

Harrow Lodge Primary School



EXCLUSIONS & SUSPENSIONS POLICY

REVIEWED:	Autumn 2023
APPROVED (T&S):	Spring 2024
EFFECTIVE PERIOD:	Spring 2024-Spring 2027
DUE FOR REVIEW:	Autumn 2026
RESPONSIBLE PERSON(S):	MRS L SEARLE

(Complete review in Autumn 2023 to comply with the September 2023 Suspension & Permanent Exclusions Guidance)

SIGNED BY CHAIR OF GOVERNORS

1. INTRODUCTION

- 1.1 It is the policy of Harrow Lodge Primary School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion (see Behaviour Policy).
- 1.2 Permanent Exclusions (when a pupil is no longer allowed to attend the school) or Suspensions (when a pupil is not allowed to attend the school for a fixed period of time) from the school community are damaging to a student's self-esteem. They diminish the sense of belonging to the community. As such, they are used rarely and only as part of an overall behaviour strategy which seeks to develop a culture of inclusion, ownership of and responsibility for one's own behaviour.
- 1.3 The school seeks to avoid exclusions. These take place only for very serious incidents or when all other strategies have been tried and have failed over time.
- 1.4 Suspensions are used when other strategies and sanctions have not been effective over time or when there has been a single clear and serious breach of discipline.

2. AIMS & PRINCIPLES

- 2.1 The purpose of this policy is to explain the school's use of exclusion and suspension. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:
 - 1) 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) To reduce the need to use exclusion or suspension as a sanction through the school's commitment to meeting the needs of each child and working closely with parents.
- 2.2 This Policy sets out the principles to be followed by the school in compliance with current legislation. The Policy reflects the government's ambition to create high standards of behaviour in schools so that children and young people are protected from disruption and can learn and thrive in a calm, orderly, safe, and supportive environment.
- 2.3 Good behaviour in school is essential to ensure that all pupils can benefit from the opportunities provided by education. Therefore, the government recognises that school exclusions, managed moves and off-site directions are essential behaviour management tools for headteachers, and can be used to establish high standards of behaviour in school and maintain the safety of school.

3. HEADTEACHERS' POWERS TO USE SUSPENSIONS AND PERMANENT EXCLUSIONS

- 3.1 Suspensions and permanent exclusions will sometimes be necessary as a last resort for headteacher to maintain the school environment. In the case of a Permanent Exclusion, this can **only** be authorised by the Head Teacher and will only be done after consulting the

Chair of Governors of the intention to impose this sanction, although the final decision rests with the Head Teacher of the school.

- 3.2 When suspensions and permanent exclusions are being considered, headteachers must take into account pupil's age and ability to understand the suspension or permanent exclusion process.
- 3.3 The decision to exclude or suspend a pupil will be taken in the following circumstances:
 - (a) In response to a serious breach of conduct.
 - (b) If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- 3.4 Exclusion may be used in response to *persistent* poor behaviour or a very serious *single incident* which breaches school rules and policies
- 3.5 When a headteacher has made the decision to suspend or permanently exclude a pupil they must, without delay notify parents.
- 3.6 If a pupil has a social worker, or they are looked-after, the headteacher must, also without delay, inform the Social Worker and VHT as outlined below:

Section 77: Suspension & Permanent Exclusion Guidance July 2022. Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC, of the period of the suspension or permanent exclusion and the reason(s) for it.

- 3.8 The school regularly monitors the number of Suspensions and Permanent Exclusions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

4. DUTIES UNDER THE EQUALITY ACT 2010 AND CHILDREN AND FAMILIES ACT 2014

- 4.1 Under the Equality Act 2010 (the Equality Act) and the Equality Act 2010: advice for schools - GOV.UK (www.gov.uk), schools must not discriminate against, harass, or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment.
- 4.2 The governing board must also comply with their statutory duties in relation to pupils with Special Educational Needs (SEN) when administering the exclusion process, including having regard to the Special Educational Need and Disability (SEND) Code of Practice.

5. SUSPENSIONS

- 5.1 Only a headteacher is able to suspend a pupil from school or withdraw a suspension.
- 5.2 A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.

- 5.3 A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.
- 5.4 A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.
- 5.5 A student may be at risk of suspension from school for:
- Verbal or physical assault of a student or adult;
 - Persistent and repetitive disruption of lessons and other students' learning;
 - Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.
 - Persistent bullying
- 5.6 It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils from the 2nd to the 5th day of a suspension. This can include utilising online pathways. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways, this should always be recorded as a suspension.
- 5.7 The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.
- 5.8 A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.
- 5.9 The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.
- 5.10 **Internal exclusion**
Internal exclusion is when a pupil is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will be in a different room. An internal exclusion is a discretionary measure where a pupil's behaviour is escalating and more serious measures need to be taken but there are not yet grounds for a suspension.
- 5.11 Typically, a child receiving a consequence of this level will already be receiving additional support for their behaviour, intended to help them to avoid their behaviour escalating to a point where a suspension is necessary (e.g. behaviour chart/plan to address specific

behaviours causing a problem; support from a learning or teaching assistant; target-setting etc)

6. PERMANENT EXCLUSIONS

- 6.1 Where a headteacher believes that a permanent exclusion is imminent, they should notify the local authority via email inclusions@havering.gov.uk outlining the incident to ensure there is a clear audit between the school and the local authority.
- 6.2 A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). This is a very serious decision and the Head Teacher will consult with senior leaders and the Chair of the Governing Body as soon as possible in such a case. The decision to exclude a pupil permanently 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 such as staff or pupils in the school.
- 6.3 The School will inform the local authority of the DfE reason for the permanent exclusion and provide an Inclusions Gateway Referral Form, along with a copy of the letter that was sent to the parent from the headteacher.
- 6.4 For any permanent exclusion, work will be set and marked for pupils during the first five school days where the pupil will not be attending alternative provision.
- 6.5 For permanent exclusions, the local authority will arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion. This will be the pupil's 'home authority' in cases where the school is maintained by (or located within) a different local authority.
- 6.6 Where a pupil has a statement of SEN, the local authority will ensure that an appropriate full-time placement is identified in consultation with the parents, who retain their rights to express a preference for a school that they wish their child to attend, or make representations for a placement in any other school.

7. WITHDRAWAL OF A PERMANENT EXCLUSIONS

- 7.1 Only a headteacher is able to withdraw a permanent exclusion.
- 7.2 The headteacher may withdraw a permanent exclusion that has already begun, but this action can only be taken when it has not yet been reviewed by the governing board.
- 7.3 Parents, the governing board, and the LA will be notified without delay and, if relevant, the social worker and Virtual School Head (VSH) if pupil is a Looked After Child (LAC).

- 7.4 Parents, school and the local authority will meet to discuss the circumstances that led to the exclusion being withdrawn.
- 7.5 Schools should report to the governing board once per term on the number of exclusions which have been withdrawn. This should include the circumstances and reasons for the withdrawal enabling governing boards to have appropriate oversight.
- 7.6 If a permanent exclusion is withdrawn, the pupil should be allowed to return to their school.
- 7.7 **Managed Move**
A pupil can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents.
- 7.8 In cases where the Head Teacher and parents agree that the progress of the pupil has been unsatisfactory and the pupil is unwilling or unable to profit from the educational opportunities offered or, if a parent's failure to engage in strategies implemented by the school are resulting in a continuing pattern of poor behaviour or lack of improvement in behaviour, the Head Teacher may consult with the Local Authority and propose a managed move to another school.
- 7.9 This is **not** an exclusion and in such cases the Head Teacher may assist the parents in placing the pupil in another school if it is considered to be in the best interests of the child.
- 7.10 The threat of exclusion will never be used to influence parents to move their child from the school.

8. THE DECISION TO SUSPEND OR EXCLUDE

- 8.1 In the event of a single incident, the Head Teacher or a designated senior leader will investigate the incident and consider all evidence to support the allegation, taking account of the school's policies.
- 8.2 The pupil will be encouraged to give his/her version of events and the Head Teacher will check whether the incident may have been provoked.
- 8.3 Whilst an exclusion may still be an appropriate sanction, the Head Teacher will take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying or racial harassment.
- 8.4 If a child amasses a total of 5 full day suspensions within a term, a referral to the Havering Behaviour Team via the Inclusions Gateway Referral Form will be made in order to gain support for the child.
- 8.5 A permanent exclusion is a last resort and, in some cases, it may be considered appropriate and in the child's best interest to place the child on a reduced timetable before carrying out a permanent exclusion. However, if the behaviour persists whilst on the reduced timetable, this may trigger a permanent exclusion.

- 8.6 All cases, all circumstances, extenuating and otherwise, will be considered very carefully before carrying out a permanent exclusion.
- 8.7 The following incidences are accepted as serious enough to be considered for exclusion *but this is not an exhaustive list*:
- Serious breach of the school's behaviour policy
 - Malicious media communication
 - Sexualised behaviour
 - Any behaviour where allowing the pupil to remain in school would seriously harm the education or the welfare of the pupil or others in the school
 - Verbal or written obscene communication
 - Pornographic images
 - Possession of an offensive weapon (inside or outside of school)
 - Assault of a pupil or member of staff / public
 - Threatening violence
 - Sexual assault / violence perpetrated against another pupil or member of staff
 - Possession / under the influence of drugs/alcohol including smoking / vaping on school premises
 - Distribution of drugs / alcohol to other pupils

9. SUSPENSION / EXCLUSION PROCEDURE

- 9.1 If the Head Teacher decides to exclude a pupil he/she will:
- ensure that there is sufficient recorded evidence to support the decision.
 - explain the decision to the pupil if the pupil is in the state of mind to listen to the decision.
 - contact the parents, explain the decision and ask that the child be collected.
 - send a letter to the parents confirming the reasons for the exclusion or suspension, the length of the suspension and any terms or conditions agreed for the pupil's return.
 - in cases of more than a day's suspension, ensure that appropriate work is set and that arrangements are in place for it to be marked.
 - plan how to address the pupil's needs and integration back into their class on his/her return
 - plan a meeting with parents and the pupil on his/her return to be conducted by a suitable senior member of staff.
- 9.2 Parents will be made aware that, for the first 5 school days (or until the start date of any alternative provision where this is earlier) of a suspension or exclusion, 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 ensure this.

- 9.2.1 Parents will also be advised that, for the duration of the suspension, the pupil is not allowed on the school premises and that daytime supervision is *their* responsibility, as parents/guardians.
- 9.3 From day 2 of an exclusion or suspension, the school will take reasonable steps to set and mark work for pupils. Work that is provided will be accessible and achievable by pupils outside of school.
- 9.4 If a suspension is extended, the Head Teacher will notify parents explaining the reasons for the change and providing any additional information required.
- 9.5 When being notified of the suspension or exclusion, parents will be directed to relevant sources of free, clear and impartial information regarding exclusions and children's services (see Appendix 3 – Letters for Notification of Exclusion)
- 9.6 All students returning from a suspension are required to attend a reintegration meeting (although this is no longer statutory), accompanied by a parent. This meeting will seek to establish practical ways in which further suspension can be avoided and behaviour modified to acceptable standards in partnership between student, parent and school.

10. ALTERNATIVE EDUCATIONAL ARRANGEMENTS

- 10.1 In some cases, it may be necessary to provide alternative educational arrangements for the excluded pupil. In such cases, the following information will be given to parents as soon as it is available and, *if possible*, 48 hours before the start of the provision:
- The start date for any provision of full-time education that has been arranged for the pupil during the exclusion.
 - The start and finish times of any such provision, including the times for morning and afternoon sessions where relevant.
 - The address at which the provision will take place.
 - Any information required by the pupil to identify the person he/she should report to on the first day.

11. APPEALS

- 11.1 All parents have the right to appeal the decision of the Head Teacher to exclude a pupil.
- 11.1.1 All correspondence regarding an exclusion or suspension from the school will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance:
<https://www.gov.uk/government/publications/school-exclusion>
- 11.1.2 The person who should be contacted to initiate an appeal is the Clerk to the Governors.

12. THE ROLE OF THE GOVERNORS

12.1 These responsibilities would usually be delegated to a sub-committee of at least three governors, the Discipline Committee.

12.1.1 The governors' role is essentially one of reviewing the Head Teacher's exclusion decisions. The Head Teacher will inform the Chair of Governors of any exclusions. If it is apparent to the governing body that the purported exclusion is not for a disciplinary matter, it is unlawful and cannot stand, and they do not need to investigate further.

12.2 If the matter is deemed legal, the Governing Body must meet to review the exclusion decision in the following cases:

- Permanent exclusions.
- All suspensions totalling more than 5 school days in any one term.
- Suspensions totalling more than five school days in any one term, where the parent expresses a wish to make representations to the governing body.
- Suspensions that would result in the loss of an opportunity to take a public examination.

12.3 The Governing Body must meet to:

- Consider the circumstances in which the pupil was suspended;
- Consider any representations about the suspension made by the parent and by the LA;
- Consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated.

12.4 Where there is a legal requirement for the governing body to consider the exclusion, parents have the right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend.

12.5 Where required or requested (see Appendix 1), the governing body must hold a Discipline Committee within the required timescale. This should consist of 3 or 5 governors who should have no previous knowledge of the case.

12.5.1 It is not recommended that the Chair of the Governing Body should be part of this committee if the Head teacher has discussed any related concerns with him/her as impartiality could be an issue.

12.5.2 Ideally the Discipline Committee should be clerked by a person who is not a member of the school staff and will have had appropriate training (please contact Governor Services for details of courses).

12.5.3 A representative from the LA Education, Inclusion and Support Team should be invited to all Discipline Committees where the exclusion is permanent and may, on request, be able to attend other Discipline Committees where the situation is particularly complex.

12.6 When considering the decision for exclusion, governors may find it helpful to refer to the Decision to Exclude checklist (see Appendix 2)

12.5 In the case of a suspension which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing body will consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. (See Appendix 1)

13. FAP PANELS

13.1 Following a Governors' Discipline Committee decision to uphold a permanent exclusion, the LA will take the case to the FAP committee, and they will work as a group to find a suitable placement for the excluded child.

14. UNOFFICIAL/ILLEGAL EXCLUSIONS

14.1 The procedures described above and in the DfE Guidance must always be applied when a pupil is sent home; 'cooling-off periods', asking parents/carers to take a child home to avoid an exclusion etc, are illegal and could be subject to challenge.

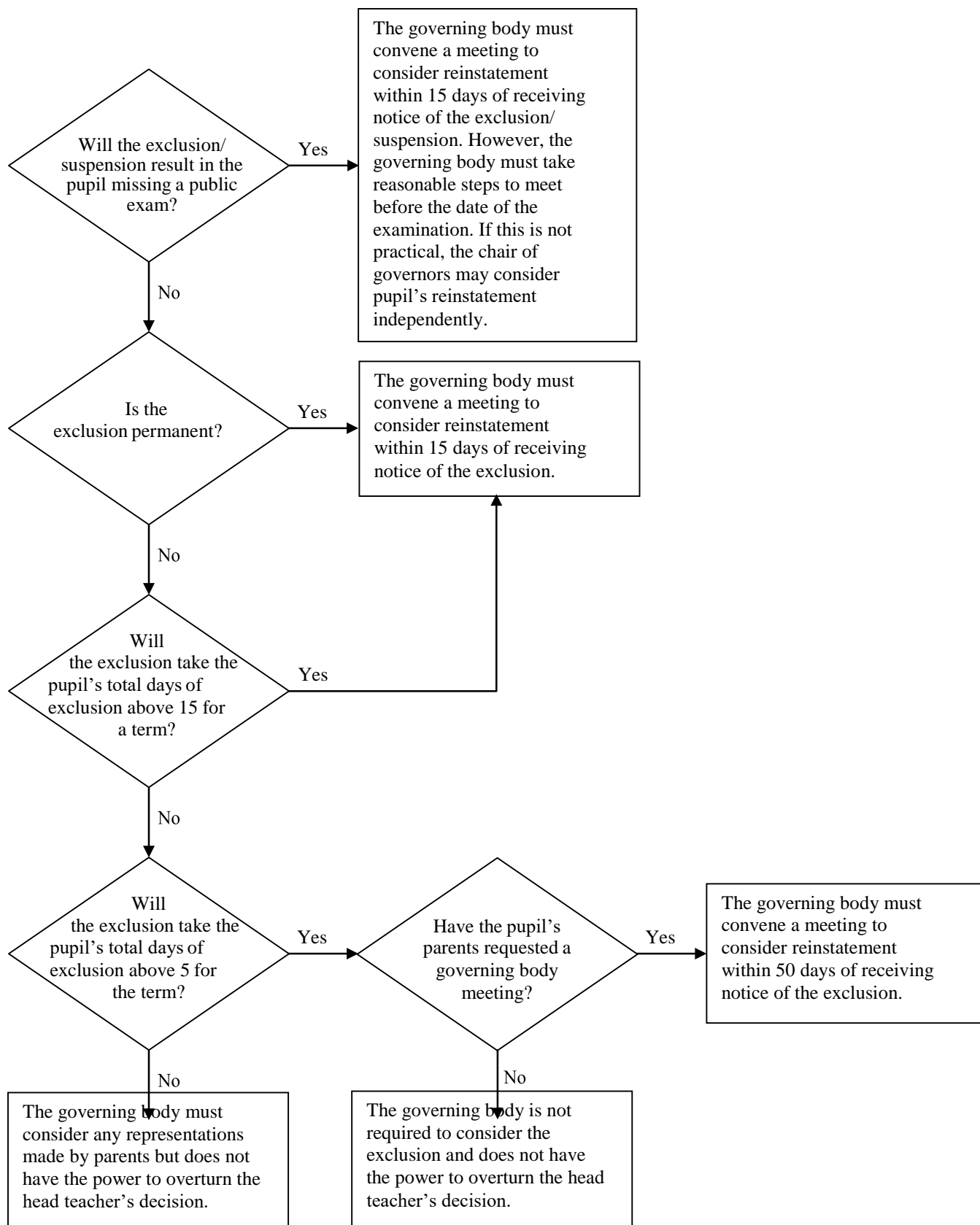
14.2 This also applies to lunchtimes; if a child is asked by the school to go home at lunchtimes, this must be treated as a half day exclusion for each lunchtime.

15. POLICY DISSEMINATION, MONITORING AND EVALUATION

15.1 This policy will be reviewed every 3 years or sooner in the light of new DfE guidance and its use will be monitored and evaluated by the school's Governing Body.

APPENDIX 1

A summary of the governing body’s duties to review the head teacher’s exclusion/suspension decision



The governing body may delegate its functions to consider an exclusion to a designated sub- committee.
References to days means 'school days'.

APPENDIX 2

Decision to Exclude Checklist

	Yes	No
Has the pupil committed the offence?		
Has there been a serious breach or breaches of the school behaviour policy?		
Does the pupil's presence seriously harm the education/welfare of pupils/others?		
Is this as a last resort following a wide range of other strategies that have been unsuccessful? Or Is this a serious first or 'one off' offence?		
Is exclusion the appropriate response? Factors to consider: <ul style="list-style-type: none"> • Exclusion has not been considered in the heat of the moment? • Has a thorough investigation been carried out? • Has the evidence been considered in light of policies and discrimination? • Has the pupil's version of events been encouraged / heard / recorded? • Are there any mitigating circumstances or any provocation relevant (bullying, harassment etc)? 		
Has there been involvement from In-School Support Staff or Educational Psychologists and a pastoral support programme implemented?		
Have alternatives to exclusion been considered (e.g. restorative approach, mediation, internal exclusion, alternative provision, managed move)?		
Standards of proof: On the balance of probabilities, did the pupil do it?		
Special Considerations		
Does this pupil have a statement of special educational needs (SEN)? Have you contacted the SEN Caseworker? Has an emergency annual review been called? <i>See DfE Guidance para 22-24</i>		
Is this pupil a looked after child as supported by Education Support (ESLAC)? If so have you contacted the appropriate ESLAC teacher and social worker to discuss? <i>See DfE Guidance para 22-24</i>		
Safeguarding: Is this pupil subject to a Safeguarding or a Child in Need Plan? Have you spoken to Social Care?		
Is there a CAF/EHA for this young person?		
Is the locality team or SEN Services involved?		
Have issues of SEN or a disability been taken into account and reasonable adjustments put in place? (Equality Act 2010)		
Appropriate length of exclusion considered? Is this for the shortest possible time?		

APPENDIX 3

Letter A:

Model letter to parents/carers: suspension (up to and including 5 days in any one term)

Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to suspend (James) for a fixed period of..... days. He has been suspended for the following reasons:

.....
.....

We have taken the following steps to try to avoid this suspension:

.....
.....

[This brings the total number of days suspended this term to]

This means that (James) should not attend school until

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this]

I will arrange for (James) to have school work during his suspension and for this work to be marked. Please contact [.....] regarding these arrangements.

[You are invited to a meeting to discuss how James will be supported on his return to school on at]

You have a right to make written representations to the Discipline Committee of the governing body. If you wish to make representations, you should contact The Clerk to The Governors Discipline Committee at the school.

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact Ms Haynes who will be able to make the necessary arrangements.

[You should also be aware that if you think the suspension relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the period for which your child is suspended, you are responsible for ensuring that he/she is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice issued by the Local Authority. Your child is also not permitted to be present on the school premises during the time of his/her suspension.

A Local Authority officer with responsibility for suspensions who can provide you with advice on the suspension process is:

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January.

Yours sincerely

Head Teacher
cc. Chair of Governors

Letter B:
Model letter to parents/carers: suspension
(more than 5 days up to and including 15 days in any one term)
Square bracket sections to be included/omitted as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to suspend (James) for a fixed period of..... days. He has been suspended for the following reasons:

.....
.....

We have taken the following steps to try to avoid this suspension:

.....
.....

[This brings the total number of days suspended this term to]

This means that (James) should not attend school until

[We are aware of (James') SEN. The following steps have been taken to make reasonable adjustments for this

.....]

I will arrange for (James) to have school work during the first five days of his suspension and for this work to be marked. Please contact [.....] regarding these arrangements.

[From the sixth day (.....) until the end of this suspension (.....) (James) is required to attend (insert details of location/venue) at these times (insert details of times) in order that he might access the full-time education which is being provided whilst he is suspended.]

You have the right to request a meeting of the Governors' Discipline Committee at which you may make representations and the decision to suspend can be reviewed. The latest date the Committee can meet is [no later than 50 days from the date of the suspension]. Please let us know as soon as possible if you wish to meet the Committee, or make a written statement, by contacting the Clerk to the Discipline Committee at the school.

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the suspension relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the first five days of the period for which your child is suspended you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice issued by the local authority. Your child is also not permitted to be present on the school premises during the time of his suspension.

A Local Authority officer with responsibility for suspensions who can provide you with advice on the suspensions process is:

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Head Teacher
cc. Chair of Governors

Letter C:

Model letter to parents/carers: suspension in the first instance pending further investigation
(signals possibility that the suspension may become a permanent exclusion)

As Letter B but with the following opening paragraph:

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you that I am suspending (James) for a fixed period of days, in the first instance, to give me an opportunity to investigate the incident fully and decide if he should be permanently excluded. I shall be writing to you again in the next few days, [following the completion of my investigations], to explain my decision on what should happen next. The earliest that (James) should return to school is.....

Letter D:
Model letter to parents/carers: permanent exclusion

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am sorry to have to write informing you that I shall be recommending to the governors that (James) is excluded permanently from the school.

You will appreciate that this is not a decision taken lightly, but I believe it is necessary for the following reasons:

.....
.....

We have taken the following steps to try to avoid this exclusion

.....
.....

[We are aware of (James) SEN. The following steps have been taken to make reasonable adjustments for this:

.....]

The exclusion comes into effect immediately and (James) should not return to school until the governors' Discipline Committee has met to consider the matter.

The Clerk to the Discipline Committee will be arranging this meeting within the next 15 school days, and you will be invited to attend. You will have a right to make a statement to the Committee, either orally or in writing. I will also be providing a full report to the meeting which will be forwarded to you by the clerk to the discipline committee. It is perfectly acceptable if you wish to be accompanied by a friend or be represented.

In the meantime, I am arranging for (James) to have school work to do at home for the first five days of this exclusion, and for this work to be marked. Please contact [.....] who will discuss the practical details with you.

From the sixth day of this exclusion onwards (insert date) the local authority will provide full-time education for (James). You will be contacted with details of this provision.

[(where the pupil lives in a local authority other than the excluding school's local authority) I have also informed (name of officer) at (local authority) of your child's exclusion and he/she will be in touch with you about arrangements for (James') education from the sixth day of exclusion.]

You have the right to see your child's school records. If you wish to pursue this in advance of any Discipline Committee meeting, please contact [my secretary] who will be able to make the necessary arrangements.

[You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

I must further advise you that during the first five days of the period for which your child is excluded you are responsible for ensuring that he is not present in a public place during school hours. If your child is found in a public place at such times without reasonable justification you may be liable to a fixed penalty notice issued by the local authority.

A Local Authority officer with responsibility for exclusions who can provide you with advice on the exclusions process is:

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January.

Yours sincerely,

Head Teacher
cc Chair of Governors

Letter E:
Model letter to parents/carers: lunchtime suspension

Square bracket sections to be included as appropriate

Dear (Mr and Mrs Smith)

James Smith

I am writing to inform you of my decision to suspend (James) at lunchtime for a fixed period of days. He has been excluded for the following reasons:

.....

We have taken the following steps to try to avoid this suspension

.....

[This brings the total number of days excluded at lunchtime this term to] This means that (James) should not attend school at lunchtime until

[We are aware of (James) SEN. The following steps have been taken to make reasonable adjustments for this:

.....]

You have a right to make [written] representations to the Discipline Committee of the governing body. If you wish to make representations, you should contact The Clerk to The Governors Discipline Committee at the school.

(Lunchtime suspensions 'count' as half a day, so if the lunchtime suspension extends for a period in excess of 10 school days the following paragraph should be substituted:

You have the right to request a meeting of the governors' Discipline Committee at which you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is [no later than 50 days from the date the Committee is notified]. Please let us know as soon as possible if you wish to meet the Committee, or make a written statement, by contacting the Clerk to the Discipline Committee at the school.)

You may see your child's school records in advance of any meeting of the Discipline Committee. If you do wish to view them, please contact [my secretary] who will be able to make the necessary arrangements.

[(You should also be aware that if you think the exclusion relates to your child's SEN or a disability your child has, and you think that discrimination has occurred, you have the right to appeal to the First-tier Tribunal (for disability discrimination), or to a County Court (for other forms of discrimination.)]

A Local Authority officer, with responsibility for exclusions who can provide you with advice on the suspensions process is:

The Children's Legal Centre also has a helpline on 0808 802 0008 or www.childrenslegalcentre.com. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January

Yours sincerely

Head Teacher

cc. Chair of Governors

APPENDIX 4

The Use of Exclusion: At-Glance-Guidelines for Head Teachers

ILLEGAL/NO GROUNDS	REASONABLE GROUNDS	STRONG GROUNDS
<p>Minor incidents, for example:</p> <ul style="list-style-type: none"> o Failure to do homework o Failure to bring dinner money 	<p>Breach of the school's behaviour policy (see possible examples below)</p>	<p>Serious breach of the school's behaviour policy (see possible examples below)</p>
<p>Poor academic performance</p>	<p>Serious harm to the education or welfare of the pupil or others.</p>	<p>Bringing the school into disrepute through inappropriate or dangerous behaviour or seriously endangering the safety of others.</p>
<p>Lateness or truancy</p>	<p>Persistently leaving school premises without authorisation.</p>	<p>Carrying, threatening to use and or using an offensive weapon (including fireworks)</p>
<p>Breaches of school uniform or rules on appearance eg wearing jewellery or displaying body-piercing</p>	<p>Bringing the school into disrepute at a public event.</p>	<p>Attempted arson on school grounds, destruction or serious damage of school property or buildings.</p>
<p>Failing to meet the requirements of the Disability Discrimination Act by excluding disabled pupils without due regard to their disability or treating them less favourably than others because of their disability.</p>	<p>Persistent refusal to co-operate with school staff, verbal aggression towards staff, pupils or other members of the school community</p>	<p>Repeated threats and highly offensive and abusive language towards school staff, pupils or other members of the school community.</p>
<p>Failing to meet the requirements of the Race Relations Act by excluding pupils or discriminating unfavourably on the grounds of race.</p>	<p>Bullying, racial, sexual or other harassment of staff, pupils or other members of the school community.</p>	<p>Repeated bullying, racial, sexual or other harassment of staff pupils or other members of the school community.</p>