NEYLAND COMMUNITY SCHOOL

Exclusion Policy 2016

Rationale

This policy should be read in consultation with the Behaviour Policy. It deals with the policy and practice which informs the School’s use of exclusion. It is underpinned by the shared commitment of all members of the School community to achieve two important aims:

1) The first is to ensure the safety and well-being of all members of the School community, and to maintain an appropriate educational environment in which all can learn and succeed;

2) The second is to realise the aim of reducing the need to use exclusion as a sanction.

Introduction

The decision to exclude a student will be taken in the following circumstances:-

(a) In response to a serious breach of the School’s Behaviour Policy;
(b) If allowing the student to remain in School would seriously harm the education or welfare of the student or others in the School.

Exclusion is an extreme sanction and is only administered by the Head Teacher (or, in the absence of the Head, the Deputy Head who is acting in that role).

Exclusion, whether fixed term or permanent may be used for any of the following, all of which constitute examples of unacceptable conduct, and are infringements of the School’s Behaviour Policy:

1. Physical assault against pupil: (includes)
   • Fighting
   • Violent behaviour
   • Wounding
   • Obstruction & jostling

2. Physical assault against adult: (includes)
   • Violent behaviour
   • Wounding
   • Obstruction & jostling

3. Verbal abuse/threatening behaviour against a pupil (includes)
   • Threatened violence
   • Aggressive behaviour
   • Swearing
   • Homophobic abuse and harassment
   • Verbal intimidation
   • Carrying on offensive weapon
   • Verbal abuse/threatening behaviour against an adult (includes)
   • Threatened violence
   • Aggressive behaviour
   • Swearing
• Homophobic abuse and harassment
• Verbal intimidation
• Carrying on offensive weapon

4. Bullying (includes):
• Verbal
• Physical
• Homophobic bullying
• Racial bullying

5. Racist Abuse (includes):
• Racist taunting and harassment
• Derogatory racist statements
• Swearing that can be attributed to racist characteristics
• Racist swearing
• Racist graffiti

6. Sexual misconduct (includes):
• Sexual abuse
• Sexual assault
• Sexual harassment
• Lewd behaviour
• Sexual bullying
• Sexual graffiti

7. Drug and alcohol related (includes):
• Possession of illegal drugs
• Inappropriate use of prescribed drugs
• Drug dealing
• Smoking
• Alcohol abuse
• Substance misuse

8. Damage (includes):
• Vandalism
• Arson
• Graffiti

9. Theft (includes):
• Stealing school property
• Stealing personal property (pupil or adult)
• Stealing from local shops on a school outing
• Selling and dealing in stolen property

10. Persistent Disruptive Behaviour (includes):
• Challenging behaviour
• Disobedience
• Persistent violation of school rules

11. Other
PREVENTING EXCLUSION

Early intervention

Disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil’s behaviour, it should attempt to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disabilities that a pupil may have. Head teachers should also consider the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour.

Pastoral (Pupil) Support Plan (PSP)

Schools should consider putting in place a Pastoral Support Plan (PSP) to help pupils better manage their behaviour. It is particularly appropriate for those pupils who have received more than one exclusion in a term. More details are provided further on in this guidance document.

FACTORS TO CONSIDER BEFORE MAKING A DECISION TO EXCLUDE

The UN Convention on the Rights of the Child

The UK Government ratified the UN Convention on the Rights of the Child (UNCRC) in 1991. This is the most widely ratified international human rights treaty, setting out what all children and young people need to be happy and healthy. While the UNCRC is not incorporated into UK law, it still has the status of a binding international treaty. By agreeing to the UNCRC the Government has committed itself to promoting and protecting children’s rights by all means available to it.

The legislation governing the operation of the Office of the Children’s Commissioner requires us to have regard to the UNCRC in all our activities. In relation to school exclusions, and in particular to addressing inequalities in the rates of exclusion for different groups, the articles of the UNCRC which are of most relevance are:

- Article 2: All rights apply to all children whatever their ethnicity, gender, religion, abilities, whatever they think or say, and whatever type of family they come from.
- Article 3: The best interests of the child must be a primary consideration in all actions.
- Article 12: Every child has a right to express their views regarding all matters that affect them; and for these views to be taken seriously.
- Article 23: Children with a disability have a right to special care and support to live a full and decent life, with dignity and independence.
- Article 28: Every child has the right to an education. Discipline in schools must respect children’s human dignity.
- Article 29: Children’s education must develop each child’s personality, talents and abilities to the fullest.

In most cases exclusion will be the last resort after a range of measures have been tried to improve the pupil’s behaviour.
Before deciding whether to exclude a pupil, either for a fixed period or permanently, the head teacher should:

a) Ensure that an appropriate investigation has been carried out;
b) Consider all the evidence available;
c) Allow and encourage the pupil to give his or her version of events;
d) Take account of any contributing factors that are identified after an incident of poor behaviour has occurred and check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment;
e) If necessary consult others, but not anyone who may later have a role in reviewing the head teacher’s decision, for example a member of the governing body. In Kingston, a head teacher can contact the Behaviour Support Team at County Hall for advice in the first instance; and
f) Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible.

**Standard of proof**

Any decision must be in line with the principles of administrative law: lawful, rational, reasonable, fair and proportionate.

The standard of proof to be applied is the balance of probabilities, i.e. if it is more probable than not that the pupil did what he or she is alleged to have done, the head teacher may exclude the pupil.

However, the more serious the allegation and thus the possible sanction, the more compelling the evidence substantiating the allegation will need to be. This is not the same as requiring the criminal standard of proof, ‘beyond reasonable doubt’, to be applied. However it does mean that when investigating more serious allegations, head teachers will need to gather and take account of a wider range of evidence.

**Unofficial exclusions**

If a head teacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and needs to be removed from the school site for that reason, formal exclusion is the only legal method of removal. Informal or unofficial exclusions are illegal regardless of whether they are carried out with the agreement of the parents or carers.

Where a pupil is sent home for disciplinary reasons for part of a school day, some head teachers have viewed this as a ‘cooling off’ period and have not taken action to exclude the pupil formally. There is no basis in law for this. If pupils are sent home in response to a breach of discipline, even for short periods of time, this must formally be recorded as exclusion.

In every instance where a pupil is sent home for disciplinary reasons, head teachers should formally record and specify the length of the exclusion (for reporting purposes this should be recorded as a half day, whole day or lunchtime). They should ensure that:

- They are meeting their legal duty of care towards pupils, and that parents are formally notified of the exclusion;
- Child protection issues are taken into account e.g. bearing in mind the child’s age and vulnerability, that a parent/carer is at home and the child is not placed at risk by, for example, being left to wander the streets; and
- That work is sent home or alternative educational provision is arranged.
THE DECISION TO EXCLUDE

Only the head teacher can exclude a pupil from school. If the head teacher is absent from school, the authority rests with the most senior teacher who is acting in that role.

A decision to exclude a pupil must be lawful, rational, reasonable, proportionate and fair and should only be taken in response to a serious breach, or persistent breaches of the school’s behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

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

The head teacher may withdraw an exclusion that has not yet been reviewed by the governing body.

Length of fixed period exclusions

- A pupil can be excluded for one or more fixed periods which, when aggregated, do not exceed a total of 45 school days in any one school year.
  NB This limit applies to the pupil, not the institution. Therefore, any days of fixed period exclusion served by the pupil in any school or PRU in the same school year will count towards the total.
- 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.
- Where it is clear that fixed period exclusions are not being effective in deterring poor behaviour, for example if they are being repeatedly imposed on a pupil in response to the same behaviour, head teachers should consider alternative strategies for addressing that behaviour.
- A fixed period exclusion does not have to be for a continuous period e.g. a pupil may be normally attending school three days a week and a local FE college for the other two; so a five day exclusion from the school could be for three days in one week and two days in the next week.

Lunchtime exclusion

Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. A lunchtime exclusion is a fixed period exclusion (deemed to be equivalent to one half of a school day) and should be treated as such. Therefore, parents have the same right to be given information and to make representations. Arrangements should be made for pupils who are entitled to free school meals to receive their entitlement which may mean, for example, providing a packed lunch.

Permanent exclusion

A decision to exclude a pupil permanently is a serious one and should only be taken:

- In response to serious breaches, or persistent breaches, of the school’s behaviour policy;
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school; and
- Where the basic facts have been clearly established on the balance of probabilities.
It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies (e.g. Pastoral Support Programme), which have been tried without success. 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.

**Behaviour outside school**

The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the head teacher in accordance with the school’s published behaviour policy.

The school’s behaviour policy should set out what the school will do in response to all non-criminal bad behaviour which occurs anywhere off the school premises and which is witnessed by a staff member or reported to the school, including the punishments that will be imposed on pupils.

Subject to the school’s behaviour policy, the teacher may discipline a pupil for:

Any misbehaviour when the child is:

- Taking part in any school-organised or school-related activity or
- Travelling to or from school or
- Wearing the school uniform or in some other way identifiable as a pupil at the school

Misbehaviour at any time, whether or not the conditions above apply, that:

- Could have repercussions for the orderly running of the school or
- Possess a threat to another pupil or member of the public or
- Could adversely affect the reputation of the school

**Drugs-related exclusions**

In making a decision whether or not to exclude for a drug-related offence the head teacher should have regard to the school’s drug policy and should consult the designated senior member of staff responsible for managing drug incidents. However, the decision will also depend upon the precise circumstances of the case, for example, the seriousness of the incident, the needs of those involved and the evidence available.

**Parental Co-operation**

If a parent does not comply with an exclusion, for example by sending the excluded child to school, or by refusing to collect or arrange collection of him or her, the school must have due regard for the pupil’s safety in deciding what action to take.

An exclusion should not be enforced if doing so may put the safety of the pupil at risk. If efforts to resolve the issue with parents are unsuccessful the school should consider whether to contact the Behaviour Support Service for advice/help. In some circumstances, police or community support officers could become involved.
Equality Act 2010

Under the Equality Act 2010 schools must not discriminate against, harass or victimise pupils because of certain protected characteristics. These are:

- Disability
- Gender reassignment
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

Excluding a disabled pupil for behaviour which arises as a consequence of their disability is likely to result in unlawful disability discrimination unless the school can show that the exclusion was a proportionate means of achieving a legitimate aim.

In addition the school has a duty to disabled pupils to make reasonable adjustments to your procedures if needed. This might include:

- disregarding behaviour which is a direct consequence of their disability;
- making reasonable adjustments to manage such behaviour;
- considering alternative, more appropriate punishments; and
- ensuring that a disabled pupil is able to present their case fully where their disability might hinder this.

Indirect discrimination may occur if behaviour or exclusions policies result in a greater proportion of pupils with protected characteristics being disciplined or excluded.

Pupils with special educational needs (SEN)

Statutory guidance on identifying, assessing and making provision for pupils with SEN, including those with behavioural, social and emotional needs, is provided in the Special Educational Needs Code of Practice. Schools must have regard to this guidance.

Where a school has concerns regarding the behaviour or risk of exclusion of a child with a statement of SEN, the school should request an early annual review or interim/emergency review.

Looked After Children (LAC)

Exclusion of children in care should be an absolute last resort. Schools should co-operate proactively with foster carers/social workers and the local authority that looks after the child.

Where a school has concerns regarding the behaviour or risk of exclusion of a looked after child, in partnership with others it should consider what additional support may be required.
PROCEDURE FOR EXCLUDING A PUPIL

Informing parents about an exclusion

- Whenever a head teacher excludes a pupil they must, without delay, notify parents of the length of the exclusion and the reason for it.
- They must also, without delay, provide parents with the following information in writing:
  - The reasons for the exclusion;
  - The period of a fixed exclusion or, for a permanent exclusion, the fact that it is permanent;
  - The parents’ right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
  - How any representations should be made;
  - Where it is a legal requirement for the governing body to consider the exclusion, the parents have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend;
  - Where an excluded pupil is of compulsory school age, that for the first five days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification and that parents may be given a fixed penalty notice or prosecuted if they fail to do so; and

Exclusion letters

Model exclusion letters have been provided in this policy which include all the relevant information that needs to be provided to the parent of an excluded child.

Informing the Governing Body

Within one school day the head teacher must inform the governing body of:

- Exclusions which will result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term;
- Exclusions which will result in the pupil missing a public examination or national curriculum test; and
- Permanent exclusions (including where a fixed period exclusion is made permanent).

Fixed period exclusions totalling five or fewer school days in any one term must be reported to the local authority and governing body once a term.

Informing the Local Authority (LA)

In order that accurate exclusion data can be collated and the overall situation monitored, the school should notify the LA straight away of all exclusions regardless of their duration.

This is achieved by reporting any pupil exclusions to primary.exclusions@pembrokeshire.gov.uk. The school will also need to send in the Exclusion Reporting Form along with a copy of the letter to parents. The Exclusion is marked as “E” on the attendance register and the Exclusion is recorded in the Behaviour Module on G2. The Behaviour Support Service also need to be informed of the exclusion.
Continuing education

The school’s obligation to provide education continues and must be met during a fixed period exclusion. Parents are not responsible for making educational provision for their excluded child, but are expected to cooperate with schools in this regard.

Day 6 provision

Where a pupil is given a fixed period exclusion of six school days or longer, the school has a duty to arrange suitable full-time educational provision from and including the sixth school day of the exclusion.

During the initial period of up to five school days, the parent of the excluded pupil must ensure that he or she is not present in a public place during normal school hours without reasonable justification. A failure to comply with this requirement is an offence.

During this period the school should set work for the pupil to complete and for it to be marked, unless the school has made arrangements, on a voluntary basis, for suitable full-time provision to commence earlier than the sixth day. A head teacher considering whether to exclude a pupil for a period which will mean there is a duty to provide suitable full-time educational provision, should plan the following:

- Provision should normally be off-site, but a school may make provision on-site where arrangements for shared on-site provision have been made with the governing body of at least one other school and is available to excluded pupils from that or those other schools;
- To ensure that work is set for the pupil to complete during the first five days school days of exclusion and that it is marked, unless during that time the pupil will be attending alternative provision;
- To ensure that the parent is fully informed of their duties in the first five days and of the school days on which the pupil will be provided with suitable full-time education and must attend that provision and of any sanctions that may be imposed for non-attendance (see model letters);
- How the time might be used to address the pupil’s problems; and
- What support will best help with the pupil’s reintegration into the school at the end of the exclusion.

Reintegration meetings

Schools should have a strategy for reintegrating pupils following a fixed period exclusion and for managing their future behaviour. Whilst not a statutory requirement it is good practice to hold a reintegration meeting following the expiry of a fixed period exclusion as it provides an opportunity to:

- Emphasise the importance of parents working with the school to take joint responsibility for their child’s behaviour;
- Discuss how behaviour problems can be addressed;
- Explore wider issues and any circumstances that may be affecting the child’s behaviour;
- Reach agreement on how the child’s education should continue, how best they can be reintegrated and what measures could be put in place to prevent further misbehaviour; and
- Create a useful forum to consider with parents the possibility of a parenting contract.
**Procedure following permanent exclusion**

In the case of a permanent exclusion, the pupil remains on the roll of the school until:
- any appeal is determined;
- until the time limit for the parents to lodge an appeal has expired without an appeal being brought; or
- the parent has informed the LA in writing that no appeal is to be brought.

During the first five days of a permanent exclusion, the school must send work home for the pupil to complete.

From the sixth day of a permanent exclusion, the LA is statutorily responsible for ensuring that suitable full-time education is provided.

**Independent Review Panel**

If applied for by the parents within the legal time frame, the local authority must, at their own expense, arrange for an independent review panel hearing to review the decision of a governing body not to reinstate a permanently excluded pupil.

The legal time frame for an application is within 15 school days of notice being given to the parents by the governing body of their decision to uphold a permanent exclusion, or where an application has not been made within this time frame, within 15 school days of the final determination of a claim under the Equality Act 2010 in relation to the exclusion.

If requested by parents in their application for an independent review panel, the local authority must appoint an SEN Expert to attend the panel and cover the associated costs of this appointment. The role of the SEN expert is to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion.

Following its review the panel can decide to:
1) Uphold the exclusion decision;
2) Recommend that the governing body reconsiders their decision; or
3) Quash the decision and direct the governing body considers the exclusion again.

Where the panel directs or recommends that the governing body reconsiders their decision, the governing body must reconvene to do so within 10 school days of being given notice of the panel’s decision.

**PASTORAL/PUPIL SUPPORT PLAN**

Pupils who do not respond to school actions to combat disaffection may be at serious risk of permanent exclusion and may need a longer term intervention to prevent them from dropping out of school altogether. Teachers should actively identify such young people. Pupil Support Plans (PSPs) are for students for whom at least one of the following is true:

- The student has had more than one fixed term exclusion in a term;
- The student is in danger of permanent exclusion;
- The student is at risk of failure through disaffection.
- The PSP:
• Is a school based intervention
• Has a nominated member of staff to oversee it
• Is short and practical;
• Has a 12 week limit, with regular reviews during this period; and
• Has precise and realistic outcomes;

A PSP does not replace the graduated response to SEN.

When the school identifies a student at risk, information should be gathered from subject teachers, the parents and pupil.

A meeting is then called at which the PSP is drawn up. Participants should include:

• Member of SMT;
• SENCO/Inclusion Manager;
• Head of Year/Key Stage;
• The pupil and his/her parent(s) or carer(s); and
• Relevant LA support agency

Relevant support agencies could be:

• Educational Psychology Service
• Education Welfare Service
• Children’s Services and Safeguarding
• Pupil Support Service
• Youth Service
• Youth Offending Team
• Integrated Family Support
Exclusion letter 1

(From headteacher notifying parent/carer of a fixed term exclusion of less than 6 days)

Dear [parent’s/carer’s name]

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

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

The school will continue to set work for [pupil’s name] during the period of his/her 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.

You and [pupil’s name] have the right to make representations 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, email], 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 school record.

You also have the right to see a copy of [pupil’s name]’s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [pupil’s name]’s 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. For advice on how to make a claim contact SENTW on 01597 829800 or by email SENTW@wales.gsi.gov.uk . Claim forms can also be downloaded from their website sentw.gov.uk . The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

You and [pupil’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 return to school can be managed. You should be aware that your 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.

You may want to contact Caroline Huggins, System Leader for Behaviour and Attendance at Pembrokeshire County Council, on 01437 775022, who can provide advice. Pembrokeshire Parent Partnership Service is also available to offer advice and support. They can be contacted on 01437 776354, Monday to Friday 9am-5pm, or by email pps@pembrokeshire.gov.uk .

[Pupil’s name]’s exclusion expires on [date] and we expect [pupil’s name] to be back in school on [date] at [time].

Yours sincerely

[Name]
Headteacher
Annex 2

Exclusion letter 2

(From headteacher notifying parent/carer of a fixed term exclusion of 6 to 15 days or where cumulative exclusions in the same school term fall within this range)

Dear [parent’s/carer’s name]

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

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

The school will continue to set work for [pupil’s name] during the period of his/her 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.

You and [pupil’s name] have the right to request a meeting of the school governors’ pupil discipline committee at which you may make representations and the decision to exclude can be reviewed. As the [length of the exclusion is / cumulative days of exclusion this term are - insert whichever is appropriate] 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 of the exclusion]. 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 also have the right to see a copy of [pupil’s name]’s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [pupil’s name]’s 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. For advice on how to make a claim contact SENTW on 01597 829800 or by email SENTW@wales.gsi.gov.uk . Claim forms can also be downloaded from their website sentw.gov.uk . The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

You and [pupil’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 return to school can be managed. You should be aware that your 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.

You may want to contact Caroline Huggins, System Leader for Behaviour and Attendance at Pembrokeshire County Council, on 01437 775022, who can provide advice. Pembrokeshire Parent Partnership Service is also available to offer advice and support. They can be contacted on 01437 776354, Monday to Friday 9am-5pm, or by email pps@pembrokeshire.gov.uk .

[Pupil’s name]’s exclusion expires on [date] and we expect [pupil’s name] to be back in school on [date] at [time].

Yours sincerely

[Name]
Headteacher
Annex 3

Exclusion letter 3 – 16 days or more

(From headteacher notifying parent/carer of a fixed term exclusion of 16 days or more or where cumulative exclusions in the same school term are 16 days or more)

Dear [parent’s/carer’s name]

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

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

The school will continue to set work for [pupil’s name] during the period of his/her 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. Alternative education other than setting work will be provided for [pupil’s name] if the exclusion has not been overturned within 15 days. A representative from the Education Service at Pembrokeshire County Council will contact you to discuss this.

As the [length of the exclusion is / cumulative days of exclusion this term are - insert whichever is appropriate] 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 and [pupil’s name] 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 of the exclusion]. 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.

You also have the right to see a copy of [pupil’s name]’s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [pupil’s name]’s 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. For advice on how to make a claim contact SENTW on 01597 829800 or by email SENTW@wales.gsi.gov.uk . Claim forms can also be downloaded from their website sentw.gov.uk . The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

You and [pupil’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 return to school can be managed. You should be aware that your 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.

You may want to contact Caroline Huggins, System Leader for Behaviour and Attendance at Pembrokeshire County Council, on 01437 775022, who can provide advice. Pembrokeshire Parent Partnership Service is also available to offer advice and support. They can be contacted on 01437 776354, Monday to Friday 9am-5pm, or by email pps@pembrokeshire.gov.uk .

[Pupil’s name]’s exclusion expires on [date] and we expect [pupil’s name] to be back in school on [date] at [time].

Yours sincerely

[Name]
Headteacher
Permanent exclusion letter

(From headteacher notifying parent/carer of a permanent exclusion)

Dear [parent’s/carer’s name]

I regret to inform you of my decision to exclude [pupil's name] permanently from [date]. This means that [pupil’s name] will not be allowed back to this school unless reinstated by the school governors’ pupil discipline 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 [pupil’s name] has not been taken lightly. [Pupil’s name] has been excluded permanently because [reason for exclusion - also include any other relevant history here].

Alternative arrangements for [pupil’s name]’s education will need to be made. In the first instance we will set work for [pupil’s name] and would ask you to ensure this work is completed and returned to school for marking. Alternative education other than setting work will be provided for [pupil’s name] if the exclusion has not been overturned within 15 days. A representative from the Education Service at Pembrokeshire County Council will contact you to discuss this.

As this is a permanent exclusion the school governors’ pupil discipline committee will meet to consider the exclusion. At the review meeting you and [pupil’s name] may make representations to the committee if you wish to do so. The discipline committee has the power to reinstate [pupil’s name] 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 of the exclusion]. 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.

You also have the right to see a copy of [pupil’s name]’s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [pupil’s name]’s 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. For advice on how to make a claim contact SENTW on 01597 829800 or by email SENTW@wales.gsi.gov.uk. Claim forms can also be downloaded from their website sentw.gov.uk. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

You may want to contact Caroline Huggins, System Leader for Behaviour and Attendance at Pembrokeshire County Council, on 01437 775022, who can provide advice on what options are available to you. Pembrokeshire Parent Partnership Service is also available to offer advice and support. They can be contacted on 01437 776354, Monday to Friday 9am-5pm, or by email pps@pembrokeshire.gov.uk

Yours sincerely

[Name]
Headteacher
### SUMMARY OF EXCLUSION PROCEDURES FOR PRIMARY SCHOOLS

<table>
<thead>
<tr>
<th>Length of Exclusion [*1]</th>
<th>Notification Letter</th>
<th>Notify LA</th>
<th>Notify Chair of Pupil Discipline Committee</th>
<th>Pupil Discipline Committee (PDC) Action Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>To Parent</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For exclusions totalling 5 days or less</td>
<td>Primary Letter 1</td>
<td>Weekly</td>
<td>No requirement to inform immediately, termly report to GB</td>
<td>The PDC must consider any representations received from the parent. They cannot direct reinstatement but can put a record of their considerations on the pupil’s educational record.</td>
</tr>
<tr>
<td>For one or more exclusions totalling 6 – 15 days</td>
<td>Primary Letter 2</td>
<td>Within 1 school day</td>
<td>Within 1 school day</td>
<td>The Chair of the PDC must convene a meeting of the PDC, if requested by the parent to do so, between 6 to 50 school days after the date of the exclusion. The meeting may direct reinstatement.</td>
</tr>
<tr>
<td>For one or more exclusions totalling 16 days or more</td>
<td>Primary Letter 3</td>
<td>Within 1 school day</td>
<td>Within 1 school day</td>
<td>The Chair of the PDC must convene a meeting of the PDC to consider the exclusion within 6 to 15 school days after the date of the exclusion.</td>
</tr>
<tr>
<td>For a permanent exclusion</td>
<td>Primary Letter 4</td>
<td>Within 1 school day</td>
<td>Within 1 school day</td>
<td>The Chair of the PDC must convene a meeting of the PDC to consider the exclusion within 6 to 15 school days after the date of the exclusion.</td>
</tr>
</tbody>
</table>

Notes:

*1 length of exclusion refers to the number of days IN ONE SCHOOL TERM