

Parent Guide to School Exclusions – Frequently Asked Questions

In relation to exclusions the LA and school must have regard to the guidance contained in the Department for Education (DfE) Guidance: Exclusion from Maintained Schools, Academies and Pupil Referral Units in England: Statutory guidance for those with legal responsibilities in relation to exclusion (DfE, September 2017).

<p>Can a school tell me not to bring my child to school?</p>	<p>There are only two ways a school can exclude a pupil from the school premises.</p> <p>1) External exclusion: when a student is removed from the school for a part of day (or longer) as a result of a serious incident or repeated failure to follow school expectations of behaviour.</p> <p>2) Permanent exclusion: when a student is never able to return to the school once it has been upheld through the exclusion process.</p> <p>Another type of exclusion a school may use is an internal exclusion. This is when a student is removed from lessons to work in another area under staff supervision.</p>
<p>When is a student permanently excluded from school?</p>	<p>Nearly all permanent exclusion are due to a child's repeated failure to follow the school's behaviour policy and acting in a way that negatively affects other students well-being and/or their education is being badly affected.</p>
<p>How will I know if my child has been excluded from school?</p>	<p>If your child is excluded from school the head teacher should inform you straightaway, usually by phone. The head teacher is also required to send you a letter telling you why your child has been excluded and for how long.</p>
<p>Can a head teacher exclude a child on the same day an incident occurs?</p>	<p>Yes. Whilst parents are entitled to be given notice of their child's exclusion so that they can, if necessary, make arrangements for their child to be looked after during the period of exclusion, the head teacher may ask parents to remove their child from school straight away.</p>
<p>What do I need to do if I am informed my child has been excluded from school?</p>	<p>You should begin by calmly discussing with your child what has happened. You should try and understand what has happened from the perspective of the school as well as from the perspective of your child. You may wish to contact the school and ask to discuss the situation in order to sort out any problems. The school may hold a reintegration meeting with you at the end of any fixed term exclusion, but you are not legally required to attend this meeting if you do not wish to do so. The school must allow your child to start back at school at the end of the exclusion period, even if you are unable or unwilling to attend the reintegration meeting.</p>
<p>How long can my child be on a fixed term exclusion from school?</p>	<p>Schools can use fixed term exclusion for a disciplinary breach in line with their school policies. School will set and mark work period of the fixed term exclusion. If your child is excluded for more than five days in any consecutive period the school has a duty to provide suitable fulltime alternative education no later than day 6 of the exclusion.</p>



<p>What should my child do whilst they are excluded from school?</p>	<p>Even though your child is not allowed on the school premises, they still should be receiving education. Schools should take reasonable steps to set and mark work for the first 5 days of any exclusion. If no work has been sent home, contact the school and ask for some. Any work set should be accessible and achievable to pupils outside school.</p> <p>During the first 5 days of exclusion, you are responsible for your child's whereabouts; you must make sure they are not in a public place during school hours. You may receive a penalty notice if your child is present in a public place during school hours without reasonable justification.</p>
<p>External exclusions are just time off school aren't they?</p>	<p>No. Parents/carers discussing their concerns and worry at the behaviour that led to exclusion from school with their children helps them receive a clear message about their behaviour. It underscores the importance of exclusion from school as a sanction. If parents/carers consider exclusion to be a day off, and share this view with their child, allowing them not to do the work provided at home then children receive a very different message and the impact of the exclusion as a consequence is diminished.</p> <p>Be aware that that repeated exclusions mean that a child is at risk of permanent exclusion which means they are not able to return at any time in the future. This is the ultimate sanction that a school could apply.</p>
<p>Can my child be excluded for behaviour outside of school?</p>	<p>Yes, a pupil's behaviour outside of school can be considered as grounds for exclusion. However, this should be in line with the school's behaviour policy. Commonly, this will include behaviour on school trips, behaviour when in uniform or on the way to and from school, and behaviour which may bring the school into disrepute.</p>
<p>Can my child be sent home to "cool off"?</p>	<p>No, it is unlawful just to send a child home to "cool off" even if parents or carers agree. All exclusions must follow the correct procedure and be recorded as exclusions; any exclusion of a pupil, even for short periods of time, must be formally recorded.</p>
<p>I don't agree with the decision about the exclusion, what can I do?</p>	<p>Parents have a number of rights. The letter from the head teacher should tell you that you have the right to make representations to the Discipline Committee of the school's Governing Body about the decision to exclude your child:</p> <ol style="list-style-type: none"> 1) If the exclusion is for 5 days or less in a term you have the right to make written representations; 2) if the exclusion is for more than 5 days in a term you have the right to ask to meet with the Discipline Committee; 3) If the exclusion is for a period in excess of 15 days in a term, or permanent then you should be invited to a meeting of the Discipline Committee. 4) Before any meeting of the Discipline Committee you should receive a copy of any report or other papers that are given to the Discipline Committee 5 school days before the meeting. You can also send to the Discipline Committee a written statement or any other evidence you wish to present. <p>Please see Annex A – A summary of the Governing board's duties to review the head teacher's exclusion decision.</p>
<p>What is the Discipline Committee?</p>	<p>This is a panel made up of 3 governors who have been appointed by the full governing body to consider cases of exclusion. The head teacher, together with other school staff, will attend the meeting of the Discipline Committee to present the case for exclusion. A representative of the local authority may attend to offer procedural advice if invited by the school and/or parent. (A local authority representative will not usually attend to consider a fixed term exclusion, but will always try to attend in the case of a permanent exclusion). The parent can ask a friend to accompany or represent them. The Discipline Committee will look at the evidence and decide whether to uphold the head teacher's</p>



	<p>decision to exclude. If the Discipline Committee does not uphold the head teacher's decision to exclude it will direct the head teacher to reinstate the child. (The Discipline Committee has no power to direct reinstatement if the exclusion is for 5 days or less or the exclusion has already been served. It can, however, place a copy of its findings on the child's school record). If the Discipline Committee does uphold the head teacher's decision to exclude you will be advised of this in writing.</p>
<p>Can the excluded child attend the meeting of the Discipline Committee?</p>	<p>An excluded child can usually attend the Discipline Committee, but it is advisable to take into account their age and understanding, as the child may wish to give their own explanation of what has happened. There are, however, circumstances when it may be inappropriate for the child to attend – if for example, he/she may become distressed or unable to concentrate on what is happening.</p>
<p>What happens at the Discipline Committee meeting?</p>	<p>All the evidence will be heard and everyone will be given an opportunity to speak. When the Discipline Committee has heard from everyone and considered all the evidence, the head teacher will be asked to summarise the case for the exclusion. The parent of the excluded child will then be given the opportunity to have the final word. The Discipline Committee will then meet in private and make its decision. The Discipline Committee will then write to the parent informing him/her of its decision.</p>
<p>What happens if the Discipline Committee decides not to reinstate my child?</p>	<p>If the Discipline Committee decides that your child should not be reinstated the parent is entitled to appeal to an Independent Review Panel. This must be done within 15 school days.</p>
<p>What is a Managed Move?</p>	<p>A managed move is a transfer to another school as an alternative to permanent exclusion. This should only be done with the full knowledge and consent of all parties involved, including the parents, the LA and any other relevant professionals and when all available strategies have been explored. This is to enable the pupil to make a fresh start in a new school.</p>
<p>Where do I go to get help and advice about exclusions?</p>	<p>If you are the parent of a child who has been/may be excluded you can obtain help and advice from Bradford's Admissions and Exclusion Team Officer 01274 439333</p> <p>Department for Education's statutory guidance on exclusions https://www.gov.uk/government/publications/school-exclusion</p> <p>You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on http://www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.</p>

Statutory guidance link:

<https://www.gov.uk/government/publications/school-exclusion>