



Exclusions Policy

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Introduction

This policy follows the guidelines set out by the DfE in September 2023, details of which can be found here

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181584/Suspension_and_permanent_exclusion_guidance_september_23.pdf

and also from Leicestershire Local Authority, details of which can be found here

<https://schoolsnet.derbyshire.gov.uk/childrens-support-services/attendance-management/exclusions.aspx>

<https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/inclusion-service/supporting-behaviour-and-meeting-needs-to-avoid-exclusions/supporting-behaviour-and-meeting-needs-to-help-prevent-my-child-becoming-excluded>

<https://www.leicester.gov.uk/schools-and-learning/school-and-colleges/attendance-behaviour-and-welfare/school-exclusions/>

It also draws on the following areas of legislation and guidance.

- Behaviour in schools: Advice for headteachers and school staff September 2022
- Education and Inspections Act 2006
- Equality Act 2010
- Human Rights Act 1998

This policy should be read in conjunction with the Rise Behaviour Policy, the Equal Opportunities Policy and the Complaints policy.

“Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education ... For the vast majority of pupils suspensions and permanent exclusion may not be necessary as other strategies can manage behaviour. However, if approaches to behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in a safe, calm, and supportive environment”

Suspensions and Permanent Exclusions from maintained schools and academies September 2023
In line with the Equality Act 2010 we do not discriminate against, harass or victimise pupils because of their; sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to any provision, criterion or practice which puts them at a significant disadvantage.

Senior leaders and staff will identify pupils whose behaviour places them at risk of exclusion. They will seek additional provision to meet their individual needs, which could include working in partnership with other agencies. The parents of children at high risk of exclusion will be notified and in most cases these pupils will already have an individualised behaviour plan.

Strategies

Strategies to aid a pupil to improve behaviour used may include the following

- Pupils being given opportunities and support to improve their behaviour, this may include some form of self assessment e.g. – chart to grade own behaviour –
- Identification of any additional needs, educational, emotional or behavioural, and the support of other agencies such as Learning and Behavioural Support, Educational Psychology or Medical Services sought
- Discussions of individual home –school strategies with the pupil and parents/guardians.
- Withdrawal from class for a cooling off period.
- Involving social services or the police in extreme cases.

However, a serious breach of rules may mean exclusion will occur without reference to these. More information can be found in the school's Behaviour Policy.

Classrooms

Teaching and learning should be able to take place undisturbed in classrooms. If an individual or group prevents this from happening, the behaviours must be tackled. To support good behaviour, we have a clear process in Rise multi academy trust that is shared with the children and is reviewed every September. Class rules are established and explicitly taught in the Mastering Me week at the beginning of each school year and then each half term through a Stepping Up and Shaping Up focus. These rules are regularly reinforced to ensure that the children are clear about the expectations of their behaviour, and reviewed to ensure consistent use across the whole school.

Exclusions

In order to support learning and to create a community in which all pupils and staff feel safe, it may be necessary to consider exclusion as a consequence for behaviour which is contrary to the ethos and expectations of the school. Each individual situation will be investigated according to need. The Headteacher will gather the facts and discuss incidents with colleagues. The pupil's views will also be sought to gain the full picture before action is taken. If satisfied that, on the balance of probability, the pupil did what they are alleged to have done, the Headteacher may suspend or permanently exclude the pupil. A pupil's behaviour outside of school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher must be lawful, reasonable, fair, and proportionate.

Serious Offences that could justify a pupil's exclusion. They may include an aspect of the following:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Racist abuse
- Sexual misconduct
- Drug and alcohol related

- Damage to property
- Theft
- Abuse against sexual orientation or gender identity
- Abuse relating to disability
- Inappropriate use of social media or online technology
- Persistent or general disruptive behaviour

This is not an exhaustive list.

Types of Exclusion

Internal exclusion – this is used when it may support a pupil to continue their learning in a different space within school. Whenever possible this should be done sensitively and the pupil placed in the most appropriate class for their age. Parents should always be informed of an internal exclusion and they should be logged on the school's behaviour system. Internal exclusions are temporary and all parties should be clear when the pupil will return to their original class and how they will be supported to be successful during the period of the internal exclusion.

Suspension– this is used when inappropriate behaviour continues over time, or, if a one – off serious offence is committed. A suspension can be given for parts of the school day, for example, lunchtimes. Lunchtime suspensions are counted a half a school day when determining whether a governing board meeting is triggered. A suspension cannot be extended or 'converted' into a permanent exclusion.

- The decision to suspend is made by the Headteacher.
- The Headteacher will ensure that a thorough investigation has been carried out, that all evidence has been considered and that the pupil has given their version of events.
- School will ensure that a written record is kept of the incident, the investigation and the actions taken.
- Parents/carers will be contacted by phone to notify them of the suspension and for them to come and collect the pupil.
- The formal letter informing parents/carers of the suspension will be completed and given to the parents/carers when they collect. This will include the date and time of the reintegration meeting.
- Work will be set for the pupils to complete at home for the first five days of the suspension.
- The suspension will be logged onto Arbor and the local authority also informed.
- Social Care and Virtual School Head to be informed if relevant to the pupil.
- Local governing committee to be informed if the suspension is for five days or more or if the suspension means the pupil will miss a statutory test.
- The reintegration meeting will be held before the pupil returns to school. Notes will be taken at this meeting and these will be logged on the school's behaviour system. At this stage an individual behaviour plan and/or risk assessment may be created to support the pupils return to school.

Permanent Exclusion – this is rare as it is a serious matter and is never undertaken lightly. The Headteacher may decide to permanently exclude a pupil only when they are sure that:

- The pupil has seriously breached the school's discipline policy
- If the pupil remains at school, it will seriously harm the education, safety or welfare of the pupils or adults at school.

In the event of a permanent exclusion the Director of Education must be contacted before the decision is made, in the unlikely position that he is not available a Deputy Director of Education must be contacted.

- The decision to suspend is made solely by the Headteacher.
- The Headteacher will ensure that a thorough investigation has been carried out, that all evidence has been considered and that the pupil has given their version of events.
- The RISE Director of Education is informed.
- The Headteacher and senior leaders consider the permanent exclusion checklist and whether the exclusion will meet both of the statements below
- *Has there been a serious breach or persistent breaches of the school behaviour policy established on a balance of probability.*
- *Does the Headteacher believe that allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school? Is there a solid basis for this assessment.*
- School will ensure that a written record is kept of the incident, the investigation and the actions taken.
- Parents/carers will be contacted by phone to inform them of the permanent exclusion and for them to come and collect the pupil.
- The formal letter informing parents/carers of the exclusion will be completed and given to the parents/carers when they collect. This will include information about their right to attend.
- Work to be provided for first five days of the permanent exclusion.
- The exclusion will be logged onto Arbor and the local authority also informed.
- Social Care and Virtual School Head to be informed if relevant to the pupil.
- Local Governing Committee informed.
- The Director of Governance at Rise to be contacted so the review panel process can be begun.

Informing parents/carers of suspension or permanent exclusion

School will notify parents immediately by telephone in case of a suspension or permanent exclusion and follow up with an exclusion notice letter when the pupil is collected. The Rise template letters will be used as the exclusion notice letter (see appendices).

The exclusion notice will

- Clearly set out the reasons for the suspension/permanent exclusion
- Inform the period of a suspension or that the exclusion is permanent
- Let parents know they have the right to make representation to the governing body (including that this can be done remotely).
- Give information about how the pupil's education will be continued
- Provide sources of free and impartial information for parents/carers

Return to school meeting

When pupils have been suspended, they will need to attend a return to school meeting with a parent or carer before they go back into the classroom. This meeting will be led by a member of the senior leadership team and will focus on ensuring behaviour is improved and learning can continue in school. It may be that an individual behaviour plan is agreed by all parties at this meeting, implemented in school and shared with appropriate staff. Notes must be taken at these meetings and added to the school's form of logging behavior.

There is a formal process for suspensions and permanent exclusions, and these must be reported to the Local Governing Committee, the relevant local authority and be recorded on the school's management information system (MIS) Arbor.

Roles and responsibilities

Headteacher	Makes the decision to suspend or permanently exclude following the DFE guidance and this policy. Following a decision to suspend or permanently exclude, communicates the decision with all relative parties. Reports records of serious incidents including exclusions to the local governing committee
Senior Leadership Team	Tracks and monitors patterns in behaviour incidents, suspensions and permanent exclusions. Ensures records of suspensions and permanent exclusions are recorded on MIS systems Is responsible for reintegration of pupils following suspensions.
Parents	During the first five days of any suspension or exclusion parents/carers must ensure that pupils are not present in a public place during school hours without reasonable justification, whether with or without a parent
Local governing committee	Responsible for consideration of the Headteacher's decision.
Independent Review Panel	Responsible for consideration for the Headteachers decision.

Duty of the Local Governing Committee and Academy trust

The governing committee has a duty to consider parental representation about a suspension or permanent exclusion when;

- It is a suspension that would bring the pupils total number of school days out of school to more than 15 in one term.
- It would result in the pupil missing a statutory test.
- It is a permanent exclusion

This responsibility may be delegated to a committee of the trust board, including governors from other schools within the trust. The meeting must take place within 15 school days of receiving notification of the exclusion from the Headteacher.

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 exclusions, will take the pupil's total number of days out of school above 15 for a term. This includes suspensions that total 15.5 days
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ Yes

↓ No

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁶²

*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.⁶³

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 reinstate the pupil.

Has the parent made representations?

↓ Yes

↓ No

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.

⁶¹ Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁶² The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁶³ The ability for a chair to review in the case of public exams refers only to maintained schools.

This policy should be used alongside the following accompanying support documents; Permanent Exclusion Checklist, Permanent Exclusion Headteacher Template and Trust Panel Evidence pack.

Template letters can be found below, the correct letter must be used and amended to reflect the local authority that the pupil resides in. Suspension and permanent exclusion letters must be signed by the Headteacher.

[Appendix A - Suspensions of 5 school days or fewer \(cumulative total in one term\) and where a public examination is not missed.](#)

Dear [Parent's Name]

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that [he/she] will not be allowed in school for this period. The suspension [begins/began] on [date] and ends on [date]. I realise that this suspension may well be upsetting for [Child's Name], you and your family, but the decision to suspend [Child's Name] has not been taken lightly.

[Child's Name] has been suspended for this fixed period because [reasons for the suspension — as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

Since your child is of compulsory school age, you have a duty to ensure that your child is not present in a public place during school hours for the duration of this suspension [specify dates] unless there is reasonable justification for this. I must inform you that you may be prosecuted or receive a fixed penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for [Child's Name] to be completed on the days specified in the previous paragraph as school days during the period of his/her suspension [detail the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

You and [Child's Name] have the right to express your views and make representations about this decision to the governing board, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

If you wish to make representations, please contact the clerk to governors [Name of Contact] on/at [contact details — address, phone number, email], as soon as possible, so that your views can be addressed. It is important to note that whilst the governing board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date on which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website (www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability)

Making a claim would not affect your right to make representations to the governing board.

You may wish to contact the Inclusion Team for advice and information: telephone: 0116 305 2071 or email inclusionpupilsupport@leics.gov.uk

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

The following general information may be useful:

- Send, Information, Advice & Support (SENDIASS) – Leicester, Leicestershire and Rutland
<https://www.leicspart.nhs.uk/autism-space/education/send-information-advice-support-sendiass-leicester-leicestershire-and-rutland/#:~:text=Phone%3A%20116%20482%200870,Facebook%3A%20Sendiass%20Leicester>
- Council for Disabled Children - SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (<https://childlawadvice.org.uk/information-pages/school-exclusion/>)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time]. You will need to attend a reintegration meeting with your child so we can discuss the best way to support them on their return to school.

Yours sincerely

[Name] Headteacher

[Appendix B - Suspensions of more than 15 school days \(cumulative total in one term\).](#)

Dear [Parent's Name]

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that [Child's Name] will not be allowed in school for this period. The suspension [begins/began] on [date] and ends on [date]. I realise that this suspension may well be upsetting for [Child's Name], you and your family, but the decision to suspend [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because

[reasons for the suspension — as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

Since your child is of compulsory school age you have a duty to ensure that your child is not present in a public place during school hours for the duration of [the first five school days of suspension or specify dates], unless there is reasonable justification for this. I must inform you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for [Child's Name] during the [first five school days or specify dates] of his/her suspension [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows [state times.] [NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. This can now be held via remote access (for example, live video link) if requested. Please see Annex A page 76 of the Department for Education guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' dated May 2023 which sets out several matters you may want to consider before requesting a remote access meeting. If you do not request a remote meeting it will be held in person. As the suspension is over 15 school days in total in one term, the governing board must meet to consider it. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of suspension [specify the date — the 15th school day after the suspension decision date].

[NB – Only include the subsequent paragraph if the pupil will miss a public exam or national curriculum test]

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 examination. If this is not practical, the chair of governors may consider the pupil's reinstatement alone.

If you wish to make representations to the governing board and wish to be accompanied by a friend or representative (at your own expense) please contact the clerk to governors [name of contact] on/at [contact details — address, phone number, email], as soon as possible. Your child may also be involved in this meeting to speak on [his/her] own behalf if it is appropriate, taking

into account his/her age and level of understanding. You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting. Please advise if you have a disability or special needs so that suitable arrangements may be made for you to attend the meeting at school. Also, please inform [contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date on which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website (www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability)

Making a claim would not affect your right to make representations to the governing board.

You may wish to contact the Inclusion Team for advice and information: telephone: 0116 305 2071 or email inclusionpupilsupport@leics.gov.uk

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

The following general information may be useful:

- Send, Information, Advice & Support (SENDIASS) – Leicester, Leicestershire and Rutland
<https://www.leicspart.nhs.uk/autism-space/education/send-information-advice-support-sendiass-leicester-leicestershire-and-rutland/#:~:text=Phone%3A%200116%20482%200870,Facebook%3A%20Sendiass%20Leicester>
- Council for Disabled Children - SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (<https://childlawadvice.org.uk/information-pages/school-exclusion/>)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

[Name of Child]'s suspension expires on [date] and we expect [Name of Child] to be back in school on [date] at [time]. You will need to attend a reintegration meeting at this time along with your child so that we can discuss the best way to support them on their return to school.

Yours sincerely

[Name] Headteacher

[Appendix C - Suspension of more than 5 school days and up to and including 15 school days \(cumulative total in a term\).](#)

Dear [Parent's name]

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that [Child's Name] will not be allowed in school for this period. The suspension start date is [date] and the end date is [date]. Your child should return to school on [date]. I realise that this suspension may well be upsetting for [Child's Name], you and your family, but my decision to suspend [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because

[specify reasons for suspension - as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

Since your child is of compulsory school age you have a duty to ensure that your child is not present in a public place during school hours for the duration of the first 5 school days [or specify dates if suspension is for fewer than 5 days] of this suspension, that is on [specify dates]. I must inform you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [Child's Name] during the [first 5 or specify other number as appropriate] school days of his [or her] suspension [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

[NB – Only include the subsequent paragraph for suspensions of over five consecutive school days regardless of whether this is a result of one or more than one suspension]

From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows [state times.] [NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].

You and [Child's Name] have the right to request a meeting of the governing board to whom you may present your views and make representations. At this meeting of the governing board the decision to suspend can be reviewed. As the period of this suspension is more than 5 school days and up to and including 15 school days in a term the governing board will meet only if you request it to do so. This meeting can now be held via the use of remote access (for example, live video link) if requested by you. Please see Annex A page 76 of the Department for Education guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' dated May 2023 which sets out a number of matters you may want to consider before requesting a remote access meeting.

If you request a meeting the governing board must take all reasonable steps to meet to discuss reinstatement within 50 school days of receiving the notice of suspension [specify the date — the 50th school day after the suspension decision date].

[NB – Only include the subsequent paragraph if the pupil will miss a public exam or national curriculum test]

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

If you do wish to make representations to the governing board and wish to be accompanied by a friend or representative (at your own expense), please contact the clerk to governors [name of contact] on/at [contact details — address, phone number, email], as soon as possible. Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. Please advise if you have a disability or special needs so that suitable arrangements may be made for you to attend the meeting at school. Also, please inform [contact as above] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date on which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website (www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability)

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- Council for Disabled Children - SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (<https://childlawadvice.org.uk/information-pages/school-exclusion/>)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time]. You will need to attend a reintegration meeting at this time along with your child so that we can discuss the best way to support them on their return to school.

Yours sincerely

[Name] Headteacher

[Appendix D – Permanent exclusion letter](#)

Dear [Parent's Name]

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school unless he/she is reinstated by the governing board. I realise that this exclusion may well be upsetting for [Child's Name], you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because

[reasons for the exclusion — as a minimum should include a summary of the incident and behaviour which led to taking the decision to exclude the pupil].

Both of the following two thresholds for permanent exclusion have been met:

- a serious breach or persistent breach of the school's behaviour policy has occurred; and
- allowing the pupil to remain in school would seriously harm the education and welfare of the pupil or others in the school

[Include a summary of how the threshold has been met].

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

Since your child is of compulsory school age, you have a duty to ensure that your child is not present in a public place during school hours for the duration of the first 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification for this. I must inform you that you could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on these dates. It will be for you to show that there is reasonable justification.

Alternative arrangements for [Child's Name]'s education to continue will be made. For the first five school days of the exclusion, we will set work for [Child's Name] and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards - i.e. from [specify the date] the local authority [give the name of the authority in which the family reside] will provide a full time, interim blended programme, comprising face to face and online learning, leading to a permanent placement in an appropriate setting. Arrangements for full-time education will be organised by the Inclusion Pathways Team, who can be contacted on 0116 305 2071.

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. This can now be held via the use of remote access (for example, live video link) if requested by you. Please see Annex A page 76 of the Department for Education guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' dated May 2023 which sets out a number of matters you may want to consider before requesting a remote access meeting. If you do not request a remote meeting it will be held in person. As this is a permanent exclusion, the governing board must meet to consider the decision to exclude. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to decline to reinstate the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice

of exclusion [specify the date — the 15th school day from the exclusion decision date].

[NB – Only include the subsequent paragraph if the pupil will miss a public exam or national curriculum test]

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

If you wish to make representations to the governing board (including any request for remoted access) and wish to be accompanied by a friend or representative, at your own expense, please contact the clerk to governors [name of contact] on/at [contact details — address, phone number, email], as soon as possible.

Your child may also be involved in this meeting to speak on [his/her] own behalf if it is appropriate, taking into account [his/her] age and level of understanding. You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting. Please let us know if you have a disability or special needs so that suitable arrangements may be made for you to attend the meeting at school. Also, please inform [above contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website (www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability)

Making a claim would not affect your right to make representations to the governing board.

You may wish to contact the Inclusion Team for advice and information: telephone: 0116 305 2071 or email inclusionpupilsupport@leics.gov.uk

The Department for Education (DfE) has developed exclusion guidance for parents which can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

The following general information may be useful:

- Send, Information, Advice & Support (SENDIASS) – Leicester, Leicestershire and Rutland
<https://www.leicspart.nhs.uk/autism-space/education/send-information-advice-support-sendiass-leicester-leicestershire-and-rutland/#:~:text=Phone%3A%200116%20482%200870,Facebook%3A%20Sendiass%20Leicester>•
Council for Disabled Children - SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (<https://childlawadvice.org.uk/information-pages/school-exclusion/>)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Yours sincerely

[Name] Headteacher