has and you think discrimination has occurred, you have the right to appeal and/or make a claim to the First-tier Tribunal (for disability discrimination) under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be made within six months of the date on which the discrimination is alleged to have taken place. The following is the link to guidance on making a claim of discrimination 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.

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

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

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

### **[Paragraph for pupils resident in your LA]**

Alternative arrangements for (child's name)'s education to continue will be made. For the first five school days of the exclusion the school will set work for (child's name) and would ask you to ensure this work is completed and returned promptly for marking. From the sixth school day of the exclusion onwards, i.e. from (specify date), alternative arrangements will be made by the Local Authority. Please contact Adrian Bannister, Exclusions & Reintegration Officer at the Royal Borough of Kingston about this matter. He can be contacted by telephoning 0208 547 5253 or by emailing [adrian.bannister@rbk.kingston.gov.uk](mailto:adrian.bannister@rbk.kingston.gov.uk).

### **[Paragraph for pupils' resident outside of your LA]**

Alternative arrangements for (child's name)'s education to continue will be made. For the first five school days of the exclusion the school will set work for (child's name) and would ask you to ensure this work is completed and returned promptly for marking. I have today informed at **[name of local authority]** of your child's exclusion and they will contact you about the education arrangements from the sixth school day of the exclusion. You can contact them at **[give contact details]**.

The following are relevant sources of information about exclusion from school:

- The statutory guidance on the use of exclusion from school can be viewed at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- You may find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- I have also enclosed an information sheet about exclusion from school which you may find useful.

Yours sincerely

**[Name]**

Head teacher

## Model exclusion letter 5 (Sept 2012)

### For use in exceptional circumstances where a 'holding' exclusion letter may be required

Dear

I am writing to inform you of my decision to exclude (pupil's name) for an initial fixed period of (specify number) school days. This means that he will not be allowed in school for this period. The exclusion begins on (date) and ends on (date).

I realise that this exclusion may well be upsetting for you and your family but the decision to exclude **[child's name]** has not been taken lightly. **[Child's name]** has been excluded for this fixed period because **[provide detailed reason for the exclusion. This should include what happened in sufficient detail, when and where it happened, and the impact of the behaviour on others. It should also include any steps that have been taken to try and avoid the exclusion and include details of occasions when previous warnings about the pupil's behaviour were given].**

I must warn you that because of the seriousness of this behaviour I am considering whether I should impose a permanent exclusion. I have put in place a fixed period exclusion in order that I have the time to consider whether the action taken is sufficient in the circumstances. I will telephone you following my deliberations and confirm my decision in writing.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion (**specify the exclusion dates**) unless there is reasonable justification for this. I must warn you that you may receive a penalty notice if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for (pupil's name) to be completed on the days specified in the previous paragraph. (**detail the arrangements for this**). Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact (name of contact) on/at (contact details – address, phone number, email) as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you consider that the exclusion relates to a disability your child has and you think discrimination has occurred, you have the right to appeal and/or make a claim to the First-tier Tribunal (for disability discrimination) under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be made within six months of the date on which the discrimination is alleged to have taken place. The following is the link to guidance on making a claim of discrimination 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.

You also have the right to see a copy of (pupil's name) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (pupil's name) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The following are relevant sources of information about exclusion from school:

- The statutory guidance on the use of exclusion from school can be viewed at:

<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

- You may find it useful to contact **Coram Children's Legal Centre**, which is an independent national advice centre that offers information and support on state education, including on exclusion from school. They can be contacted on **08088 020 008** or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com).
- You may wish to contact Adrian Bannister, Exclusions & Reintegration Officer at the Royal Borough of Kingston who can provide advice. He can be contacted by telephoning 0208 547 5253 or by emailing [adrian.bannister@rbk.kingston.gov.uk](mailto:adrian.bannister@rbk.kingston.gov.uk).

I have also enclosed an information sheet about exclusion from school which you may find useful.

Yours sincerely

**[Name]**

Head teacher

## NOTIFICATION OF EXCLUSION FORM

**To be completed for every exclusion and returned, with a copy of the exclusion letter, to:  
Adrian Bannister, Exclusions & Reintegration Officer Date of Issue – September 2012**

1. Name of School \_\_\_\_\_
2. Surname of Pupil \_\_\_\_\_ 3. First Name \_\_\_\_\_
4. Male/Female \_\_\_\_\_ 5. Date of Birth \_\_\_\_\_ 6. NC Year Gp \_\_\_\_\_
7. Start date of exclusion: \_\_\_/\_\_\_/\_\_\_ End date of exclusion: \_\_\_/\_\_\_/\_\_\_
8. Number of school days for this exclusion \_\_\_\_\_
9. SEN Code of Practice Stage (circle/h'light): N/A SCHOOL ACTION SCHOOL ACTION+
10. Is this pupil undergoing a statutory assessment? YES/NO
11. Does this pupil have a Statement of SEN? YES/NO
12. Is this pupil 'looked after'/in public care (e.g. in foster care)? YES/NO
13. Is this pupil entitled to Free School Meals? YES/NO
14. Was this pupil an In-Year Admission to the school? YES/NO
15. **ETHNIC GROUP** (please tick one) 16. **AREA OF NEED** (please tick one if on SEN CoP)

|  |  |
|--|--|
| White – British                              |  |
| White – Irish                                |  |
| Any Other White Background                   |  |
| Traveller of Irish Heritage                  |  |
| Gypsy/Roma                                   |  |
| White & Black Caribbean                      |  |
| White & Black African                        |  |
| White & Asian                                |  |
| Any Other Mixed Background                   |  |
| Indian                                       |  |
| Pakistani                                    |  |
| Bangladeshi                                  |  |
| Any Other Asian Background                   |  |
| Black - Caribbean                            |  |
| Black - African                              |  |
| Any Other Black Background                   |  |
| Chinese                                      |  |
| Any Other Ethnic Group<br>(Including Korean) |  |
| Refused                                      |  |
| Information Not Yet Obtained                 |  |

|   |  |
|---|--|
| <b>1. Cognition &amp; Learning Needs</b>                      |  |
| Specific Learning Difficulties                                |  |
| Moderate Learning Difficulties                                |  |
| Severe Learning Difficulties                                  |  |
| Profound & Multiple Learning Difficulties                     |  |
|   |  |
| <b>2. Behaviour, Emotional &amp; Social Development Needs</b> |  |
| Behaviour, Emotional & Social Difficulty                      |  |
|   |  |
| <b>3. Communication &amp; Interaction Needs</b>               |  |
| Speech, Language & Communication Needs                        |  |
| Autistic Spectrum Disorder                                    |  |
|   |  |
| <b>4. Sensory and/or Physical Needs</b>                       |  |
| Visual Impairment   |  |
| Hearing Impairment  |  |
| Multi-sensory Impairment                                      |  |
| Physical Disability   |  |
|   |  |
|   |  |

This information will be processed electronically and used for administrative purposes.

**PRINCIPLE** REASON FOR EXCLUSION (please tick **one** box only)

|   |  |
|---|--|
| <b>1. Physical assault against pupil:</b> (includes)                  |  |
| • Fighting  |  |
| • Violent behaviour   |  |
| • Wounding  |  |
| • Obstruction & jostling  |  |
| <b>2. Physical assault against adult:</b> (includes)                  |  |
| • Violent behaviour   |  |
| • Wounding  |  |
| • Obstruction & jostling  |  |
| <b>3. Verbal abuse/threatening behaviour against pupil</b> (includes) |  |
| • Threatened violence   |  |
| • Aggressive behaviour  |  |
| • Swearing  |  |
| • Homophobic abuse and harassment                                     |  |
| • Verbal intimidation   |  |
| • Carrying on offensive weapon  |  |
| <b>4. Verbal abuse/threatening behaviour against adult</b> (includes) |  |
| • Threatened violence   |  |
| • Aggressive behaviour  |  |
| • Swearing  |  |
| • Homophobic abuse and harassment                                     |  |
| • Verbal intimidation   |  |
| • Carrying on offensive weapon  |  |
| <b>5. Bullying</b> (includes):  |  |
| • Verbal  |  |
| • Physical  |  |
| • Homophobic bullying   |  |
| • Racial bullying   |  |
| <b>6. Racist Abuse</b> (includes):                                    |  |
| • Racist taunting and harassment                                      |  |
| • Derogatory racist statements  |  |
| • Swearing that can be attributed to racist characteristics           |  |
| • Racist swearing   |  |
| • Racist graffiti   |  |
| <b>7. Sexual misconduct</b> (includes):                               |  |
| • Sexual abuse  |  |
| • Sexual assault  |  |
| • Sexual harassment   |  |
| • Lewd behaviour  |  |
| • Sexual bullying   |  |
| • Sexual graffiti   |  |
| <b>8. Drug and alcohol related</b> (includes):                        |  |
| • Possession of illegal drugs   |  |
| • Inappropriate use of prescribed drugs                               |  |
| • Drug dealing  |  |
| • Smoking   |  |
| • Alcohol abuse   |  |
| • Substance misuse  |  |
| <b>9. Damage</b> (includes):  |  |
| • Vandalism   |  |
| • Arson   |  |
| • Graffiti  |  |
| <b>10. Theft</b> (includes):  |  |
| • Stealing school property  |  |
| • Stealing personal property (pupil or adult)                         |  |
| • Stealing from local shops on a school outing                        |  |
| • Selling and dealing in stolen property                              |  |

|  |  |
|--|--|
| <b>11. Persistent Disruptive Behaviour</b> (includes): |  |
| • Challenging behaviour                                |  |
| • Disobedience   |  |
| • Persistent violation of school rules                 |  |
| <b>12. Other</b>                                       |  |



**PUPIL INFORMATION FORM**  
**For completion following a permanent exclusion**

*For Completion by Head Teacher / Inclusion Manager*

|                              |               |                                  |
|------------------------------|---------------|----------------------------------|
| <b>Current School:</b>       |               |                                  |
| <b>Student's Name:</b>       |               | <b>Date of Birth:</b>            |
| <b>Home Address:</b>         |               | <b>Current Year Group:</b>       |
| <b>Name of Parent/Carer:</b> |               | <b>Contact telephone Number:</b> |
| <b>Reason for Exclusion:</b> |               |                                  |
| <b>Previous Exclusions:</b>  |               |                                  |
| <b>Date</b>                  | <b>Length</b> | <b>Reason</b>                    |
|                              |               |                                  |
|                              |               |                                  |
|                              |               |                                  |

|  |                                    |            |                                    |             |
|--|------------------------------------|------------|------------------------------------|-------------|
| <b>SEN: <i>Please Circle</i></b>                 | <b>Statement</b>                   | <b>SA+</b> | <b>SA</b>                          | <b>None</b> |
| <b>Reason for Placement on the SEN Register:</b> |                                    |            |                                    |             |
| <b>Attendance</b>                                | <i>This academic year so far:</i>  | <b>%</b>   | <i>Last academic year:</i>         | <b>%</b>    |
|  | Please send attendance certificate |            | Please send attendance certificate |             |

**Other Agencies Involved** *provide contact name and telephone numbers where relevant.*

|  |  |                                  |  |
|--|--|----------------------------------|--|
| <b>Copies of any recent reports should be included</b> |  |                                  |  |
| <b>Educational Psychology</b>                          |  | <b>Education Welfare Service</b> |  |
| <b>CAMHS/FACT</b>                                      |  | <b>Social Care/Safeguarding</b>  |  |
| <b>Youth Support Advisor</b>                           |  | <b>Youth Offending Service</b>   |  |
| <b>FASS</b>  |  | <b>Other</b>                     |  |

| National Curriculum Levels |  |        |   |
|----------------------------|--|--------|---|
| End KS2 Results            | English:   | Maths: | Science:                                      |
| KS3 Information            |  |        |   |
| Subject                    | End of Key Stage or Current Level of Attainment as a sub level |        | Predicted Level for end of KS3 as a sub level |
| English                    |  |        |   |
| Maths                      |  |        |   |
| Science                    |  |        |   |
| ICT                        |  |        |   |
| RE                         |  |        |   |
| Geography                  |  |        |   |
| History                    |  |        |   |
| Art                        |  |        |   |
| Food Technology            |  |        |   |
| PE                         |  |        |   |

| KS4 Information   |                             |                             |                                |
|---|-----------------------------|-----------------------------|--------------------------------|
| <i>Work covered during Key Stage 4 will be required when a student commences at Kingswood as it may be possible to use this work to support the courses undertaken here</i> |                             |                             |                                |
| Subject   | Examination Board / Sub no. | Current Level of Attainment | Predicted Level for end of KS4 |
| English   |                             |                             |                                |
| Maths   |                             |                             |                                |
| Science   |                             |                             |                                |
| ICT   |                             |                             |                                |
| RE  |                             |                             |                                |
| Please list all other courses being followed  |                             |                             |                                |
|   |                             |                             |                                |
|   |                             |                             |                                |
|   |                             |                             |                                |

|                                     |
|-------------------------------------|
| <b>Successful Strategies</b>        |
| <b>For Learning:</b>                |
| <b>For Behaviour:</b>               |
| <b>Student Strengths/Interests:</b> |

|   |            |           |                      |
|---|------------|-----------|----------------------|
| <b>Has a CAF been completed/ Reviewed Recently?</b>                                   | <b>Yes</b> | <b>No</b> | <i>Please Circle</i> |
| If the answer is <b>YES</b> , please attach a copy of the CAF and any relevant Review |            |           |                      |
| If the answer is <b>NO</b> , please explain why:                                      |            |           |                      |

| <b>Other children and young people in the household:</b> |             |                      |                               |                                 |
|--|-------------|----------------------|-------------------------------|---------------------------------|
| <b>Name:</b>   | <b>Age:</b> | <b>Relationship:</b> | <b>Gender:</b>                |                                 |
|  |             |                      | Male <input type="checkbox"/> | Female <input type="checkbox"/> |
|  |             |                      | Male <input type="checkbox"/> | Female <input type="checkbox"/> |
|  |             |                      | Male <input type="checkbox"/> | Female <input type="checkbox"/> |
|  |             |                      | Male <input type="checkbox"/> | Female <input type="checkbox"/> |

Continue to next sheet

**RISK ASSESSMENT**

Name of Student:

Please use this sheet to assist the Local Authority about any risks that should be known, in order to meet the needs of the student, and to provide an appropriate education package.

| <b>RISK</b>  | <b>None</b> | <b>Low</b> | <b>Medium</b> | <b>High</b> | <b>Immediate</b> |
|--|-------------|------------|---------------|-------------|------------------|
| <b>As a Victim:</b>  |             |            |               |             |                  |
| Physical injury from other people                          |             |            |               |             |                  |
| Physical injury from self (self-harm)                      |             |            |               |             |                  |
| Being bullied  |             |            |               |             |                  |
| Being held against his/her will                            |             |            |               |             |                  |
| Being sexually exploited                                   |             |            |               |             |                  |
| Pregnancy  |             |            |               |             |                  |
| Health and safety impairment due to alcohol abuse          |             |            |               |             |                  |
| Health and safety impairment due to abuse of illegal drugs |             |            |               |             |                  |
| Health and safety impairment due to smoking tobacco        |             |            |               |             |                  |
| Health and safety impairment due to poor nutrition         |             |            |               |             |                  |
| Absconding   |             |            |               |             |                  |
| Being racially harassed                                    |             |            |               |             |                  |
| <b>As a perpetrator:</b>                                   |             |            |               |             |                  |
| Being involved in offending                                |             |            |               |             |                  |
| Being involved in physically abusing others                |             |            |               |             |                  |
| Being involved in emotionally abusing others               |             |            |               |             |                  |
| Being involved in verbally abusing others                  |             |            |               |             |                  |
| Bullying others  |             |            |               |             |                  |
| Sexually exploiting others                                 |             |            |               |             |                  |
| Supplying illegal drugs                                    |             |            |               |             |                  |
| Throwing missiles from/into the room                       |             |            |               |             |                  |

Continue to next sheet

## Strengths and Difficulties Questionnaire

## Teachers

For each item, please mark the box for Not True, Somewhat True or Certainly True. It would help us if you answered all items as best you can even if you are not absolutely certain or the item seems daft! Please give your answers on the basis of the child's behaviour over the last six months or this school year.

Child's Name .....

Male/Female

Date of Birth: .....

|   | Not True | Somewhat True | Certainly True |
|---|----------|---------------|----------------|
| Considerate of other people's feelings                              |          |               |                |
| Restless, overactive, cannot stay still for long                    |          |               |                |
| Often complains of headaches, stomach-aches or sickness             |          |               |                |
| Shares readily with other young people                              |          |               |                |
| Often has temper tantrums or hot tempers                            |          |               |                |
| Rather solitary   |          |               |                |
| Generally obedient, usually does what adults request                |          |               |                |
| Many worries, often seems worried                                   |          |               |                |
|   |          |               |                |
| Helpful if someone is hurt, upset or feeling ill                    |          |               |                |
| Constantly fidgeting or squirming                                   |          |               |                |
| Has at least one good friend  |          |               |                |
| Often fights with other children or bullies them                    |          |               |                |
| Often unhappy, down-hearted or tearful                              |          |               |                |
| Generally liked by other children                                   |          |               |                |
| Easily distracted, concentration wanders                            |          |               |                |
| Nervous or clingy in new situations, easily loses confidence        |          |               |                |
|   |          |               |                |
| Often lies or cheats  |          |               |                |
| Picked on or bullied by other children                              |          |               |                |
| Often volunteers to help others (parents, teachers, other children) |          |               |                |
| Thinks things out before acting                                     |          |               |                |
| Gets on better with adults than with other children                 |          |               |                |
| Many fears, easily scared   |          |               |                |
| Sees tasks through to the end, good attention span                  |          |               |                |
| Any other comments?   |          |               |                |

Continue to next sheet

**Would you recommend this pupil for reintegration into another mainstream school at a future time?**

**Yes**

**Suggested targets to be set:**

**Suggested immediate action(s):**

**Support Needed**

**No**

**Reasons:**

**Additional Information:**

**Thank you very much for your help**

**Form Completed By:** \_\_\_\_\_ **(Please Print Name)**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Please forward by USO-FX email to Adrian Bannister, Exclusions & Reintegration Officer*

[abanni3@kingstonla.rbksch.org](mailto:abanni3@kingstonla.rbksch.org)

*Please ensure an Attendance Certificate and any reports from outside agencies are also included.*

## EXCLUSION FROM SCHOOL

### GUIDANCE PAMPHLET FOR PARENTS/CARERS

|   |  |
|---|--|
| <p><b>What is an exclusion?</b></p>                 | <p>This is a disciplinary measure which the head teacher of a school can use to deal with incidents of poor behaviour. There are two types of exclusion:</p> <ul style="list-style-type: none"> <li>• Fixed period – a pupil can be excluded for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year and a date is given for a return to school.</li> <li>• Permanent – this is where the school feel that the incident(s) was so serious that the pupil should not return to school.</li> <li>• An ‘indefinite’ exclusion is not lawful.</li> </ul>  |
| <p><b>Who has the power to exclude a pupil?</b></p> | <p>Only the Head Teacher, or designated senior teacher in the head’s absence, has the right to exclude a pupil.</p>  |
| <p><b>What can a pupil be excluded for?</b></p>     | <p>Each school has a behaviour policy/code of conduct. Where a pupil’s behaviour consistently falls below what is expected then it is reasonable to expect the head teacher to consider a fixed period exclusion. Such behaviour could include:</p> <ul style="list-style-type: none"> <li>• Persistent disruption of lessons</li> <li>• Serious bullying</li> <li>• Verbal or physical abuse of staff</li> <li>• Graffiti</li> </ul> <p>If behaviour problems persist, or a serious ‘one off’ incident occurs, then the Head Teacher may consider a permanent exclusion. This may be for:</p> <ul style="list-style-type: none"> <li>• Serious actual or threatened violence</li> <li>• Sexual abuse or assault</li> <li>• Supplying an illegal drug</li> <li>• Carrying an offensive weapon</li> </ul> |

|  |  |
|--|--|
| <b>How will I be notified if my child is excluded?</b>   | The school will try and contact you immediately by telephone. The Head Teacher will also write to you to fully explain his/her decision that will include what your child has done to warrant being excluded.  |
| <b>What happens to my child's education whilst excluded?</b>   | <p>If the exclusion is for 5 school days or fewer, work will be provided for your child to complete at home. You may have to collect the package of work from the school.</p> <p>If the exclusion is for more than 5 school days then the school will arrange full-time education from the sixth day of the exclusion. This might be at an alternative venue than your child's school.</p>                               |
| <b>Who is responsible for my child during a fixed period exclusion?</b>                                    | During the first 5 days on an exclusion, the parent is responsible for the whereabouts and wellbeing of their child. The law states that an excluded pupil should not be in a public place during school hours on any day when excluded without 'reasonable justification'. If your child is found in such circumstances then you will be liable to a fixed penalty notice fine of £100.                                 |
| <b>What is 'reasonable justification'?</b>   | A medical emergency could be considered as reasonable justification for your child being in a public place during school hours whilst excluded. Going to the shops to buy food or clothes, for example, would likely not be reasonable justification.  |
| <b>What if I feel the exclusion was undeserved?</b>  | You have the right to make representations about the exclusion, which is to put your views, to the governing body whose job it is to monitor the use of exclusions in the school.  |
| <b>What if I feel the exclusion relates to my child's disability and that discrimination has occurred?</b> | You can apply to the First-tier Tribunal (Special Educational Needs and Disability) to hear cases of alleged disability discrimination <a href="http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index">www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index</a> . In addition you can apply to a County Court to hear other cases of discrimination under the Equality Act 2010. |

|   |  |
|---|--|
| <p><b>How do I make representations?</b></p>                  | <p>You should write to the Clerk to the Governing Body, ideally within 7 days of being notified of the exclusion setting out your views about the exclusion.</p> <ul style="list-style-type: none"> <li>• If an exclusion is for less than 5 school days, the governing body must consider any representations that are made about an exclusion.</li> <li>• For any exclusion between 6 and 15 school days the governing body must hold a meeting if you request one. This must take place within 50 days of receiving notice of the exclusion.</li> <li>• For an exclusion of more than 15 school days (singular or cumulative in a term), or a permanent exclusion, the governing body must meet to consider the decision of the head teacher regardless of whether the parent wishes to make representations. This must take place within 15 days of receiving notice of the exclusion.</li> </ul> <p>Where the governing body does meet you will be invited to attend.</p> |
| <p><b>What will happen at the governing body meeting?</b></p> | <p>The meeting (which may be called a Discipline Committee hearing) will normally involve 3 governors who have had no role in the initial decision to exclude your child. They will hear your views and decide whether to uphold the head teacher’s decision to exclude.</p> <p>The meeting will also include the head teacher and possibly another member of staff who was closely involved in the incident(s) which led up to the exclusion. You may wish to bring, or send, a friend or representative to help give your views.</p> <p>The meeting will be as informal as possible.</p> <p>The head teacher will be invited to describe the events leading up to the exclusion and explain why the sanction was considered necessary. You and the governors will then be able to ask questions.</p> <p>You will then be invited to put your views. The governors and head teacher may want to ask you questions based on what you say</p>                                   |

|   |  |
|---|--|
|   | <p>At the end of the meeting the governors will consider their decision in private. The governors may decide to:</p> <ul style="list-style-type: none"> <li>• Uphold the head teacher’s decision to exclude (for a fixed period or permanently)</li> <li>• Direct the reinstatement of the pupil (in the case of longer fixed term or permanent exclusions)</li> </ul> <p>In the case of short period exclusions the pupil will likely be back in school before the meeting takes place. In such cases a note from the meeting will be placed on the pupil’s file.</p> <p>You may be advised of the decision at the end of the meeting but written notification will be sent to you by the Clerk the next day.</p>   |
| <p><b>What happens if the governors uphold a permanent exclusion?</b></p> | <p>The Clerk to the governors will advise you in writing of the reasons for the decision and your right of appeal to an independent review panel and enclose a form for doing so. Any appeal must be submitted within 15 school days of the governors’ notification.</p> <p>If you decide not to appeal against the decision, then someone from the Local Authority will discuss with you the alternative options available for your child’s continuing education.</p>   |
| <p><b>Independent Review Panel</b></p> <p><b>Specialist advice</b></p>    | <p>The Local Authority or, (in the case of an academy school) the Academy Trust, is responsible for setting up the Panel. You will be advised of the date and location of the meeting and invited to attend with a friend or representative.</p> <p>The appeal panel will consist of 3 or 5 members, none of whom will have had any prior involvement with the exclusion or your child’s school. At least one member must be a lay person, that is, someone who has not worked in school in a paid capacity, although they may have been a school governor.</p> <p>You have the right to request the presence of a Special Educational Needs (SEN) expert at the review, regardless of whether the school recognises that your child has SEN. The SEN expert’s role is to provide impartial advice to the panel about how SEN could be</p> |

|  |  |
|--|--|
|  | relevant to the exclusion and does not include making an assessment of your child's SEN. There is no cost to you for this service. |
|--|--|

|   |   |
|---|---|
| <b>After the Hearing</b>  | <p>The Clerk to the Appeal Panel will write to you within 2 school days with the outcome of the appeal. The Panel may decide:</p> <ul style="list-style-type: none"> <li>• to uphold an exclusion;</li> <li>• to <i>recommend</i> that the governing body reconsiders its decision, taking account of the findings of the panel; or</li> <li>• to quash the decision and <i>direct</i> the governing body to reconsider the case.</li> </ul>  |
| <b>Can an exclusion be "removed" from a pupil's file?</b>           | <p>If an exclusion is a matter of fact, i.e. it has happened, then details of an exclusion may not lawfully be deleted from the pupil's school file. However, the decision from any subsequent hearing can be added to the file.</p>  |
| <b>Where can I obtain further advice about an exclusion matter?</b> | <p>You may 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 0845 345 4345 or on <a href="http://www.childrenslegalcentre.com/">http://www.childrenslegalcentre.com/</a>. The advice line is open from 9.00am to 6.30pm Monday to Friday.</p> <p>You can also view the guidance provided to schools on the use of exclusion by the Department for Education:</p> <p><a href="http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion">http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion</a></p> <p>Alternatively, you can speak to the Exclusion &amp; Reintegration Officer at the Local Authority on 020 8547 5253 or email <a href="mailto:Adrian.bannister@rbk.kingston.gov.uk">Adrian.bannister@rbk.kingston.gov.uk</a></p> |

**Other Agencies involved**

| Agency | Name of Worker | Contact Number/Email |
|--------|----------------|----------------------|
| 1.     |                |                      |
| 2.     |                |                      |
| 3.     |                |                      |

| Support Plan (Curricular & Pastoral) to include parental involvement: |              |         |
|---|--------------|---------|
| Tasks   | Target Dates | By whom |
| 1.  |              |         |
| 2.  |              |         |
| 3.  |              |         |
| 4.  |              |         |
| 5.  |              |         |

|  |  |               |  |
|--|--|---------------|--|
| <b>Date/Time of Review Meeting</b><br>(Approx 6 Weeks) |  | <b>Venue:</b> |  |
|--|--|---------------|--|

**Signed:**

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Pupil                 |  | Parent(s)/Carer(s) |  |
| School Representative |  | LA Representative  |  |

|      |  |  |
|------|--|--|
| Date |  |  |
|------|--|--|

**Revised January 2010**

**Agreed by Governors May 2010**

**UPDATED OCTOBER 2012 following new guidance documentation**

**Reviewed 2013**