

Fixed Period Exclusions

Information for Parents

September 2007

Exclusion is a very serious matter. Only a school's head teacher (or a named deputy if the head teacher is not on the school site) can exclude a pupil.

A head teacher may decide to exclude a pupil for a fixed period of time if:

- the pupil has broken the school's discipline policy; **and**
- if the pupil remaining in school would seriously harm the education or welfare of the pupil or others in the school.

How should I be told that my child has been given a fixed-period exclusion?

Once the head teacher has decided to exclude your child, someone should contact you as soon as possible, preferably by telephone, to explain the reason for the decision. The exclusion usually begins on the next day but can start on the day of the incident that led to the exclusion. The head teacher must then write to you within one school day telling you:

- the reason(s) for the exclusion, the date the exclusion starts and how many days it will last
- the date your child should return to school
- exactly what arrangements have been made for your child to receive school work during the exclusion, if it is for more than one school day
- that you must make sure your child stays at home during what would normally be school hours and that it is a criminal offence, for which you can be fined or taken to court, if your child is found outside the home during those hours.

- if the exclusion is for more than 5 days, the arrangements the school has made for alternative full-time equivalent education from the sixth day
- whether a reintegration meeting must be held when your child returns to school – if so you have to attend, although you can ask for the meeting to be at a time convenient for you
- your right to see a copy of your child's school record
- your right to a review by governors (or, if appropriate, by SENDIST) of the exclusion, who you should write to about that, and the date by which any appeal has to be made
- if a Governors Disciplinary Committee (GDC) hearing is to take place, the date by which it must be held and the name of the person to contact about this;
- the name and phone number of the Local Authority's exclusion officer and the phone number of the Advisory Centre for Education (ACE), both of whom can give you more advice and information about exclusions generally (these details are on the back of this leaflet)

Exclusions of 5 school days or less in one term:

Governors do not have to meet you, although if you ask for a meeting it is the Local Authority's view that it would be good practice for them to agree. If your child would miss a public exam (for example GCSE) because of the exclusion, governors must agree to meet you. You do have the right to put your views to governors in writing. Governors must review the exclusion, if asked, within 50 school days of being told about it.

Exclusions of more than 5 days but less than 15

days in one term: Governors must agree if you ask for a meeting. The meeting must take place within 50 school days from the date governors are told of the exclusion.

Exclusions of more than 15 days, either as one exclusion or in total in one term:

Governors must meet to review the exclusion(s). This meeting must take place within 15 school days from the date on which governors are told that the number of days exclusion in that term is more than 15. This means that the meeting may sometimes be held after your child has returned to school. However, it is still your opportunity to make your views known to the GDC.

If your child has a disability as defined in the Disability Discrimination Act 1995,

you may appeal to SENDIST (the Special Educational Needs and Disability Tribunal) about any fixed period exclusion. Details of how to contact SENDIST should be given in the letter from the head teacher telling you about the exclusion.

A child can have only 45 school days fixed-term exclusions in a school year and lunchtimes count as half a day.

The Governors' Disciplinary Committee (GDC)

In Warwickshire a GDC is made up of 3 of the school's governors. It follows guidance from the government and the Local Authority, and the school's policies on behaviour.

The GDC must monitor the use of exclusion in the school and the purpose of the meeting is to listen to what you and the school have to say about your child's behaviour and to decide if exclusion, and the length of the exclusion, was a reasonable response to that behaviour.

How do I put my views to governors?

You can put these in writing or in person at a GDC hearing. You may take someone with you. This can be a friend or relative, or anyone else that you feel would be supportive – you should tell the Clerk to the GDC if you are bringing someone with you.

You will always be asked to any GDC that is held, but you do not have to go. If you want to go but cannot go at a date within the legal time limits, speak to the Clerk to the GDC as soon as possible to arrange a date which is convenient for you.

What happens next?

Usually, fixed period exclusions end before governors are able to meet. If governors uphold the exclusion it stays on your child's record – if your child is still excluded, governors will either confirm the length of the exclusion or say what date your child should return to school.

If governors do not uphold the exclusion, a note is made on your child's school file and your child, if still excluded, returns to school immediately.

In either case, there is no further right of appeal against the exclusion, unless your child has a disability, in which case you may appeal to SENDIST (details of how to contact SENDIST must be in the letter from the head teacher telling you of your child's exclusion).

Head teachers often arrange a formal reintegration for your child, especially if the exclusion has been for more than a few days. You may be asked to a meeting to discuss this on the day your child is due back to school but if you are unable to go to the meeting on that morning, your child must still return to school – the exclusion must not be extended until you can go to the meeting. If your child has been excluded for more than 5 days (secondary) or at all (primary) you must attend a reintegration meeting.

Useful contact addresses and telephone numbers

LA Exclusion Team

Telephone: 01926 742517 and 742518 or 07990 777 512

The Advisory Centre for Education (ACE)

Exclusions Helpline: 020 7704 9822

Parent Partnership

Telephone: 024 7658 8464

email: pps@cedc.org.uk

Drugs in School

Telephone: 0800 77 66 00

www.warwickshire.gov.uk/drugs

Intercultural Curriculum Support Service

Telephone: 01788 562841

Commission for Racial Equality

Telephone: 020 7939 0000

Disability Rights Commission

Helpline: 08457 622633

Local Government Ombudsman

2 The Oaks

Westwood Way

Westwood Business Park

Coventry CV8 4JR

Telephone: 024 7682 0000

This leaflet is based on the DCSF publication:

”Improving Behaviour and Attendance: Guidance on exclusion from schools and pupil referral units 2007”.

For a copy, phone 08456 022 260 and quote ref.

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