



Yewstock School

Exclusions

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A guide for
parents

Exclusion from school: Fixed-Term and Permanent

(Including Academies and Pupil Referral Units (PRU's), also referred to in Dorset as Learning Centres)

A guide for Parents

This booklet has been produced to assist you in understanding what happens if your child is excluded from school. It should be treated as general guidance; more detailed information will be available from either the school or the Local Authority (LA) Exclusions Officer. A link to the statutory guidance on exclusions is provided at the end of this booklet.

There are three types of exclusion from school:

- a) Fixed-term for 15 school days or less (including lunchtime exclusions where 1 lunchtime is counted, in exclusion terms, as ½ day)
- b) Fixed-term for 16-45 school days
- c) Permanent

Rights of Representation for Fixed-term exclusions

The Discipline Committee of the School's Governing Body has a duty to consider any representation you may wish to make for exclusions of up to 15 school days per term, although they cannot overturn any exclusion of less than 6 school days and are not actually required to sit to consider an exclusion of this length. You must write to the Clerk of the Discipline Committee at the school requesting such a meeting be convened.

For fixed-term exclusions exceeding 15 days per term and permanent exclusions, the clerk of the Discipline Committee must convene a meeting to consider exclusion, whether you request one or not. You, the Headteacher and the LA Exclusions Officer will be informed of the time and date of this meeting. The Governing body is able to uphold the exclusion or direct re-instatement.

Education during Fixed-term Exclusion

Exclusion from school does not mean exclusion from education. Emphasis is placed on the requirement for parents/carers, schools and governing bodies to ensure that pupils are engaging in education during periods of exclusion. For the first 5 days of exclusion, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification and may be given a fixed penalty notice or prosecuted if they fail to do so. Therefore parents should make arrangements to ensure that adult supervision and an appropriate place to do school work is available. Schools are required to supply work to be completed during this time.

For fixed period exclusions exceeding 5 school days the school is required to make arrangements for your child to receive appropriate full time provision, generally off site from the 6th school day. The duty to ensure this is in place rests with the school's Governing body. If such arrangements are not detailed in the Exclusion letter, it is advisable to contact the school during the first 5 days of the exclusion to discuss what arrangements are being made.

The majority of fixed term exclusions are issued for 5 days or less. However should your child be excluded for a longer period it is possible that the school may explore alternative educational provision with the Local Authority or a provider of alternative provision. Maintained schools have

the power to direct a pupil off-site for education to improve his or her behavior. You will be involved in any discussions regarding changes to your child's education.

Education following a Permanent Exclusion

From the 6th day of a permanent exclusion responsibility falls to the Local Authority to make appropriate arrangements to provide for your child. The Exclusions Officer or Manager of your local Learning Centre will contact you directly regarding this.

A permanent exclusion means that it is not anticipated that the child will return to that school. During an exclusion of any length it is extremely important that your child does not go onto the school site **at any time** unless invited to, for example to attend a Discipline Committee meeting.

In Dorset, very few pupils are permanently excluded. If however this does happen, careful consideration is made to ensure that the next educational provision is appropriate to meet your child's needs. Normally, every effort is made to seek a place for your child in a nearby school. However, it may be that your child's needs would be best met by an individual full-time programme at one of the five Dorset Learning Centre's (also known as Pupil Referral Units). Such individualized provision will centre on a core of essential subjects but will also include other activities, which reflect the pupils interests and aspirations. You will be fully involved in and informed of any decisions made.

Such arrangements set up for your child will be based on strategies to try to prevent similar problems re-occurring. Following a permanent exclusion, the LA will make every attempt to make educational provision, which will allow your child to succeed, rather than set up an unrealistic programme where he or she may fail.

The Role of the School's Governing Body

Once a decision has been made to exclude, you should be notified immediately and should receive written confirmation without delay. Where parents/carers have requested it, the Clerk to the Governors will make arrangements for a Discipline Committee meeting to be held within 6 and 50 days for any exclusion lasting less than 16 school days, and within 6-15 days for any exclusion exceeding 15 school days.

This meeting will consist of 3 members of the school governing body (who must have had no previous involvement in your child's discipline history); parents/carers and the Headteacher and, in most cases, the LA Exclusions Officer whose purpose in attending is to ensure that the guidance relating to the exclusion process is adhered to and to advise Governors as to how similar situations have been dealt with in other schools. If you wish your child to attend, you should inform the Clerk prior to the meeting.

Most Governors feel it is important for the pupil, particularly secondary aged pupils, to attend and have an opportunity to speak and answer questions. You may also bring someone to support you; again, the Clerk should be informed prior to the meeting. You may wish to submit a written statement to the Clerk who will ensure that it is circulated to all attending, along with any written statement/log of incidents that the Headteacher chooses to circulate prior to the meeting.

At this meeting the Headteacher will explain to the Committee how he or she reached the decision to exclude. You will then have the opportunity to present your case. The Committee will then ask both parties questions and hear from the LA Exclusions Officer. The Committee will then ask the Headteacher, the LA Exclusions Officer, and you to leave the meeting whilst they decide whether to uphold or overturn the exclusion.

It is important that you attend the Discipline Committee meeting to voice any concerns/views you have regarding the exclusion. However, should you feel unable to attend you may submit a written statement requesting that it be placed on your child's file alongside the exclusion letter. You may do this for any length exclusion.

The Discipline Committee has the power to direct the Headteacher to re-admit the pupil or to uphold the Head teacher's decision of exclusion. If they decide to reinstate your child, he or she will be re-admitted to the School immediately, unless a planned re-admission programme is set for him or her, although they cannot attach conditions.

There is no further appeal opportunity for fixed-term exclusions beyond the Discipline Committee. If however you think the 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 SEN and Disability Tribunal (SEND). Visit www.dfe.gov.uk and follow the links for Special Educational Needs for further information.

The Role of the Independent Review Panel in Permanent Exclusions

If the Governors decide to uphold the Head teacher's decision to **permanently exclude**, you will be given the opportunity to request that an Independent Review Panel considers the exclusion. The panel will be convened by the Legal and Democratic Services Department of the County Council for maintained schools and by the Academy Trust for Academies. Alternatively if you disagree with the decision but do not wish for the IRP to sit, you may ask to submit a written statement and supporting paperwork to be placed on your child's school file.

If you decide to request a review you should speak to the LA Exclusions Officer immediately as there are specific deadlines governing the process. A written submission (including a completed form) must be received within 15 days from the date of the Discipline Committee's letter confirming the permanent exclusion. The Independent Review Panel is independent from the LA or Academy and is responsible for hearing the case in its entirety before reaching a decision.

The role of the panel is to review the governing body's decision not to re-instate a permanently excluded pupil. The panel may uphold the exclusion decision or recommend that the governing body reconsiders the decision or quash the decision and direct that the governing body considers the exclusion again.

Parents and carers have the right to request that an SEN expert attends the Independent Review Panel to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion.

Once all of these procedures have been completed and if the decision is upheld, your child's name will be removed from the School's roll and, for pupils of compulsory school age, responsibility falls to the LA to arrange appropriate education.

We do understand that this can be an extremely stressful and worrying time for parents/carers and pupils. It is important that you keep in touch with the LA at all times. Below are some useful contacts:

Local Authority Exclusions Officer: Mrs Victoria Day

The Forum Centre, Park Road

Blandford Forum, DT11 7BX Tel: 01258 455 202

Email: v.c.day@dorsetcc.gov.uk

Advisor – Alternative Provision and Elective Home Education:

Mrs Sylvia Lord

County Hall, Colliton Park

Dorchester, DT1 1XJ Tel: 01305 225615

Coram Children’s Legal Centre:

www.childrenslegalcentre.com or 08088 020 008

Link to statutory guidance on exclusions:

www.education.gov.uk/schools/leadership/statutoryguidance

Parent Partnership Group

Anne Barker

Jane Schmidt

West

North & East

01300 341978

01202 520921