

Fixed Term Exclusions

This means that your child has been excluded for a specific period and he or she will not be able to return to attend school during the time of the exclusion.

The length of fixed term exclusion can last anything from half a day to 45 days in an academic year. Fixed term exclusion must not exceed 45 days in one school year.

Any days served of a fixed term exclusion by the pupil in **any** school or pupil referral unit **during the same school year** will count towards the total.

Fixed term exclusions should not be for an unspecified period. You have the right to know the date and time of when your child should return to school.

You should receive a letter from the school explaining the reason for the exclusion, how long it is for, when they should return to school and your right to appeal against the decision.

Only the head teacher of the school can exclude a pupil from school. If the head teacher is out of school then the decision should be that of the deputy head.

For the first five days of exclusion, you are legally responsible for the whereabouts of your child. **If your child is found in a public place during school hours, you would be liable for a £50 penalty notice.**

You could designate a responsible adult, for example, an auntie, to fulfil this duty.

My child's education whilst they are out of school

The school should take reasonable steps to set your child work and mark it during the first five days of the exclusion.

Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour.

From the sixth day of the exclusion the school must provide suitable education. This is for each individual fixed term exclusion of over five days.

What you can do as a parent or carer

Check with the school that your child has broken the school's behaviour and discipline policy.

You also have the right to ask to see:

- The school's special educational needs policy
- The school's equal opportunities policy
- Your child's school record
- Your child's statement or education, health and care plan
- Any witness statements relating to the incident leading to the exclusion

You will need to send a letter to the school requesting these documents.

If you disagree with the school's decision to exclude your child you have the right to state your case, in person, to the governors of the school.

It is best to state your right to appeal in writing to the school.

What you should do while your child is out of school

It's a good idea to keep your own record of the length of the exclusion and for how long.

Most importantly talk to your child about the exclusion, they may feel worried, confused and scared.

Try and talk about what problems may have led to the exclusion and what your child might need from the school to help them with future problems.

Talk to your child about how he or she could help to prevent further exclusions.

Lunchtime exclusions

This means that your child is excluded at lunchtimes and is excluded from the school premises for the duration of the lunchtime period.

Lunchtime exclusion is the same as a fixed term exclusion and is an equivalent to half a school day and should be treated as this by the school.

'Informal' or 'unofficial' exclusions, such as sending pupils home 'to cool off' are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a pupil, even for short periods of time, must be formally recorded.

You should receive a letter from school explaining why your child has been excluded at lunchtime, how long this will be for and when your child should return to school full time.

A record of the amount of lunchtime exclusion your child has should be logged and not exceed 45 days in one school year.

Parents and carers have the rights to the same information as fixed term exclusion and can appeal against the decision and make representations.

Lunchtime exclusion for an indefinite period is illegal.

Arrangements should be made for children who receive free school meals, which may mean, the school providing a packed lunch that particular day.

Children with special educational needs

Schools should avoid excluding a child with special educational needs apart from in exceptional circumstances.

Your child's school should try every practical way to support your child and keep them in school.

You or your child's school can considering requesting an education, health and care plan (EHCP).

If your child has a statement or an EHCP the school should liaise with the local authority about a review meeting.

Contact **Telford and Wrekin SENDIASS** for information, advice and support:

Phone: 01952 457176

Email: [**info@iass.org.uk**](mailto:info@iass.org.uk)