

# **Information for parents on Permanent Exclusion from school**

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**Exclusion from school can be a very worrying and upsetting time for you and your child. The aim of this leaflet is to explain about the permanent exclusion process, what you can do if you disagree with the exclusion and how you can get advice and support.**

### **What does permanent exclusion mean?**

This means that the head teacher has decided that your child can no longer attend the school due to his/her behaviour. Only the head teacher can make this decision, if he has evidence that your child has broken the school's behaviour policy, and if allowing your child to remain in the school would seriously harm the education or welfare of your child or other pupils. The Governing body of the school will automatically consider the head teacher's decision.

If permanently excluded from a school your child cannot return to it, and an alternative place of education must be organised – you will receive help and support from the Exclusion/Reintegration Officer (see Contact list – back page).

### **What happens next?**

You should be notified immediately your child is excluded (usually by telephone) and the head teacher should follow this with a letter within one school day.

### **The letter must include:**

- The fact that it is a permanent exclusion.
- The reasons for exclusion.
- Your right to give your views on your child's permanent exclusion to the school governors and how your child may be involved in this.
- The person you should contact to present your case to the governing body.
- The school days on which you are required to ensure your child is not in a public place during school hours without justification, and the fact that you may be prosecuted, or given a fixed penalty notice, if you do not ensure it.
- The arrangements for your child to continue his/her education, for the first five days of an exclusion, by the school setting and marking work. It is your responsibility to ensure that the work sent home is completed and returned to the school.

- That from the 6th day of the exclusion, the Local Authority are responsible for providing your child's educational provision. In Swindon you will be contacted by the Exclusion/Reintegration Office to make these arrangements.

### **The letter should also include:**

- The dates by which the governing body must meet.
- Your right to request in writing a copy of your child's school file.
- The date the permanent exclusion takes effect and any relevant previous history.
- The name, address and telephone number of an officer at the Local Authority (LA) who can offer you advice and support through the exclusion process.
- The telephone number of the Advisory Centre for Education (ACE) (see Contact list - back page).

### **How does my child get an education after permanent exclusion?**

After the head teacher's decision to permanently exclude your child,

the Exclusion/Reintegration Officer will make an appointment for you to attend an interview with the head of the Pupil Referral Unit to discuss and organise your child's education. The school will provide details of your child's educational profile to the head teacher of the PRU to help him plan an appropriate education. The government require the Local Authority to provide your child with full time education from the sixth day after the school's decision to exclude him/her. The school should provide work for your child to do at home for the first five days.

### **What is my responsibility as a parent?**

While your child is excluded and waiting for the School Governors meeting to be organised it is your responsibility to ensure that arrangements are made for your child to be looked after. Work will be set by the school, and you are responsible for making sure that your child completes it, and that you return it to the school for marking.

At this time, during school days, you are required to ensure your child is not present in a public place without justification, and you may be prosecuted or given a fixed penalty notice if you do not do so. It is important that you do not allow your child to return to the school site during the exclusion period as this could result in further problems.

The Exclusion/Reintegration Officer will contact you to arrange an appointment for you to meet and discuss a full-time educational provision from the Local Authority for your child while the Governors meeting is being organised. This provision should be in place from the sixth day after you were notified of the permanent exclusion. It is your responsibility to ensure that you and your child attend this meeting.

If you would like some support in order to attend the meeting with the Governors, and some advice on what to say and how to put it, then ring for help from the people on the contact list on the last page of this leaflet. In Swindon, an Education Welfare Officer is automatically allocated to support you, and they will ensure that they have time to assist you. You may prefer to get this support from a relative, or someone else who already supports your family.

Your child should be encouraged to have his/her say at the meeting, and they may want someone to help them with this. The Education Welfare Officer can discuss this with you and your child.

### **The meeting of the governing Body**

- The governing body will organise a meeting to consider the head teachers decision to permanently exclude your child.
- You, your child, the governors, and the Local Authority will be invited to the meeting.
- At least 5 days prior to the meeting the governors should send all parties attending the meeting a pack of evidence, which the head teacher has provided to support his decision.
- You may also prepare a case in support of your child and can obtain help to do this from the Education Welfare Officer and the Advisory Centre for Education. If you wish to put your case in writing it can be given to the clerk of the governors, who will circulate it to all parties prior to the governors meeting.

- You can take a friend, relative or representative (e.g. Education Welfare Officer from the Local Authority) to help support you at the governors meeting.

### **Who will be at the meeting?**

- Generally there are 3 governors who form the panel and one of them is elected to act as the chairperson (none of these governors should have any prior involvement which could make them biased).
- The clerk to the governors will be there to take the minutes of the meeting and advise on procedure.
- The head teacher and a senior colleague will present the case for the school.
- A Local Authority representative will be there to advise on procedure and process to add clarity as required.
- Witnesses and victims may attend in certain circumstances.
- Your child may attend with you, but does not have to. You may decide you want your child to be there for only part of the process, perhaps to make a statement or apology, and this

can be organised with the chairperson at the meeting.

### **How will the meeting be run?**

#### **Stage 1**

- The chair of the meeting outlines the meeting format and makes introductions.
- The school is asked to outline their case, and all parties can ask questions at the end of their presentation.
- You will then be asked to present your case, which either you or your representative does, and all parties may then ask you questions.
- The Local Authority is asked to comment.
- The head teacher summarises the schools' case.
- You summarise your case, and can comment on any extra relevant information obtained from the Local Authority or Governing Body in the meeting.

## Stage 2

- Everyone leaves the room and the remaining 3 governors discuss the case and come to their decision.
- All parties are invited back into the panel for their decision, unless you have arranged to go home and be telephoned by the governors. A letter will be sent by the governors within one school day to confirm their decision.
- The governors can make the decision to agree with the head teacher's recommendation to permanently exclude your child, or to overturn the recommendation and reinstate your child into the school.

## What happens after the meeting?

- If your child is reinstated at the meeting then the head teacher will agree a date and time for your child to return to school. The Local Authority will offer support for the reintegration.
- If your child's permanent exclusion is upheld by the governors you have the right to appeal against this decision to an Independent Appeal Panel. You have 15 school days to decide if you want to appeal and the Local Authority will

send you a letter explaining how to do so.

## How do Independent Appeal Panels work?

- If you wish to appeal, you need to return the form (sent to you by the Local Authority) outlining your reasons for appeal. An Education Welfare Officer can assist you with this if you wish.
- Once your request has been received an Independent Appeal Panel will be set up within a further 15 school days.
- The Appeal Panel will generally be made up of 3 members. The same procedure applies as for the governors meeting, except that a governor will also be asked to attend to outline their reasons for their decision at the initial governors meeting. Any alleged victim may also put their views in writing, through a representative or in person.
- The Appeal Panel will give all parties the opportunity to state their cases and ask questions, just as at the Governor's meeting.
- The outcome of the Appeal Panel will be communicated to you in writing by the end of the second working day after the hearing.

### **The panel may decide:**

- 1) To reinstate your child to school and give a date for his/her return.
- or 2) To uphold the permanent exclusion.
- or 3) That while reinstatement is justified it is not practical.

- The decision of the Appeal Panel is binding on all parties.
- If you are dissatisfied with the actions of the Appeal Panel you may refer the matter to the local Ombudsman. The Ombudsman can only make recommendations if they find that there has been maladministration. If you consider the decision of the Appeal Panel to be legally flawed in any way you can also apply for judicial review.

### **Parenting Contracts and Orders.**

If your child is permanently excluded, the Local Authority may offer you a parenting contract if they feel that you need support with your child. In some cases, where the Local Authority believes that you are unable or unwilling to deal with your child's behaviour

they may apply to a magistrates court for a parenting order, which could require you to attend parenting classes.

### **Informing Social Services of all permanently excluded pupils.**

Swindon Borough policy requires Social Services to be informed of all pupils who are permanently excluded. The Exclusion/Reintegration Officer will discuss this with you and fill in the referral in regard to your child. If you do not agree with this referral then the Exclusion Officer will outline this to Social Services along with your child's details. If your child already has an allocated Social Worker you will be asked to sign an information sharing document to allow people from different agencies to exchange information to help support your child.

## **Other sources of help and Information**

### **Exclusion/Reintegration Officer**

-for advice on exclusion procedures and processes, parenting classes, parenting contracts and orders.

Tel: 01793 465731

Address: Sanford House, Sanford Street, Swindon.

### **Education Welfare Officer**

-for advice and support to attend exclusion meetings.

Tel: 01793 465797

Address: Education Welfare Service, Sanford House, Swindon.

### **Swindon Parent Partnership Service**

-for advice on Special Educational Needs issues.

Tel: 01793 466515

### **Diversity and Ethnic Minority Achievement (DEMA)**

-for advice on Race Equality issues.

Tel: 01793 463057

### **Advisory Centre for Education (ACE)**

-for independent advice on exclusion.

Tel: 08080 05793

[www.ace.ed.org.uk](http://www.ace.ed.org.uk)

## **Publications:**

- Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units (Sep 2008).
- Advice and Guidance to Schools and Local Authorities on managing pupil behaviour and attendance (Nov 2005).

The above publications are available from the Department for Children, Schools and Families Publication Centre.

### **To obtain a copy**

Tel: 0845 60 222 60

[www.teachernet.gov.uk/](http://www.teachernet.gov.uk/)

exclusion: [www.dcsf.gov.uk/](http://www.dcsf.gov.uk/)

behaviourandattendance/guidance: