

## Exclusions Policy December 2018

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Associated documents:	
Links to	

## **Our Mission**

To provide the very best education for all pupils and the highest level of support for our staff to ensure every child leaves our academies with everything they need to reach their full potential.

We promise to do everything we can to give children the very best education that gives them the best opportunity to succeed in life. All of our academies have it in them to be outstanding and achieving this comes down to our commitment to our pupils, staff and academies.

## **Our commitment**

We are committed to taking positive action in the light of the Equality Act 2010 with regard to the needs of people with protected characteristics. These are age, disability, pregnancy and maternity, religion and belief, race, sex, sexual orientation, gender reassignment and marriage and civil partnership.

We will continue to make reasonable adjustments to avoid anyone with a protected characteristic being placed at a disadvantage.

## **Introduction**

This policy statement has been developed in accordance with the Exclusion from maintained schools, academies and pupil referral units in England guidance issued by the Department for Education (DfE).

This policy outlines the processes and procedures associated with exclusions. It aims to ensure the safety and well-being of all members of the academy community, and to maintain an appropriate educational environment in which all can learn and succeed.

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## 1 Criteria for Exclusion

- 1.1 Only the Principal can exclude a pupil from the academy (or, in the absence of the Principal, the member of the Senior Leadership Team (SLT) who is acting in that role).
- 1.2 The decision to exclude a pupil will be taken in the following circumstances:
  - In response to a serious breach, or persistent breach of the academy's Behaviour for Learning Policy
  - If allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others in the academy.
- 1.3 The decision to permanently exclude a pupil is a serious one. There are two main types of situation in which a permanent exclusion may be considered:
  - The final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and used as a last resort. This would include persistent and defiant misbehaviour including bullying (which would include disablist, racist or homophobic bullying)
  - When a serious act has been committed, for example, this could include assault, possession of illegal substances or arson. The academy may involve the police in any such offence.

## 2 Fixed Term Exclusions

- 2.1 A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year).
- 2.2 When a child is excluded, the Principal should notify the parents, without delay, of the period of exclusion and reasons for it. This may be completed over the phone or in person.
- 2.3 The Principal should then provide the relevant information in writing to the parents, either by delivering the letter directly to the parents, leaving it at their last known address or by posting it to this address.
- 2.4 If the exclusion is for more than 5 days, then parents should be advised of arrangements for the continuation of education for the pupil during the exclusion.
- 2.5 Model letters have been provided in Appendix 1, which incorporate all information the Principal is required to provide to the parents and a list of people to send a copy of the letter to, to ensure that all relevant parties have been advised of the exclusion. There are three different letters which may be used depending on the term of exclusion:
  - 2.5.1 **Model Letter 1** – if the exclusion is for fewer than 5 days and the total number of days the pupil has been excluded for in the term (including this exclusion) will be 5 days or less.

2.5.2 **Model Letter 2** – if the pupil will have been excluded for more than 5 days in the term (including this exclusion) but fewer than 15 days in the term.

2.5.3 **Model Letter 3** – if the pupil will have been excluded for more than 15 days in the term (including this exclusion) or will miss a public exam or national curriculum test.

### **Representation from Parents**

2.6 Parents may make a representation to the Academy Committee about an exclusion. Details of how to make a representation are included in the exclusion letter. If parents have any disability, then adjustments could be made to assist their engagement in the process. Relevant and reasonable adjustments can be made in the whole process to assist both parents and pupils who have a disability either physical or learning.

2.7 Where a pupil has been excluded for more than 15 days in a term, the Academy Committee must convene a meeting to consider reinstatement within 15 school days of the parents receiving the notice of exclusion (this should be the day the child was excluded). This also applies when the pupil will miss a public examination or national curriculum test, however, in this instance the Academy Committee must take reasonable steps to meet before the date of the examination.

2.8 For all other exclusions, a panel is only convened if representation has been received from the parents and the total number of days the child has been excluded for in the term exceeds 5. In these cases, the panel must be convened within 50 school days of receiving notice of the exclusion. For representations on exclusions of fewer than 5 days, the Academy Committee must consider the representation but has no power to overturn the exclusion.

2.9 Where requested/required the Clerk to the Academy Committee will convene a panel of Governors (minimum of 3) to consider the reinstatement of an excluded pupil. The panel may consist of any three Governors with the exception of the Principal; however, it is best practice for the panel to exclude staff Governors and parent Governors, where they have a child in the same year as the pupil that has been excluded. Any Governor with a conflict of interest must not be included on the panel (e.g. if they have had any involvement in the exclusion or will benefit from the pupil being excluded). The Clerk should notify the parents in writing 5 days in advance of the meeting (see Model Letter 5).

### **Academy Committee Panel**

2.10 The meeting will be attended by the following:

- Panel of Governors (minimum of 3)
- Clerk to Academy Committee (where the Clerk is a member of staff, providing there is no conflict of interests, they may clerk the meeting)
- Principal
- Excluded pupil (they may choose not to attend)
- Parents/carers of the excluded pupil (they may choose not to attend)

- Companion to parents/carers or pupil (where requested – each parent/carer and pupil in attendance may be accompanied by a friend or representative).

2.11 A model agenda has been included in the appendices.

2.12 The outcome of the panel meeting is either to reinstate the pupil or uphold the exclusion.

2.13 The Clerk will advise the parents in writing of the outcome:

2.13.1 **Model Letter 6** – if the pupil has been reinstated.

2.13.2 **Model Letter 7** – if the exclusion has been upheld.

### 3 Permanent Exclusions

3.1 When a child is permanently excluded the Principal should notify the parents, without delay, that the exclusion is permanent and the reasons for it. This may be completed over the phone or in person.

3.2 The Principal should then provide the relevant information in writing to the parents either by delivering the letter directly to the parents, leaving it at their last known address, or by posting it to this address.

3.3 A model letter has been provided in Appendix 1 (Model Letter 4) which incorporates all information the Principal is required to provide to the parents and a list of people to send a copy of the letter to, to ensure that all relevant parties have been advised of the exclusion.

3.4 The Academy Committee must convene a meeting to consider reinstatement within 15 school days of the parents receiving notice of the exclusion (this should be the day the child was excluded).

3.5 The Clerk to the Academy Committee will convene a panel of Governors (minimum of 3) to consider the reinstatement of an excluded pupil. The panel may consist of any three Governors with the exception of the Principal; however, it is best practice for the panel to exclude staff Governors and parent Governors, where they have a child in the same year as the excluded. Any Governor with a conflict of interest must not be included on the panel (e.g. if they have had any involvement in the exclusion or will benefit from the pupil being excluded). The Clerk should notify the parents in writing 5 days in advance of the meeting (see Model Letter 5).

#### Academy Committee Panel

- 3.6 The meeting will be attended by the following:
- Panel of Governors (minimum of 3)

- Clerk to Academy Committee (where the Clerk is a member of staff, providing there is no conflict of interests, they may clerk the meeting)
- Principal
- Excluded pupil (they may choose not to attend)
- Parents/carers of the excluded pupil (they may choose not to attend)
- Witness (where required)
- Companion to parents/carers or pupil (where requested – each parent/carer and pupil in attendance may be accompanied by a friend or representative).

3.7 A model agenda has been included in the appendices.

3.8 The outcome of the panel meeting is either to reinstate the pupil or uphold the exclusion.

3.9 The Clerk will advise the parents in writing of the outcome:

3.9.1 **Model Letter 6** – if the pupil has been reinstated.

3.9.2 **Model Letter 7** – if the exclusion has been upheld.

### **Independent Appeals Panel**

3.10 Parents may make a representation to request an Independent Appeals Panel within 15 school days from the date on which notice in writing of the Academy Committee's decision was given. Details of how to make a representation are included in the letter sent following the Academy Committee meeting.

3.11 ATT's Governance Department will convene the Independent Appeals Panel either by using Local Authority or other sources within ATT. ATT's Governance Department will notify the parents in writing 5 days in advance of the meeting (see Model Letter 9).

3.12 The panel will consist of:

3.12.1 A Governor from another academy who is not an ATT employee and who has never worked in a school in a paid capacity (this does not include voluntary work or work as a Governor). This person will Chair the meeting.

3.12.2 A Governor from another academy, who is not an ATT employee, has not been a teacher or Principal in the last 5 years and has served as a Governor for at least 12 consecutive months over the last 5 years.

3.12.3 A Principal from another ATT academy of the same phase or other local Headteacher or someone who has been a Headteacher/Principal within the last 5 years when an ATT Principal is unavailable.

3.13 The meeting will be clerked by a trained Clerk, either by the Local Authority or ATT Governance Department.

3.14 The meeting may also be attended by:

- Principal of the Academy which excluded the pupil
- Chair of the Academy Committee Panel (this may be delegated to another member of the panel or written documentation provided instead)
- Excluded pupil (they may choose not to attend)
- Parents/carers (they may choose not to attend)
- SEN Expert (where required)
- Interpreter (where required)
- Companion to parents/carers and pupils (where requested – each parent/carer and pupil in attendance may be accompanied by a friend or representative).

3.15 The possible outcomes of the Independent Appeals Panel meeting are:

3.15.1 To uphold the exclusion.

3.15.2 Recommend that the Academy Committee reconsiders their decision.

3.15.3 Quash the decision and direct that the Academy Committee considers the exclusion again.

3.16 ATT's Governance Department will advise the parents in writing of the outcome (see Model Letter 10).

### **Reconsidering the Exclusion**

3.17 If the Academy Committee is directed to reconsider their decision the original panel of Governors which met to consider the exclusion will be reconvened to discuss the recommendation of the Independent Review Panel and reconsider their decision.

3.18 If the decision is quashed, then a panel of Governors will be convened (excluding Governors included on the first panel) and the exclusion will be considered afresh following the procedure for an Academy Committee Panel.

## Appendix 1 – Model Letters

All letters are to be inserted onto academy headed paper, dated and highlighted sections completed. Model Letter content:

**Model Letter 1** – Notification of fixed period exclusion of 5 academy days or fewer in one term and where a public examination is not missed.

**Model Letter 2** – Notification of a fixed term period exclusion of more than 5 and up to an including 15 school days in total in one term and where a public examination is not missed.

**Model Letter 3** – Notification of a fixed term period exclusion of more than 15 school days in total in one term or where the pupil is missing a public examination.

**Model Letter 4** – Notification of a permanent exclusion.

**Model Letter 5** – From the Clerk to the Academy Committee to parents informing them of the meeting of the Exclusion Panel.

**Model Letter 6** – From the Clerk to the Academy Committee advising parents of the reinstatement of the pupil.

**Model Letter 7** – From the Clerk to the Academy Committee to parents upholding a fixed term exclusion.

**Model Letter 8** – From Clerk to Academy Committee to parents upholding a permanent exclusion.

**Model Letter 9** – From the ATT's Governance Department to parents informing them of the meeting of the Independent Appeals Panel.

**Model Letter 10** – From ATT's Governance Department to parents advising them of the decision of the Independent Appeals Panel.

## Model Letter 1

**From the Principal notifying parent of fixed period exclusion of 5 school days or fewer in one term and where a public examination is not missed.**

Dear [Parent's Name],

I am writing to inform you of my decision to exclude [Child's Name] for a fixed period of [specify period]. This means that [he/she] will not be allowed into the academy for this period. The exclusion [begins/began] on [date] and ends on [date].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for this fixed term period due to [reason for exclusion].

You have a duty to ensure that your child is not present in a public place during academy hours during this exclusion on [specify dates of exclusion] unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during academy hours on the above specified dates. If so, it will be for you to show reasonable justification.

We will set work for [Child's Name] to be completed on the above specified days [detail the arrangement for this]. Please ensure that work set by the academy is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the Academy Committee. If you wish to make representations please contact [Name of Contact (Chair of Governors or Clerk)] [on/at] [Contact details (address, phone number, email)], as soon as possible. Whilst the Academy 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 academy record.

Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the academy. Also, please inform [Name of Clerk] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal and/or make a claim, to the First Tier Tribunal. (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>)

**[This paragraph applies to all fixed period exclusions of primary-aged pupils and may be used for fixed period exclusions of up to 5 days of secondary-aged pupils if the Principal chooses to hold a reintegration interview].**

You and [Child or 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 academy by [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 the academy can be managed. Failure to attend a reintegration interview will be a factor taken into account by a Magistrates' Court, if on future application; they consider whether to impose a parenting order on you.

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

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact number] who will be able to provide guidance and advice. You may also contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December – 1 January. Statutory guidance on exclusions can be found on the Department for Education (DfE) website at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Child's Name]'s exclusion expires on [date] and we expect [Child's Name] to return to the academy on [date] and [time].

Yours sincerely,

[Name]  
Principal  
[Academy]

**[Only need to cc is this exclusion would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term].**

Cc [Name] Chair of Governors  
[Name] Clerk to Governors  
[Name] ATT's Governance Department  
[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

## Model Letter 2

### Notification of a fixed period exclusion of more than 5 and up to and including 15 academy days in total in one term and where a public examination is not missed.

Dear [Parent's Name],

I am writing to inform you of my decision to exclude [Child's Name] for a fixed period of [specify period]. This means that [Child's Name] will not be allowed in the academy for this period. The exclusion start date is [date] and the end date is [date]. Your child should return to the academy on [date].

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for this fixed period of [specify period] due to [specify reasons for exclusion].

You have a duty to ensure that your child is not present in a public place during academy hours during the first 5 academy days [or specify dates if exclusion is for fewer than 5 days] of this exclusion, that is on [specify dates]. I must advise you that you may be prosecuted or receive a penalty notice from the Local Authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

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

From the [specify date of the 6th academy day of the pupil's exclusion] until the expiry of his exclusion we [set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter] will provide suitable full-time education. On [date] [Child's Name] should attend at [give name and address of the alternative provider if not the home academy] at [specify the time — this may not be identical to the start time of the home academy] and report to [staff member's Name]. [If applicable — say something about transport arrangements from home to the alternative provider. If not known, say that the arrangements for suitable full time education will be notified by a further letter].

You have the right to request a meeting of the academy's Academy Committee to whom you may make representations, and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 academy days in a term, the Academy Committee must meet if you request it to do so. The latest date by which the Academy Committee must meet, if you request a meeting, is [specify date — no later than the 50th academy day after the date on which the Academy Committee were notified of this exclusion]. If you do wish to make representations to the Academy Committee, and wish to be accompanied by a friend or representative, please contact [Name of Clerk] [on/at] [contact details — address, phone number, email], as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the academy.

Also, please inform [Name of Clerk] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the discipline committee.

You and [Child'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 academy before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to the academy can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You have the right to see and have a copy of, your child's academy record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's academy record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Child's Name]'s exclusion expires on [date] and we expect [Child's Name] to return to the academy on [date] at [time].

Yours sincerely,

[Name]  
Principal  
[Academy]

Cc [Name] Chair of Governors  
[Name] Clerk to Governors  
[Name] ATT's Governance Department  
[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

### Model Letter 3

#### Notification of a fixed period exclusion of more than 15 academy days in total in one term or where the pupil is missing a public examination.

Dear [Parent's Name],

I am writing to inform you of my decision to exclude [Child's Name] for a fixed period of [specify period]. This means that [Child's Name] will not be allowed in the academy for this period. The exclusion [begins/began] on [date] and ends on [date].

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for this fixed period due to [reason for exclusion].

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

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

#### [if the individual exclusion is for more than 5 days]

From the [6th academy day of the pupil's exclusion] [specify date] until the expiry of his exclusion we [set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter] will provide suitable full-time education. [Set out the arrangements if known at the time of writing, e.g.] On [date] [he/she] should attend [give name and address of the alternative provider] at [specify the time — this may not be identical to the start time of the home academy] and report to [staff member's Name]. [If applicable — say something about transport arrangements from home to the alternative provider] [if not known say that the arrangements for suitable full time education will be notified shortly by a further letter]

**Either** As the length of the exclusion is more than 15 academy days in total in one term the Academy Committee must meet to consider the exclusion. **Or** As your child will miss a [public examination or national curriculum test] as a result of this exclusion, the Academy Committee must meet to consider the exclusion. At the review meeting you may make representations to the Academy Committee if you wish. The latest date on which the Academy Committee can meet is [date here — no later than 15 academy days from the date the governing body is notified]. If you wish to make representations to the Academy Committee and wish to be accompanied by a friend or representative please contact [Name of Clerk] [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 Academy Committee of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the academy. Also, please inform [Name of Clerk] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>). Making a claim would not affect your right to make representations to the Academy Committee.

**[mandatory for all exclusions of primary-aged pupils and those of more than 5 days of secondary-aged pupils]**

You and [Child's Name] are invited 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 academy before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to the academy can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

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

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

[Child's Name]'s exclusion expires on [date] and we expect [Child's Name] to return to the academy on [date] at [time].

Yours sincerely,

[Name]  
Principal  
[Academy]

Cc [Name] Chair of Governors  
[Name] Clerk to Governors  
[Name] ATT's Governance Department  
[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

## Model Letter 4

### Notification of a permanent exclusion.

Dear [Parent's Name],

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this academy unless [he/she] is reinstated by the Academy Committee.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded due to [reasons for the exclusion — include any other relevant previous history].

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

Alternative arrangements for [Child's Name]'s education to continue will be made. For the first five academy days of the exclusion, we will set work for [Child's Name] and would ask you to ensure this work is completed and returned promptly to the academy for marking [this may be different if supervised education is being provided earlier than the sixth day]. From the sixth academy day of the exclusion onwards — i.e. from [specify the date] the Local Authority [give the Name of the authority] will provide suitable full-time education. [Set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter].

#### **[Where pupil lives in a local authority other than the excluding academy local authority]**

I have also today informed [Name of Officer] at [Name of Local Authority] of your child's exclusion and they will be in touch with you about arrangements for [his/her] education from the sixth academy day of exclusion. You can contact them at [give contact details].

As this is a permanent exclusion the Academy Committee must meet to consider it. At the review meeting you may make representations to the Academy Committee if you wish and ask them to reinstate your child into the academy. The Academy Committee have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Review Panel. The latest date by which the Academy Committee must meet is [specify the date — the 15th academy day after the date on which the Academy Committee was notified of the exclusion]. If you wish to make representations to the Academy Committee and wish to be accompanied by a friend or representative please contact [Name of Clerk] [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 Academy Committee of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [Name of Clerk] if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Academy Committee.

You have the right to see a copy of [Name of Child]'s academy record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of [Name of Child]'s academy record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion> [where considered relevant by the Principal, links to local services such as Traveller Education Services or the local parent partnership ([www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)) may also be included].

Yours sincerely,

[Name]  
Principal  
[Academy]

Cc [Name] Chair of Governors  
[Name] Clerk to Governors  
[Name] ATT's Governance Department  
[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

## Model Letter 5

**From the Clerk to the Academy Committee to parents informing them of the meeting of the Exclusion Panel.**

Dear [Parent's Name],

The meeting of the Academy Committee Exclusion Panel at [Name of academy] will take place at [time] on [date] at the academy to consider the permanent exclusion of your [son/daughter], [Child's Name].

The panel will consist of three Governors [insert Names]. The Principal, [insert anyone else present], and [insert Name of person clerking the meeting] (the Clerk) will also be present.

You may make representations to the Academy Committee Exclusion Panel if you wish and ask them to reinstate your child into the academy. The Academy Committee Exclusion Panel have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion, in which case you may request a review of the decision by an Independent Review Panel.

Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [Name of Clerk] if it would be helpful for you to have an interpreter present at the meeting.

Please find enclosed the following written evidence and information:

[List enclosures including:

- Agenda
- Policy that has been breached
- Evidence of the breach of policy
- Support provided prior to exclusion]

Please let me know on [contact details] if you will not be attending the meeting.

Yours sincerely,

[Name]

Clerk to Governors

[Academy]

Cc [Name] Panel Member (1)  
[Name] Panel Member (2)  
[Name] Panel Member (3)  
[Name] ATT's Governance Department

**If the LA are attending the meeting then they should be included in the cc list, otherwise please just advise them of the date of the meeting.**

## Model Letter 6

**From the Clerk to the Academy Committee advising parents of the reinstatement of the pupil.**

Dear [Parent's Name],

The meeting of the Academy Committee Exclusion Panel at [Name of academy] on [date] considered the decision by [Name of Principal] to permanently exclude your [son/daughter], [Child's Name]. The Exclusion Panel, after carefully considering the representations made and all the available evidence, has decided to direct re-instatement of [Child's Name] to [Name of academy] on [specify date].

THE REASONS FOR RE-INSTATEMENT are:

You and [Child Name] are requested to attend a reintegration interview with [specify the Name of staff member] at [place] on [date] at [time]. If that is not convenient, please contact the academy by [date within the next ten days] to arrange a suitable alternative date and time.

Yours sincerely,

[Name]

Clerk to the Governing Body  
[Academy]

Cc [Name] Chair of Governors  
[Name] Clerk to Governors  
[Name] ATT's Governance Department  
[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

## Model Letter 7

### From the Clerk to the Academy Committee to parents upholding a fixed term exclusion

Dear [Parent's Name],

The meeting of the Academy Committee Exclusion Panel at [Name of academy] on [date] considered the decision by [Name of Principal] to exclude your [son/daughter], [Child's Name] for [insert number of days] days. The Exclusion Panel, after carefully considering the representations made and all the available evidence, has decided to uphold [Child's Name]'s exclusion.

The reasons for the Panel's decision are as follows: [give the reasons in as much detail as possible, explaining how they were arrived at].

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion> [where considered relevant by the Principal, links to local services such as Traveller Education Services or the local parent partnership ([www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)) may also be included].

Yours sincerely,

[Name]

Clerk to the Governing Body

[Academy]

Cc [Name] Chair of Governors

[Name] Clerk to Governors

[Name] ATT's Governance Department

## Model Letter 8

### From the Clerk to the Academy Committee to parents upholding a permanent exclusion

Dear [Parent's Name],

The meeting of the Academy Committee Exclusion Panel at [Name of academy] on [date] considered the decision by [Name of Principal] to permanently exclude your [son/daughter], [Child's Name]. The Exclusion Panel, after carefully considering the representations made and all the available evidence, has decided to uphold [Child's Name]'s exclusion.

The reasons for the Panel's decision are as follows: [give the reasons in as much detail as possible, explaining how they were arrived at]

You have the right to request a review of this decision. If you wish to do so, please notify Della Shipton, Senior Clerk to Governors of your wish to request a review. You must set out the reasons for your request in writing, and if appropriate may also include how any Special Needs may be considered relevant and reference to any disability discrimination claim you may wish to make. Please send this to **Governance Department, Academy Transformation Trust, Suite 413, Jewellery Business Centre, 95 Spencer Street, Birmingham, B18 6DA** by no later than [specify the latest date — the 15th academy day after receipt of this letter]. If you have not lodged your request for a review by [repeat latest date], you will lose your right to request a review. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform Della Shipton if it would be helpful for you to have an interpreter or Special Educational Needs expert present at the hearing.

Regardless of whether your child has recognised special educational needs, you have a right to require the academy trust to appoint an SEN expert to attend the review at no cost to you. The SEN expert is there to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion. Please indicate on your letter/form whether or not you wish for an SEN expert to be appointed.

The review will be heard by an Independent Review Panel. The Independent Review Panel is not precluded from considering issues of discrimination in reaching its decision. A three-member panel will comprise of one serving, or recently retired (within the last five years), Principal, one serving, or recently serving, experienced Governing Body member and one lay member who will be the Chairman. The review 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 15<sup>th</sup> academy day after the date on which you request a review. In exceptional circumstances panels may adjourn the hearing until a later date.

Following the review, the panel can make one of three decisions: they may uphold your child's exclusion; they may recommend that the Academy Committee's Exclusion Panel reconsiders their decision, or they may quash the decision and direct that the Academy Committee considers the exclusion again.

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24

December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion> [where considered relevant by the Principal, links to local services such as Traveller Education Services or the local parent partnership ([www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)) may also be included].

The arrangements currently being made for [Child's Name]'s education will continue. [specify details here].

Yours sincerely,

[Name]

Clerk to the Governing Body

[Academy]

Cc [Name] Chair of Governors

[Name] Clerk to Governors

[Name] ATT's Governance Department

[Name] [Name of LA] Local Authority

If 'home' LA different [Name] [Name of LA] Local Authority

## Model Letter 9

**From the Academy Transformation Trust Governance Department to parents informing them of the meeting of the Independent Appeals Panel**

Dear [Parent's Name],

Following your request for a review of the exclusion of your [son/daughter], [Child's Name]. An Independent Appeals Panel meeting will take place at [time] on [date] at [location] to consider the permanent exclusion of your [son/daughter], [Child's Name].

The panel will consist of:

[Name] – Chair of the Panel

[Name] – Governor at [Academy]

[Name] – Principal at [Academy]

[Name] will clerk the meeting.

You may make representations to the Independent Appeals Panel. The Independent Appeals Panel has the power to:

- Uphold the decision of the Academy Committee Exclusions Panel
- Recommend the Academy Committee Exclusions Panel to reconsider their decision
- Quash the decision and direct the Academy Committee to consider the exclusion again

Please find enclosed the following written evidence and information:

[List enclosures including:

- Agenda
- Policy that has been breached
- Evidence of the breach of policy
- Support provided prior to exclusion]

Yours sincerely,

[Name]

[Title]

Academy Transformation Trust

Cc [Name] Panel Member (1)

[Name] Panel Member (2)

[Name] Panel Member (3)

[Name] Chair of Governors at [Academy]

[Name] Principal at [Academy]

## Model Letter 10

**From the ATT's Governance Department to parents advising of the decision of the Independent Appeals Panel.**

Dear [Parent's Name],

The meeting of the Independent Appeals Panel considered the decision of the [academy] Academy Committee Exclusions Panel to uphold the permanent exclusion your [son/daughter], [Child's Name]. The Independent Appeals Panel, after carefully considering the representations made and all the available evidence, has decided to [uphold [Child's Name]'s exclusion /recommend the Academy Committee Exclusions Panel reconsiders their decision to uphold the exclusion of [Child's Name]/quash the decision and direct that the Academy Committee considers the exclusion of [Child's Name] again].

The reasons for the Panel's decision are as follows: [give the reasons in as much detail as possible, explaining how they were arrived at]

### **If Academy Committee to consider again**

The Clerk to the Academy Committee of [academy] will be in contact to advise you of arrangements for the meeting of the Academy Committee Exclusions Panel, to consider [reconsider/consider] the exclusion of [son/daughter], [Child's Name].

You may find it useful to contact [Name of LA Rep] at the Local Authority on [contact details] who will be able to provide guidance and advice. You may also wish to contact the Children's Legal Centre who aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com> The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January. Statutory guidance on exclusions can be found on the Department for Education website at: <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion> [where considered relevant by the Principal, links to local services such as Traveller Education Services or the local parent partnership ([www.parentpartnership.org.uk](http://www.parentpartnership.org.uk)) may also be included].

Yours sincerely,

[Name]

[Title]

Academy Transformation Trust

Cc [Name] Panel Member (1)  
[Name] Panel Member (2)  
[Name] Panel Member (3)  
[Name] Chair of Governors at [Academy]  
[Name] Principal at [Academy]

## Appendix 2 – Model Agenda

### Agenda

[Academy]

[Child's Name] – Exclusion Meeting

Date: [date]

Time: [time]

Location: [location of meeting]

Present:			Apologies:	
Name	(xx)	Chair	Parents/pupil	If applicable
Name	(xx)	Governor		
Name	(xx)	Governor		
Name	(xx)	Clerk		
Name	(xx)	Pupil		
Name	(xx)	Parent		
Name	(xx)	Parent		
Name	(xx)	Principal		
Name	(xx)	Representative for x		
Name	(xx)	Witness		
Name	(xx)	Teacher		

Part	Item	Resp
1	Introduction and Meeting Procedure	Chair
2	Exclusion of pupil: <ul style="list-style-type: none"> <li>Summary of events from the academy</li> <li>Questions to the academy by the Panel, parent and/or representative</li> <li>Representations from parents and/or pupil</li> <li>Questions to the parents/pupil by the Panel</li> <li>Summing up from the academy</li> <li>Summing up from parents and/or pupil</li> <li>Withdrawal of the academy Representative; parents and/or pupil and/or representative</li> <li>Consideration of the case by the Panel</li> <li>Return of academy representative/s, parents and/or pupil and/or representative.</li> <li>Decision of the Panel</li> </ul>	Chair
3	Close	

	Supporting documentation provided with agenda
1	
2	
3	
4	
5	