



Harbour View Federation
EXCLUSION POLICY
Summer 2018

This policy has been written taking into account the school' ethos, vision and values.

This policy will be implemented in conjunction with the policies for Equalities, Inclusion, and Health and Safety. The school has adopted the Borough of Poole Policy for managing and implementing exclusions.

TYPES OF EXCLUSION

Fixed Period - can be 5 school days or less, more than 5 days but no more than 15 school days in total in one term or for a fixed period of more than 15 school days in total in one term.

Permanent - subject governor review within 15 school days. The school will make alternative education arrangements for the first 5 days, thereafter arrangements will be made by The Exclusions and Reintegration Team from the Borough of Poole.

USE

- a) Exclusion to be used sparingly, as a last resort, and usually in response to a serious incident; it is likely that a child will have been subject to a Pastoral Support Plan prior to exclusion to ensure every effort has been made to avoid exclusion.
- b) To be used under terms of behaviour policy, as determined by the Executive Headteacher and Heads of School or the Deputy Heads of School (in the absence of the Executive Headteacher or Heads of School).
- c) Executive Headteacher and Heads of School to keep clear, dated records of all incidents in a file and copies of all exclusion correspondence, with date of posting or delivery to parent/carers recorded.
- d) Parent/carers to be informed in writing – see Borough of Poole sample records (Appendix 1) – and also by telephone as soon as possible. Chair of Governors also to be informed.
- e) Arrangements to be made for setting and marking of pupil's work.

GOVERNORS

- a) "Governing Body Discipline Committee" to be formed and reviewed annually.
- b) To meet as required to consider exclusion or parent/carers appeal.

PARENT/CARERS

Parent/carers have a right in all exclusions to make representations to School Governors Discipline Committee. Parent/carers are also able to contact either Angie Hill on 01202 261912 or Caroline Stanley on 01202 261938 at Children, Young People and Learning, Borough of Poole for advice about the exclusion of their child.

AUTHORITY

To be present at Governors Discipline Committee when permanent and all fixed term exclusions of more than 15 days, in one school term, are being considered.

The Authority should be informed of all exclusions via a data collection form. This form can also be located in the electronic Exclusions Folder.

APPENDIX 1

Model letters proposed by the Borough of Poole for use by Headteachers when excluding a pupil and by Governors following the Disciplinary meeting.

Model Letter 1	for fixed period exclusions of 5 school days or less in one term and where a public examination is not missed
Model letter 2	for fixed period exclusions of more than 5 days but no more than 15 school days in total in one term and where a public exam is not missed
Model Letter 3	for a fixed period exclusion of more than 15 school days in total in one term and where a public exam is not missed
Model letter 4	for a permanent exclusion
Model letter 5	from the clerk to the governing body to the parent upholding a permanent exclusion
Model letter 6	from the clerk to the governing body to the parent overturning a permanent or fixed term exclusion
Model letter 7	from the clerk to the governing body to the parent upholding a fixed term exclusion

MODEL LETTER 1

From headteacher 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 **[specify period]**. This means that they will not be allowed on the school site for this period. The exclusion starts on **[Date]** and ends on **[Date]**. Your child should return to school on **[Date]**.

I realise that this exclusion may 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 a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify dates, e.g Monday 5 July, Tuesday 6 July etc.]** unless there is reasonable justification for this. I need to advise you that you may receive a fixed penalty notice from the local authority if your child is found in a public place during school hours.

We will set work for **[Name of Child]** to be completed on the school days specified in the paragraph above. **[detail the arrangements for this]**. Please ensure that work set is completed and returned promptly for marking.

You and **[Name of Child]** are requested to attend a reintegration meeting with **[specify the name of the staff member]** on **[date]** at **[time]**. If that is not convenient, please contact the school immediately to arrange a suitable alternative date and time.

You have the right to make representations about my decision to the governing body. If you wish to make representations please contact **[Name of Contact]** on/at **[Contact Details – Address, Phone Number, email]**. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

A copy of the Department for Education guidance on exclusion from school – “Exclusion from maintained schools, Academies and pupil referral unit in England” can be found on the DfE website www.gov.uk/government/publications/school-exclusion. Further advice and information can be obtained from Coram Children's Legal Centre at www.childlawadvice.org.uk. You can also contact the School Exclusions Team on 01202 261912 or exclusions@poole.gov.uk at Children, Young People & Learning.

[Name of Child]'s exclusion ends on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely

[Name]
Headteacher

MODEL LETTER 2

From headteacher notifying parent of a fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that they will not be allowed on the school site for this period. The exclusion starts on **[Date]** and ends on **[Date]**. Your child should return to school on **[Date]**.

I realise that this exclusion may be upsetting for you and your family, but my decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[specify reasons for exclusion]**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify dates, e.g Monday 5 July, Tuesday 6 July etc.]** unless there is reasonable justification for this. I need to advise you that you may receive a fixed penalty notice from the local authority if your child is found in a public place during school hours.

We will set work for **[Name of Child]** to be completed on the school days specified in the paragraph above. **[detail the arrangements for this]**. Please ensure that work set is completed and returned promptly for marking.

ONLY INCLUDE THIS PARAGRAPH IF THE CURRENT EXCLUSION IS OVER 5 DAYS

From **[Add Date - 6th school day of the pupil's exclusion]** until the expiry of the exclusion, **[child's name]** will attend at **[give name and address of the place the pupil is to attend]** at **[specify the time]** and report to **[staff member's name]**. **[If not known say that the arrangements for suitable full time education will be notified by a further letter]**.

You and **[Name of Child]** are requested to attend a reintegration meeting with **[specify the name of the staff member]** on **[date]** at **[time]**. If that is not convenient, please contact the school immediately to arrange a suitable alternative date and time.

You have the right to request a meeting of the school's governing body at which my decision to exclude can be reviewed. If you request a meeting, the latest date by which the governing body must meet is **[specify date – the 50th school day after the date on which the discipline committee were notified of this exclusion]**. If you do wish to request a meeting of the school's governing body, please contact **[Name of Contact]** on/at **[Contact Details – Address, Phone Number, email]**, as soon as possible. You may bring a friend or a representative with you.

A copy of the Department for Education guidance on exclusion from school – “Exclusion from maintained schools, Academies and pupil referral unit in England” can be found on the DfE website www.gov.uk/government/publications/school-exclusion. Further advice and information can be obtained from Coram Children's Legal Centre at www.childlawadvice.org.uk. You can also contact the School Exclusions Team on 01202 261912 or exclusions@poole.gov.uk at Children, Young People & Learning.

[Name of Child]'s exclusion ends on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 3

From headteacher notifying parent of a 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 **[specify period]**. This means that they will not be allowed on the school site for this period. The exclusion starts on **[Date]** and ends on **[Date]**. Your child should return to school on **[Date]**.

I realise that this exclusion may 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 a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify dates, e.g Monday 5 July, Tuesday 6 July etc]** unless there is reasonable justification for this. I need to advise you that you may receive a fixed penalty notice from the local authority if your child is found in a public place during school hours.

We will set work for **[Name of Child]** to be completed on the school days specified in the paragraph above. **[detail the arrangements for this]**. Please ensure that work set is completed and returned promptly for marking.

ONLY INCLUDE THIS PARAGRAPH IF THE CURRENT EXCLUSION IS OVER 5 DAYS

From **[Add Date - 6th school day of the pupil's exclusion]** until the expiry of the exclusion, **[child's name]** will attend at **[give name and address of the place the pupil is to attend]** at **[specify the time]** and report to **[staff member's name]**. **[If not known say that the arrangements for suitable full time education will be notified by a further letter]**.

You and **[Name of Child]** are requested to attend a reintegration meeting with **[specify the name of the staff member]** on **[date]** at **[time]**. If that is not convenient, please contact the school immediately to arrange a suitable alternative date and time.

The governing body must meet to review my decision to exclude. At the review meeting you may make representations to the governing body. 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]**. You will be notified by the Clerk to the governing body of the time, date and location of the meeting.

A copy of the Department for Education guidance on exclusion from school – “Exclusion from maintained schools, Academies and pupil referral unit in England” can be found on the DfE website www.gov.uk/government/publications/school-exclusion. Further advice and information can be obtained from Coram Children's Legal Centre at www.childlawadvice.org.uk. You can also contact the School Exclusions Team on 01202 261912 or exclusions@poole.gov.uk at Children, Young People & Learning.

[Name of Child]'s exclusion ends on **[Date]** and we expect **[Name of Child]** to be back in school on **[Date]** at **[Time]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 4

From the headteacher notifying parent of a pupil's permanent exclusion

Dear **[Name(s) of parent(s)]**

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[Date]**. This means that they will not be allowed on the school site unless they are reinstated by the governing body.

I realise that this exclusion may be upsetting for you and your family, but the decision to permanently exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded because **[Reasons for the exclusion – include any other relevant previous history here]**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify dates, e.g Monday 5 July, Tuesday 6 July etc]** unless there is reasonable justification for this. I need to advise you that you may receive a fixed penalty notice from the local authority if your child is found in a public place during school hours.

Alternative arrangements for **[Child's Name]**'s education to continue will be made. Between **[Add first school day date]** and **[add fifth school day date]** inclusive we will set work for **[Child's Name]** and ask you to ensure this work is completed and returned promptly to school for marking. From **[add sixth school day date]** the local authority **[if pupil does not live in Poole, specify name of the home authority]** will provide suitable full-time education.

[When pupil lives in Poole]

The School Exclusions Team will contact you regarding the arrangements for your child's education from **[add sixth school day date]**.

[Where pupil lives in a local authority other than the excluding school's local authority]

I have today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for their education from the **[add sixth school day date]**.

As this is a permanent exclusion the governing body must meet to review my decision to exclude. At the review meeting you may make representations if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or to uphold the exclusion. If the exclusion is upheld you may ask for a review against their decision to an Independent Review Panel.

The latest date by which the governing body must meet is **[specify the date – the 15th school day after the date on which the governing body was notified of the exclusion]**. If you do wish to make representations to the governing body please contact **[Name of Contact] on/at [Contact Details – Address, Phone Number, email]**, as soon as possible. You may bring a friend or representative with you. Please let **[name of contact]** know before the meeting. You will be notified by the Clerk to the governing body of the time, date and location of the meeting.

A copy of the Department for Education guidance on exclusion from school – “Exclusion from maintained schools, Academies and pupil referral unit in England” can be found on the DfE website www.gov.uk/government/publications/school-exclusion. Further advice and information can be obtained from Coram Children’s Legal Centre at www.childlawadvice.org.uk. You can also contact the School Exclusions Team on 01202 261912 or exclusions@poole.gov.uk at Children, Young People & Learning.

Yours sincerely

[Name]
Head teacher

MODEL LETTER 5 – FROM THE CLERK TO THE GOVERNING BODY TO PARENT UPHOLDING A PERMANENT EXCLUSION (BASED ON THE REQUIREMENTS OF SEPT 2012 EXCLUSIONS GUIDANCE – Para. 72)

Dear [Parent's name]

The meeting of the governing body at [school] on [date] considered the decision by [head teacher] to permanently exclude [name of pupil]. The governing body, after carefully considering the representations made and all the available evidence, has 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 ask for this decision to be reviewed by an Independent Review Panel. If you wish to do this, please

- 1) Notify The Clerk to the Independent Review Panel, Legal and Democratic Services, Borough of Poole, Civic Centre, Poole, BH15 2RU.
- 2) You must set out the reasons for your request in writing (including, if appropriate, any reference to how **XXX's** special educational needs are considered to be relevant to the exclusion), and;
- 3) Send this to the Clerk by no later than **[specify the latest date – the 15th school day after receipt of this letter]**.
- 4) You also have the right to require the **local authority/Academy Trust** appoint an SEN expert to attend the review, regardless of whether or not **XXX** has recognised special educational needs. If required, the appointment of a SEN expert will be of no cost to you. The SEN expert will provide impartial advice to the Review Panel on how special educational needs might be relevant to the exclusion.
- 5) You must make it clear in your request to the Clerk that you wish for a SEN expert to be appointed.
- 6) Please advise the Clerk if you have a disability or special needs which would affect your ability to attend the hearing, and/or if you need to have an interpreter present at the hearing.
- 7) At your own expense you may appoint someone to make written and/or oral representations to the Review Panel and;
- 8) You may bring a friend to the review for support. The Clerk will liaise with you about who will accompany you to the meeting.

If you ask for the decision to be reviewed, an Independent Review Panel will hear your request. There will be three people on the panel. One will be a serving or recently retired Headteacher, one will be a serving or recently serving and experienced governor, and there will be a lay member who will be the Chairman. The Review Panel will rehear all the facts of the case – if you have fresh evidence to present to the panel, you may do so. The panel must meet no later than the 15th school day after the date on which your request is lodged. In exceptional circumstances, panels may adjourn a hearing until a later date.

The Independent Review Panel can make one of three decisions:

- they may uphold the exclusion
- they may recommend that **XXX's** governing body reconsiders the exclusion again
- they may quash the decision and direct that **XXX's** governing body considers the exclusion again

You should also be aware that in addition to the right to apply for an Independent Review Panel, if you believe that the exclusion has occurred as a result of discrimination then you may make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability), in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Any claim made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place.

A copy of the Department for Education guidance on exclusion from school – “Exclusion from maintained schools, Academies and pupil referral unit in England” can be found on the DfE website www.gov.uk/government/publications/school-exclusion. Further advice and information can be obtained from Coram Children’s Legal Centre at www.childlawadvice.org.uk. You can also contact the School Exclusions Team on 01202 261912 or exclusions@poole.gov.uk at Children, Young People & Learning.

The arrangements currently being made for **[pupil's name]**'s education will continue.

Yours sincerely

[name]

Clerk to the Governing body

MODEL LETTER 6 – FROM THE CLERK TO THE GOVERNING BODY TO THE PARENT OVERTURNING A PERMANENT OR FIXED TERM EXCLUSION

Dear [Parent's name]

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[head teacher]** to exclude **[name of pupil]**. The governing body, after carefully considering the representations made and all the available evidence, have decided to direct **[name of pupil]** with effect from **[date to be reinstated]**.

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]**

If you have any questions about this please contact **[name]**.

Yours sincerely

[name]

Clerk to the governing body

**MODEL LETTER 7 - FROM THE CLERK TO THE GOVERNING BODY TO
THE PARENT UPHOLDING A FIXED TERM EXCLUSION**

Dear **[Parent's name]**

The meeting of the governing body at **[school]** on **[date]** considered the decision by **[head teacher]** to exclude **[name of pupil]** for a fixed term period. The governing body, after carefully considering the representations made and all the available evidence, have decided to uphold **[name of pupil]**'s exclusion**[s]**.

The reasons for the governing body's decision are as follows: **[give the reasons in as much detail as possible, explaining how the governing body arrived at their decision]**

The arrangements currently being made for **[pupil's name]**'s education will continue until the end of **[pupil's name]**'s exclusion. **[DELETE THIS SENTENCE IF THE PUPIL HAS ALREADY RETURNED TO SCHOOL]** If you have any questions about this please contact **[name]**.

Yours sincerely

[name]

Clerk to the governing body