

WIRRAL SEND PARTNERSHIP

Information Advice and Support Service

Fixed Term Exclusion

Government guidance to schools states that Head Teachers should only decide to exclude a pupil if all other options have been explored. All exclusions should be treated in the strictest confidence and should be for the shortest time necessary.

Exclusion should only be considered for a serious breach of school policy and if to allow the pupil to remain in school would seriously harm the education or welfare of other pupils. Schools should not exclude for minor incidents such as refusal to comply with uniform policy, lateness or failure to complete homework.

If you believe your child's behaviour may be due to an unidentified special educational need you should ask school to carry out a multi-agency assessment. If your child has special educational needs school should try all practical means to keep them in school.

A Head Teacher can exclude your child for between 1 day and 15 days up to a maximum of 45 days per school year.

What happens if my child is excluded?

You should receive a letter telling you of the reason for the exclusion and when the exclusion begins and ends. It should also tell you about your right to make representations to the governors if you wish to challenge the Head's decision to exclude your child.

For exclusions up to 5 days school should set and mark work for completion at home. You are responsible for ensuring that your child is not in a public place during this time. School must arrange full time alternative provision for any fixed term exclusions of 6 days or longer.

Usually school will arrange for a re-integration meeting for the day after the exclusion ends. You will be expected to attend. However, school cannot extend the exclusion if you are unable to attend the re-integration meeting for any genuine reason i.e. illness or medical appointment.

If your child's school asks you to keep your child home at lunchtime they must treat this as a fixed term exclusion (this counts as a half day exclusion) and follow the above procedures.

Sometimes a school may contact you to ask that you collect your child during the school day because of their behaviour. Unless school has followed the fixed term exclusion procedure they cannot insist that you comply with this request.

If your child has had several fixed term exclusions, or is at risk of permanent exclusion, school should draw up a pastoral support plan which should consider behaviour support strategies such as:

- Mentoring
- Counselling
- Anger Management
- Advice from other agencies
- Convening a Team Around a Family (TAF) meeting

Challenging an exclusion

If you feel strongly that your child's exclusion was unfair you have the right to put your case in writing to the school governors. If your child has been excluded for more than

15 days in one term you have the right to meet with the governors in person. Your letter should include:

- Why you disagree with the exclusion
- What support school has or has not tried
- Your and your child's view of the incident that led to the exclusion
- Any evidence about a possible underlying cause for your child's behaviour
- Any alternative solutions which you feel are more appropriate
- A summary of the impact of the exclusion on the child

Meeting with the Governors

There will be between 3 and 5 governors present at the meeting as well as a clerk to take notes. A local authority representative may also be invited. You can decide whether or not you bring your child to the meeting. You can call Wirral SEND Partnership for further information prior to the meeting.

How will the meeting be run?

The chair of governors will explain how the meeting will be conducted. Usually the Head Teacher will present the school's case first. You will have the opportunity to question any of the points made. You will then have an opportunity to put forward your case. You can read out a summary of your reasons and hand a copy to the governors if you wish. If your child has attended the meeting s/he may be questioned by the governors and will also have the opportunity to ask any questions.

What the Governors can decide

If the exclusion is for 5 days or less the governors only have the power to either uphold the decision, or place a copy of their findings on your child's school record if they disagree. If the exclusion is for more than 5 days the governors can decide whether they should uphold the school's decision or overturn it. If they overturn it they can direct the school to take your child back either immediately or at a later date. After the meeting the governors must let you know of their decision in writing within one school day of the hearing. The exclusion will not be deleted from your child's school records, but a copy of the governors' decision letter should be placed with it.

For Further Information Please Contact:

**Wirral SEND Partnership
Information, Advice and Support Service
Unit 7, Wirral Business Park,
Arrowe Brook Road, Upton, CH49 1SX
Tel: 0151 522 7990
Fax: 0151 670 1600**

**E-mail: contact@wired.me.uk
Website: www.wired.me.uk**



Note: The information contained in this leaflet is correct at time of print (October 2017) and is based on the Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance September 2017