

# MERE SCHOOL

## Policy on the use of Exclusion

We have a duty, at Mere School, to ensure the good order and discipline among pupils and to safeguard their health and welfare when they are authorised to be on the school premises and when they are engaged in authorised activities elsewhere. The school has a Positive Behaviour and Discipline Policy that clearly states the way in which the exclusion sanction will be applied.

Exclusion will often be the end of a disciplinary process preceded by other sanctions and efforts to modify behaviour. Occasionally the behaviour of a pupil will be such that exclusion will be an immediate response. The Head Teacher also reserves the right to exclude where the health, safety, welfare or education of others is threatened.

### **The Use of exclusion**

**Headteachers, governors, LEA's and exclusion appeal panels must by law have regard DfES guidance in when deciding:**

- whether to exclude a pupil (for fixed term or permanently);
- the length of the exclusion; and where applicable
- whether to direct the headteacher to reinstate the pupil.

This document sets out the procedures which must be followed when exclusion takes place.

A decision to exclude a pupil should be taken only:

- in response to serious breaches of the schools discipline policy; and
- if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others at the school.

Only the headteacher can exclude a pupil. Before excluding a child, in most cases a range of alternative strategies should be tried. This is not meant to prevent immediate action to protect pupils and staff, including fixed period exclusion. A permanent exclusion can be given for a first offence, for example involving violence, but only when the head teacher has had further opportunity (not in the 'heat of the moment' to consider the incident in question.

The school must maintain discipline and good conduct to secure an orderly learning environment so that teaching and learning can take place. We will therefore need to adopt a range of strategies, including exclusion, to ensure that we are providing a sound learning environment for all pupils.

Before reaching a decision, the head teacher should:

- consider all the relevant facts and firm evidence to support the allegations made, and take into account our policy on equal opportunities. If there is any doubt that the pupil actually did what is alleged, the head teacher should not exclude the pupil;
- allow the pupil to give their version of events;
- check whether an incident appeared to be provoked by racial or sexual harassment;
- if necessary consult others, being careful not to involve anyone who may later take part in the statutory review of their decision.

## When exclusion is not appropriate

Exclusion should not be used for:

- minor incidents;
- poor academic performance;
- lateness or truancy;
- breaching school uniform policy;
- punishing the pupils for the behaviour of the parents.

## Length of fixed period exclusions

The law allows head teachers to exclude a pupil for up to 45 days in a school year. However, 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 re-integrate into the school. In all cases of more than a day's exclusions, work should be set and marked.

## Permanent exclusion

A decision to exclude a child permanently is a serious one. It is the final step in the process for dealing with disciplinary offences when a wide range of other strategies have been tried and have failed, including the use of a Pastoral Support Programme (see LEA Guidance). It is also an acknowledgement by the school that it can no longer cope with the child. It is not expected that the head teacher will normally permanently exclude a pupil for a 'one-off' of first offence.

If excluding a pupil for a single block of more than 15 school days in a term, the head teacher must plan:

- to enable the pupil to continue their education;
- how to use the time to address the pupil's problems; and
- with the LEA, what educational arrangements will best help the pupil to reintegrate into the school at the end of the exclusion.

## Drugs-related exclusion

In many cases exclusion will be the appropriate course. It is for the school to decide whether or not to exclude permanently for all incidents connected with drug misuse.

## Pupils with special educational needs

Other than in the most exceptional circumstances, we should avoid permanently excluding pupils with statements.

Further information is available from the LEA and their guidance on file

## **PROCEDURES**

### **Fixed Period Exclusion 1 - 5 Days**

The School will inform parents the same day by phone and send a 1<sup>st</sup> class letter. The letter to contain the reasons for exclusion, type of exclusion, arrangements for work to be set and marked and the right to see the child's record, the period of exclusion if fixed and the date and time of return. The period of time allowed for the parents to make a statement. Who the parents can contact for advice. Page 51 and 52 of 10/99.

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#### **Governors need to have a disciplinary committee meeting:**

- 1 If external exams are involved, in which case governors should do their best to meet prior to the external exam, otherwise the chairman of the governors can make a decision, if time is short.
  - 2 If parents want to make representation to the discipline committee.
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#### **Governors discipline committee meeting**

Takes note of the head's reason for exclusion; listen to the parents and child if appropriate.

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#### **Option available to the discipline committee**

The child can come in to take external exams if the governors agree.

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Schools are to send a copy of the parent's letter the same day, direct to the exclusion officer Peter Shire, Education Welfare Service, County Hall.

The exclusion officer to inform: EWO, SEN, Social Services (if LAC) Behaviour Unit, PRU's and Educational Psychologist as appropriate. The data will be entered onto the database and issued fortnightly, monthly, termly, yearly and ad hoc reports as required.

*Model letter 1 – from Head Teacher notifying parent of a 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 **(Period)**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **(date)** and ends on **(date)**.

I realize 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 because **(Reason for Exclusion)**.

You have the right to make representations to the governing body. If you wish to make representations please contact **(Name of Contact)** on/at **(Contact Details – Address, Phone Number, e.mail)**, as soon as possible.

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 SEN and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 7<sup>th</sup> Floor, Windsor House, 50 Victoria Street, London, SW1H 0NW.

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

The school will set work for **(Name of Child)** during the period of his/her exclusion (**detail arrangements for this**). Please ensure that work set by the school is completed and returned to us promptly for marking.

You may wish to contact Rosemary Robinson, Education Welfare Officer at LET (Salisbury District), Children and Families Branch, Wilton Middle School, The Hollows, Wilton, Wiltshire, SP2 0JE; 01722 743907, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at <http://www.ace-ed.org.uk/>.

**(Name of Child)**'s exclusion expires on **(Date)** and we expect **(Name of Child)** to be back in school on **(Date)** at **(Time)**. I am sure it would be helpful for us to meet to discuss **(Name of Child)**'s return to school before they are due back. Please could you contact me to arrange a convenient time and date.

Yours sincerely

Catriona Williamson  
Head Teacher

## **Fixed Period Exclusion totaling 6 - 15 Days**

The School will inform parents the same day by phone and send a 1<sup>st</sup> class letter. The letter to contain the reasons for exclusion type of exclusion, arrangements for work to be set and marked and the right to see the child's record, the period of exclusion if fixed and the date and time of return. The period of time allowed for the parents to make a statement and the time scale of the discipline committee. Who the parents can obtain advice from and their rights to see their child's school records. Pages 51 and 52 in 10/99 document.

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Governors need to hold a disciplinary committee meeting or alternatively at normal governors meeting, within 6 to 50 school days, unless external exams are involved, in which case governors should do their best to meet prior to the external exam.

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### **Governors discipline committee meeting**

Takes note of the head's reason for exclusion; listen to the parents and child if appropriate. Consider if the child did what is alleged.

Consider whether the school has tried sufficient approaches to improve the pupil's behaviour.

If there is any doubt then the gdcn should reinstate the child.

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### **Options available to the discipline committee**

- a reinstate prior to the end of the fixed period, if the governors agree for external exams to be taken;
  - b reinstates;
  - c agrees with heads decision.
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### **No conditions can be attached to reinstatement**

The chair of gdcn to speak to the parents and a letter to be written and posted to parents that day.

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Schools are to send a copy of the parent's letter the same day, direct to the exclusion officer Peter Shire, Education Welfare Service, County Hall.

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The exclusion officer to inform: EWO, SEN, Social Services (if LAC), Behaviour unit, PRU's and educational Psychologist as appropriate. The data to be entered onto the database and issued fortnightly, monthly, termly, yearly and ad hoc reports as required.

***Model letter 2 – from Head Teacher notifying parent of a fixed period exclusion of more than 5 and up to and including 15 school days in total in one term, or where a public examination would be missed.***

Dear **(Parent's Name)**

I am writing to inform you of my decision to exclude **(Child's Name)** for a fixed period of **(Period)**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **(date)** and ends on **(date)**.

I realize 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 because **(Reason for Exclusion)**.

You have the right to request a meeting of the governing body at which you may make representations and the decision to exclude can be reviewed. As the length of the exclusion is more than 5 school days in one term the governing body must meet if you request it to do so. The latest date by which the governing body can meet is **(Insert date – no later than 50 school days from the date the governing body is notified)**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact **(Mrs Nicky Whitmore, Clerk to Governors at Mere School, Springfield Road, Mere, Wiltshire, BA12 6EW, 01747 860515)**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **(Mrs Nicky Whitmore)** 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 SEN and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 7<sup>th</sup> Floor, Windsor House, 50 Victoria Street, London, SW1H 0NW.

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

The school will set work for **(Name of Child)** during the period of his/her exclusion **(detail arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You may wish to contact Rosemary Robinson, Education Welfare Officer at LET (Salisbury District), Children and Families Branch, Wilton Middle School, The Hollows, Wilton, Wiltshire, SP2 0JE; 01722 743907, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at <http://www.ace-ed.org.uk/>.

**(Name of Child)**'s exclusion expires on **(Date)** and we expect **(Name of Child)** to be back in school on **(Date)** at **(Time)**. I am sure it would be helpful for us to meet to discuss **(Name of Child)**'s return to school before they are due back. Please could you contact me to arrange a convenient time and date.

Yours sincerely  
Catriona Williamson  
Head Teacher

## **Fixed Exclusion totaling 16 - 45 Days**

The school will inform parents the same day by phone and send a 1<sup>st</sup> class letter. The letter to contain the reasons for exclusion type of exclusion, arrangements for work to be set and marked and the right to see the child's record, the period of exclusion if fixed and the date and time of return.

The period of time allowed for the parents to make a statement and the time scale of the discipline committee. Who the parents can obtain advice from and their rights to see their child's school records. Pages 51 and 52 in 10/99 document.

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Governors need to have a disciplinary committee meeting within 6 to 15 days, unless external exams are involved, in which case governors should do their best to meet prior to the external exam.

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### **Governors discipline committee meeting**

Takes note of the head's reason for exclusion; listen to the parents and child if appropriate. Consider if the child did what is alleged..

Consider whether the school has tried sufficient approaches to improve the pupil's behaviour.

If there is any doubt then the gdcM should reinstate the child.

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### **Options available to the discipline committee**

- a reinstate prior to the fixed period, if the governors agree for external exams to be taken;
- b reinstates;
- c agrees with heads decision.

### **No conditions can be attached to reinstatement**

The chair of gdcM to speak to the parents and a letter to be written and posted to parents that day.

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The school will send a copy of the parent's letter the same day, direct to the exclusion officer Peter Shire, Education Welfare Service, county Hall.

The exclusion officer to inform: EWO, SEN, Social Services if LAC, Behaviour Unit, PRU's and Educational Psychologist as appropriate. The data to be entered onto the database and issued fortnightly, monthly, termly, yearly and ad hoc reports as required.

***Model letter 3 – from Head Teacher notifying parent of fixed period exclusion of more than 15 school days in total in one term***

Dear **(Parent's name)**

I am writing to inform you of my decision to exclude **(Child's Name)** for a fixed period of **(Period)**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **(date)** and ends on **(date)**.

I realize 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 because **(Reason for Exclusion)**.

As the length of the exclusion is more than 15 school days in total in one term the governing body must meet to consider the exclusion. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is **(Date here – no later than 15 school days from the date the governing body is notified)**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact Mrs Nicky Whitmore, Clerk to the Governors – Mere School, Springfield Road, Mere, Wiltshire, BA12 6EW; 01747 869515, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body 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 a meeting at the school. Also, please inform Mrs Whitmore 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 SEN and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, 7<sup>th</sup> Floor, Windsor House, 50 Victoria Street, London, SW1H 0NW.

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

The school will set work for **(Name of Child)** during the period of his/her exclusion **(detail arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You may wish to contact Rosemary Robinson, Education Welfare Officer at LET (Salisbury District), Children and Families Branch, Wilton Middle School, The Hollows, Wilton, Wiltshire, SP2 0JE; 01722 743907, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at <http://www.ace-ed.org.uk/>.

**(Name of Child)**'s exclusion expires on **(Date)** and we expect **(Name of Child)** to be back in school on **(Date)** at **(Time)**. I am sure it would be helpful for us to meet to discuss **(Name of Child)**'s return to school before they are due back. Please could you contact me to arrange a convenient time and date.

Yours sincerely  
Catriona Williamson  
Head Teacher

## **Permanent Exclusion**

The school will inform parents the same day by phone and send a 1<sup>st</sup> class letter. The letter to contain the reasons for exclusion, type of exclusion, arrangements for work to be set and marked and the right to see the child's record and what the school has done to help the child. The period of time allowed for the parents to make a statement and the time scale of the discipline committee. Who the parents can obtain from and the date of the exclusion.

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The governors are required to invite the Local Education Authority to the exclusion hearing. All paperwork should be sent to the Local Education Authority in advance in order that the Local Education Authority can give their view on the appropriateness of the exclusion.

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Governors need to have a disciplinary committee meeting within 6 to 15 days, unless external exams are involved, in which case governors should do their best to meet prior to the external exam.

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### **Governors discipline committee meeting**

Takes note of the head's reason for exclusion; listen to the parents and child if appropriate. Consider if the child did what is alleged.

Consider whether the school has tried sufficient approaches to improve the pupil's behaviour.

Check that all the correct procedures and strategies, including Pastoral Support Programme have been implemented and failed.

If there is any doubt then the gdcM should reinstate the child.

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### **Options available to the discipline committee**

- a      reinstate;
- b      agrees with head's decision.

### **No conditions can be attached to reinstatement**

The chair of gdcM to speak to the parents and a letter to be written and posted to parents that day.

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Parents can lodge an appeal within 15 schooldays of receiving notification after the discipline committee meeting. The appeal panel is to meet within 15 school days of receiving the lodged appeal from the parent.

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Schools are to complete the exclusion form B with a copy of the parent's letter, send them the same day, direct to the exclusion officer Peter Shire, Education Welfare Service, County Hall.

Exclusion officer to inform: EWO, SEN Social Services (if LAC), Educational Psychologist, Behaviour Unit and PRU's as appropriate. Exclusion officer to enter the data onto the database and issue fortnightly, monthly, termly, yearly and ad hoc reports as required.

*Model letter 4 – from Head Teacher notifying parent of a permanent exclusion*

Dear **(Parent's Name)**

I regret to inform you of my decision to exclude **(Child's Name)** permanently from **(Date)**. This means that **(Child's Name)** will not be allowed back to this school pending a meeting of the Governing body. Alternative arrangements for **(Child's Name)**'s education will need to be made. In the first instance we will set work for **(Child's Name)** and would ask you to ensure this work is completed and returned promptly to school for marking.

I realize 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 permanently because **(Reason for Exclusion – also include any other relevant previous history here)**.

As this is a permanent exclusion the governing body will meet to consider it. At the review meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is **(Date here – no later than 15 school days from the date the governing body is notified)**. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact Mrs Nicky Whitmore, Clerk to the Governors – Mere School, Springfield Road, Mere, Wiltshire, BA12 6EW; 01747 869515, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body 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 a meeting at the school. Also, please inform Mrs Whitmore if it would be helpful for you to have an interpreter present at the meeting.

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

Alternative education other than setting work will be provided for **(Name of Child)** if the exclusion continues beyond 15 school days. A **(School's Maintaining LEA)** LEA representative will contact you to discuss this.

You may wish to contact Rosemary Robinson, Education Welfare Officer at LET (Salisbury District), Children and Families Branch, Wilton Middle School, The Hollows, Wilton, Wiltshire, SP2 0JE; 01722 743907, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at <http://www.ace-ed.org.uk/>.

**(Name of Child)**'s exclusion expires on **(Date)** and we expect **(Name of Child)** to be back in school on **(Date)** at **(Time)**. I am sure it would be helpful for us to meet to discuss **(Name of Child)**'s return to school before they are due back. Please could you contact me to arrange a convenient time and date.

Yours sincerely

Catriona Williamson  
Head Teacher

**Model letter 5 – from Clerk to the Governing Body to the parent of a permanently excluded pupil upholding a permanent exclusion**

Dear **(Parent's Name)**

The meeting of the governing body at Mere School on **(Date)** considered the decision by Mrs Williamson to permanently exclude your son/daughter **(Name of Pupil)**. The governing body, after carefully considering the representations made and all the available evidence, have decided to uphold **(Name of Pupil)**'s exclusion.

The reasons for the governing body'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 appeal against this decision. Peter Shire will be writing to you in the next few days advising you of the procedure and the period of time you have to indicate if you wish to appeal or not.

I would advise you of the following sources of advice. You may wish to contact Rosemary Robinson, Education Welfare Officer at LET (Salisbury District), Children and Families Branch, Wilton Middle School, The Hollows, Wilton, Wiltshire, SP2 0JE; 01722 743907, who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at <http://www.ace-ed.org.uk/>.

The arrangements currently being made for **(Pupil's Name)**'s education will continue for the time being. However, new arrangements to provide full-time education for **(Pupil's Name)** are being made and Peter Shire will liaise with you shortly about these new arrangements. If you have any questions about this please contact Peter Shire.

Yours sincerely

Nicky Whitmore  
Clerk to Governors

Education Welfare Service

**Fixed Period or Permanent Exclusions**

**All schools must complete this form for all Fixed Period or Permanent Exclusions and return to Peter Shire, Educational Welfare Services, County Hall with a copy of the letter sent to the parents, on the same day as the Exclusion.**

Name of School ..... School Code .....

Child's surname ..... Year Group .....

Child's first names ..... Sex ..... D.O.B. ....

Name of Parent/Guardian .....

Child's Address ..... Home Phone Number .....

..... Work .....

Ethnic group ..... Code of Practice Stage .....

Traveller Child Yes/No    Looked After Child Yes/No    Exclusion Code .....

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Is this a Fixed Period Exclusion?    Yes/No    If Yes, how many days? .....

Date of offence ..... Date of proposed return to school .....

Days excluded, inclusive from .....to .....

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Is this a Permanent exclusion? Yes/No    Date of offence .....

Date exclusion starts ..... Other agencies involved?

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Has the child received previous Fixed Period Exclusions this academic year?    Yes/No .....

If so when, and number of days?

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Signed by Head Teacher ..... Date .....

## PERMANENT EXCLUSION

- ◇ If the Discipline Committee decides to direct re-instatement consideration should be given to short-term support in discussion with the EWO.
- ◇ If the committee confirms a headteacher’s decision to exclude, it should be satisfied that there are satisfactory arrangements for the pupil to continue his or her education while away from school.
- ◇ The Discipline committee should notify the parent and EWS at County Hall of their decision within one school day of the hearing, giving the reasons.
- ◇ The parents have fifteen school days to give notice of appeal.

School	.....
Name of Child	.....
Date and time of meeting	.....
Details of those present;	
Chairman of meeting	.....
Governors	.....
	.....
Clerk	.....
School representatives	.....
Parent / Guardian	.....
Pupil	.....
Others	.....
Discipline Committee’s Decision;	Reinstated or Permanently Excluded
Date for reinstatement .....	or Reason for permanent exclusion

Please return this form to Peter Shire, EWS, County Hall with a copy of the letter to the parents.

Signature of Chair of Meeting: ..... Date: .....

Permanent Exclusion Form B.