YSGOL

MAES Y MYNYDD

EXCLUSIONS

Approvals	
Approved by Governing Body on	Date: 22/6/2021
Signed by Chair of Governors: *K Hughes*	
To be reviewed in 3 years	Date: Summer 2024
Approved by Governing Body on	Date: 10/12/2024
Signed by Chair of Governors: *A Ireland (Vice Chair)*	
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Use of exclusion

A decision to exclude a child is a serious one and should only be taken:-

- in response to serious breaches of the school's behaviour policy; and
- if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success (see 3.10 below). It is an acknowledgement by the school that it has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

There will, however be exceptional circumstances where, in the head teacher's judgement, it is appropriate to permanently exclude a child for a first or one-off offence. These might include:
a) serious actual or threatened violence against another pupil or a member of staff
b) sexual abuse or assault
c) supplying an illegal drug
d) use or threatened use of an offensive weapon

Types of exclusion

Definition of exclusion

Exclusion is the means by which a Headteacher and the Governing Body of an LA maintained school can withdraw the right of a pupil to attend the school, whether for a fixed period, or, permanently on disciplinary grounds.

Permanent exclusion

Permanent exclusion means the expulsion of a pupil from a maintained school on disciplinary grounds. It should be the final step in the process of dealing with disciplinary issues, and, only after careful reflection. Permanent exclusions should be used only for very serious breaches of a school's behaviour policy and not for minor incidents.
In permanently excluding a pupil, the head teacher must be able to demonstrate that the behaviour leading to the exclusion has been sufficiently serious to warrant the permanent exclusion, or, if allowing the pupil to remain in school would seriously harm his/her education, or the education and welfare of others in the school.

Fixed term exclusion

The regulations allow head teachers to exclude a pupil for one or more fixed-periods not exceeding 45 school days in any one school year. However, individual exclusions should be for the shortest time necessary, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school. Inspection evidence suggests that one to three days is often long enough to secure the benefits of exclusion without adverse educational consequences. Exclusions may not be given for an unspecified period, for example until a meeting can be arranged. Such a practice amounts to an indefinite exclusion, for which no legal arrangements exist.

Lunchtime exclusion

Where a pupil's behaviour is particularly difficult over the lunchtime head teachers can exclude a pupil for the duration of the lunch break. Lunchtime exclusion must be treated as equivalent to a quarter of a school day. If these quarter days add up to more than 5 school days in a

school term, including when they are added to other fixed-period exclusions, this will then entitle the parent/pupil to make representations to the Governing Body.
If the excluded pupil is entitled to free school meals the Headteacher will make and explain to the parents/carers the arrangements for providing a meal (for example, a packed lunch) during the exclusion period.

Drug-related exclusions
In making a decision on whether or not to exclude for a drug-related offence the head teacher will have regard to the school's published policy on substance misuse and should consult the appropriately trained members of the school staff. The decision, however, will also depend on the precise circumstances of the case and the evidence available. In some cases fixed-period exclusion may be more appropriate than permanent exclusion.
In more serious cases, an assessment of the incident should be made against criteria set out in the school's policy. This should be a key factor in determining whether permanent exclusion is an appropriate course of action.

Behaviour outside school
Pupils' behaviour outside school on school business, for example on school trips, away school sports fixtures or a work experience placement is subject to the school's behaviour policy. Bad behaviour in these circumstances will be dealt with as if it had taken place in school. For behaviour outside school, but not on school business, the head teacher may exclude a pupil if there is a clear link between that behaviour and maintaining good behaviour and discipline among the pupil body as a whole. This will be a matter of judgement for the head teacher. Pupils' behaviour in the immediate vicinity of the school or on a journey to or from school can, for example, be grounds for exclusion.
School staff should be mindful of the fact that they are not empowered to use measures "beyond their normal common law powers as citizens" when intervening in incidents in public places involving pupils (for example, on public transport).

Making the decision to exclude
Only the head teacher can exclude a pupil. If they are absent from school, then the most senior teacher may exercise the power of exclusion, though they should make clear that they are acting in the head's absence. The head teacher cannot routinely, or on an ad hoc basis, delegate the power to exclude to another teacher.
The Chair of Governors will be informed of any fixed term exclusion by telephone, the same day.

Factors to consider prior to an exclusion
The head teacher should not act in the heat of the moment but should:-

- ensure that an appropriate investigation has been carried out;
- consider all the evidence available to support the allegations, taking account of the school's behaviour and equal opportunities policies, and, where applicable, the Race Relations Act 1976 (as amended) and the Disability Discrimination Act 1995 (as amended);
- allow the pupil to give his or her version of events;
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
- if necessary consult others, but not anyone who may later have a role in reviewing the head teacher's decision,

If satisfied that, on the balance of probabilities, i.e. it is more likely than not that the pupil did what he or she is alleged to have done, the head teacher may exclude the pupil.

If the child has received fixed term exclusions for a similar offence in the past this will be taken into account. Any exclusion for a repeat offence will be for a greater length of time than the last exclusion.

2.9 When an exclusion is not appropriate
Exclusion should not be used for minor incidents such as:

- failure to do homework
- poor academic performance
- lateness or truancy
- breaches of school uniform rules or rules on appearance (including jewellery and hairstyle), except where these are persistent and in open defiance of such rules and where all other avenues for resolving the uniform dispute have been exhausted;
- punishing pupils for the behaviour of their parents, for example where parents refuse or are unable to attend a meeting

Alternatives to exclusion
Generally, before making a decision to exclude, a range of alternative strategies should have been tried. These may include:

- The use of Pastoral Support Programme
- Using a restorative practice
- Internal exclusion (also referred to as internal seclusion)
- A managed move to another school. Head teachers are advised to discuss this option with Pupil Services

"Voluntary" withdrawals
Influencing or encouraging parents to "voluntarily" withdraw their child from school as a way of dealing with difficult or challenging behaviour is not an appropriate response. "Voluntary" withdrawals deny the pupil and the parent the safeguards of access to the exclusion and appeals procedures to which they are entitled.

3 Exclusion of 'at risk' and vulnerable pupils

Definition
National Assembly Circular 3/99 identifies a number of at risk groups. These include pupils with special educational needs, disabled pupils, ethnic minorities, and those in public care. Pupils in these categories are also among some of the most vulnerable in society, identified as having irregular attendance, poor discipline, emotional instability and learning difficulties. Historically, and statistically, such pupils suffer high levels of permanent exclusion.

Pupils with Special Educational Needs
Other than in the most exceptional circumstances, schools should avoid permanently excluding pupils with statements of special educational needs. They should also make every effort to avoid excluding pupils who are being supported at School Action or School Action Plus under the Special Educational Needs Code of Practice, including those at School Action Plus who are being assessed for a statement.
School will try every practicable means to maintain the pupil in school, including seeking LEA and other professional advice and support at School Action Plus, or, where appropriate, asking the LEA to consider carrying out a statutory assessment. For a pupil with a statement, where this process has been exhausted, the school will liaise with their LEA about initiating a formal review of the pupil's statement.

Disabled pupils

Schools now have a legal duty under the Disability Discrimination Act 1995 (as amended) not to discriminate against pupils with a recognised disability by excluding them from school. The definition under the 1995 Act is very wide and covers pupils with physical, sensory, intellectual or mental impairments.

This means that schools must ensure that reasonable steps are taken to ensure that pupils with a disability are not placed at a substantial disadvantage compared to their non-disabled peers. The Disability Rights Commission (DRC) has published a Code of Practice in relation to exclusions at http://www.drc-gb.org/

Appeals against permanent exclusion of a disabled pupil, or where a disabled pupil has been placed at a substantial disadvantage by the exclusion procedures will be heard by the Independent Appeals Panel. Fixed exclusion cases resulting from disability discrimination will be heard by the SEN Tribunal. Since many disabled pupils will also have special educational needs, schools need to consider carefully what action is taken against such pupils.

Ethnic minority pupils

In considering whether to exclude, the heateacher will have regard for the Race Relations Act (1976) and its Amendment (2000). The Act places a general duty on schools to promote racial equality. School will therefore monitor the impact of their policies and practices on pupils from different racial groups and to consider whether an incident was racially provoked. School will ensure that they do not treat pupils from some racial groups more harshly than others and should assess whether policies that lead to sanctions such as exclusion, have disproportionately adverse impact on pupils from particular racial groups. If adverse impact is identified and this cannot be justified, then the policy should be revised.

Looked After Children

Children looked after by local authorities are especially at risk of low attainment in school. School will be especially sensitive to exclusion issues where looked after children are concerned. School will try every practicable means to maintain the child in school and will seek LEA and other professional advice as appropriate. Social service departments should in all cases be involved at the earliest opportunity in working with the school to avoid the need to exclude the pupil.

4. Procedures for excluding a pupil: role of head teacher

Informing the relevant person

Whenever a Head teacher excludes a pupil the 'relevant person' (see definition in Box 1) should be notified immediately, ideally by telephone or any other reasonable method, followed by a letter within one school day.

Box 1

The 'relevant person', as defined in the regulations*, means:

- the parent if the pupil was aged ten or below on the day before the beginning of the school year in which he or she was excluded
- both the parent and pupil if the pupil is of compulsory school age and was aged 11 or above on the day before the beginning of the school year in which he or she was excluded
- the pupil if aged over compulsory school age (normally 16)

*The Education (Pupil Exclusions and Appeals) (Maintained Schools) (Wales) Regulations 2003

Under the regulations, notification of an exclusion will be sent to parents of pupils where the pupil is below the age of 11,

Letters of notification of exclusion state:

- for a fixed-period exclusion - the precise dates and period of the exclusion
- for a permanent exclusion - the fact that it is a permanent exclusion
- the reasons for the exclusion
- the parent and pupil's right to make representations about the exclusion to the Discipline Committee
- the person whom the parent and / or pupil should contact if they wish to make such representations (normally the Clerk to the Discipline Committee).

Letters also confirm:

- the latest date by which the Discipline Committee must meet to consider the circumstances in which the pupil was excluded (except where the exclusion is for fewer than six school days in any one term) the parent's right to see and have a copy of the pupil's educational record upon written request to the school as outlined in the Education

(Pupil Records) (Wales) Regulations 2001;

- in the case of a fixed-period exclusion, the date and time when the pupil should return to school (in the case of a lunchtime exclusion, the number of lunchtimes for which the pupil is being excluded, and if applicable the arrangements for the child to receive free school meals);
- if the exclusion is permanent, the date it takes effect and any relevant previous history;
- the arrangements made for enabling the pupil to continue his or her education, including the setting and marking of work. It is the parent's responsibility to ensure that work sent home is completed and returned to school;

In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion. In such cases the head teacher will write again to the parents and/or pupil explaining the reasons for the change.

Informing the LA and discipline committee
The following exclusions must be reported to the LA and Governing Body Discipline Committee within one school day using the appropriate WCBC form:

- all permanent exclusions
- fixed exclusions of more than 5 school days or 20 lunchtimes in any one term
- Fixed period exclusions of 5 days or less than 5 school days, in any one term should be reported to the LEA as soon as possible

Exclusion reports must include:

- the pupil's name, age, gender and ethnicity
- whether the pupil has a statement of SEN, is being assessed for such a statement, or is on School Action or School Action Plus
- whether the pupil is in Local Authority care
- the length of the exclusion
- the reason for the exclusion.

In the case of a looked after child from another local authority area, the "home" social services department should be informed.

The Pupil Discipline Committee

Responsibilities of the Discipline Committee
The responsibilities of the Pupil Discipline Committee are as follows:-

- for fixed-term exclusions totalling five school days or less in any one term, consider any representations from the parent and pupil. However, they cannot direct reinstatement but can put a record of their considerations on the pupil's educational record. It will be for individual governing bodies to determine how they will consider 'representations'.
- for fixed term exclusions totalling more than five but not more than 15 school days in any one term, convene a meeting between the sixth and the 50th school day after receiving notification of the exclusion, if the parent and / or pupil requests a meeting. **There is no requirement for the meeting to be held if representations are not received.** The Committee may direct reinstatement.
- for permanent exclusions are those fixed term exclusions totalling more than 15 school days in any one term, convene a meeting, convene a meeting between the 6th and the 15th school day after receiving notification of the exclusion. Should there be further fixed term exclusions within the term, the Committee must meet to consider further exclusions.
- where a pupil is to miss a public examination, the meeting should held prior to the date on which the pupil is due to take the examination
- the parent and/or pupil, head teacher and Pupil Services representative must be invited to the meeting.
- to ensure that all written statements are circulated to all parties (including the parent and/or pupil) in advance of the meeting
- to offer the opportunity for the views of the excluded pupil to be considered at the meeting, irrespective of their age.
- to allow the parent and/or pupil to be accompanied by a friend or legal representative

5.2 Procedure at the Discipline Committee
The Pupil Discipline Committee must decide whether to:

- uphold the decision of the head teacher to exclude the pupil

or

- direct reinstatement

In reaching their decision the Committee should consider:

- representations by the parent, the pupil and Pupil Services representative
- whether the head teacher has complied with the exclusion procedure and has had regard to the Assembly's guidance
- appropriate school policies, including the school's published behaviour policy, equal opportunities policy, anti-bullying policy, special educational needs policy, and race equality policy.

Where the Pupil Discipline Committee decides that the pupil should be reinstated they should then decide if reinstatement is practical.
In the case of permanent exclusion, the Discipline Committee should normally satisfy itself that all other strategies to improve a pupil's behaviour have been tried and have not been successful. Particular consideration should be given to the use of Pastoral Support Programmes.
If the Discipline Committee decides to confirm a head teacher's decision to exclude for more than fifteen school days, it should be satisfied that there are suitable arrangements for the pupil to continue their education while away from school.

5.3 After the Pupil Discipline Committee meeting
The responsibilities of the Pupil Discipline Committee after the meeting are as follows:

- the Clerk must inform the parent and/or pupil the head teacher and Pupil Services of the decision within school day.
- where the head teacher is directed to reinstate the pupil the Committee cannot attach any conditions to the direction.
- where the Committee decides to uphold the decision of the head teacher to permanently exclude a pupil, the letter to the parent and /or pupil should also include the following:-

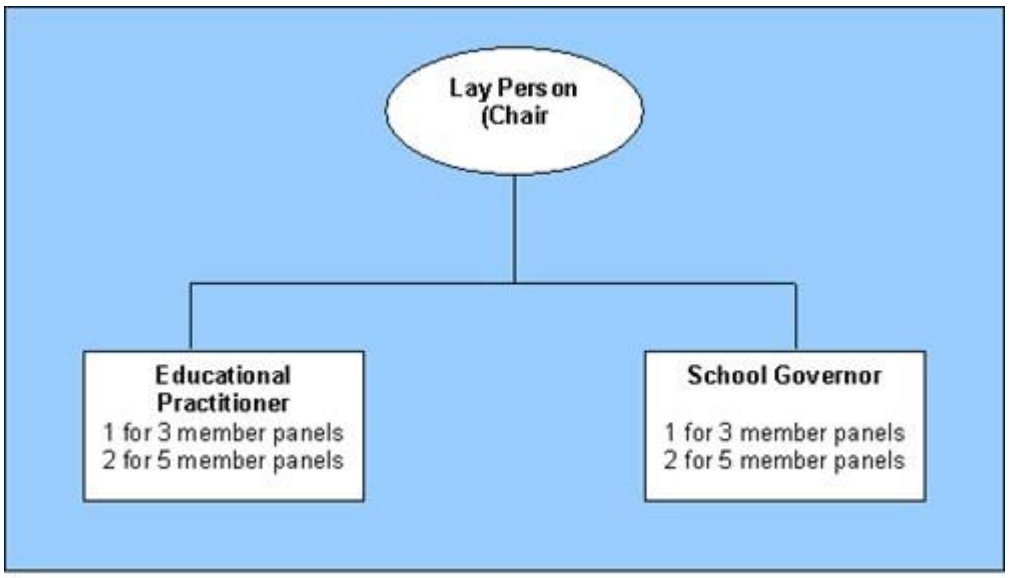
of the reason for the decision
of their right of appeal to an independent appeal panel
of the date by which any appeal should be lodged, i.e. 15 school days after the notification of the decision.
of that any appeal should set out the grounds on which the appeal is based

6 Independent appeal panels

6.1 Timing of the hearing
Where the parent and/or pupil lodges an appeal against the Pupil Discipline Committee's decision to uphold the permanent exclusion, the Independent Appeal Panel must meet no later than the 15th school day after the appeal was lodged.

6.2 Composition of independent appeal panels
In Bridgend responsibility for the constitution of Independent Appeal Panel and the appointment of a clerk to the panels rest with the Director of Legal Services. All panels will constitute either 3 or 5 members as shown in Box 2 below:

Box 2



Lay person will be the Chair. A 'lay person' is someone without personal experience in the management of a school or the provision of education, other than in a voluntary capacity or as a school governor. The lay member should have the necessary skills and qualities to chair the panel effectively.
Education practitioner. Head teacher or other person currently working in education management.
School governor. The governor must have served for 12 consecutive months within the last 6 years and have not been a head teacher or teacher during the last 5 years.
Whenever possible panel members considering exclusions from either the primary, secondary or special sectors should have experience of that phase of education.
The following persons are disqualified from serving as a member of an appeal panel:

- any member of the authority or of the Governing Body of the school in question,
- teachers of the school or PRU in question or any person who has held that position within the last 5 years,
- any person employed by the authority, other than as a teacher, any person who has had, at any time, any connection with the authority or person employed by the authority (other than as a teacher) that might reasonably be taken to raise doubts about their ability to act impartially,
- any person who has had, at any time, any connection or association with the pupil in question that might reasonably be taken to raise doubts about their ability to act impartially.

6.3 In advance of the hearing
The LEA must take reasonable steps to find out when the parent and / or pupil and others entitled to attend the hearing would be available in order to ensure that all parties are able to attend. Appeals must be heard in private. Appeal hearings should never be held at the excluding school.
The following are entitled to attend a hearing and present their case, either in writing or orally:

- the parent and pupil,

- the head teacher
- a nominated governor
- a nominated LEA officer
- all the above parties, as well as the Governing Body, may be represented by a legal or other representative

An excluded pupil of any age has the right for their view to be heard in an independent appeal panel, which may be in person, in writing or other practical form. The panel cannot compel witnesses to attend the hearing.

Where pupils of compulsory school age are not accompanied by their parents, the LEA should endeavour to obtain the services of an advocate to speak on behalf of the pupil. The Clerk should remind the parent and / or pupil of his or her right to be accompanied by a friend or represented at the hearing by a legal representative or advocate.

The Clerk must give all parties details of those attending and their role, and notify them of the order of hearing. All parties should keep the others informed, through the Clerk to the panel, of who will attend and what witnesses (if any) will be called.

The Clerk should circulate all written evidence to all parties 5 working days before the hearing. This must include the statement of decision by the Discipline Committee and the notice of appeal from the parent and / or pupil which gives the grounds for the appeal.

6.4 Conduct of the appeal hearing

It is for the appeal panel to decide how to conduct the proceedings, which should be reasonably informal so that all parties can present their case effectively.

In opening the appeal hearing it is helpful for the Chair to outline the procedure to be followed and to explain to all parties that the panel is independent from both the school and the LEA.

The panel needs to have regard to legislation and to National Assembly for Wales guidance in its conduct and in reaching its decision.

Following introductions, the Clerk should explain the order in which the parties entitled to be heard will state their case (as previously notified to them) and that there will be an opportunity for questioning by the other parties after each presentation.

6.5 Evidence and witnesses

Where the school's case rests largely or solely on physical evidence, and where the facts are in dispute, then the physical evidence, if practicable, should be retained and be available to the panel. Where there are difficulties in retaining physical evidence, photographs or signed witness statements are acceptable.

All parties may put forward new relevant evidence about the event that led to the exclusion, including evidence that that was not available to the head teacher or the Discipline Committee. However the school may not introduce new reasons for the exclusion.

To reach a decision, the panel will generally need to hear from those directly or indirectly involved. The Governing Body may wish to call witnesses who saw the incident that gave rise to the exclusion. These may include any alleged victims or any teacher, other than the head teacher, who investigated the incident and interviewed pupils.

Where adult witnesses are unwilling to appear in person or are unavailable, the panel must rely on their written statements, copies of which will have been circulated to all parties by the Clerk before the hearing. If any witnesses are going to appear in person, all parties need to know the details in advance of the day of the hearing.

In the case of witnesses who are pupils of the school, it will normally be more appropriate for the panel to rely on written statements. Pupils may appear as witnesses if they do so voluntarily and with their parent’s permission.

All written witness statements must be attributed and signed, unless the school has good reason to wish to protect the anonymity of pupils. The general principle remains that an

accused person is entitled to know the substance and the source of the accusation. The panel must consider what weight to attach to written statements, whether made by adults or pupils, as against oral evidence. They should bear in mind that a written statement may not encompass all the relevant issues and that the author cannot be questioned.
The calling of character witnesses is at the discretion of the panel but should be allowed unless there is good reason to refuse.

6.6 Reaching a decision
In considering an appeal, the Panel should decide, on the balance of probabilities whether the pupil did what he or she is alleged to have done. In other words, it is more likely than not that the pupil did what is alleged.
The panel should consider the basis of the head teacher's decision and the procedures followed, having regard to the following:

- whether the head teacher and Discipline Committee complied with the law and had regard to Welsh Assembly guidance on exclusion. Particularly important areas to consider are whether an appropriate Pastoral Support Programme had been put in place or whether the educational provision specified in a statement of Special Educational Needs had been provided.
- the school's published behaviour policy, equal opportunities policy, anti-bullying policy, special educational needs policy, and race equality policy, or any other relevant policy
- the fairness of the exclusion in relation to the treatment of any other pupils involved in the same incident

6.7 The decision
The appeal panel's decision shall be based on a majority agreement with a second or casting vote held by the Chair. An appeal panel may:

- uphold the decision to exclude;
- overturn the decision to exclude and direct reinstatement;
- decide that because of exceptional circumstances or other reasons it is not practical to give a direction requiring reinstatement, but that it would otherwise have been appropriate to give such a direction.

There may also be exceptional cases where the panel considers that the permanent exclusion should not have taken place, but that reinstatement in the excluding school is not a practical way forward in the best interests of all concerned. This could include situations where there has been an irretrievable breakdown in relations between pupil and teachers; between the parents and the school; or between the pupil and other pupils involved in the exclusion or appeal process. Balancing the interests of the pupil and the whole school community may suggest that reinstatement would not be the most sensible outcome in such cases. In considering whether such exceptional circumstances exist the panel should consider representations from the governors, the head teacher, the parent and the pupil.
In any case where the panel decide that reinstatement would have been justified but is not practical, they should indicate this in their decision letter and give details of the circumstances that made them decide not to direct reinstatement. Such a letter should be added to the pupil's school record for future reference.

7 The reintegration of permanently excluded pupils

7.1 Introduction

The local authority has an important lead role in establishing flexible, creative strategies that meet the individual needs of pupils permanently excluded from school. Reintegration into the mainstream setting should be considered and encouraged wherever at all possible. Excluded pupils should only be educated outside mainstream schools where there are significant problems that are better addressed in a different environment.
In accordance with Welsh Assembly guidelines the LEA has developed a protocol with the secondary schools is to ensure the timely reintegration of permanently excluded pupils into full time education, in accordance with. The LEA (Pupil Services Unit), the Behaviour Support Service and secondary schools are key players in this process. In addition other agencies such as Social Services, YOT, Education Welfare etc will have a significant role in individual cases.
Full time appropriate education after 15 days remains the goal, but it is recognised that some pupils may need to be phased into full time education. Reintegration into mainstream schools should be encouraged wherever possible. Excluded pupils should only be educated outside mainstream schools in exceptional circumstances and where there are significant problems that are better addressed in a different environment.
Assessment and Planning should take place once the Pupil Discipline Committee has upheld the permanent exclusion, with the excluding school providing full details of the pupil. The LEA's multi-agency panel (the Reintegration Panel) will consider the needs of each excluded pupil, and draw up an individual reintegration plan to which all parties, including the pupil and parents, agree.
For many excluded pupils the best course of action is for them to rejoin a mainstream school within a matter of days or weeks. The LEA hopes that quick reintegration will be facilitated by this protocol. However there is no 'one size fits all' solution and individual reintegration packages will include:-

- Full time attendance at mainstream school
- Part time attendance at mainstream school, plus any of the following:-
- PRU
- FE College
- Individual and home tuition
- Work Placement
- Voluntary Organisations

7.2 Principal features of the protocol

- The protocol will be transparent and provide equity between schools.
- Schools to 'accept' excluded pupils on a rota basis.
- That exceeding the 'Standard Number' is not a valid reason for non-acceptance of a permanently excluded pupil.
- The Reintegration Panel will determine an individual reintegration package for each permanently excluded pupil.
- The LEA to co-ordinate the process and provide regular feedback to all schools.

7.3 The Reintegration Panel

7.3.1 Composition
The Reintegration Panel will comprise the following member:

- BSS Manager,
- Pupil Services Manager,
- Principal Educational Psychologist,

- Other Agency Representative (depending on individual pupil),
- Representative from ‘receiving’ school,
- Representative from ‘excluding’ school
- Parent and pupil

7.3.2 Duties
The Reintegration Panel will:-

- Meet as soon as possible after the Pupil Discipline Committee has upheld the ‘exclusion’.
- Receive information from the excluding school in a prescribed format (Form PE1).
- Determine any level of induction/counselling/support in individual cases.
- Agree a reintegration strategy appropriate to each individual case, which may be immediate full time attendance at mainstream school.
- Determine the extent of BSS support.
- Discuss and agree this strategy with the parent/pupil.

7.4 Reintegration of primary/special school pupils
Where pupils are excluded from primary schools, Pupil Services will work closely with the Behaviour Support Service, the School Psychology Service, the Access and Inclusion Service and other partners to identify an appropriate placement for the pupil Support can be made available in individual cases.
Pupil exclusions from special schools are rare. However where they occur the LEA’s professional support services work with that pupil to ensure that he/she has access to an appropriate education.

Model Letter 1:

Model Letter 1 **Parent/pupil, Fixed Term less than 6 days**

Dear **[parent/carer/pupil's name]**

I am writing to inform you of my decision to exclude [**learner's name/you**] for a fixed term of [**period of exclusion**]. This means that [**learner's name/you**] will not be allowed in school for the period of the exclusion which began on **[date].**

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [**learner's name / you**] has not been taken lightly. [**learner's name/you**] has/have been excluded for this fixed term because [**reason for exclusion**].

The school will continue to set work for [**learner's name/you**] during the period of his/her/your exclusion [**insert details of arrangements that are in place for this**]. Please ensure that any work set by the school is completed and returned to us for marking. **[For learners over compulsory school age insert the following].** As you have been excluded from the school you should arrange for someone to return the work to us on your behalf.

[School other than PRU]

You **[and learner's name where learner is aged less than 11]** have the right to make representation to the school governors' pupil discipline committee. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**, as soon as possible. While the discipline committee 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/your school record.

[PRU only]

You **[and learner's name where learner is aged less than 11]** have the right to make representations to **[name of LA]**. These representations will be considered by **[set out arrangements which the LA has made for considering representations]**. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]** as soon as possible.

You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys, LD1 6DF.

[Primary school only]

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time].** If that is not convenient, please contact the school before **[date within the next 10 days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **you/your parent's/your carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.

You may want to contact the Educational Social Worker on 01978 833025 who can provide advice. You may find the Advisory Centre for Education (ACE) exclusions helpline — 0300 0115 142 useful. ACE is a long established independent national charity providing advice to parents.
[learner's name/your] exclusion expires on **[date]** and we expect **[learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[name]

Headteacher/teacher

Model Letter 2: Fixed-term exclusion of 6-15 days

Notifying parent and / or pupil of a fixed-period exclusion of six to 15 days, or where cumulative exclusions in the same term fall within this range, or where a public examination is missed

Dear [**parent/carer/learner's name**]

I am writing to inform you of my decision to exclude [**learner's name/you**] for a fixed term of [**period of exclusion**]. This means that [**learner's name/you**] will not be allowed in school for the period of the exclusion which began on **[date]**. I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [**learner's name/you**] has not been taken lightly. [**learner's name/you**] has/have been excluded for this fixed term because [**reason for exclusion**].

The school will continue to set work for [**learner's name/you**] during the period of his/her/your exclusion [**insert details of arrangements that are in place for this**]. Please ensure that any work set by the school is completed and returned to us for marking. **[For learners over compulsory school age insert the following]** As you have been excluded from the school you should arrange for someone to return the work to us on your behalf.

[School other than PRU]

You have the right to request a meeting of the school governor's pupil discipline committee at which you **[and learner's name where learner is aged less than 11]** may make representations and the decision to exclude can be reviewed. As the length of the exclusion is more than five school days (or equivalent) the committee must meet if you request it to do so. The latest date the committee can meet is **[date – no later than 50 school days from the date the committee is notified]**. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact [name of contact] on/at [contact details: address, phone number, e-mail], as soon as possible.

[PRU only]

You **[and learner's name where learner is aged less than 11]** have the right to make representations to **[name of LA]**. These representations will be considered by **[set out arrangements which the LA has made for considering representations]**. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]** as soon as possible. [Note: this wording is not suitable where the learner would lose the opportunity to take public examination.

You also have the right to see a copy **of [learner's name/your]** school record. Due to confidentiality restrictions you will need to notify me in writing if you wish to be supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys, LD1 6DF.

[Applies to children of compulsory school age only]

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time].** If that is not convenient, please contact the school before **[date within the next 10 days]** to

arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **you/your parent's/you carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.
You may want to contact the Educational Social Worker on 01978 833025 who can provide advice. You may find the Advisory Centre for Education (ACE) exclusions helpline — 0300 0115 142 useful. ACE is a long established independent national charity providing advice to parents.
[learner's name/your] exclusion expires on **[date]** and we expect **[learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[name]

Headteacher/teacher

Model Letter 3: Fixed-term exclusion of 16 or more days
From head teacher notifying parent and / or pupil of a fixed-term exclusion of 16 days or more, or where cumulative exclusions in the same term are 16 days or more
Dear [**parent/carer/learner's name**]
I am writing to inform you of my decision to exclude [**learner's name/you**] for a fixed term of [**period of exclusion**]. This means that [**learner's name/you**] will not be allowed in school for the period of the exclusion which began **[date]**. I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [**learner's name/you**] has not been taken lightly. [**learner's name/you**] has been excluded for this fixed period because [**reason for exclusion**]. Alternative education other than setting work will be provided for **[learner's name/you]** if the exclusion has not been overturned within 15 days. A **[school's maintaining LA]** LA representative will contact you to discuss this.
[School other than PRU]
As the length of the exclusion is more than 15 school days (or equivalent) the school governors' pupil discipline committee must automatically meet to consider the exclusion. At the review meeting you may make representations to the committee if you wish to do so. The latest date the committee can meet is [**date — no later than 15 school days from the date the discipline committee is notified**]. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact [**name of contact**] on/at [**contact details: address, phone number, email**], as soon as possible. You will,

whether you choose to make representations or not, be notified by the Clerk to the committee of the time, date and location of the meeting.

[PRU only]

As the length of the exclusion is more than 15 days **[name of LA]** must consider the exclusions. **[Set out the arrangements which the LA has made to review fixed-term exclusions.]** A review meeting will be held and at the review meeting you may make representations if you wish. The latest date for a review meeting is **[date – no later than 15 school days from the date the LA is notified].** If you wish to make representations and wish to be accompanied by a representative please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail].**

You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions you will need to notify me in writing if you wish to be supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys, LD1 6DF.

[Applies to children of compulsory school age only]

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time].** If that is not convenient, please contact the school before **[date within the next 10 days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **you/your parent's/you carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.

You may want to contact the Educational Social Worker on 01978 833025 who can provide advice. You may find the Advisory Centre for Education (ACE) exclusions helpline — 0300 0115 142 useful. ACE is a long established independent national charity providing advice to parents.

[learner's name/your] exclusion expires on **[date]** and we expect **[learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[name]

Headteacher/teacher

Model Letter 4: Permanent Exclusion

From head teacher notifying parent and / or pupil of a permanent exclusion

Dear [parent's/carer's/learner's name]
I regret to inform you of my decision to exclude [learner's name/you] permanently from [date]. This means that [learner's name/you] will not be allowed back to this [school/pupil referral unit] unless reinstated by the [school governor's discipline committee/LA pupil referral unit management committee] or by an appeal panel. I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [learner's name/you] has not been taken lightly. [learner's name/you] has been excluded permanently because [reason for exclusion— also include any other relevant history here].
Alternative education other than setting work will be provided for [learner's name/you] if the exclusion has not been overturned within 15 days. A LA representative will contact you to discuss this.
[School other than PRU]
As this is a permanent exclusion the school governors' pupil discipline committee will meet to consider the exclusion. At the review meeting you [and learner's name where pupil is aged less than 11] may make representations to the committee if you wish to do so.
The discipline committee has the power to reinstate [learner's name/you] immediately or from a specified date, or alternatively, has the power to uphold the exclusion in which case you may appeal to an independent appeals panel. The latest date the committee can meet is [date— no later than 15 school days from the date the committee is notified]. If you wish to make representations to the Committee and wish to be accompanied by a friend or representative please contact [name of contact] on/at [contact details: address, phone number, email], as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the committee of the time, date and location of the meeting.
[PRU only]
You have the right to appeal to an independent appeal panel against this decision. If you wish to appeal please notify [name of Clerk to appeal panel] of your wish to appeal including your grounds of appeal in writing to [address] by no later than [specify the latest date – fifteenth school day after the **second working day after the letter is posted if sent by first class post, or, if delivered by hand, the fifteenth school day after delivery]**. If you have not lodged an appeal by this date your right to appeal will lapse.
A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys, LD1 6DF.

You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions you will need to notify me in writing if you wish to be supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.
You may want to contact the Educational Social Worker on 01978 833025 who can provide advice. You may find the Advisory Centre for Education (ACE) exclusions helpline — 0300

0115 142 useful. ACE is a long established independent national charity providing advice to parents.

Yours sincerely

[name]

Headteacher/teacher

Model Letter 5: Permanent exclusion – discipline committee's decision
From the Clerk of the Discipline Committee notifying the parent/carer of a permanently excluded learner of the discipline committee's decision.

Dear [**parent's/carer's/learner's name**]
The meeting of the school governors' pupil discipline committee at the **[school]** on **[date]** considered the decision by [**headteacher**] to permanently exclude you/your son/daughter [**name of learner**]. The committee, after carefully considering the representations made and all the available evidence, have decided:
Either
to overturn the exclusion and direct that [**you/name of learner**] are/is reinstated in the school by **[date]**. We therefore expect **[you/name of learner]** to be back in school on **[date]** at **[time].** If you wish to discuss [**learner's name/your**] return to school before reinstatement, please contact [**name of headteacher**] to arrange a convenient time and date. A copy of this letter will be added to [**learner's name / your**] school record for future reference.

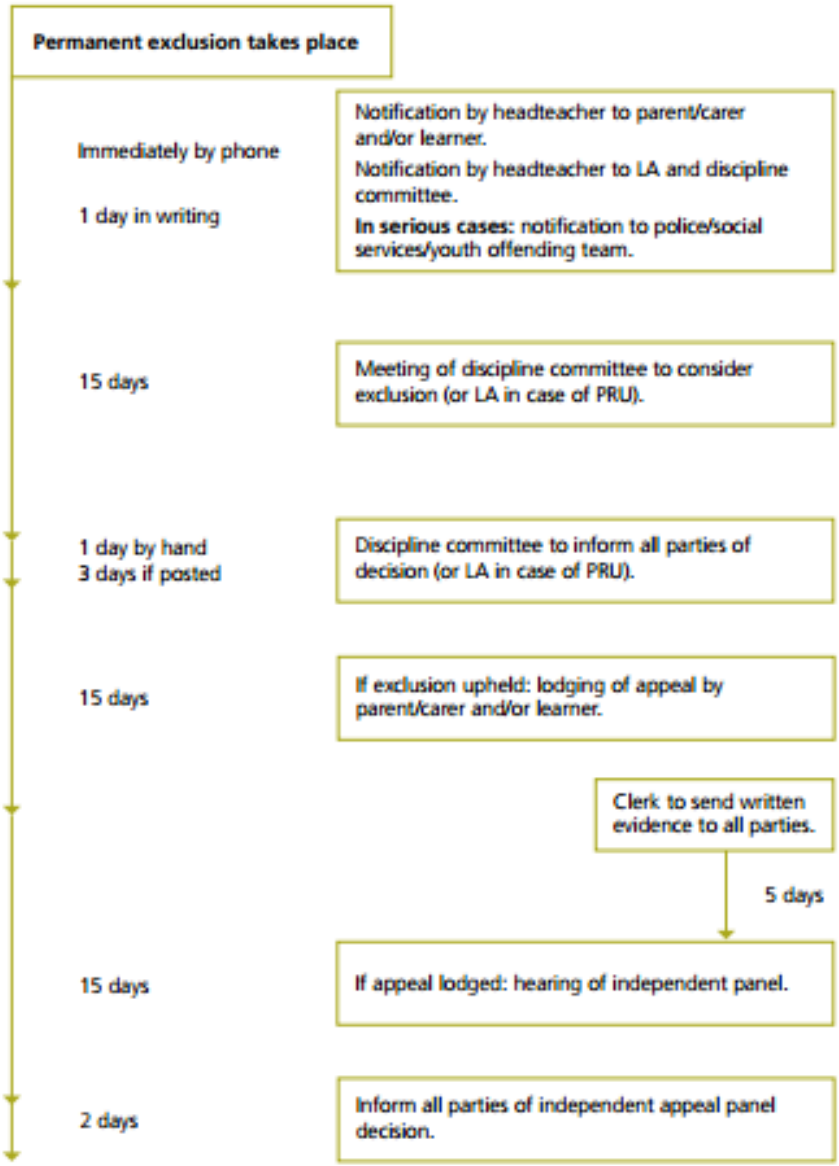
Or
to uphold [**your/name of learner's]** exclusion.
The reasons for the committee's decision are as follows: [**give the reasons in as much detail as possible, explaining how the committee arrived at its decision**].
You have the right to appeal against this decision. If you wish to appeal, please notify [name of the clerk to the appeal panel] of your wish to appeal. You must set out the reasons for your appeal in writing and if appropriate, you may also include any disability discrimination claim you may wish to make and send them to **[address]** by no later than **[specify the latest date – the seventeenth school day after the date of this letter].** If you have not lodged an appeal by **[repeat latest date]**, your right to appeal will lapse.
Your appeal would be heard by an independent appeal panel. A [**three-member/five-member**] panel will comprise [**one/two**] serving education practitioner[**s**] (possibly [**a**] head teacher[**s**]); [**one / two**] serving or recently serving experienced governor[**s**]; and one lay member who will be the chair. The appeal panel will rehear all the facts of the case — if you have fresh evidence to present to the Panel you may do so. The Panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn a hearing until a later date.
I would like to remind you of the following sources of advice and further assistance:
[repeat details from the original exclusion letter, i.e. a named LA officer and the advisory centre for Education and any other local source of advice or assistance if known].
The arrangements currently being made for [**learner's name / your**] education will continue for the time being. However, new arrangements to provide full-time education for **[learner's name/your]** are being made and an LA officer will liaise with you shortly about these new arrangements. If you have any questions about this please contact **[name].**

Yours sincerely,

[**name**]
Clerk to the Discipline Committee

Flow Chart for Fixed Term Exclusions

Fixed-term exclusion

The term 'days' refers to school days throughout.

Flow Chart for Permanent Exclusions