

Permanent Exclusions

A permanent exclusion is very serious and could result in your child not being allowed to return to school and alternative education would need to be found.

There are strict procedures that the school and local authority (LA) have to follow which makes sure that the process is fair and in line with the Government guidance.

The head teacher must notify parents, parent or carer, the governing body and the local authority without delay.

For the first five days of the 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.

The school should take reasonable steps to set your child work and mark it during the first five days of the exclusion. However, you need to arrange to collect and return the work.

From the sixth day of the exclusion the local authority must provide full time education.

The governing body have to meet within 15 school days to discuss a permanent exclusion, which you are allowed to attend.

What you can do

You have a right to put your concerns about your child's exclusion from school, in person. You should write to the school explaining that you want to make representation to the governors and for important information about your child and the school's policies.

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 behaviour and discipline policy
- 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

Go through the copy of the head teacher's report to the governors with your child.

Governors' disciplinary committee meeting

The school governors, head teacher and you as parents, parent or carer will meet at a governors' disciplinary committee meeting. You have the right to attend and should be invited by the school. You can take somebody with you for support.

The governors are the only people who can make a decision on whether to uphold (confirm) the decision to exclude your child, which means your child, will not be allowed back into the school before the governors' hearing.

Governors can overturn the head teacher's exclusion, which means your child will be able to return to the school.

You may be told at the meeting or receive in writing within one day what decision has been made.

If the decision is made to uphold the exclusion then the local authority will be in touch with you and a meeting will be held to discuss the options for your child's education.

If you do not agree with the governors' decision, you can request the local authority or academy trust arrange an **Independent Review Panel**. You have within 15 school days to decide if you want to do this.

The independent review panel can make one of three decisions;

- To **uphold** your child's permanent exclusion
- To **recommend** that the governing body reconsiders their decision
- To quash the decision and direct the governing body to **reconsider** the exclusion

An independent review panel **does not** have the power to direct a governing body to reinstate an excluded pupil.

Parents, parent or carer have the right to request a 'SEN Expert' at the independent review panel.

Parents, parent or carer of children with disabilities can appeal the decision at SEND tribunal which can direct reinstatement.

What you should do while your child is out of school

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

Try and explain to your child what is happening and what the process of a permanent exclusion is. This may prepare your child for when they return to school or move to a new school.

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.

Exceptional circumstances

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

If your child already has a statement/EHCP the school should liaise with the local authority about an interim annual review of your child's statement/EHCP early.

This means that the school will review your child's statement/EHCP and consider possible changes to support your child more effectively.

The head teacher should use the time between the permanent exclusion and the governors' meeting to work with the local authority to discuss whether more support can be made available.

They can also consider whether the statement can be changed to name a new school.

If it is decided that this is possible for your child, the head teacher should withdraw the exclusion.

Permanent exclusions that are upheld

After a permanent exclusion has been upheld by the governors it is the local authority's responsibility to provide your child with education.

This should be from the sixth school day after receiving notification of the permanent exclusion.

The Reintegration Officer will work with you when your child is permanently excluded. The Reintegration Officer, will come to visit you and discuss with

you and your child the options for their education. This may be in the form of alternative education provision, while looking for another school.

If your child is in Year 10/11 (GCSE years) they will still have the opportunity to carry on with their maths, English and science GCSEs.

If your child has special educational needs (SEN) and was undergoing a statutory assessment, this team will continue to gather the evidence for this.

The local authority will name another educational placement on your child's statement.

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

Phone: 01952 457176

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