

Southend-on-Sea Exclusions

Part 3 – Model Letters



September 2016



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1. Model letter from head teacher (or Head of Centre at a Pupil Referral Unit (or Short Stay School) notifying parent of a fixed period exclusion of five days or fewer in one term, and where a public examination is not missed.

Note: The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day.

Dear **(Name of parent)**,

(Name of pupil)
Fixed Term Exclusion

I am writing to inform you of my decision to exclude **(name of pupil)** for a fixed period of **(specify period)**. This means he/she will not be allowed in school for this period. The exclusion begins on **(date)** and ends on **(date)**. Your child should return to school on **(date)**.

I realise that this exclusion will be upsetting for you and your family, but my decision to exclude **(child's name)** has not been taken lightly. **(Name of pupil)** has been excluded for the fixed period because **(reason for exclusion)**.

(For pupils of compulsory school age)

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **(name of pupil)** to be completed on the days specified in the previous paragraph. **(Detail the arrangements for this.)** Please ensure that work set by the school is completed and returned to us promptly for marking.

(School/Pupil Referral Unit/Short Stay School) You have the right to make a written statement to the governing body/management committee. If you wish to do so please contact **(Clerk to GDC)** on/at **(contact details – address, phone number, email)** as soon as possible. Whilst the governing body/management committee 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

You should also be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the discipline committee.

You also have the right to see a copy of **(name of pupil)**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **(name of pupil)**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.



You may wish to contact the Behaviour Outreach Service for advice on 01702 904644 or the Information Advice and Support Services Manager for pupils with Special Educational Needs on 01702 534793.

You may also find it useful to contact the **Coram** Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24 December to 1 January.

(Name of pupil)'s exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**

Yours sincerely,

(Name)

Head Teacher



2. Model letter from head teacher (or Head of Centre at Pupil Referral Unit/Short Stay School) notifying parent(s) of a fixed period exclusion of more than five and up to and including 15 school days in total in one term.

Note:- The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day. **Statutory guidance is that the information concerning off site provision should be provided by the end of the afternoon session on the day the exclusion is imposed.**

Dear **(Name of parent)**,

(Name of pupil)
Fixed Term Exclusion

I am writing to inform you of my decision to exclude **(name of pupil)** for a fixed period of **(specify period)**. This means **(name of pupil)** will not be allowed in school for this period. The exclusion start date is **(date)** and the end date is **(date)**. Your child should return to school on **(date)**.

I realise that this exclusion will 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 the fixed period because **(specify reasons for exclusion)**.

(For pupils of compulsory school age – next three paragraphs.)

You have a duty to ensure that your child is not present in a public place in school hours during the first five **(amend if the off site provision is to start earlier)** days of this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **(name of pupil)** during the first five **(amend if the off site provision is to start earlier)** school days of his/her exclusion **(detail the arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the sixth **(or earlier if so arranged)** school day of **(name of pupil)** exclusion **(specify date)** until the end of the exclusion we will provide suitable full time education. On **(date)** he should attend at **(give name and address of the alternative provision if not the home school)** at **(specify time as start times vary between schools)** and report to **(staff member)**. **(If applicable say something about transport arrangements from home to the alternative provision. If not known, say that the arrangements for suitable full time education will be notified by a further letter, not later than 48 hours before the provision is to begin.)**

(School/Pupil Referral Unit/Short Stay School) You have the right to request a meeting of the school's discipline committee/Short Stay School's management committee to whom you may make representations, and my decision to exclude can



be reviewed. As the length of this exclusion is more than five school days in one term the discipline committee/management committee must meet if you request it to do so. The latest date by which the discipline committee can meet, if you request a meeting, is **(specify date – no later than 50th school day after the date on which discipline committee were notified of this exclusion)**. If you do wish to make representations to the discipline committee/management committee and wish to be accompanied by a friend or representative please contact **(name of contact)** on/at **(contact details – address, phone number, email)** as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

If you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the discipline committee.

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The school will set work for **(name of pupil)** during the period of his/her exclusion **(give details of the arrangements)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You may wish to contact the Behaviour Outreach Service for advice on 01702 904644 or the Information Advice and Support Services Manager for pupils with Special Educational Needs on 01702 534793.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to 1st January. Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

(Name of pupil)'s exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**.

Yours sincerely,

(Name)

Head Teacher

3. Model letter from head teacher (or Head of Centre at a Short Stay School) notifying parent of a single fixed period exclusion of more than 15 school days in one term, or any exclusion that takes the total of excluded days to over 15 days for one term.

Note:- The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day. **Statutory guidance is that the information concerning off site provision should be provided by the end of the afternoon session on the day exclusion is imposed.**

Dear (Name of parent),

(Name of pupil)
Fixed period exclusion

I am writing to inform you of my decision to exclude **(name of pupil)** for a fixed period of **(specify period)**. This means that **(name of pupil)** will not be allowed in school for this period. The exclusion begins on **(date)** and ends on **(date)**.

I realise that this exclusion will be upsetting for you and your family, but my decision to exclude **(child's name)** has not been taken lightly. **(Name of pupil)** has been excluded for the fixed period because **(specify reason for exclusion)**. Your child should return to school on **(date)**.

(For pupils of compulsory school age – next three paragraphs)

You have a duty to ensure that your child is not present in a public place in school hours during the first five **(amend if the off site provision is to start earlier)** days of this exclusion **(specify dates)** unless there is reasonable justification for this. I must warn you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **(name of pupil)** during the first five **(amend if the off site provision is to start earlier)** school days of his/her exclusion **(detail the arrangements for this)**. Please ensure that work set by the school is completed and returned to us promptly for marking.

(If the individual exclusion is for more than five days.)

From the sixth **(or earlier if so arranged)** school day of the pupil's exclusion **(specify date)** until the end of his exclusion we will provide suitable full time education. On **(date)** he should attend at **(give name and address of the alternative provision if not the home school)** at **(specify time as start times vary between schools)** and report to **(staff member)**. **(If applicable say something about transport arrangements from home to the alternative provision. If not known, say that the arrangements for suitable full time education will be notified by a further letter, not later than 48 hours before the provision is to begin.)**



From the sixth school day of the pupil's exclusion (**specify date**) until the end of his exclusion we (**for Pupil Referral Unit or Short Stay Schools the local authority – set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter**) will provide suitable full time education. (**Set out the arrangements if known at the time of writing, eg**) On (**date**) he should attend at (**give name and address of the alternative provider**) at (**specify time as start times vary between schools**) and report to (**staff member**). (**If applicable say something about transport arrangements from home to the alternative provider. If not known say that the arrangements for suitable full time education will be notified by a further letter.**)

(School/Pupil Referral Unit/Short Stay School) As the length of the exclusion is more than 15 school days or brings the total of excluded days to over 15 in one term the discipline committee/management committee must meet to consider the exclusion. At the review meeting you may make representations to the committee if you wish. The latest date on which the committee can meet is (**date here – no later than 15 school days from the date the discipline committee is notified**). If you do wish to make representations to the discipline committee/management committee and wish to be accompanied by a friend or representative please contact (**name of contact**) on/at (**contact details – address, phone number, email**) as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the discipline committee of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also please inform (**name of contact**) if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the discipline committee.

You also have the right to see a copy of (**name of pupil**)'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact the Behaviour Outreach Service on 01702 904644 who can provide advice. (**It may also be helpful to contact give contact details of any other relevant service considered relevant such as the Information Advice and Support Service Manager for pupils with Special Educational Needs on 01702 534793.**)

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to 1st January. Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

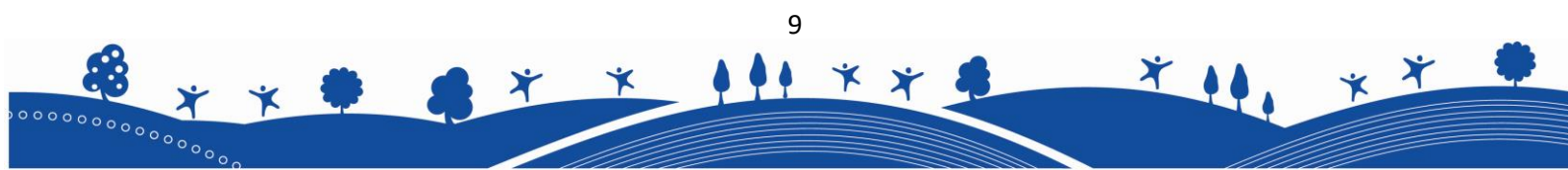


(Name of pupil)'s exclusion ends on **(date)** and we expect **(name of pupil)** to be back in school on **(date)** at **(time)**.

Yours sincerely,

(Name)

Head Teacher



4. From the head teacher of a primary, secondary or special school (or Head of Centre at a Pupil Referral Unit or Short Stay School) notifying the parent(s) of a pupil of compulsory school age of that pupil's permanent exclusion.

Note:- The head teacher should notify the parents immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by a letter within one school day. The headteacher should also notify the child's home local authority. Southend Borough Council should also be notified, preferably by email, to Mark Aspel, Victory Park Academy maspel@victorypark.org.uk Tel 01702 904644, acting on behalf of Southend Borough Council.

Dear **(Name of parent)**,

(Name of pupil)
Permanent exclusion

I regret to inform you of my decision to permanently exclude **(name of pupil)** with effect from **(date)**. This means that **(name of pupil)** will not be allowed in this school/ Pupil Referral Unit or Short Stay School unless he/she is reinstated by the discipline committee/management committee or by an appeal panel.

I realise that this exclusion will be upsetting for you and your family, but my decision to permanently exclude **(name of pupil)** has not been taken lightly. **(Name of pupil)** has been excluded because **(reasons for 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 five days of this, ie on **(specify the precise dates)** unless there is reasonable justification. You could be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during normal school hours on those dates. It will be for you to show reasonable justification.

(For pupils of compulsory school age)

Alternative arrangements for **(name of pupil)**'s education to continue will be made. For the first five school days of the exclusion we will set work for **(name of pupil)** and would ask you to ensure this work is completed and returned promptly to school for marking **(this may be different if supervised education is being provided earlier than the sixth day)**. From the sixth day of the exclusion onwards – ie from **(specify the date)** Southend Council will provide suitable full time education. **(Set out the arrangements if known at the time of writing. If not known say that the arrangements will be notified shortly by a further letter.)**

(Where pupil lives in a local authority other than the excluding school's local authority.)

I have also today informed Victory Park Academy, (acting on behalf of Southend Borough Council) of your child's exclusion and they will be in touch with you about arrangements for his/her education from the sixth day of exclusion. You can contact Mark Aspel at Victory Park Academy on 01702 904644.

As this is a permanent exclusion the discipline committee/management committee must meet to consider it. At the review meeting you may make representations to the discipline committee/management committee if you wish and ask it to reinstate your child in school. The discipline committee has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the exclusion in which case you may appeal against its decision to an independent **review** panel. The latest date by which the discipline committee/management committee must meet is **(specify the date – the 15th school day after the date on which the discipline committee/management committee was notified of the exclusion)**. If you do wish to make representations to the discipline committee/management committee and wish to be accompanied by a friend or representative please contact **(name of contact)** on/at **(contact details – address, phone number, email)** as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the discipline committee/management committee of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You also have the right to see a copy of **(name of pupil)**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **(name of pupil)**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact Southend Local Authority who can provide advice, Mark Aspel at Victory Park Academy 01702 904644 or the Information Advice and Support Services Manager on 01702 534793.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to 1st January. Statutory guidance can be accessed at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

If you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the discipline committee.

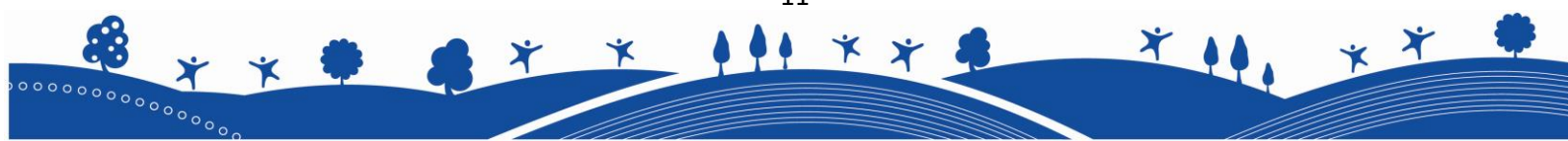
Yours sincerely

(Name)

Head Teacher

Copy to Southend Local Authority, maspel@victorypark.org.uk

Copy to the Child's Home Authority



5. Suggested letter to parents from Clerk to the Governors' Discipline Committee/Short Stay School Management Committee advising them of the meeting.

Dear **(Name of parent)**,

(Name of pupil)
(Fixed term/Permanent) Exclusion

I am writing to inform you that following **(name of pupil)**'s **(fixed term/permanent)** exclusion, the Governors Discipline committee/management committee will meet to consider this decision at the **(school/college)** on **(date)** at **(time)**.

You are invited to this meeting in order to () the exclusion.
(‘make representations about’ in the case of fixed term exclusions of between five and 15 school days where the pupil has returned to school.
‘appeal against’ in the case of fixed term exclusions over five days where the pupil has not returned, fixed term exclusions over 15 days either in a block or in total in one term and permanent exclusions.)

(Name of pupil) is encouraged to attend if he/she wishes.

You may, if you wish, be accompanied by a friend or representative to this meeting. Should you wish any written representations to be considered these should be forwarded to me as soon as possible so that they can be circulated to all parties prior to the meeting. Please advise us of any adjustments that can reasonably be made to support your attendance at the meeting (for example if you suffer from a disability in relation to mobility or communication that make it difficult for you to attend).

A decision will then be taken will then be taken either to reinstate **(name of pupil)** to the school or confirm the exclusion. The Discipline Committee/management committee may decide to amend **(name of pupil)**'s record in light of any representations you may make.

Please would you let me know as soon as possible whether or not you will be able to attend.

Yours sincerely,

(Name)

Clerk to the Governors Discipline Committee/Management Committee

6. Model letter from the clerk to the discipline committee (management committee in case of Short Stay School) to parent upholding a permanent exclusion.

This letter should be sent within one school day of the meeting of the discipline committee/management committee. It should also be sent to Southend Borough Council, preferably by email.

Dear **(Name of parent)**

(Name of pupil)
Permanent exclusion

The meeting of the discipline committee at **(school)** on **(date)** considered the decision made by **(head teacher/ Head of Centre)** to permanently exclude your son/daughter **(name of pupil)**. The discipline committee/management committee, after carefully considering the representations made and all the available evidence, has decided to uphold **(name of pupil)**'s exclusion.

The reasons for the discipline committee's/management committee' decision are as follows: **(give in as much detail as possible, explaining how they were arrived at and making reference where appropriate a reference to how the pupil's special educational needs are relevant to the exclusion).**

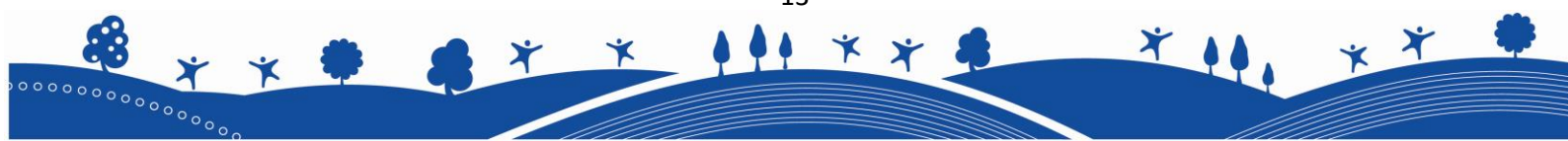
You have the right to have this decision reviewed. During the next few days you will receive an appeal form from the local authorities legal service, with details of how to fill the form in and where to send it. You will have 15 school days to return the (appeal) form, after which you lose your right to review.

Your appeal will be heard by an Independent Review Panel. A three-member panel will comprise one serving, or recently retired (within the last five years) head teacher, one governor who has served at least 12 consecutive months in the previous five years and one lay member who will be the chairman.

You may bring a friend to the review, or at your own expense appoint someone to make written and/or oral representations to the panel.

You have the right to request the presence of a special educational needs expert at the meeting of the Review Panel, regardless of whether any special need has been recognised to date. The role of the SEN expert will be to provide impartial advice on how special educational needs may be relevant to the exclusion, and he/she should advise the panel on whether he/she believes the school acted in legal, reasonable and procedurally fair manner with respect to any identification of SEN, and any contribution this could have made to the circumstances of the permanent exclusion.

In determining your appeal the panel can make one of three decisions: it may uphold your child's exclusion; it may recommend that the Discipline Committee reconsider the exclusion; or direct that the Discipline Committee reconsiders its decision. If the review panel either recommends or directs that the discipline committee reconsider its decision, a further meeting must be convened at the school within 10 school days of the committee receiving the panel decision. *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 relating to a disability, you may make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) <http://www.justice.gov.uk/tribunals/send>. In the case of other forms of discrimination, a claim may be made to the County Court.

You may wish to contact Victory Park Academy on 01702 904644 or the Information Advice and Support Services Manager on 01702 534793 who can provide advice. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

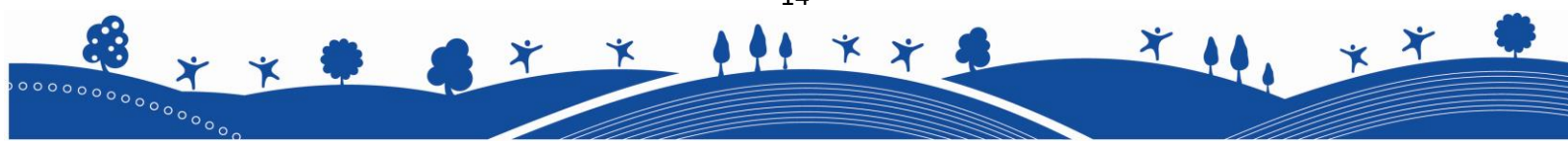
Yours sincerely,

(Name)

Clerk to the Governing Body/Management Committee

Copy to Southend Borough Council, Mark Aspel Victory Park Academy
maspel@victorypark.org.uk

Copy to Southend Borough Council, Colin Gamble Democratic Services,
colingamble@southend.gov.uk



7. Model letter from the clerk to the discipline committee/management committee to parent upholding a fixed term exclusion.

This letter should be sent within one school day of the meeting of the discipline committee/management committee.

Dear **(Name of parent)**

(Name of pupil)

Fixed term exclusion

Further to the meeting of the governors' discipline committee/management committee **(SSS)** to review **(name of pupil)**'s fixed term exclusion from school, I am now writing to confirm the decision of the Committee.

(The case made by the head teacher/ head of centre and the representations made by the parents which had a bearing on the decision should be noted here.)

After careful consideration of all the representations put to the meeting, the discipline committee/management committee decided that **(name of pupil)** was responsible for the behaviour complained of, and that the head teacher's/head of centre's decision to impose a fixed term exclusion of **(insert number)** days was justified. The Committee therefore upheld the head teacher's/head of centre's decision.

Yours sincerely,

(Name)

Clerk to the Governors discipline committee/management committee



8. Model letter from the Clerk to the discipline committee/management committee (SSS) to parents confirming the decision of the Discipline Committee to reinstate. (Copy to the LA for maspel@victorypark.org.uk)

This letter should be sent within one school day of the meeting of the discipline committee/management committee.

Dear **(Name of parent)**

(Name of pupil)

Fixed term/permanent exclusion

Further to the meeting of the governors' discipline committee/management committee to review **(name of pupil)**'s **(fixed term/permanent)** exclusion from school, I am now writing to confirm the decision of the Committee to reinstate **(name of pupil)** to the school.

In reaching its decision the committee considered the case for exclusion presented by the school along with your representations, as well as the view given by the local authority **(if represented)**. On balance the committee felt that **(name of pupil)** should be reinstated **(provide summary of reasons for decision)**.

In the circumstances it was agreed that **(name of pupil)** should return to school on **(specify date)**.

Members of the Discipline Committee hope that **(name of pupil)** will establish a successful return to school. Finally you should be aware that a copy of this letter will be placed on **(name of pupil)**'s school record along with a copy of the head teacher's/head of centre's exclusion letter.

Yours sincerely,

(Name)

Clerk to the Governors' Discipline Committee