

FULL OF LIFE MINI GUIDE

EXCLUSIONS



WHAT IS EXCLUSION?

Exclusion from school means that your child is not allowed to attend school either for a fixed amount of time or else permanently from school. There are two types of exclusion: fixed (suspended) and permanent (expelled).

Only the Head Teacher of a school or the Principal of an academy has the authority to exclude a pupil.

Fixed: This means your child is not allowed in school for a set amount of time. The school should set work for the first five days. For anything longer than five days, the school would have to make alternative arrangements for teaching your child, (eg. TBAP). A pupil can only be excluded for a maximum of 45 days in a school year. A lunchtime exclusion is counted as half a school day; this might happen if a pupil's behaviour is disruptive during lunchtime.

EXCLUSION HAPPENS WHEN YOUR CHILD HAS CONSISTENTLY NOT FOLLOWED SCHOOL RULES.

Permanent: This means your child has been expelled from school and is not allowed to return; their name is removed from the schools' register. The local authority must arrange full-time education from the sixth day.

The rules governing exclusions from schools, academies and pupil referral units in England are contained in the *s52 Education Act 2002*.

If your child has been excluded, the applicable Statutory Guidance is "*Exclusions from maintained schools, academies and pupil referral units – A guide for those with legal responsibilities in relation to exclusion*" (September 2012 Updated 2017).

Exclusion happens when your child has consistently not followed school rules. Permanent exclusion happens if discipline in the school and the education of other pupils will be badly affected if your child continues to attend. Your child can also be excluded for their behavior outside school. You should check the school's behavior policy for more information. Exclusion should only be a last resort when all other measures have failed.



EXCLUSION SHOULD ONLY BE A LAST RESORT WHEN ALL OTHER MEASURES HAVE FAILED.

UNOFFICIAL EXCLUSIONS

Schools sometimes use different phrases to describe an exclusion:

- Informal exclusion
- Cooling off time
- Sending pupil home early
- Short-term suspension
- Part-time timetable

These are all still exclusions and should be treated as such. Schools must record these as exclusions and follow the correct procedures. If a school does not record these as official exclusions, then this is unlawful.

ALTERNATIVES TO EXCLUSION

Internal Exclusion - A pupil is sent to another class or other designated area in school temporarily.

Education Off-Site - Maintained schools can send a pupil for education off-site to improve their behaviour. This type of placement must be reviewed every 30 days and cannot extend past the end of the school year that the pupil started the placement.

Managed Moves - A managed move is when a child is transferred to another school for a fresh start. You must be in agreement for this to happen. This is sometimes used as an alternative to exclusion, but parents should not feel under pressure to agree to a managed move in order to avoid exclusion.

CHILDREN WITH SEND

Children with Special Educational Needs and/or Disabilities are more likely to be excluded from school than their peers. The reason for exclusion will be the same for any child and will be either fixed or permanent. The school has to ensure that the exclusion does not amount to unlawful discrimination. If a child is excluded due to behaviour as a result of disability, this could amount to unlawful discrimination. The school must always be able to justify an exclusion.

PROCESS OF EXCLUSION

Schools must keep a record of any exclusions and must follow the correct procedures when they exclude a pupil. They must inform the parent/carer as soon as possible and follow up with a letter including information about how long your child is excluded for and the reason why.

On the day your child is excluded, the school must contact you either verbally or in writing. They should explain that your child is being excluded and are being sent home. They should arrange a meeting with you to discuss the exclusion, within seven days.

Within eight days of the exclusion, you should receive a letter from the school explaining the reason for the exclusion and any conditions that must be met before your child returns to school. There will usually be an action plan that must be agreed to before your child returns to school. Your right to appeal should also be in the letter.

CHALLENGING AN EXCLUSION

For an exclusion less than five days there is no formal right to challenge unless an exam will be missed. You can request a meeting with the Governors to put your views to them.

If the exclusion is for more than five days, then there is a formal right to challenge. The challenge will go to the Independent Review Panel.

If the exclusion is permanent, then there is a formal right to challenge and if the challenge doesn't work then there is right to Appeal.

Your school must provide this information when they write to you, explaining exactly how to challenge the decision.

For further information, please go to:

www.gov.uk/school-discipline-exclusions/exclusions

www.ipsea.org.uk/pages/category/exclusion-from-school



**Please contact us on 0208 962 9994
or email info@fulloflifekc.com**

Kensal House Annex
379 Ladbrooke Grove
London
W10 5BQ

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