

Exclusions from School



**A brief guide for parents and young people
(in school 6th forms)**

***This booklet does not apply to Independent
Schools, 16-19 Academies or 6th Form
Colleges***



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Only the head teacher of a school can exclude a pupil. Exclusion is a serious step for a head teacher to take and can be very worrying for both the child and parents. Head teachers should take into account their legal duty of care when sending a pupil home following an exclusion. They must consider any additional reasons that caused the disruptive behaviors eg; bereavement, mental health issues or bullying.

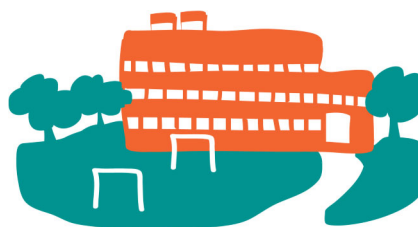
Pupils can be **fixed term** (a specific number of days) or **permanently** excluded (cannot return to the school). The most days a pupil can be fixed term excluded in one school year is 45 days in total.

Pupils can only be excluded for disciplinary reasons.

Children can be excluded for their behaviour outside school.

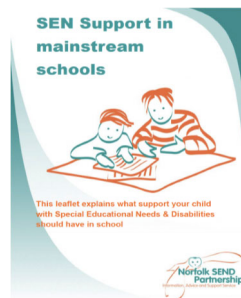
If a child has a Special Educational Need (SEN), the school should be checking they are having the right support to avoid exclusion. Disruptive behavior can be caused by unmet needs.

Schools should try to identify the



causes of disruptive behaviour and this should include an assessment of whether the child/yp may have SEN or a disability and put the right support in place. This may be at SEN support, the graduated approach level. This could be a multi agency assessment bringing professionals in from outside school eg; psychologist, health professionals, Family Support Plan (FSP) or Early Help.

Please see our booklet on SEN Support available to download on our website - www.sendpartnership.iass@norfolk.gov.uk



Under the Equality Act 2010 schools must not discriminate against a pupil because of their disabilities. They have a duty to make reasonable adjustments to policies, practices and their daily environment including auxiliary aids and services. This does not include changes to buildings. Schools must make sure their policies and practices do not discriminate against pupils by increasing their risk of exclusion.

Schools cannot exclude, extend an exclusion

or ask you to keep your child at home for:

- ◆ Having a disability or special education need (SEN) that the school feel they are unable to meet
- ◆ Not doing well with school work
- ◆ Their gender, race, religion, or becoming pregnant
- ◆ Parent's behaviour
- ◆ The failure of a pupil to reach certain conditions eg; admitting guilt, apologising or not attending a reintegration meeting following a period of exclusion
- ◆ There is an Ofsted inspection or exams
- ◆ A member of staff is not available

An **unformal or unofficial exclusion** is being asked to collect your child during normal school hours with no official exclusion procedures followed. This is **unlawful** even with the agreement of parents.

Permanent Exclusion



Permanent exclusion is a more serious step for a head teacher/principle to take. A child should only be permanently excluded for a one-off offence in very serious circumstances or after a number of fixed term exclusions when the school feels it has tried everything it can to keep a child in school.

Children should only be permanently excluded if:

- ◆ They have seriously broken or regularly break the school's Behaviour/Discipline Policy (you can ask school for a copy)

and

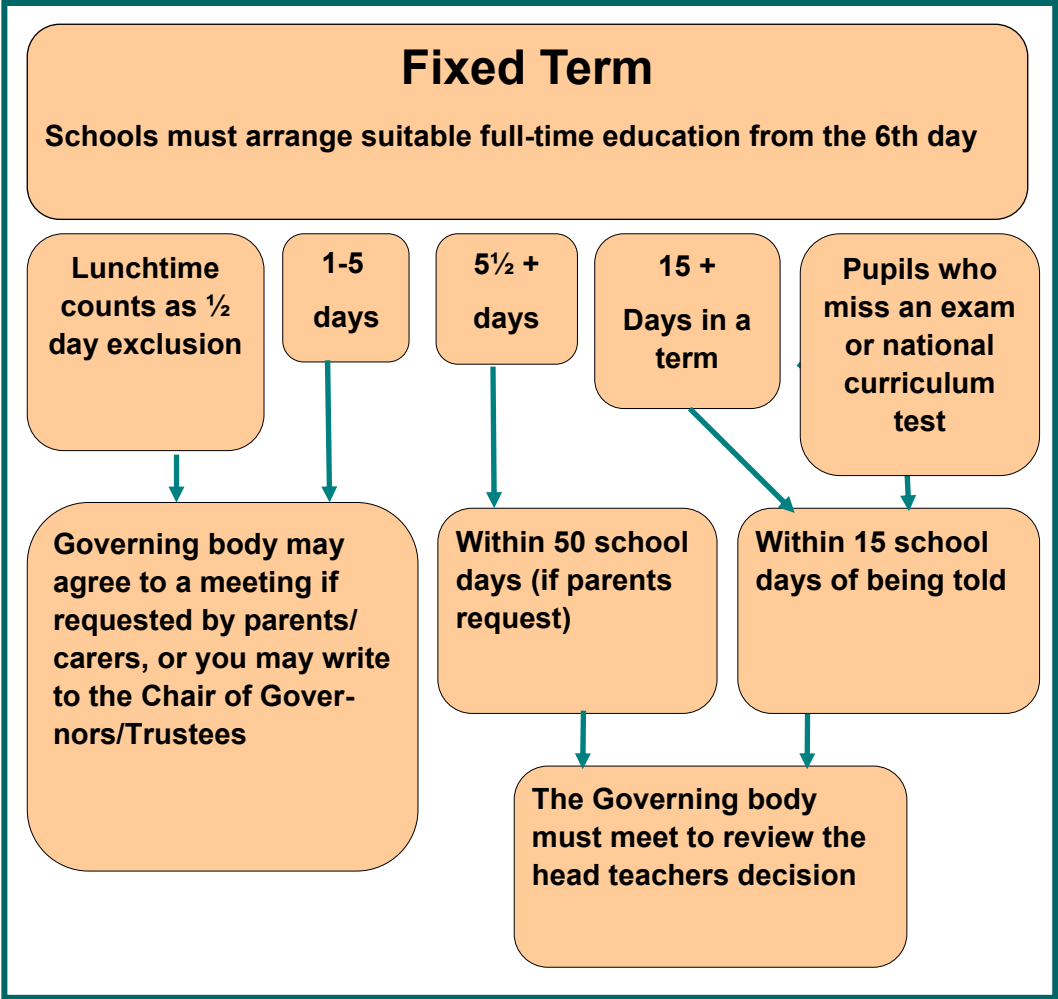
- ◆ It would seriously harm their education or welfare or that of others if they also were to remain at school



Exclusions f

Parents should be involved at all stages of the

Contact from school and letter with reasons for exc



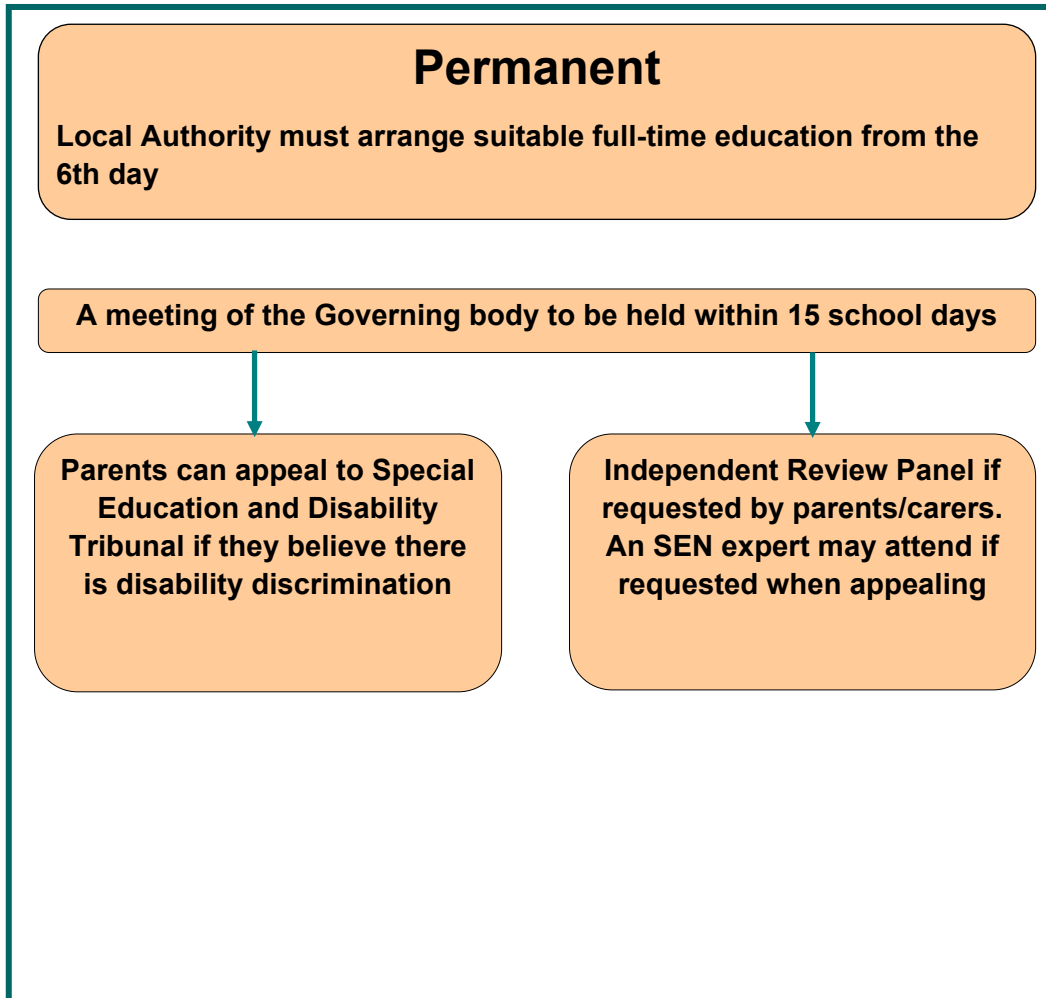
Exceptionally a Chair of Governors/Trustees can re-instate if a

Support should be in place when

Exclusion from School

the process in school and at Governors meetings

exclusion and parents' rights explained, without delay



if a public exam or national curriculum test would be missed

when your child returns to school

For the first 5 days of any exclusion the pupil must not be in a public place during the school day.



Educational provision for excluded pupils

Fixed term exclusion

For the first 5 days of an exclusion schools should take reasonable steps to set and mark work for the pupil. From day 6 where the pupil will return to the school the school must arrange work that is suitable and full time.

Permanent exclusion

For the first 5 days after the exclusion, school should send suitable work home. From day 6 onwards it is the Local Authority's responsibility to provide suitable full time education. You have the right to be consulted and to say which school you would prefer them to attend.

What can you do if you do not agree?

You can put your case to the Governing Body of the school. For an exclusion of less than 5½ days they do not have to meet with you but must consider your views.



Independent Review Panel (IRP)

If the governors agree with the permanent exclusion, then you may ask for an IRP. The IRP may direct the Governors to look at their decision again. You can ask for a SEN expert to be at the IRP if you believe your child has SEN. They can give neutral advice at the panel meeting.

Further Information

If your child has been excluded from school and has special educational needs and/or disabilities and you would like further advice or support please ring

**Norfolk SEND Partnership IASS on:
01603 704070**

Other support service -

Norfolk Children's Services Exclusion Helpline

01603 303333

exclusions@norfolk.gov.uk

ACE provides independent advice and information for parents on education issues

www.ace-ed.org.uk

Coram Children's Legal Centre provides free legal advice and information to parents on education matters

Helpline: 0300 330 5485

www.childrenslegalcentre.com

Government guidance :

www.gov.uk/government/publications/school-exclusion

YOUR NOTES





We also:

- ◆ Produce a newsletter each term
- ◆ Have information leaflets available on our website
- ◆ Ensure the views of children, young people and parent/carers are represented when influencing SEND policy and practice

Contact us:

Norfolk SEND Partnership

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Disclaimer: This is a guide and should not be treated as legal advice. Although SEND Partnership makes all reasonable efforts to ensure that the information contained in this booklet is accurate and up to date at the time of publication we cannot accept responsibility suffered as a consequence of any reliance placed upon it.

**If you need this leaflet in another format or language please contact us
and we will do our best to help.**



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