

## Exclusions Handbook

The following information is supplementary to guidance issued by the DFE in '**Exclusion from maintained schools, Academies and Pupil Referral Units in England' A guide for those with legal responsibilities in relation to exclusion**', (effective from Sept 2012). This guide applies to all maintained schools; Academy Schools (including Free Schools but not 16-19 Academies); Alternative Provision Academies (including AP Free Schools); and PRUs. The term 'school' in this document is used to describe any school to which the guidance applies. Where the term 'Academy' is used it refers to any category of Academy to which the guidance applies. This guide does not apply to: independent schools (other than the Academies listed above); City Technology Colleges; City Colleges for the Technology of the Arts; sixth form colleges; or 16 – 19 Academies, all of which have separate exclusion procedures. Local authorities, however, are required to arrange educational provision for excluded pupils of compulsory school age from all institutions from the sixth day of a permanent exclusion.

**The head teacher must, without delay, notify the governing body and the local authority of a permanent exclusion (including where a fixed period exclusion is made permanent); exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term; and exclusions which would result in the pupil missing a public examination or national curriculum test.**

All exclusion notifications (copy of letter to parent and Form X p.16) must go to [Marie.Baker@haringey.gov.uk](mailto:Marie.Baker@haringey.gov.uk) immediately if the exclusion is over five days or permanent. Additional paperwork (i.e. copy of Education Health Care Plan, Pastoral Support Plan) should be sent to the relevant centre within two days.

Except in relation to pupils in PRUs, or where stated, the requirements of the guide apply in relation to all pupils, including those who may be below or above compulsory school age, such as those attending nursery classes or sixth forms.

1. Is an Exclusion necessary?	P. 3
2. Informing parties about an exclusion	P. 7
3. Model Letter 1 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed term exclusion of 5 school days or fewer in one term, and where a public examination is not missed	P. 7
4. Model Letter 2 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed term exclusion of more than 5 school days and up to and including 15 school days in total in a term	P. 9
5. Model Letter 3 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of more than 15 school days in total in one term	P. 11
6. Model letter 4 - From the head teacher (or teacher in charge of a PRU) notifying parent(s) of a permanent exclusion.	P. 13
7. Model Letter 5 - From clerk to the governing body to parent(s) upholding a permanent exclusion	P. 15
8. Form X – Notification to Local Authority for all exclusions	P. 17
9. Day 6 Provision - Statutory duty to ensure that children who are excluded receive provision from the sixth day of their exclusion	P. 19
10. Reviewing Exclusions – Timescales for convening a Pupil Disciplinary Committee/Exclusion Hearing	P. 20
11. Children & Young People Services Contacts	P. 21

## Is an exclusion necessary?

Questions schools should ask before implementing a fixed term or permanent exclusion. The document 'Is an exclusion necessary?' is intended to encourage detailed reflection and avoidance of school exclusions.

HAVE ALL THE FACTS ABOUT THE INCIDENT BEEN ESTABLISHED?	
QUESTION	ANSWER (elaborate / or evidence)
1. What opportunity was provided for the pupil to make a statement or give his/her version of events?	
2. Was the incident thoroughly investigated and do you have enough evidence to make a decision about the incident?	

**REMEMBER** – The more serious the allegation and thus the possible sanction, the more convincing the evidence substantiating the allegation needs to be.

WAS THE PUPIL RESPONSIBLE FOR THE BEHAVIOUR WHICH LED TO THE EXCLUSION?	
QUESTION	ANSWER (elaborate / or evidence)
1. Could the pupil be identified as the perpetrator or of being involved in the incident?	
2. What is the degree, if any, of the involvement of other pupils?	
3. Are you confident that the pupil understood the significance of their actions?	
4. Did the pupil understand that their actions might lead to exclusion?	

**REMEMBER** – The standard of proof to be applied is the 'balance of probabilities' i.e. is it more probable than not that the pupil did what he/she is alleged to have done.

<b>ARE THERE ANY MITIGATING FACTORS?</b>	
<b>QUESTION</b>	<b>ANSWER (elaborate / or evidence)</b>
<p>1. Is the pupil in a group at particular risk?</p> <ul style="list-style-type: none"> <li>• SEN</li> <li>• Families under stress</li> <li>• Children in Care</li> <li>• Emotional and Behavioural difficulties</li> <li>• Boys from particular ethnic minority groups</li> <li>• Young Carers</li> <li>• Pupils in transition</li> </ul>	
<p>2. Is the pupil on the Special Educational Needs register? If so, at what stage?</p>	
<p>3. Does the pupil have a disability?</p> <p>By excluding is the school treating the pupil less favourably?</p> <p>Have reasonable adjustments been made?</p>	
<p>4. Are there any personal social circumstances which may have had an impact on the pupil's behaviour? If so, what are they?</p>	
<p>5. Was the pupil's behaviour in response to any provocation for example bullying, or by racial or sexual harassment?</p>	
<p>6. Was the action unintentional?</p>	
<p>7. Was there a victim and how badly affected are they?</p>	
<p>8. What effect, if any, will exclusion have on the pupil's opportunity to take examinations?</p>	
<p>9. Has consideration been given to the likely impact of exclusion on the pupil, given their age, health and/or vulnerability?</p>	

<b>HAS THE SCHOOL TRIED A RANGE OF ALTERNATIVE STRATEGIES?</b>	
<b>QUESTION</b>	<b>ANSWER (elaborate / or evidence)</b>
<b>In School Support</b>	
1. Is there a Pastoral Support Plan or Individual Education Plan? If so, how long has it been in place?	
2. Have the parents and pupil been involved in the setting and monitoring of targets?	
3. Does the pupil receive any additional support, i.e. TA, Learning Mentor, Key worker etc?	
4. Has the pupil received support from the Learning Support Unit?	
5. Is there a reward/sanction system in place?	
6. Has the school considered creating 'space/time out' for the pupil?	
7. Has the school considered a change of tutor group / peer group?	
8. Has a multi-agency meeting been held or a CAF (Common Assessment Framework) established?	
9. Has an alternative curriculum or differentiated timetable been considered?	
10. Has a risk assessment been undertaken?	
11. Does the pupil have an Individual Handling Policy?	
12. Has the school made referrals to or sought advice of specific support services?	
13. Has the school considered requesting a formal statutory assessment of Special Educational Needs?	
14. If there is no evidence or little evidence of parental support, has the school considered a parenting contract?	

**REMEMBER** –The school should question the impact of excluding if the student has had more than one fixed term exclusion.

## WAS EXCLUSION A REASONABLE RESPONSE?

QUESTION	ANSWER (elaborate / or evidence)
1. Does the pupil present a significant risk to the health and safety and/or education of other pupils or staff? If so, how?	
2. Was the pupil's behaviour a serious breach of the school's discipline policy/ code of conduct?	
3. Was the exclusion fair in relation to the sanctions imposed on any other pupils involved?	

**REMEMBER** – permanent exclusion is usually the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

## The head teacher's duty to inform parties about an exclusion

Head teacher must, without delay, notify parents of exclusion, the period and the reasons for it. This letter must clearly inform parents of procedures, arrangements being made for the pupil and where they can seek support. Head teachers must refer to paragraphs 25 - 37 of the DfE guidance **Exclusion from maintained schools, Academies and Pupil Referral Units in England' A guide for those with legal responsibilities in relation to exclusion'**. The model letters below are an example of what schools should include in their letters to parents according to the type and length of exclusion.

**The head teacher must, without delay, notify the governing body and the local authority of a permanent exclusion (including where a fixed period exclusion is made permanent); exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term; and exclusions which would result in the pupil missing a public examination or national curriculum test.**

All exclusion notifications (copy of letter to parent and Form X p.16) must go to [Marie.Baker@haringey.gov.uk](mailto:Marie.Baker@haringey.gov.uk) immediately if the exclusion is over five days or permanent. Additional paperwork (i.e. copy of **CAF, PSP**) should be sent to the relevant centre within two days:

### Model letter 1

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

*Note: The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day.*

Dear **(Name of parent)**,

**(Name of pupil)**  
**Fixed Term Exclusion**

I am writing to inform you of my decision to exclude **(name of pupil)** for a fixed period of **(specify period)**. This means he/she will not be allowed in school for this period. The exclusion begins on **(date)** and ends on **(date)**. Your child should return to school on **(date)**.

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude **(child's name)** has not been taken lightly. **(Name of pupil)** has been excluded for the fixed period because **(reason for exclusion)**.

**(For pupils of compulsory school age)**

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn 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 pupil)** to be completed on the days specified in the previous paragraph as school days during the period of his/her exclusion when you must ensure that he/she is not present in a public place without reasonable justification. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make a written statement to the governing body/management committee. If you wish to do so please contact **(Clerk to governing body)** on/at **(contact details – address,**

**phone number, email)** as soon as possible. Whilst the governing body/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 this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. 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 pupil)**'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 pupil)**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Marie Baker, Pupil Placement Officer on 0208 489 3873 or at [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) who can provide advice. You can also contact the Haringey Parent Partnership Helpline. Their number is 0208 802 2611 and is open on Mondays 9.30am – 1pm and on Wednesdays 2.30- 6pm during term times only. Parents can leave a message at other times.

You may also find it useful to contact Child Law Advice.org.uk; they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/clas/contact-child-law-advice>; the advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to 1<sup>st</sup> January.

**(Name of pupil)** exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**

Yours sincerely,

**[Name]**  
Head teacher



## Model letter 2

**Model letter from head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of more than five and up to and including 15 school days in total in one term.**

Note: - The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day. **Statutory guidance is that the information concerning off site provision should be provided by the end of the afternoon session on the day exclusion is imposed.**

Dear **(Name of parent)**,

**(Name of pupil)**  
**Fixed Term Exclusion**

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

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude **(child's name)** has not been taken lightly. **(Child's name)** has been excluded for the fixed period because **(specify reasons for exclusion)**.

**(For pupils of compulsory school age – next three paragraphs.)**

You have a duty to ensure that your child is not present in a public place in school hours during the first five **(amend if the off site provision is to start earlier)** days of this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn 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 pupil)** during the first five **(amend if the off site provision is to start earlier)** school days of his/her exclusion **(detail the arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the sixth **(or earlier if so arranged)** school day of the pupil's exclusion **(specify date)** until the end of his exclusion we will provide suitable full time education. On **(date)** he should attend at **(give name and address of the alternative provision if not the home school)** at **(specify time as start times vary between schools)** and report to **(staff member)**. **(If applicable say something about transport arrangements from home to the alternative provision. If not known, say that the arrangements for suitable full time education will be notified by a further letter, not later than 48 hours before the provision is to begin.)**

You have the right to request a meeting of the governing body/management committee to whom you may make representations, and my decision to exclude can be reviewed. As the length of this exclusion is more than five school days in one term the governing body/management committee must meet if you request it to do so. The latest date by which the governing body can meet, if you request a meeting, is **(specify date – no later than 50th school day after the date on which governing body were notified of this exclusion)**. If you do wish to make representations to the governing body/management committee and wish to be accompanied by a friend or representative please contact **(name of clerk to governing body)** on/at **(contact details – address, phone number, email)** as soon as possible. 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 **(name of clerk to governing body)** if it would be helpful for you to have an interpreter present at the meeting.

If you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the governing body.

You have the right to see and have a copy of your 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 your 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 school will set work for **(name of pupil)** during the period of his/her exclusion **(give details of the arrangements)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You may wish to contact Marie Baker, Pupil Placement Officer on 0208 489 3873 or at [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) who can provide advice. You can also contact the Haringey Parent Partnership Helpline. Their number is 0208 802 2611 and is open on Mondays 9.30am – 1pm and on Wednesdays 2.30- 6pm during term times only. Parents can leave a message at other times.

You may also find it useful to contact the Child Law Advice.org.uk; they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/clas/contact-child-law-advice> .The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to 1<sup>st</sup> January.

**(Name of pupil)** exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**.

Yours sincerely,

**[Name]**  
Head teacher

## Model letter 3

**Model letter from head teacher (or teacher in charge of a PRU notifying parent of a single fixed period exclusion of more than 15 school days in one term, or any exclusion that takes the total of excluded days to over 15 days for one term.**

Note: - The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day. **Statutory guidance is that the information concerning off site provision should be provided by the end of the afternoon session on the day exclusion is imposed.**

Dear (Name of parent),

(Name of pupil)

**Fixed period exclusion**

I am writing to inform you of my decision to exclude **(name of pupil)** for a fixed period of **(specify period)**. This means that **(name of pupil)** 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 my decision to exclude **(child's name)** has not been taken lightly. **(Name of pupil)** has been excluded for the fixed period because **(specify reason for exclusion)**. Your child should return to school on **(date)**.

**(For pupils of compulsory school age – next three paragraphs.)**

You have a duty to ensure that your child is not present in a public place in school hours during the first five **(amend if the off site provision is to start earlier)** days of this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn 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 pupil)** during the first five **(amend if the off site provision is to start earlier)** school days of his/her exclusion **(detail the arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

***(If the individual exclusion is for more than five day.)***

From the sixth **(or earlier if so arranged)** school day of the pupil's exclusion **(specify date)** until the end of his exclusion we will provide suitable full time education. On **(date)** he should attend at **(give name and address of the alternative provision if not the home school)** at **(specify time as start times vary between schools)** and report to **(staff member)**. **(If applicable say something about transport arrangements from home to the alternative provision. If not known, say that the arrangements for suitable full time education will be notified by a further letter, not later than 48 hours before the provision is to begin.)**

As the length of the exclusion is more than 15 school days or brings the total of excluded days to over 15 in one term the governing body/management committee must meet to consider the exclusion. At the review meeting you may make representations to the committee if you wish. The latest date on which the committee can meet is **(date here – no later than 15 school days from the date the governing body is notified)**. If you do wish to make representations to the governing body/management committee and wish to be accompanied by a friend or representative please contact **(name of clerk to governing body)** on/at **(contact details – address, phone number, email)** as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the governing body 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 **(name of clerk to governing body)** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. 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 pupil)** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Marie Baker, Pupil Placement Officer on 0208 489 3873 or at [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) who can provide advice. You can also contact the Haringey Parent Partnership Helpline. Their number is 0208 802 2611 and is open on Mondays 9.30am – 1pm and on Wednesdays 2.30- 6pm during term times only. Parents can leave a message at other times.

You may also find it useful to contact the Child Law Advice.org.uk. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/clas/contact-child-law-advice>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to 1<sup>st</sup> January.

**(Name of pupil)** exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**.

Yours sincerely,

**[Name]**  
Head teacher

## Model letter 4

**From the head teacher (or teacher in charge of a PRU) notifying the parent(s) of a pupil of compulsory school age of that pupil's permanent exclusion.**

Note: - The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day.

Dear **(Name of parent)**,

**(Name of pupil)**  
**Permanent exclusion**

I regret to inform you of my decision to permanently exclude **(name of pupil)** with effect from **(date)**. This means that **(name of pupil)** will not be allowed in this school unless he/she is reinstated by the governing body/management committee or by an independent review panel.

I realise that this exclusion may well be upsetting for you and your family, but my decision to permanently exclude **(name of pupil)** has not been taken lightly. **(Name of pupil)** has been excluded because **(reasons for exclusion – include any other relevant previous history)**.

You have a duty to ensure that your child is not present in a public place in school hours during the first five days of this, i.e. on **(specify the precise dates)** unless there is reasonable justification. You could be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during normal school hours on those dates. It will be for you to show reasonable justification.

*(For pupils of compulsory school age resident in school's local authority)*

Alternative arrangements for **(name of pupil)**'s education to continue will be made. For the first five school days of the exclusion we will set work for **(name of pupil)** and would ask you to ensure this work is completed and returned promptly to school for marking **(this may be different if supervised education is being provided earlier than the sixth day)**. From the sixth day of the exclusion onwards – i.e. from **(specify the date)** Haringey Council will provide suitable full time education. **(Set out the arrangements if known at the time of writing. If not known say that the arrangements will be notified shortly by a further letter.)**

*(Where pupil lives in a local authority other than the excluding school's local authority)*

Alternative arrangements for **(name of pupil)**'s education to continue will be made. For the first five school days of the exclusion we will set work for **(name of pupil)** and would ask you to ensure this work is completed and returned promptly to school for marking **(this may be different if supervised education is being provided earlier than the sixth day)**. I have also today informed **(name of officer)** at **(name of local authority)** of your child's exclusion and they will be in touch with you about arrangements for his/her education from the sixth day of exclusion. You can contact them at **(give contact details)**.

As this is a permanent exclusion the governing body/management committee must meet to consider it. At the review meeting you may make representations to the governing body/management committee if you wish and ask it to reinstate your child in school. The governing body has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the exclusion in which case you may appeal against its decision to an independent review panel. The latest date by which the governing body/management committee must meet is **(specify the date – the 15<sup>th</sup> school day after the date on which the governing body/management committee was notified of the exclusion)**. If you do wish to make representations to the governing body/management committee and wish to be accompanied by a friend or representative please contact **(name of clerk to governing body)** on/at **(contact details – address, phone number, email)** as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the governing body/management committee 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 **(name of clerk to governing body)** if it would be helpful for you to have an interpreter present at the meeting.

You also have the right to see a copy of **(name of pupil)**'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 pupil)**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Marie Baker, Pupil Placement Officer on 0208 489 3873 or at [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) who can provide advice. You can also contact the Haringey Parent Partnership Helpline. Their number is 0208 802 2611 and is open on Mondays 9.30am – 1pm and on Wednesdays 2.30- 6pm during term times only. Parents can leave a message at other times.

You may also find it useful to contact the Child Law Advice.org.uk. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/clas/contact-child-law-advice>; The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to 1<sup>st</sup> January.

Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

If you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to governing body.

Yours sincerely,

**[Name]**

Head teacher (teacher in charge in case of a PRU)

## Model letter 5

### Model letter from the clerk to the governing body/management committee to parent upholding a permanent exclusion.

This letter should be sent within one school day of the meeting of the governing body/management committee.

Dear (Name of parent)

(Name of pupil)

Permanent exclusion

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

The reasons for the governing body/management committee's decision are as follows: (give in as much detail as possible, explaining how they were arrived at and making reference where appropriate a reference to how the pupil's special educational needs are relevant to the exclusion).

You have the right to make application to have this decision reviewed by an independent review panel. If you wish to have this decision reviewed, please state in writing the grounds on which you make application for review and send your application within 15 school days to the following department

The Independent Review Panel  
School Admissions Service,  
3<sup>rd</sup> Floor, River Park House  
225 High Road  
London N22 8HQ

Your application will be heard by an Independent Review Panel. A three-member panel will comprise one serving, or recently retired (within the last five years) head teacher, one governor who has served at least 12 consecutive months in the previous five years and one lay member who will be the chairman.

You may bring a friend to the review, or at your own expense appoint someone to make written and/or oral representations to the panel.

You have the right to request the presence of a special educational need expert at the meeting of the Review Panel, regardless of whether any special need has been recognised to date. The role of the SEN expert will be to provide impartial advice on how special educational need may be relevant to the exclusion, and he/she should advise the panel on whether he/she believes the school acted in legal, reasonable and procedurally fair manner with respect to any identification of SEN, and any contribution this could have made to the circumstances of the permanent exclusion.

In determining your application for review the panel can make one of three decisions: it may uphold your child's exclusion; it may recommend that the governing body reconsiders the exclusion; or direct that the governing body reconsiders its decision. If the review panel either recommends or directs that the governing body reconsiders its decision, a further meeting must be convened at the school within 10 school days of the governing body receiving the panel decision.

*In addition to the right to apply for an independent review panel, if you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. In the case of other forms of discrimination, a claim may be made to the County Court.*

You may wish to contact Marie Baker, Pupil Placement Officer on 0208 489 3873 or at [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) who can provide advice. You can also contact the Haringey Parent Partnership Helpline. Their number is 0208 802 2611 and is open on Mondays 9.30am – 1pm and on Wednesdays 2.30- 6pm during term times only. Parents can leave a message at other times.

You may also find it useful to contact the Child Law Advice.org.uk. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk/clas/contact-child-law-advice>; The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to 1<sup>st</sup> January. Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

Yours sincerely,

**[name]**

Clerk to the Governing Body (or clerk to the Management Committee in case of a PRU)



## London Borough of Haringey Form X

For exclusions of more than 5 days and permanent exclusions please return this form electronically to [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk) **within 24 hours**. For all other exclusions, please send electronically **as soon as possible**, but before the end of term at the latest.

Excluding School:		
Name of pupil:	DOB:	Year Group:
Address:		
Borough of residence:		
Contact telephone numbers:		
Type of Exclusion:      Permanent <input type="checkbox"/> Fixed Term <input type="checkbox"/>		
Exclusion Start Date:		Exclusion End Date:
Number of days excluded:		
Brief description of the reason for exclusion:		
No. of fixed term exclusions in total this AY:		No. of days excluded in total this AY:
UPN:		Ethnicity:
Name of Referrer:		Date of Referral:
Key Stage 2 and 3 results:		
Current National Curriculum Levels and sets e.g. top, middle, bottom:		
Key Stage 4 - Predicted GCSE results, board and college options:		
Attendance:		
FSM:                      Yes <input type="checkbox"/> No <input type="checkbox"/>		
Relevant Medical details:		
<b>Supporting Information</b>		
Most appropriate person to contact for information from excluding school:		

Telephone number and direct line:			
PSP: Yes <input type="checkbox"/> No <input type="checkbox"/> (if yes please include)		IEP: Yes <input type="checkbox"/> No <input type="checkbox"/> (if yes please include)	
<b>Agencies involved</b>			
Is this pupil subject to a Child Protection Plan: Yes <input type="checkbox"/> No <input type="checkbox"/>		If yes, please give further details including name of key professional:	
Is this pupil a Child in Need: Yes <input type="checkbox"/> No <input type="checkbox"/>		Please give relevant details including name of key professional:	
Is this pupil subject to a Common Assessment Framework: Yes <input type="checkbox"/> No <input type="checkbox"/>		Name of lead professional: <i>If yes please, attach a copy of the referral</i>	
Child in Care: Yes <input type="checkbox"/> No <input type="checkbox"/> Has child been in care in the past? Yes <input type="checkbox"/> No <input type="checkbox"/>		Name of Social Worker:	
Special Educational Needs: Yes <input type="checkbox"/> No <input type="checkbox"/> <i>If yes, please indicate stage of SEN by checking the appropriate box in the next section</i>		SA <input type="checkbox"/>	SA+ <input type="checkbox"/>
Police: Yes <input type="checkbox"/> No <input type="checkbox"/>		Youth Offending Service: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Connexions: Yes <input type="checkbox"/> No <input type="checkbox"/>		Name of Worker:	
Child and Adolescent Mental Health Service:		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Other agencies involved:			

**The information requested above is needed for the Pupil Support Centre for all permanent exclusions and for those of more than five days. A knowledge of current issues, plans and key professionals involved is central to planning support and reintegration back to school**

## **PROVIDING FULL-TIME EDUCATION FROM DAY SIX OF A FIXED TERM AND PERMANENT EXCLUSION**

There is a statutory duty to ensure that children who are excluded for more than five days receive full time provision from the sixth day of their exclusion. Schools have a responsibility to ensure that provision is in place from the sixth day for fixed term exclusions. The local authority holds that responsibility from the sixth day of a permanent exclusion.

Children who are subject to a Child Protection Plan or Children in Care are expected to receive provision from day one of the exclusion so it is important that schools indicate where this is the case. The child's social worker or/and key person on the relevant Children in Care Team must also be informed immediately.

Schools must monitor the attendance of pupils when they are placed in provision (apart for permanent exclusions).

The pupil should be marked using the appropriate attendance code. Where alternative provision has been made that meets the requirements of the pupil registration regulations, and the pupil attends it, an appropriate attendance code, such as Code B (Education Off-site) or Code D (Dual Registration), should be used. Where pupils are not attending alternative provision they should be marked absent using Code E.

The Octagon Tri Borough Alternative Provision (TBAP) is able to accept referrals from schools for Day 6 provision for fixed term exclusions and interim placements. Schools are expected to fund placements. [The Octagon TBAP Service Level Agreement](#)

## When do governors meet to review exclusions?

Exclusion is 5 days or less in one term	Exclusions between 5 and 15 school days in one term	Permanent exclusions exclusion totalling more than 15 days in one term
<p>Governors consider representation by parents if requested.</p> <p>There is no time limit by which you must meet</p>	<p>Governors must convene to consider if requested by parent</p> <p>Must meet by the 50<sup>th</sup> school day after exclusion if parent requests</p>	<p>Governors must convene a meeting to consider the exclusion even without a request by parent</p> <p>Meeting takes place within 15 school days after receiving notice.</p>
<p>Governors cannot direct reinstatement but must record findings in letter to parents and copy placed on student's file</p>	<p>Governors can uphold the exclusion or direct reinstatement. Record findings in letter to parents and a copy placed on the student's file</p>	<p>Governors can uphold the exclusion or direct reinstatement. Record findings in letter to parents and a copy placed on the student's file.</p> <p>Parent/carer(s) can apply to an Independent Review Panel which must convene within 15 school days of notification</p>
<p><b>Public examinations or national curriculum tests.</b> If any exclusion would result in a pupil missing a public examination or national curriculum test, the governing body should try to meet before the examination. If this is not possible, the Chair of the governing body should consider whether or not to reinstate the pupil.</p>		

### Accumulated exclusions

Governors must also review an exclusion if the *accumulative* days exceed fifteen school days in a term.

### Lunchtime exclusions

A lunch time exclusion is deemed the equivalent of half a day. This should be taken into account in regards to the expectations outlined above.

### Students at risk of missing a public examination

Governors should also meet if any exclusion puts a student at risk of missing a public examination. If it is not possible to meet before the exclusion the Chair of Governors may consider the exclusion with the advice of the clerk and a local authority representative at hand. In some cases, depending on the seriousness of the exclusion, the governing body may decide to allow an excluded pupil on the premises in order to take exams.

### Safeguarding & Data Protection

The governing body must appoint a clerk to the committee. It is good practice for the clerk to have received training.

The clerk has access to sensitive information on students and families as it is part of their duty to:

- circulate all documentation relating to the exclusion, including historical information on behaviour
- Circulate other documentation from the student file which may indicate safeguarding and welfare issues
- circulate in advance any written statements and a list of those attending to all parties

Governors should ensure that clerks have a current CRB and are aware of issues around confidentiality and data protection. Student details should not be sent via personal email or by post to home or business addresses. Governors and clerks should circulate information via the school's internal protected systems. Clerks must retrieve hard copies from governors at the end of the hearing and leave them on school premises.

## Children & Young People's Services – Contact details

If you have any queries or need further guidance regarding exclusions please contact:

**Samantha Hunte**

KS4 Alternative Roll and Exclusions Coordinator

(T) 0208 489 5086

(E): [samantha.hunte@haringey.gov.uk](mailto:samantha.hunte@haringey.gov.uk)

**Marie Baker**

Pupil Placement Officer

(T) 020 8489 3873

(E): [marie.baker@haringey.gov.uk](mailto:marie.baker@haringey.gov.uk)