

Frequently Asked Questions by Parents – Exclusions

<p>Is the Head allowed to permanently exclude my child?</p>	<p>Yes. The only person who can make the decision is the Headteacher or the person Acting as Headteacher.</p> <p>Once the head has made that decision a process begins. The Local Authority places the pupil in education by the 6th day of the permanent exclusion. Someone from the Access and Inclusion Team will make contact with the parent as soon as we have received notification from the school of the exclusion to discuss this.</p> <p>The Governors of the school have to hold a Pupil Disciplinary Committee and the parents are able to attend that meeting and present their case if they wish.</p> <p>The exclusion can be withdrawn at any point by the school up to the Pupil Disciplinary meeting.</p>
<p>Can the LA prevent the Head from doing this?</p>	<p>No. The Local Authority does not have the power to prevent schools from excluding. The Local Authority attends the pupil Disciplinary Committee, but is impartial to both the school and the parents.</p>
<p>Why has the other pupil / s involved in the same incident not been permanently excluded/given an exclusion.</p>	<p>We are not able to comment on individual cases. It may be that there is other evidence or information that the Head has gathered in making their decision. It is something that parents can raise if they wish at the Pupil Disciplinary Committee which will need to be held if your child has been permanently excluded.</p>
<p>What can we as parents do to avoid this permanent exclusion.</p>	<p>Talk to the school. The school may also want to explore ways to prevent it. They may be able to discuss a managed move to another school as an alternative. They may be able to put into place some alternative provision and may suggest for a short period of time a modified timetable.</p>
<p>Will it effect my child in the future for their work prospects.</p>	<p>What is most important is that your child continues in education and achieves as well as possible. Future employers do not have to be told that your child was permanently excluded from school, but they will look at their educational achievements.</p>

<p>Can we transfer schools to avoid a permanent exclusion and if we can, do we find the school ourselves.</p>	<p>A managed move to another school is a possible alternative to a permanent exclusion. It is preferable that parents discuss this with the school the pupil is on roll with and allow the school to try to arrange the managed move. This is because a receiving school will need to be aware of the situation and they may feel it appropriate to take the case to the Fair Access Panel to ask for additional support alongside the managed move.</p> <p>The fair access protocol is a local agreement for getting children without a school place back into school as quickly as possible. The protocol must also cover provision for children who are not yet ready to go back into mainstream schooling. Permanently excluded children will be covered by this. Children can be placed under the FAP even if a school is full.</p>
<p>Can we make a complaint against the HT / CT as we feel our child has been victimised.</p>	<p>Our advice is to allow the process to be completed first.</p> <p>If your child is permanently excluded you will have an opportunity to make representation at the Pupil Disciplinary Committee if it is a permanent exclusion, and at the Independent Review Panel if you decide to ask for that. If, once the whole exclusion process is completed you still feel this something you want to do, then you would make the complaint via the schools complaints process.</p> <p>If your child has a fixed term exclusion you can make representation to the Governors. (Separate FAQ)</p>
<p>Our child has special needs though does not a EHCP, can school still excluded.</p>	<p>Yes.</p>
<p>Our child has an EHCP, can the school exclude them?</p>	<p>Yes Our advice to schools is to hold an emergency annual review if at all possible and invite the schools SEND officer. If your child has an EHCP then you should be asking to school if they are arranging an emergency annual review.</p>

<p>Our child has been permanently excluded. Where will our child attend until the exclusion process has been completed.</p>	<p>The Local Authority will place your child by the 6th day of the permanent exclusion.</p> <p>They are usually placed at Kickstart - Key Stage 4, Linden Centre – Secondary - Key Stage 3 Linden Centre Primary - Key Stage 1 or 2</p> <p>Once the whole exclusion process is completed the staff at Linden Centre or Kickstart will discuss with you when your child is ready to start in a new school. They will bring the case to the Fair Access panel to ensure appropriate support when the child goes into school. It is important that you think about which school you would like your child to attend once they are ready to.</p>
<p>Can we view the alternative provision prior to our child attending.</p>	<p>Kickstart and the Linden Centre will invite you to a welcome meeting before your child starts there.</p> <p>If your child is going to be accessing some alternative provision at the Student Engagement Programme which is managed by Louise Bartholomew, she will also invite you and your child to meet with her before a placement can start.</p> <p>The school will tell you if they are trying to arrange alternative provision with the student engagement programme.</p>
<p>How will they get to and from their alternative provision and will they have to wear their school uniform.</p>	<p>Key stage 1 and 2 pupils are usually transported to the centre. Staff there will discuss this with you and make the arrangements.</p> <p>Key Stage 3 and 4 will discuss this with you at the welcome meeting.</p> <p>Staff at the centres will tell you whether your child will need to wear their school uniform.</p>
<p>Can the school send our child home even though we have not had an exclusion letter?</p>	<p>Sometimes schools may ask parents to keep their child at home without excluding them. This is often presented as doing the parent and child a favour by not making it official.</p> <p>This is not lawful, even if you agree to it. If the head teacher does not want your child in school for disciplinary reasons they must go through the formal exclusions process.</p> <p>Unofficial exclusions can easily lead to a child missing considerable amounts of education or even dropping out of the system altogether. It also means that you lose your rights to make representations to the governors or to attend a meeting.</p> <p>Children should not be asked to stay at home because the school can't provide for their special educational needs or to get them out of the way during an inspection. If this happens, remind the school that this amounts to an unlawful unofficial exclusion. You may also wish to tell the exclusions officer in your local authority that this is happening.</p>

<p>The reason for an exclusion is because of something that has happened outside the school. Can the school do that?</p>	<p>Pupils can be excluded for behaviour outside school, but this should be in line with the school's behaviour policy. Commonly this will include behaviour on school trips, behaviour when in uniform or on the way to and from school and behaviour which may bring the school into disrepute. Cyber bullying would also be included here.</p>
<p>The letter states my child can not be seen in a public place during the school day for the period of the exclusion.</p> <p>Can they come with me when I take a younger child to school?</p>	<p>During these five days you are responsible for your child's whereabouts. You must make sure they are not in a public place without reasonable justification during school hours.</p> <p>This duty is similar to that on school attendance and you could be fined if you breach it. The fine is £60 and goes up to £120 pounds if you do not pay within 28 days. Failure to pay within 42 days could lead to prosecution.</p> <p>You should not be taking an excluded child up to school even if you are taking a younger child in. If you have not alternative then you must discuss this situation with the school.</p>
<p>I want the school to set work for my child but they are refusing. Can they do that?</p>	<p>Even though your child is not allowed on the school site, they still should be receiving education.</p> <p>Schools should take reasonable steps to set and mark work for the first five days of any exclusion. If no work has been sent home, contact the school and ask for some.</p> <p>Many schools have work available to pupils on the school's website. Any work set should be accessible and achievable to pupils outside school</p> <p>If the school fixed term excluded a child for more than 5 days they are responsible for providing a full time supervised education on day 6. On line learning does not count as full time and supervised.</p>
<p>The school is refusing to readmit my child unless I attend a meeting. Can they do that?</p>	<p>Schools should have a strategy for reintegrating pupils after exclusion.</p> <p>In many cases there will be a reintegration meeting when your child goes back. We would advise that this is good practice.</p> <p>At this meeting it's important to look at how you, your child and the school can all work together to avoid problems in the future. You may wish to ask for extra support for your child. If you haven't been offered a meeting, it may be sensible to ask for one.</p> <p>The school can not refuse to readmit your child if you can not attend the meeting, however it can be difficult going back to school after an exclusion. If you are not able to attend the meeting then contact the school and suggest some alternative dates/times. Your child may have missed work and you may be worried about the possibility of further exclusions.</p>

I want the school to reconsider the exclusion how do I get them to do that.

Asking the headteacher to withdraw the exclusion

If your child has not yet been formally excluded or if the exclusion is still ongoing, you may want to ask the headteacher to consider withdrawing or shortening the exclusion.

This may be particularly relevant if you feel that the headteacher was not in full possession of the facts or if the decision was made hastily. However it's important to be aware that the head does not have to change their decision even if you think it is wrong or unfair. You can then put your case to the governing body

Making representations to the governors

What you can do depends on the length of the exclusion or exclusions your child has had.

It's important to remember that the relevant number of days is the total number of days' exclusion in any one term.

Responsibility for reviewing exclusions lies with the Governors of the school. This may be delegated to a sub-committee which must have at least 3 members.

Fixed term exclusions totalling up to 5 days exclusion in a term

You have a right to make representations (put forward your views) to the governors. The governors must consider your representations, but there is no set time limit for this.

They do not have to arrange a meeting with you, though many will agree if you request it. They must however still consider your written representations.

The governors do not have the power to reinstate your child and it is likely that the child will be back in school anyway. As the exclusion will have happened, it cannot be deleted from the school record. However, if the governors agree with you that it was not justified, they may put a note on the school record to that effect.

Fixed term exclusions totalling between 5 1/2 and 15 days in a term

The governors must meet to consider the exclusion if the parent requests it. The meeting must take place within 50 school days. The governors can reinstate a pupil either immediately or on a specified date

Fixed term exclusions totalling more than 15 days in a term

The governors will automatically meet to consider the exclusion. This must be within 15 school days. The governors can reinstate a pupil either immediately or on a specified date.

<p>My child will miss an important exam due to the exclusion.</p> <p>Can the school do that?</p>	<p>The Governing Body MUST consider the reinstatement of an excluded pupil within in 15 school days if the exclusion will result in the pupil missing a public examination.</p> <p>If timescales do not permit this, the Chair of Governors may consider the exclusion independently and decide whether to reinstate the pupil. Parents still have the right to make representations.</p> <p>This is the only situation whether the Chair may review an exclusion alone.</p>
<p>Other sources of advice and guidance</p>	<p>ACE Education website. http://www.ace-ed.org.uk/advice-about-education-for-parents/exclusion-from-school</p> <p>Access and Inclusion Team 380867 Jo Gallagher is the administrator</p>