

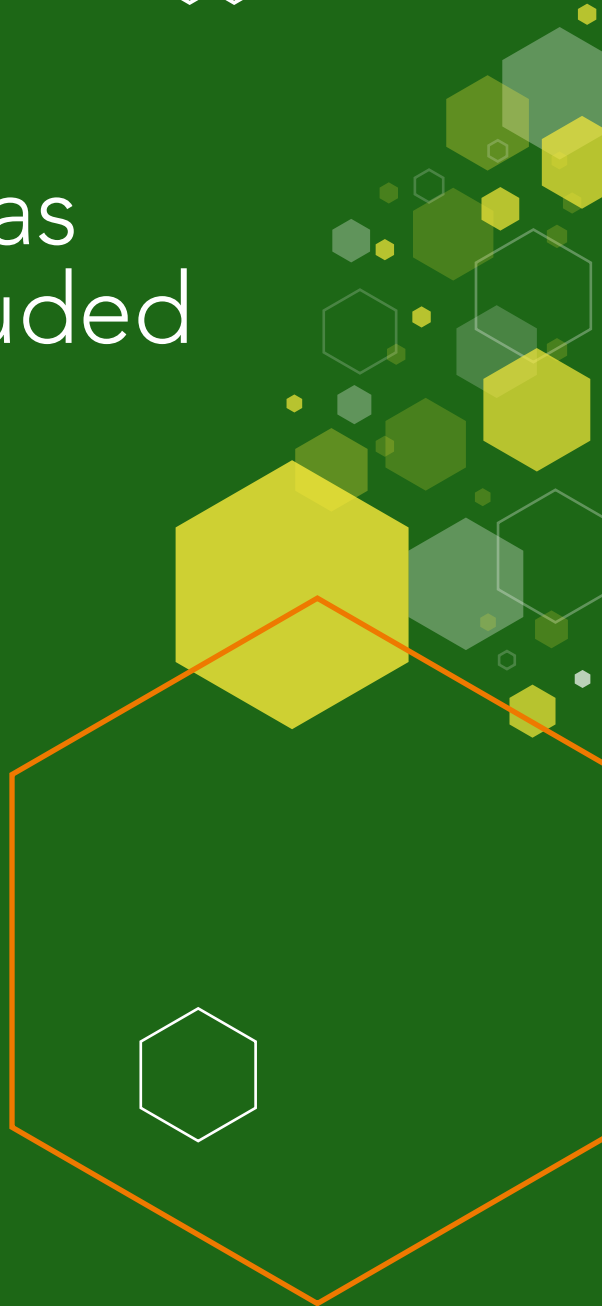
Exclusions Team



**the learning trust**  
the future for education in Hackney

# my child has been excluded

A guide for parents on  
the exclusion process



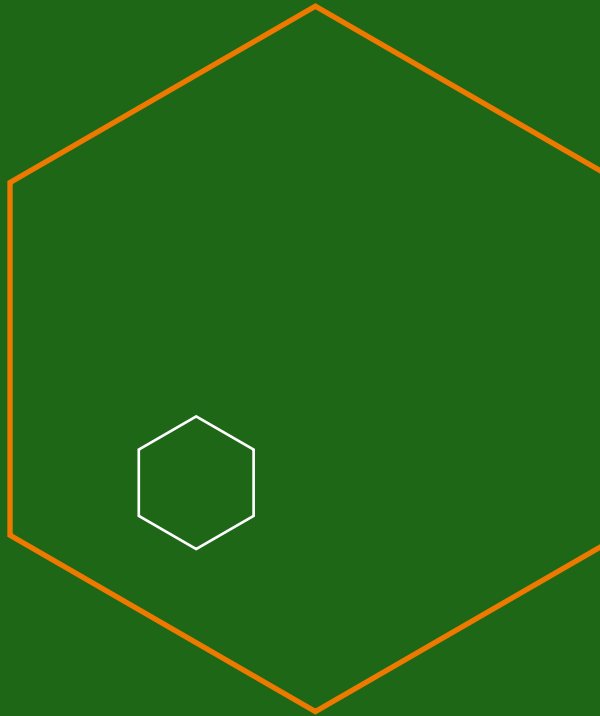
## Exclusions Team

The Learning Trust  
Hackney Technology & Learning Centre  
1 Reading Lane  
London E8 1GQ

## Enquiries

T. 020 8820 7569 / 7279

[www.learningtrust.co.uk/schools](http://www.learningtrust.co.uk/schools)



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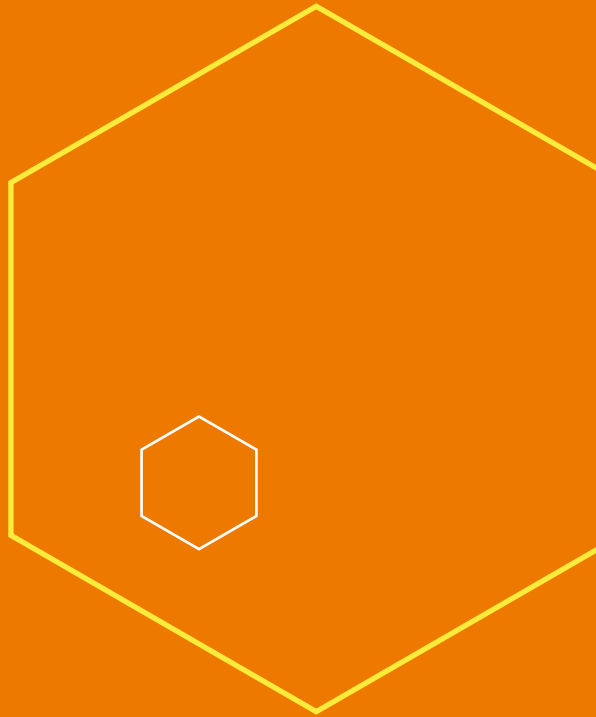
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what are  
exclusions?



## Fixed-term exclusion

Fixed-term exclusion means that your child has been excluded from school for a specified period, with a date given for his/her return to school. Headteachers may exclude a pupil for up to 45 school days in any school year.

Only the Headteacher has the legal power to exclude your child, or exceptionally, the deputy Headteacher acting in the Headteacher's absence, with his/her authority. Headteachers have been advised that a decision to exclude a pupil should be taken only:

- in response to serious breaches of a school's discipline policy; and
- if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or of others in the school

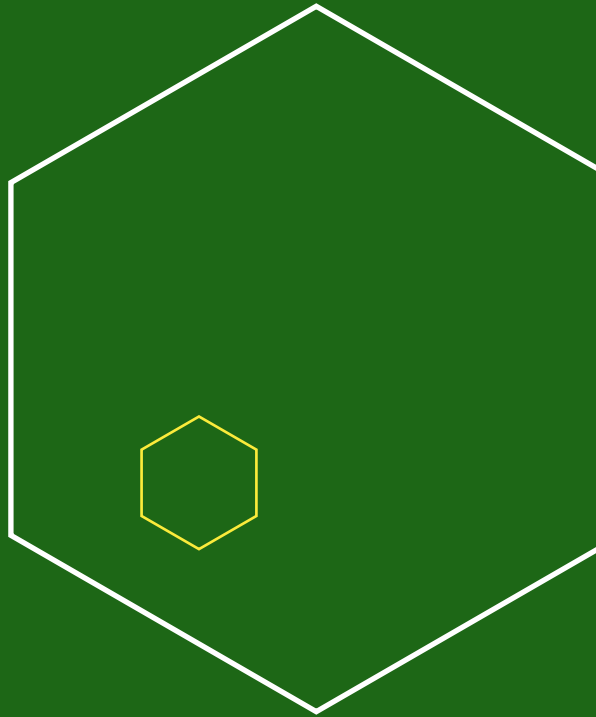
## Permanent exclusion

Permanent exclusion means that your child can no longer attend the school and his/her name will be removed from the school roll.

## Equal Opportunities

As part of its policy to eliminate racial and sexual discrimination, the Learning Trust monitors the number of pupils excluded by age, gender and ethnic background.

fixed term  
exclusions



## My child has been given a fixed-term exclusion

Your Headteacher will notify you immediately, ideally by telephone and follow up with a letter. The letter will confirm the date and time that the exclusion begins and ends.

### You and your child

- Your child's exclusion will normally begin on the next school day
- You have responsibility for your child from the first to the fifth day and are required to ensure that he / she is not present in a public place during school hours without justification. You may be prosecuted, or may be given a fixed penalty notice, if you do not do so
- Your child has a right to access educational provision from the sixth day of any exclusion
- You have the right of access to your child's school records
- You are given access to an Exclusions Officer to provide advice on the process
- You have the legal right to state your case to your school's governors

### What your school will do

Your school's Headteacher will send you written notification of your child's exclusion. This letter will include:

- The length of the exclusion
- The reasons for the exclusion
- Details of the incident which led to the exclusion and reference to the school's published discipline policy

- The steps taken by the school to try to avoid the exclusion
- The arrangements which have been made to set and mark work for your child
- The name and address of the Clerk to the Discipline Committee of your school's governing body, should you wish to challenge the Head's decision
- Details of your rights and responsibilities (as set out in this booklet)

## **My child has been excluded for 5 days or less**

### **What you can do**

You can state your child's case to the Discipline Committee of your school's governing body. We have supplied a template for writing a letter to your school's governing body (see page 23).

### **What your school's governing body can do**

It is not practical to reinstate your child before the exclusion is due to end. However, the Discipline Committee can still consider any written statement from you about the exclusion.

### **What will happen next?**

The governing body must consider any representations you make and may place a copy of their findings on your child's school records. No statutory time limits regarding the meeting of the governors apply to the consideration of such exclusions

## My child has been excluded for between 6 and 15 days in one term

### What you can do

You can appeal to the Discipline Committee of your school's governing body to overturn the exclusion.

You have the right to meet with the Discipline Committee of your school's governing body if you disagree with the exclusion, or make any other views known. To do this you must make a written request to the Clerk of the Discipline Committee. The school must ensure that this meeting takes place between 6 and 50 school days following the exclusion.

### What your school's governing body can do

They have the legal power to overturn the decision and reinstate your child before the exclusion is due to end. If they meet after your child has returned to school, they must still consider whether the exclusion was fair and record their views on your child's file.

### What will happen next?

See the section on 'What happens at meetings of the Governing Body's Discipline Committee?' on page 12.

## **My child's exclusions total more than 15 days in one term – what next?**

### **What you can do**

The Discipline Committee of your school's governing body must meet with you. They will contact you to arrange a meeting to discuss your child. You do not have to request this meeting. The meeting must take place between the 6th and 15th day of the exclusion.

### **What your school's governing body can do**

They have the legal power to overturn the decision and reinstate your child before the exclusion is due to end.

### **What will happen next?**

See the section on 'What happens at meetings of the Governing Body's Discipline Committee?' on page 12.

## **My child has been excluded and will miss a public exam**

### **What you can do**

You have the right to meet the governing body. You must meet before the date of the exam. If it is not practical for a panel of governors to meet before the date of the exam, the chair of governors can consider the exclusion by themselves and decide whether to reinstate the pupil. However, this is the only time that a chair of governors can act alone on an exclusion.

### **What your school's governing body can do**

They have the legal power to overturn the decision and reinstate your child before the exam begins.

### **Sample letter**

If you wish to state your child's case, we have prepared a template that you can base your letter on page 23.

### **What will happen next?**

See the section on 'What happens at meetings of the Governing Body's Discipline Committee?' on page 12.

## **My child has special educational needs**

Parents should contact the Hackney Parent Partnership (HPPS) for advice and support. HPPS will also be able to provide details of voluntary agencies that offer support to parents of children with special educational needs. Claims alleging discrimination in respect of fixed term exclusions will be heard by the Special Educational Needs and Disability Tribunal (SENDIST). HPPS can also help you with this. See page 22 for contact details.

## What happens at meetings of the Governing Body's Discipline Committee?

This will be your opportunity to state any views you have on your child's exclusion. Therefore, it is in your interest to make every effort to attend the meeting. If you are unable or unwilling to, you can still put your views in writing.

Your child will also be allowed to attend and present his or her case, subject to their age and understanding. An interpreter will be present at the meeting, if necessary.

The Advisory Centre for Education (ACE) provide detailed guidance on how to prepare yourself for the meeting. Please speak to the Exclusions Officer or contact them directly (details on page 22).

### Who will be there and what role will they play?

#### You

Your role is to state your child's case, and state the reasons why you disagree with the exclusion, if that is the case.

#### Your child

Your child, if present, will be given the opportunity to comment.

#### The Headteacher

The Headteacher's role is to explain the reasons for excluding your child, which may involve calling staff as witnesses.

## The Learning Trust Exclusion Officer

The Exclusions Officer can make a statement regarding how other schools have dealt with similar incidents, advise on alternative arrangements, and draw the governors' attention to issues where there is a lack of clarity or where more information is needed and where guidance has been ignored.

## Your school's governors

The governing body Discipline Committee has to make the decision to uphold or overturn the exclusion.

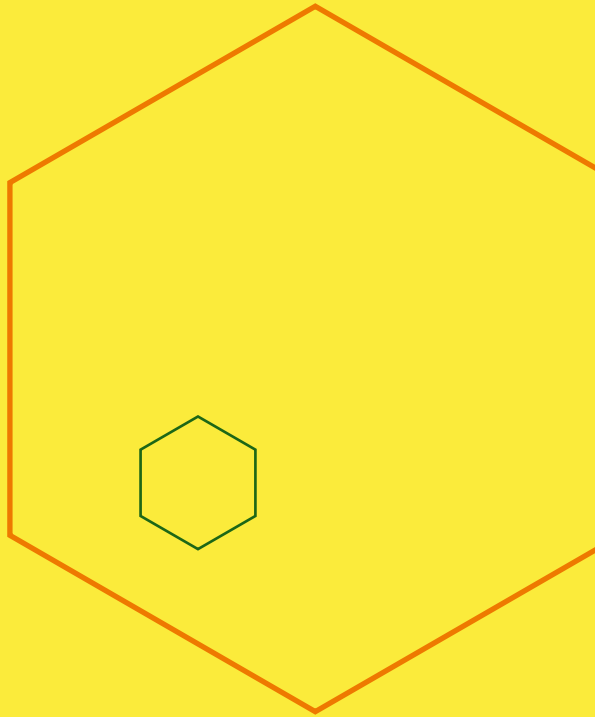
## The process

- The Headteacher will state the school's case, and then be open to questions from all present
- You will state your child's case, and the reasons why you disagree with the exclusion and then be open to questions from all present
- Your child, if present, will also be given the opportunity to comment
- Governors will ask questions of all parties throughout proceedings
- You and the Headteacher will both be asked to sum up
- The Exclusions Officer will highlight relevant points from DCSF Exclusion Guidance
- The governors make their decision

## What next?

The Clerk to the Committee will send the decision of the meeting to you in writing within one school day of the hearing. The letter will include the reasons for the Committee's decision.

permanent  
exclusions



## My child has been permanently excluded

The decision to exclude a child permanently is a serious one. It is the final step in the process for dealing with disciplinary offences when a wide range of other strategies have been tried and failed, including the use of a Pastoral Support Programme.

Headteachers may under exceptional circumstances exclude a pupil permanently for a first or one-off offence such as an incident involving sexual misconduct or supplying/dealing in illegal drugs.

### You and your child

- Your child's exclusion will normally begin on the next school day
- You have responsibility for your child's welfare during school hours
- You are given access to a Learning Trust Exclusions Officer to provide advice on the process
- You have the right of access to your child's school records
- You will be expected to attend the governing body Discipline Committee meeting set up to review your child's exclusion

## What your school will do

Your school will set the meeting of the Governing body Discipline Committee to review your child's exclusion

Your school's Headteacher will send you written notification of your child's exclusion. This letter will include:

- The date the exclusion starts
- The reasons for the exclusion
- Details of the incident which led to the exclusion and reference to the school's published discipline policy
- The steps taken by the school to try to avoid the exclusion
- Details of any relevant previous warnings, fixed period exclusions or other disciplinary measures taken before the incident which led to the exclusion (if this takes time to collate it will be contained in a prompt follow-up letter)
- The arrangements which have been made to set and mark work for your child
- Details of when and where the Governing Body Discipline Committee will meet
- Details of your rights and responsibilities (as set out in this leaflet)
- Details of arrangements for educational provision made for the sixth day onwards

## What happens at meetings of the Governing Body's Discipline Committee?

In order to carry out their legal duty the Governing Body Discipline Committee will arrange a special meeting to review the exclusion. The clerk to the Discipline Committee will invite you to the meeting. This will be your opportunity to state any views you have on your child's exclusion.

The meeting will be arranged at a time and place convenient to you within reason and you will be allowed to bring someone with you to the meeting to help you.

Governors have been advised to try and ensure that the meeting is not too formal or intimidating for you. You will be circulated with any written statements in advance and told the names of those who will be present.

Your child will also be allowed to attend and present his or her case, unless there are strong reasons to refuse. An interpreter will be present at the meeting, if necessary.

It is in your interest to make every effort to attend the meeting. However, if you are unable or unwilling to, you can still put your views in writing.

The Advisory Centre for Education (ACE) provide detailed guidance on how to prepare yourself for the meeting. Please speak to your Exclusions Officer or contact them directly (details on page 22).

## Who will be there and what role will they play?

### You

Your role is to state your child's case, and state the reasons why you disagree with the exclusion, if that is the case.

### Your child

Your child, if present, will be given the opportunity to comment.

### The Headteacher

The Headteacher's role is to explain the reasons for excluding your child, which may involve calling staff as witnesses

### The Learning Trust Exclusion Officer

The Exclusions Officer can make a statement regarding how other schools have dealt with similar incidents, advise on alternative arrangements, and draw the governors' attention to issues where there is a lack of clarity or where more information is needed and where guidance has been ignored.

### Your school's governors

The governing body Discipline Committee has to make the decision to uphold or overturn the exclusion.

## The process

- The Headteacher will state the school's case, and then be open to questions from all present
- You will state your child's case, and the reasons why you disagree with the exclusion and then be open to questions from all present

- Your child, if present, will also be given the opportunity to comment
- Governors will ask questions of all parties throughout proceedings
- You and the Headteacher will both be asked to sum up
- The Exclusions Officer will highlight relevant points from DCSF Exclusion Guidance
- The governors make their decision

### The decision

The Clerk to the Committee will send the decision of the meeting to you in writing within one school day of the hearing. The letter will include the reasons for the Committee's decision.

If the Committee decides to direct that your child returns to school it cannot attach conditions to the reinstatement. The Committee will, however, discuss with the Exclusions Officer whether extra short term support would help to ensure successful re-integration. The decision letter will let you know the date your child can return to school.

If the Committee decides to uphold the Headteacher's decision to exclude your child permanently the decision letter will also explain that you have the right to appeal against the decision to an independent appeal panel to which you can make oral and written representations.

You will be informed within three working days of the Committee's decision confirming the details of the independent appeal.

## Independent appeals

If you decide to appeal against the permanent exclusion of your child, you will need to do so within 15 school days. You will be notified by the clerk to the committee of the time and place for the appeal to be heard. It is important for you to attend, but you can decide not to attend in which case only the written statements you submitted will be considered.

The panel will consider whether your child did what he or she is accused of doing and, if so, whether permanent exclusion is a reasonable response to that conduct.

## What happens after permanent exclusion?

If your child lives in Hackney you will be invited to an interview with the Head of one of The Learning Trust's Pupil Referral Units. The interview is designed to plan the best way forward for your child.

### My Child has Special Educational Needs

Appeals against permanent exclusion, where discrimination is alleged to have taken place, or a disabled pupil has allegedly been placed at substantial disadvantage by the exclusion procedures, will be heard by the Independent Appeal Panel.

You should contact the SEN Case Officer for your child or the Parent Partnership Service in order to discuss concerns.

## Pupil Referral Units

### Key Stage 1&2 PRU

Phone: 020 8985 2993  
Address: St John's Education Centre  
St John's Churchyard  
Hackney E8

### Key Stage 3 PRU

Phone: 020 7254 1250  
Address: Daniel House  
Clissold Road  
Stoke Newington N16

### Key Stage 4 PRU (and KS3 fixed term exclusions)

Phone: 020 8533 5480  
Address: Hackney Quest  
1 Poole Road  
London E9 7AE

## Pupils living outside Hackney

If your child does not live in Hackney it will be the responsibility of the Education Officer in the borough in which you reside to ensure that your child receives appropriate education.

## Where to go to for further advice

If you require further advice from The Learning Trust, you can contact:

### The Learning Trust Exclusions Team

**Phone:** 020 8820 7569 or 7279  
**Address:** Hackney Technology and Learning Centre,  
1 Reading Lane, London E8 1GQ.  
**Web:** [www.learningtrust.co.uk/schools](http://www.learningtrust.co.uk/schools)

### Hackney Parent Partnership Service

**Phone:** 020 7014 7123  
**Address:** Hackney Ark, Downs Park Road (near Cecilia Road),  
London E8 2HY  
**Web:** [www.learningtrust.co.uk/special\\_needs](http://www.learningtrust.co.uk/special_needs)  
**Email:** [hackneypps@aol.co.uk](mailto:hackneypps@aol.co.uk)

Other organisations you can contact include:

### The Special Educational Needs and Disability Tribunal (SENDIST)

**Phone:** 0870 241 2555  
**Address:** Mowden Hall,  
Staindrop Rd, Darlington DL3 9DN  
**Web:** [www.sendist.gov.uk](http://www.sendist.gov.uk)

### Disability Rights Commission

**Phone:** 08457 622 633  
**Web:** [www.drc-gb.org](http://www.drc-gb.org)

### Advisory Centre for Education (ACE)

**Phone:** 020 7704 9822  
**Web:** [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

## Sample letter

If you wish to write to your school's governing body, we have prepared a template that you can base your letter on:

### To the Chair or Clerk of the Governing Body

Dear Sir / Madam,

My child (*name*) has been excluded. I would like to state my case in person to the governors.

Please give me copies of my child's school record, the school's behaviour / discipline policy and (*if relevant*) the SEN, race equality and equal opportunities policies and any witness statements, including my child's statement. I would like to bring a friend / adviser with me.

Yours faithfully,      (*Name*), Parent

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## Notes



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Supplying education services to the London Borough of Hackney.