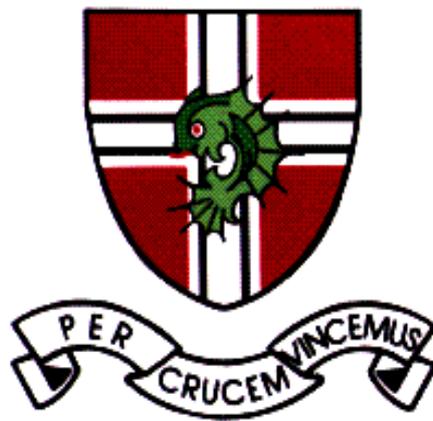


St John Fisher Catholic Voluntary Academy



Exclusion Policy

Approved: November 2017
Review Date: November 2018

CONTENTS

- 1. Philosophy**
- 2. Statutory Guidance**
- 3. The Headteacher's Power to Exclude**
- 4. Informing Parents about an Exclusion**
- 5. Arranging Education for Excluded Pupils**
- 6. The Consideration of an Exclusion by the Governing Body**
- 7. Management of Exclusions**

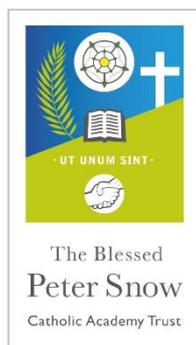
Annex A (From DFE Guidance September 2017)

A Summary of the Governing Body's duties to review the Headteacher's exclusion decision

Annex C (From DFE Guidance September 2017)

A Guide for Parents/Carers

The Blessed Peter Snow Catholic Academy Trust



The Catholic Voluntary Academies which form the Blessed Peter Snow Catholic Academy Trust are distinctive as we provide grounding in the Catholic Faith for all our children. The special character of our Catholic academies is the quality of the religious teaching, integrated into the overall education of our children. Our beliefs, which are Gospel centred, affect the way we live, making our academies living examples of Christ and His teachings.

"Education is not and must never be considered as purely utilitarian. It is about forming the human person, equipping him or her to live life to the full – in short it is about imparting wisdom. And true wisdom is inseparable from knowledge of the Creator." (Pope Benedict XVI, Address to Teachers and Religious, Twickenham, September 2010).

Our Academies therefore operate and are informed by the following four key principles of Christian formation:

- **Places of Discipleship**
- **Places where Communities are created**
- **Places of Learning**
- **Places where we treasure God's World**

In light of the above principles, the Trust aims to:

- ensure secure, welcoming and engaging environments in which all individuals learn to value and respect both themselves and others
- provide all individuals with the opportunities to achieve excellence, to develop their full potential as human beings and to encourage and challenge them to do so
- uphold the unshakable belief in the unique potential of each child, student and member of staff
- provide a curriculum that initiates students into the knowledge, values, attitudes and skills they need to become mature Christian adults in their personal, social, family and working lives.

St John Fisher Catholic Voluntary Academy Mission Statement

Following the example of our patron, St John Fisher, priest and scholar, we aim to love one another throughout our life at school, to learn and develop our full potential in the image of Christ.

Exclusion Policy

1.0 Philosophy

Using our mission statement as the basis for our thinking we attempt to include all the students in our community all the time. It is with sadness that we accept that the behaviour of some students falls so seriously below our expectations that it may merit a fixed term exclusion or in some extreme cases a permanent exclusion. The Academy will always endeavour to use every alternative strategy possible, for example the Pupil Referral Unit (PRU) in Key Stage 3, and alternative provision in Key Stage 4, before a permanent exclusion. After an exclusion, our Behaviour support Unit may be used to attempt to create a successful reintegration programme that will minimise a recurrence of the behaviour that was the cause of the action. At all times we will be conscious of students with SEN and those most vulnerable.

2.0 Statutory Guidance

This policy has been drawn up in accordance with "Exclusion from Maintained Schools, Academies and Pupil Referral Units in England" September 2017. The document provides statutory guidance for those with legal responsibilities in relation to exclusion.

3.0 The head teacher's power to exclude

Only the headteacher or in their absence, a Deputy Headteacher of a school can exclude a pupil and this must be on disciplinary grounds.

A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed-period exclusion does not have to be for a continuous period.

A fixed-period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period. The legal requirements relating to exclusion, such as the head teacher's duty to notify parents, apply in all cases. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

The law does not allow for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a fixed-period exclusion may in effect be 'extended' by issuing a further fixed-period exclusion to begin immediately after the

first period ends; or 'converted' by issuing a permanent exclusion to begin immediately after the end of the fixed-period.

The behaviour of a pupil outside school can be considered grounds for an exclusion.

The head teacher may withdraw an exclusion that has not been reviewed by the governing body.

The head teacher must take account of their legal duty of care when sending a pupil home following an exclusion.

When establishing the facts in relation to an exclusion decision the head teacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the head teacher should accept that something happened if it is more likely that it happened than that it did not happen.

Under the Equality Act 2010 (the Equality Act), schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.

The head teacher and governing body must comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEN Code of Practice.

A pupil can also transfer to another school as part of a 'managed move' where this occurs with the consent of the parties involved, including the parents and the admission authority of the school. However, the threat of exclusion must never be used to influence parents to remove their child from the school.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEN or disability that a pupil may have. The head teacher should also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified special educational needs but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.

Where a pupil has received multiple exclusions or is approaching the legal limit of 45 school days of fixed-period exclusion in an academic year, the head teacher should consider whether exclusion is providing an effective sanction.

The exclusion rates for certain groups of pupils are consistently higher than average. This includes: pupils with SEN; pupils eligible for free school meals; looked after children⁸; and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy/Roma; Travellers of Irish Heritage; and Caribbean pupils.

As well as having disproportionately high rates of exclusion, there are certain groups of pupils with additional needs who are particularly vulnerable to the impacts of exclusion. This includes pupils with EHC plans and looked after children. The head teacher should, as far as possible, avoid permanently excluding any pupil with an EHC plan or a looked after child.

Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs. In relation to looked after children, schools should co-operate proactively with foster carers or children's home workers, the local authority that looks after the child and the local authority's virtual school head.

Where a school has concerns about the behaviour, or risk of exclusion, of a child with additional needs, a pupil with an EHC plan or a looked after child, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN. Where a pupil has an EHC plan, schools should consider requesting an early annual review or interim/emergency review.

4.0 Informing Parties about an Exclusion

Whenever a head teacher excludes a pupil they must, without delay, notify parents of the period of the exclusion and the reason(s) for it.

They must also, without delay, provide parents with the following information in writing:

- the reason(s) for the exclusion;
- the period of a fixed-period exclusion or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the exclusion to the governing body (in line with the requirements set out in paragraphs 52 to 60) and how the pupil may be involved in this;
- how any representations should be made; and
- where there is a legal requirement for the governing body to consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

Where an excluded pupil is of compulsory school age the head teacher must also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours. These days would be the first five school days of an exclusion (or until the start date of any alternative provision or the end of the exclusion where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted. The head teacher must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session.

If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the exclusion;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place; and
- any information required by the pupil to identify the person they should report to on the first day.

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

If a child is excluded for a further fixed period following their original exclusion, or is subsequently permanently excluded, the head teacher must inform parents without delay and issue a new exclusion notice to parents.

For notifications effective methods for providing the information may include email or text message, giving the notice directly to the parents, or sending the information home with the excluded pupil. Where information is sent home with the pupil, the head teacher should consider sending a duplicate copy by an alternative method or confirming that the information has been received.

When notifying parents about an exclusion, the head teacher should draw attention to relevant sources of free and impartial information. This information should include:

- a link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>);
- a link to sources of impartial advice for parents such as the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time); and
- where considered relevant by the head teacher, links to local services, such as Traveller Education Services or the Information Advice & Support Services Network (formerly known as the local parent partnership - <http://www.iassnetwork.org.uk/>). (<https://councilfordisabledchildren.org.uk/informative-advice-and-support-services-network/about>), the National Autistic society (NAS) School Exclusion Service (England) (0800 800 4002) or schoolexclusion@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The head teacher should ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English consideration should be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and their right to make representations to the governing body have been understood.

The head teacher must, without delay, notify the governing body and the local authority of:

- any permanent exclusion (including where a fixed-period exclusion is followed by a decision to permanently exclude the pupil);
- any exclusion which would result in the pupil being excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any exclusion which would result in the pupil missing a public examination or national curriculum test.

In addition, within 14 days of a request, a governing body must provide to the Secretary of State and (in the case of maintained schools and PRUs) the local authority, information about any exclusions within the last 12 months.

For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the head teacher must also notify the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

5.0 Arranging Education for Excluded Pupils

For a fixed-period exclusion of more than five school days, the governing body (or local authority in relation to a pupil excluded from a pupil referral unit) must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth school day of the exclusion. Where a child receives consecutive fixed-period exclusions, these are regarded as a cumulative period of exclusion for the purposes of this duty. This means that if a child has more than five consecutive school days of exclusion, then education must be arranged for the sixth school day of exclusion, regardless of whether this is as a result of one fixed-period or more than one fixed-period exclusion.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth school day of the exclusion¹⁶. This will be the pupil's 'home authority' in cases where the school is maintained by (or located within) a different local authority.

In addition, where a pupil has an EHC plan, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement¹⁷.

The local authority must have regard to the relevant statutory guidance when carrying out its duties in relation to the education of looked after children.

Provision does not have to be arranged by either the school or the local authority for a pupil in the final year of compulsory education who does not have any further public examinations to sit.

It is important for schools to help minimise the disruption that exclusion can cause to an excluded pupil's education. Whilst the statutory duty on governing bodies or local authorities is to provide full-time education from the sixth day of an exclusion, there is an obvious benefit in starting this provision as soon as possible. In particular,

in the case of a looked after child, the school and the local authority should work together to arrange alternative provision from the first day following the exclusion.

Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of an exclusion, the school should take reasonable steps to set and mark work for the pupil. Work that is provided should be accessible and achievable by the pupil outside school.

6.0 The Consideration of an Exclusion by the Academy Council

The Academy Council has a duty to consider parents' representations about an exclusion. The requirements on an academy council to consider an exclusion depend upon a number of factors (these requirements are illustrated by the diagram in Annex A of this guidance).

In the case of an academy, the academy council may delegate to a smaller sub-committee if the Trust's article of association allow them to do so.

The governing body must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent;
- it is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- it would result in a pupil missing a public examination or national curriculum test.

The requirements are different for fixed-period exclusions, where a pupil would be excluded for more than five but less than 15 school days in the term. In this case, if the parents make representations, the governing body must consider within 50 school days of receiving the notice of exclusion whether the excluded pupil should be reinstated. In the absence of any representations from the parents, the governing body is not required to meet and cannot direct the reinstatement of the pupil.

Where an exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a governing body. It must, so far as is reasonably practicable, consider the exclusion before the date of the examination or test. If it is not practicable for a sufficient number of governors to consider the decision before the examination or test, the chair of governors, in the case of a maintained school may consider the exclusion alone and decide whether or not to reinstate the pupil

In the case of an academy the exclusion may be considered by a smaller sub-committee if the trusts article of association allow them to do so. In such cases, parents still have the right to make representations to the governing body and must be made aware of this right.

The following parties must be invited to a meeting of the governing body and allowed to make representations:

- parents (and, where requested, a representative or friend);

- the head teacher

The governing body must make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limits set out above. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

In the case of a fixed-period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the governing body must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Where the governing body is legally required to consider the reinstatement of an excluded pupil they should:

- not discuss the exclusion with any party outside the meeting;
- ask for any written evidence in advance of the meeting (including witness statements and other relevant information held by the school such as those relating to a pupil's SEN);
- where possible, circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting;
- allow parents and the pupil to be accompanied by a friend or representative (where a pupil under 18 is to be invited as a witness, the governing body should first seek parental consent and invite the parents to accompany their child to the meeting);
- comply with their duty to make reasonable adjustments for people who use the school and consider what reasonable adjustments should be made to support the attendance and contribution of parties at the meeting (for example where a parent or pupil has a disability in relation to mobility or communication that has an impact upon their ability to attend the meeting or to make representations); and
- identify the steps they will take to enable and encourage the excluded pupil to attend the meeting and speak on their own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding; or how the excluded pupil may feed in their views by other means if attending the exclusion meeting is not possible.

In the light of their consideration, the governing body can either:

- decline to reinstate the pupil; or
- direct reinstatement of the pupil immediately or on a particular date.

Where reinstatement would make no practical difference because for example, the pupil has already returned to school following the expiry of a fixed-period exclusion or the parents make clear they do not want their child reinstated, the governing body must still consider whether the pupil should be officially reinstated. If it decides against reinstatement, the parents can request an independent review.

7.0 Management of Exclusions

Where a serious breach of behaviour occurs a student may be excluded without recourse to any other strategies.

Any student in danger of external exclusion must be given the opportunity to state their case and to supplement it with a written statement.

If a student is externally excluded from the Academy they must be informed verbally and parents contacted. A formal letter must be sent by first class post on the same day. The Attendance Secretary, Pastoral Secretary, Form Tutor, Director of Study (DoS), Assistant Headteacher Pupil & Welfare Achievement (AHT PWA) and Pastoral Managers will be informed.

Work for the excluded student will be obtained by the Pastoral Secretary and either collected by the student or sent home.

The parents/guardians of any student externally excluded must be seen either during the period of exclusion or on the students return by either the Pastoral Manager or DOS.

Should this prove difficult to organise due to parental work commitments, then the reason for exclusion must be discussed over the telephone as a minimum.

A full guide to exclusion from the Department of Education (for parents/carers) can be found in Appendix C.

Equality Impact Assessment

School	St John Fisher Catholic Voluntary Academy
Date	30.10.17
Lead member of staff	C Kernan / J Taylor
Other involved staff/role	

Proposed Plan

Background/ how this proposal has come about

Reason for proposal – to introduce new practice/provision
to change or reduce practice/provision
to remove practice/provision

Main stakeholders

Any legislation or guidance that informs the proposals

Reviewed and updated Exclusions policy in line with new DfE guidance September 2017.
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Is the proposal likely to have an adverse impact on compliance with the Equality Duty?

Eliminating unlawful discrimination, harassment and victimisation

Y/N

Promoting equality of opportunity

Y/N

Fostering good relations

Y/N

Please explain

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Consultation Process

With whom do you plan to consult?

How?

Where is the evidence of the consultation?

Governing body at the sub-committee on 14 Nov 17 and then with the full Academy Council on 21st. November 2017.

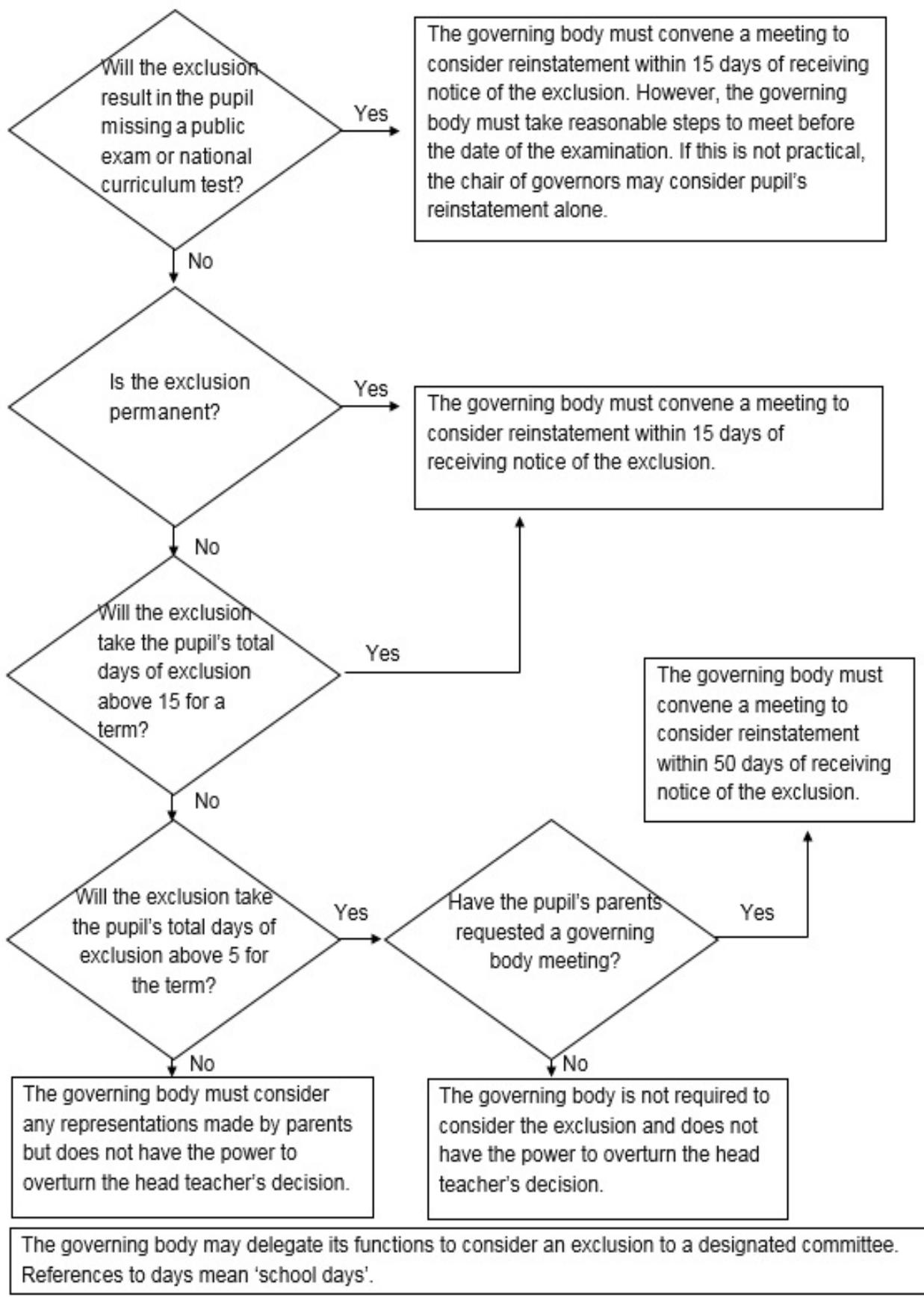
Potential Issues

Characteristic	Impact of proposal (specify if impact is to pupil, parent/carer, staff, governor, other)	Positive Negative Neutral	Can barrier be removed? Y/N
Disability		Neutral	
Race		Neutral	
Sex		Neutral	
Gender reassignment		Neutral	
Pregnancy, maternity		Neutral	
Religion/belief		Neutral	
Sexual orientation		Neutral	
Marriage, civil partnership		Neutral	
Age		Neutral	

Explain in more detail

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Annex A – A summary of the governing body’s duties to review the head teacher’s exclusion decision



Annex C – A guide for parents/carers

Parent/Carer Guide on Exclusion

Disclaimer

This non-statutory document is not replacing the statutory guidance on exclusion and is intended only to support parents' understanding of the exclusion process.

The exclusion legislation applies to maintained schools; pupil referral units; and academies/free schools – other than 16-19 academies. It applies to all pupils at these schools, including those who are above or below compulsory school age, for example where a school also has a nursery or a sixth form. It does not apply to independent schools, stand-alone nurseries, stand-alone sixth form colleges and other post-16 provision, such as FE colleges; these have their own exclusion arrangements.

If you are unsure in which category your child's school fits, you can find this information in Edubase: <http://www.education.gov.uk/edubase/home.xhtml>.

Glossary

The term 'must' refers to what head teachers/governing bodies/academy trusts/local authorities and parents are required to do by law. The term 'should' refers to recommendations for good practice as mentioned in the exclusions guidance.

In this document and in the exclusion guidance, 'parents' refers to parent(s)/legal guardian(s)/foster carer(s) of pupils under 18, as well as to pupils over 18, and the term 'governing body' includes the management committee of a PRU and the academy trust of an academy.

Internal Exclusion (also referred to as 'seclusion' or 'isolation'): when a pupil is barred from the classroom, but not from the school site. This is not an exclusion.

Fixed-period Exclusion (also referred to as 'suspension'): when a pupil is barred from the school premises for a fixed amount of time (including exclusions during lunchtime).

Permanent Exclusion (also referred to as 'expulsion'): when a pupil is permanently barred from the school premises.

Alternative provision This refers to the education arrangements made for excluded pupils that do not involve mainstream or special schools.

Reasons for exclusion

For what reasons can a school exclude my child?

There is no list of set behaviours for which a pupil can and cannot be excluded, and the decision to exclude lies with the head teacher. Head teachers can only exclude a pupil for a disciplinary reason (e.g. because their behaviour violates the school's behaviour policy). They cannot, for example, exclude a pupil for academic performance/ability, or simply because they have additional needs or a disability that the school feels it is unable to meet. A head teacher can exclude for behaviour outside of school, or for repeatedly disobeying academic instructions.

Can the school send my child to be educated elsewhere?

Schools have the power to send a pupil to another education provider at a different location to improve his or her behaviour without the parents having to agree.

A school can also transfer a pupil to another school – a process called a ‘managed move’ - if they have the agreement of everyone involved, including the parents and the admission authority for the new school.

Schools cannot force a parent to remove their child permanently from the school or to keep their child out of school for any period of time without formally excluding. The threat of exclusion must never be used to influence parents to remove their child from the school.

Can a school ask me to collect my child/send my child home early without following the formal exclusions process?

‘Informal’ or ‘unofficial’ exclusions, such as sending pupils home ‘to cool off’, are not allowed, even if they are with the agreement of parents. Any exclusion of a pupil, even for short periods of time, must follow the formal process including being formally recorded (see below). Any fixed-period exclusion must have a stated end date.

Exclusion process

What happens when my child is excluded?

Please go to the section entitled ‘What happens when your child is excluded’ on the GOV.UK website: <https://www.gov.uk/school-discipline-exclusions>.

Are there legal obligations that a school has to follow when excluding a pupil?

When a head teacher excludes a pupil, they must without delay let parents know the type of exclusion and the reason(s) for it. They must also, without delay, provide parents with the following information in writing:

- the reason(s) for the exclusion;
- the length of the exclusion;
- the parents’ right to put forward their case about the exclusion to the governing body, how they should go about doing this and how the pupil can be involved; and
- when relevant, what alternative provision will be provided from the 6th day of a fixed-period exclusion.

Is there a limit to the number of times my child can be excluded?

Yes. A pupil cannot be excluded for more than 45 days in one school year. This means they cannot have one fixed-period exclusion of 46 days or more; and also they cannot have lots of shorter fixed-period exclusions that add up to more than 45 days. This is true even if these exclusions have been given in different schools. Lunchtime exclusions – where pupils are excluded from school over the lunch period because this is when their behaviour is a problem - are counted as half a day.

Scrutiny of the exclusion

Can I question the decision to exclude my child?

Parents have the right to make their case about the exclusion of their child to the governing body. For fixed-period exclusions, unless the exclusion takes a pupil's total number of school days of exclusion past five in that term, the governing body must consider any case made by parents, but it cannot make the school reinstate the pupil and is not required to meet the parents.

For all permanent exclusions, the governing body must consider, within 15 school days of being told about the exclusion, whether the excluded pupil should be reinstated. This is the same for fixed-period exclusions where the pupil will miss more than 15 days in one term, or will miss a public examination (e.g. a GCSE) or a national curriculum test (i.e. a key stage 2 test taken at the end of primary school). For a fixed-period exclusion that brings a pupil's total excluded days to more than five but under 15 the governing body must consider reinstatement within 50 school days.

Information can be found on the GOV.UK website at the following link: <https://www.gov.uk/school-discipline-exclusions/exclusions>.

What can I do if I feel my child is being discriminated against in the exclusion process, for example because he/she has a disability?

Schools have a duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as disability or race, including in all stages of the exclusion process.

Parents can raise this issue during the exclusion review meeting with the governing body.

If the governing body decides not to reinstate the pupil, parents can request an independent review panel to review the governing body's decision. When making their request parents can ask for a Special Educational Needs (SEN) expert to attend the hearing to advise the panel on how SEN might be relevant to the exclusion. Parents can request this even if their child has not been officially recognised as having SEN.

If a parent believes that their child has been discriminated against in the exclusion process because of a disability then they may also make a claim to the First-tier Tribunal within six months of the exclusion: www.tribunals.gov.uk/Tribunals/Firsttier/firsttier.htm. The Tribunal can consider claims about permanent and fixed-period exclusions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel.

Where can I get independent advice on my options regarding the exclusion?

- The Department's guidance to schools on exclusion, which is available on the GOV.UK website: <https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder': <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

There are a number of organisations that provide free advice to parents on exclusion matters:

- Coram Children's Legal Centre can be contacted on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.

- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- The National Autistic Society (Schools Exclusion Service (England)) can be contacted on 0808 800 4002 or through: schoolexclusions@nas.org.uk.

Arrangements for my child after exclusion

Will my child still receive an education?

Schools should take reasonable steps to set work for pupils during the first five days of a fixed-period exclusion.

From the sixth day of an exclusion, suitable full-time education must be arranged for pupils of compulsory school age (primary and secondary school age), except for Year 11 pupils (final year of secondary school) whose final exams have passed. In the case of a fixed-period exclusion of more than five school days, it is the duty of the school to arrange this education. If a parent wishes to raise a concern about lack of education during a fixed-period exclusion (and their child is still of compulsory school age), they may follow the school's official complaint procedure.

In the case of a permanent exclusion, arranging suitable full-time education is the duty of the local authority where the pupil lives. If a parent wishes to raise a concern about lack of, or the quality of, education following a permanent exclusion (and their child is still of compulsory school age), parents should complain to the local authority where they live. If parents are unsure of which local authority they need to speak to, they should ask the school for advice.

Does my child still have a right to attend their exams when excluded?

This is a decision left to the school. Neither the school nor the local authority is legally required to arrange for an excluded pupil to take a public examination or national curriculum test that occurs during the exclusion, although some may choose to arrange for this either on school premises or elsewhere. Where a parent has concerns about their child missing a public examination or national curriculum test, they should raise these with the school.

What are my duties as a parent?

For the first five school days of any exclusion, parents must ensure that their child of compulsory school age is not in a public place during school hours without very good reason. Parents must also ensure that their child attend any new full-time education provided from the sixth day of exclusion (unless they have arranged suitable alternative education themselves).