

This step-by-step guide has been produced to help parents/carers understand what it means for a child to be excluded from school and to answer some of the questions which arise.

- What can parents/carers do?
- Should parents/carers talk to the Headteacher?
- Can parents/carers appeal against the exclusion?
- Who can parents/carers turn to for advice?

2. What does exclusion mean?

This means that your child has been barred from attending her or his school by the Headteacher. The exclusion is likely to have followed a particularly serious incident or a series of incidents. The type of exclusion and the reasons for it will be provided in a letter to you from the Headteacher. While the period of exclusion lasts, your child may not enter the school grounds or use school transport services and you have responsibility for supervising your child during the time in which s/he would normally be in school.

3. There are three types of exclusion.

Fixed-period exclusion means that your child is barred from attending school for a set number of days which the Headteacher will specify.

Lunch-time exclusion. This is a fixed-period exclusion (equal to one half school day).

Permanent exclusion means that your child has been permanently barred from attending her or his school.

4. Who can exclude a child from school?

The Headteacher is the only person allowed to exclude pupils. S/he will decide whether the exclusion should be for a **fixed period, lunchtime** or whether it should be a **permanent** exclusion. Permanent exclusions are used as a last resort and tend to be given for very serious incidents.

5. Should I discuss the exclusion with the school staff?

Yes, it is important for your child's education that - if you have not already done so - you should arrange to discuss with the Headteacher what has led to the exclusion and what happens next. Schools are now required to prepare and operate a Pupil Support Programme (PSP), in consultation with various agencies and PARENTS/CARERS, for any child who is at risk of permanent exclusion. Following a fixed-period exclusion, you need to attend a re-integration interview with your child and a school staff member. This is to discuss how best your child's return to school can be managed. Failure to attend a re-integration interview will be a factor taken into account by a Magistrates Court if, on a future application, they consider whether to impose a Parenting Order on you.

6. What happens to my child's work and examination entries while s/he is excluded from school?

The school's obligation to provide education continues and must be met during a **fixed-period exclusion**. They will be set work for the first five school days. You are responsible for collecting the work and ensuring it is completed and returned promptly for marking. You also have a duty to ensure that your child is not present in a public place in school hours during these first five days. From the sixth day of the pupil's fixed-period exclusion until the expiry of her/his exclusion, the school will arrange full-time education.

For pupils permanently excluded, the same procedure operates for the first five days but from the sixth school day, Children's Services will provide suitable full-time education. If your child is due shortly to sit public examinations and the Headteacher considers that these should not be taken in the school from which s/he has been excluded, alternative arrangements will be made. You will be notified by the school of these arrangements.

7. What are my entitlements as a parent? Can I appeal against my child's exclusion?

There are a number of steps which the school has to take and procedures which must be followed:

- the Headteacher must inform you by letter of: your child's exclusion; the type of exclusion and the reasons for it. This letter should also explain the procedure which follows;
- the Headteacher must also notify Children's Services and, in most cases, the Pupil Discipline Committee of the Governing Body, of your child's exclusion;
- the Headteacher's letter tells you that you have the right to make representations to the Chair of the Pupil Discipline Committee about the decision to exclude your child;
- if you wish to state your case to the Pupil Discipline Committee, the Clerk to the Committee will arrange a meeting which you are entitled to attend;
- Governing Bodies must review all permanent exclusions from their school, and all fixed period exclusions that would result in a pupil being excluded for more than 15 school days in any one term, or missing a public examination. Governing Bodies must also review fixed period exclusions which would result in the pupil being excluded for more than five but not more than 15 school days in any one term, **only where the parent has expressed a wish to make representations**. They must decide whether the Headteacher's decision to exclude the pupil was justified and whether or not to reinstate the pupil, if appropriate.
- You are entitled to receive a copy of any report or investigation which is provided to the Pupil Discipline Committee at its meeting to consider the exclusion.

8. What is the purpose of the Pupil Discipline Committee meeting? Who usually attends?

The Pupil Discipline Committee decides at its meeting whether to confirm the Headteacher's decision, or instead to

direct that your child should be 'reinstated' - in other words, be re-admitted to school. If you are making a case against a fixed-period exclusion of fewer than five days in the term, the Pupil Discipline Committee may only consider your views; it has no power to direct the school to readmit your child before the exclusion ends.

You will be invited to attend the meeting and the Headteacher and in some cases a representative of the Local Authority will also be present. You should make every effort to attend and you may take along a friend or someone whose advice you would welcome during the meeting. You may also submit a written statement or other evidence for the Governors to consider.

9. Can my child attend the Pupil Discipline Committee Meeting?

The Pupil Discipline Committee should normally allow the excluded pupil to attend. You should make this request as soon as possible directly to the Clerk of Governors.

10. What happens at the Pupil Discipline Committee Meeting?

The Headteacher's written report and any written statement or letter which you provide will be circulated, before the meeting, to everybody who will be attending.

At the meeting, after an introduction by the Chair of the Pupil Discipline Committee, the Headteacher will outline the reasons for his or her decision to exclude your child. You will be able to ask questions of the Headteacher and of other witnesses who may give information at the meeting. After that, you will be able to put your case. It is a good idea to be prepared and to write out the points you wish to make. Information is given in the presence of all parties and you should be prepared to answer questions from the Headteacher and Pupil Discipline Committee about your case. When the Pupil Discipline Committee has heard all of the information, you, the Local Authority representative and the Headteacher will be able to sum up. Then you will be asked to withdraw while the Pupil Discipline Committee makes its decision.

11. How will I hear about the Pupil Discipline Committee's decision?

You will receive a letter from the Committee Clerk which sets out the decision and the reasons for it. In the case of a permanent exclusion, fixed-period exclusions of more than five days, or any exclusion where the pupil loses the opportunity to take a public examination, the decision will state whether your child should be readmitted to the school. If the Committee agrees that your child should be reinstated, you will be told the date on which s/he can

return to school.

12. If the Pupil Discipline Committee decided not to reinstate my child following a permanent exclusion, what happens next?

If the Pupil Discipline Committee decides not to reinstate your child at the school, you have the right to ask for this decision to be reviewed by the Independent Review Panel. This Panel is independent of Children's Services and the Pupil Discipline Committee of the school and meets at City Hall, Bradford. An officer from the Behaviour Support Service, (a unit of Children's Services), will write to you to explain the procedure. If you decide to make an application for a review, you must do so within 15 school days from the date you receive notification from the Pupil Discipline Committee of its decision.

You also have the right to require the local authority/Academy Trust to appoint an SEN expert to attend such review at no cost to you. The role of the SEN expert is to provide impartial advice to the Panel on the basis of the evidence presented to it and on how special education needs might be relevant to the exclusion.

13. If my child remains permanently excluded at the end of this procedure, what happens next?

Your child cannot return to the same school. A named officer from Children's Services will contact you to discuss what should happen next. You would share with this officer the responsibility to arrange a suitable alternative placement for your child.

14. Elective Home Education

You have the right to educate your child at home although there is no financial support available. Information about Elective Home Education is available from Behaviour Support Service (tel: 01274 385677). The education you provide will be assessed to ensure that it is of an acceptable standard. The Education Department cannot help with any costs of this, or examination fees.

15. Does the information in this leaflet apply to all pupils?

This information applies to the exclusion of all pupils, up to pupils aged 18, in maintained schools (including nursery classes in school, but not 'free-standing' nursery schools). For pupils who are older than 18, it is the pupil who can appeal in her or his own right, not the parent/carer.

16. Who can give further advice?

For more information or assistance please contact:

- The Children's Legal Centre. They can be contacted on 0808 802 0008

- E-mail <http://www.childrenslegalcentre.com/>
Children's Services – Behaviour Support Service
Exclusions - 01274 385608
Admissions - 01274 385607
ESWS - 01274 385761/51

You may also find the following useful: Department for Education's statutory guidance on exclusions:
www.education.gov.uk/aboutdfe/statutory/g00210521/statutory-guidance-regs-2012/guidance;

16. Treated unjustly?

If you feel that you or your child have been treated unjustly, or that there have been flaws in the exclusion process, you can make a complaint to the Local Ombudsman, whose address is:

Local Government Ombudsman
Beverley House
17 Shipton Road
York
YO3 6FZ
Tel: 01904 663200

17. Other useful addresses for further advice, help and information:

- Department for Education,
• Sanctuary Buildings
Great Smith Street
London
SW1P 3BT
Tel: 0870 000 2288
www.education.gov.uk
- Commission for Equality and Human Rights (CEHR)
Kingsgate House
66 – 74 Victoria Street
London
SW1E 6SW
Tel: 020 7215 8415
Fax: 020 7828 4597
Website: www.cehr.org.uk
[From October 2007, the CEHR will bring together the work of the three existing Commissions; the Commission for Racial Equality (CRE), Disability Rights Commission (DRC), and Equal Opportunities Commission (EOC) in this new body.]
- Bradford Parent Partnership Service
Barnardo's
Queens House
Queens Road
Bradford BD8 7BS
Tel: 01274 481183
Email:
Website: <http://www.barnardos.org.uk/parentpartnershipservice.htm>

City of Bradford MDC

www.bradford.gov.uk

**PUPILS
EXCLUDED
FROM
SCHOOLS**

**GUIDANCE AND
INFORMATION FOR
PARENTS/CARERS**
