

Parent Guide to Suspension and Permanent Exclusion Frequently Asked Questions

<p>Can a school tell me not to bring my child to school?</p>	<p>Yes, but there are laws on how and when this can happen, as follows</p> <p><u>Suspensions</u></p> <p>These are short-term exclusions and pupils must be given a date for return to school. A return date should be given to parents in the letter informing them of the exclusion.</p> <p><u>Lunch Time Suspensions</u></p> <p>Pupils whose behaviour is disruptive at lunchtime and are excluded for the lunchtime session count as a fixed period exclusion of ½ day. A return date should be given to parents in the letter informing them of the lunchtime suspension period.</p> <p><u>Permanent Exclusions</u></p> <p>Permanent exclusion is the most serious sanction a school can give if a child does something that is against the school's behaviour policy and is used as a last resort. It means that the pupil is no longer allowed to attend the school unless reinstated by the Governing Board.</p>
<p>When is a student permanently excluded from school?</p>	<p>Nearly all permanent exclusions are due to a serious breach or repeated failure to follow the school's behaviour policy and where allowing to remain in school would seriously harm the education or welfare of the child or others such as staff or other pupils in the school.</p>
<p>How will I know if my child has been suspended or excluded from school?</p>	<p>If your child is suspended or permanently excluded from school the head teacher must inform you without delay, usually by phone. The head teacher is also required to send you a letter telling you why your child has been suspended/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 suspension/exclusion so that they can, if necessary, make arrangements for their child to be looked after during the period of suspension/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 suspended/ 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 suspension, 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 suspension period, even if you are unable or unwilling to attend the reintegration meeting. In the case of a permanent exclusion a member of the Exclusion Team will contact you, usually by phone, to explain the process and next steps as soon as possible. The exclusion officer will give you the details of the alternative provision that your child will attend, including a name and contact number of someone at the school. You will be able to ask any questions you may have about the process of exclusion or the education of your child as the exclusion process is followed.</p>

<p>How long can my child be on a fixed term suspension from school?</p>	<p>Schools can use fixed term suspension for a disciplinary breach in line with their school policies. A pupil may be suspended for one or more fixed periods (up to 45 school days in a single academic year). A suspension does not have to be for a continuous period. If your child is excluded for more than five days in any consecutive period, the governing board must provide suitable fulltime alternative education no later than day 6 of the exclusion and you should be notified of the details of this no later than 48 hours before it is due to start.</p>
<p>What should my child do whilst they are suspended or 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 suspension/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>In the case of a permanent exclusion, the Local Authority must arrange suitable full time education to begin from the 6th day.</p>
<p>External suspensions/exclusions are just time off school aren't they?</p>	<p>No. The issuing of suspensions/permanent exclusion is a serious matter, used by school only as a last resort and is recorded on the pupil school record.</p> <p>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 suspension/exclusion from school as a sanction. If parents/carers consider suspension/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 suspension/exclusion as a consequence is diminished.</p> <p>Be aware that that repeated suspensions 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 at lunchtime?</p>	<p>Yes, pupils whose behaviour at lunchtime is disruptive may be excluded for the lunchtime period. Lunchtime exclusions are counted as half of a school day.</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 suspension/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 suspend/exclude your child:</p> <ol style="list-style-type: none"> 1) If the exclusion is for 5 days or less in a term the governing board must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents; 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, the Governing Body must meet to consider

	<p>reinstatement within 50 school days of receiving notification of the suspension and has the power to reinstate your child;</p> <p>3) If the suspension 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 and they have the power to reinstate your child;</p> <p>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 at least 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> <p>Please see “A summary of the governing board’s duties to review the head teacher’s exclusion decision” at the end of this document.</p>
<p>What is the Pupil Disciplinary Committee (PDC)?</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 pupil disciplinary committee meeting 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 pupil disciplinary committee will look at the evidence and decide whether to uphold the head teacher’s decision to exclude. If the pupil disciplinary committee does not uphold the head teacher’s decision to exclude it will direct the head teacher to reinstate the child. If the pupil disciplinary 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 Pupil Disciplinary Committee (PDC)?</p>	<p>An excluded child has the right to attend the pupil disciplinary committee meeting and Governors should enable and encourage the suspended or permanently excluded pupil to attend the meeting and make a representation on their own behalf if they desire to do so. 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.</p> <p>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 Pupil Disciplinary Committee meeting?</p>	<p>All the evidence will be heard and everyone will be given an opportunity to speak. When the pupil disciplinary 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 pupil disciplinary committee will then meet in private and make its decision. The pupil disciplinary committee will then write to the parent informing him/her of its decision.</p>
<p>What happens if the Pupil Disciplinary Committee decides not to reinstate my child?</p>	<p>In the case of a permanent exclusion if the pupil disciplinary 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 from the date on which notice in writing is given to parents.</p>
<p>What is removal from classrooms?</p>	<p>Removal from classrooms is where a pupil, for serious disciplinary reasons, and should be considered a serious sanction and only used when necessary and when other behavioural strategies in the classroom have been tried. It is where a pupil is required to spend a limited amount of time outside of the classroom when instructed by a member of staff. This is not the same as where a pupil is asked to step outside the classroom for a brief conversation with a member of staff and then asked to return to class following this. Pupils should not be removed from classrooms for prolonged periods of time without the explicit agreement of the head teacher and Parents should be informed on the same day</p>

	if the child has been removed from the classroom. There should be a clear plan for reintegration back to the classroom when appropriate and safe to do so
What is a Pupil Support Unit ?	A pupil support unit is planned intervention usually where a pupil works within a small group in place of a mainstream lesson (usually on the school site) this could be to support behaviour/pastoral reasons and/or as a final measure to support pupils at risk of exclusion. Schools should have a plan for the pupil when reintegrating back into the classroom and may involve parents and other agencies if involved.
What is Off-site direction?	Off-site direction is where the governing board of a school requires a child to attend another educational setting to improve their behaviour for a time limited period. Where possible in school interventions and support should be used before consideration to off-site direction. The placement should be reviewed regularly with parties involved to include parents and other agencies e.g. the Local Authority (in the case of a pupil with an Education Health Care Plan), a pupil's social worker with planned reintegration back to the referring school.
What is a Managed Move?	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.
Where do I go to get help and advice about exclusions?	<p>If you are the parent of a child who has been/may be excluded, you can obtain help and advice from an Exclusions Team Officer 01274 439333/ 432446/435239</p> <ul style="list-style-type: none"> • Department for Education's statutory guidance Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (2022) • Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. 0808 802 0008 or http://www.childrenslegalcentre.com. 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January. • ACE Education • SENDIASS, Special Educational Needs Information Advice and Support Service • Independent Parental Special Education Advice

A summary of the governing board's duties to review the headteacher's exclusion decision

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school above 15 for a term
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ Yes

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁴⁹

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁵⁰

↓ No

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ No

Yes

The governing board must consider any representations made by parents but does not have the power to decide whether to

Have the pupil's parents requested a governing board meeting?

↓ Yes

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

↓ No

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

A summary of the governing board's duties to review the headteacher's exclusion decision

1. Is it a permanent exclusion?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the permanent exclusion.⁵¹

If the answer is no, go to step 2.

2. Is it a suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school above 15 for a term

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension.⁵²

If the answer is no, go to step 3.

3. Is it a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁵³ The governing board must also take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁵⁴

If the answer is no, go to step 4.

4. Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

If the answer is yes, go to step 5.

If the answer is no, the governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

5. Have the pupil's parents requested a governing board meeting?

If the answer is yes, the governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.



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5. Have the pupil's parents requested a governing board meeting?

If the answer is yes, the governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

If the answer is no, the governing board is not required to consider the suspension but does have the power to consider the reinstatement of the pupil.

⁵¹ The governing board may delegate its functions to consider an exclusion to a designated committee.

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⁵⁴ The ability for a chair to review in the case of public exams refers only to maintained schools.