

# Dunton and Wrestlingworth Church of England VC Lower Schools Federation

<h2>Exclusion Policy</h2>	
<b>Reviewed by:</b> Nancy Sheehan – updated to reflect COVID-19	<b>Date:</b> 19.02.2020 09.06.20
<b>Review Cycle:</b> Annual	<b>Next Review:</b> September 2020
<b>Minuted by FGB:</b>	

<b>Links with other policies</b>
Behaviour and Anti-Bullying Policy
SEN policy and information report



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## 1. Aims

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

## 3. The decision to exclude

Only the headteacher, or acting headteacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN)

**COVID-19**

A fixed term or permanent exclusion may be given if a pupil commits a serious breach or persistent breaches of the COVID-19 Relationship Policy (15<sup>th</sup> June – 17<sup>th</sup> July 2020) and where allowing the pupil to remain would seriously harm the welfare and education of the pupil and/or others in the school. An example of this would be deliberately and maliciously coughing/spitting in someone's face or persistently refusing to follow rules that are in place to protect everyone.

## 4. Definition

For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

## 5. Roles and responsibilities

### 5.1 The headteacher

#### Informing parents

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the exclusion
- The length of a fixed-term exclusion or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the governing board

The headteacher will also notify parents by the end of the afternoon session on the day their child is excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

#### Informing the governing board and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A fixed term exclusion
- A permanent exclusion, including when a fixed-period exclusion is made permanent
- Exclusions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions which would result in the pupil missing a public examination

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For all other exclusions, the headteacher will notify the governing board and LA once a term.

## 5.2 The governing body

Responsibilities regarding exclusions is delegated to the discipline committee consisting of at least 3 governors.

The discipline committee has a duty to consider the reinstatement of an excluded pupil (see section 6).

## 5.3 The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

## 6. Considering the reinstatement of a pupil

The governing body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

The exclusion is permanent

It is a fixed-term exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term

It would result in a pupil missing a public examination

If requested to do so by parents, the governing body will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion would result in a pupil missing a public examination, the governing body will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the exclusion independently and decide whether or not to reinstate the pupil.

The governing body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the governing body will consider whether the exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The governing body will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the governing body's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
  - The date by which an application for an independent review must be made
  - The name and address to whom an application for a review should be submitted
  - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
  - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to attend the review

- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
  - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
  - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7. An independent review

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing body of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the LA or governing board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the LA or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the LA, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## 8. School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

## 9. Returning from a fixed-term exclusion

Following a fixed-term exclusion, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate. This will determine the most appropriate measures for reintegrating the pupil.

## 10. Monitoring arrangements

The headteacher monitors the number of exclusions every term and reports back to the governors. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the headteacher annually. At every review, the policy will be shared with the governing board.

## Appendix 1: Independent review panel training

The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

## Appendix 2: 5 days or fewer fixed exclusion CBC model letter

### Model letter 1

From head teacher notifying parent of a fixed period exclusion of **5 school days or fewer in one term**.

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that he/she will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**. We expect **(Child's name)** to be back in school on **(date)** at **(time)**

**(Child's name)** has been excluded for this fixed period because **(reason for exclusion)**.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise 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 that there is reasonable justification for this. We will take reasonable steps to set work for the duration of the exclusion.

You have the right to make written representations about this decision to the governing board. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing board 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 may wish to contact the Inclusion Support Officer at Central Bedfordshire Council on 0300 300 6924 or 0300 300 6531, who can provide advice on the process. You may also find it useful to contact the Coram Children's Legal Centre which provides free legal advice and information to parents on education matters. The Centre can be contacted on 0300 330 5485 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays, and 24<sup>th</sup> December to the 1<sup>st</sup> January. The Department for Education's statutory guidance on exclusions can be found at <https://www.gov.uk/government/publications/school-exclusion>

This information will be shared with other services within Central Bedfordshire Childrens Services including the Early Help and the SEND services who may contact you to offer additional support. Further information can be found at

<http://www.centralbedfordshire.gov.uk/school/professionals/information-practitioners/early-help-offer.aspx>

SEN and Disability - Local offer (<http://www.centralbedfordshire.gov.uk/children/sen-disability/landing.aspx>)

Yours sincerely

## Appendix 3: 5-15 days fixed exclusion CBC model letter

### Model letter 2

**From head teacher notifying parent(s) of a pupil's fixed period exclusion of more than 5 school days or a fixed period exclusion which brings the total to more than 5 school days (up to and including 15 school days) in a term.**

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion start date is **[date]** and the end date is **[date]**. We expect **(Child's name)** to be back in school on **(date)** at **(time)**

**(Child's name)** has been excluded for this fixed period because **(reason for exclusion)**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **[or specify dates if exclusion is for fewer than 5 days]** of this exclusion, that is on **[specify dates]**. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will take reasonable steps to set work during the **[first 5 or specify other number as appropriate]** school days of his **[or her]** exclusion **[specify the arrangements for this]**.

**[if the individual exclusion is for more than 5 days]**

From the 6th school day of the pupil's exclusion **[specify date]** the school will provide suitable full-time education. Further arrangements will be communicated to you within the next three days.

You have the right to request a meeting of the school's discipline committee to whom you may make representations, and my decision to exclude can be reviewed. **[As the period of this exclusion is more than 5 school days / As this exclusion means that your child has now been excluded for a period of more than 5 school days this term]** the discipline committee must meet if you request it to do so. The latest date by which the discipline committee must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the discipline committee were notified of this exclusion]**. If you do wish to make representations to the discipline 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 or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You may wish to contact the Inclusion Support Officer at Central Bedfordshire Council on 0300 300 6924 or 0300 300 6531, who can provide advice on the process. You may also find it useful to contact the Coram Children's Legal Centre which provides free legal advice and information to parents on education matters. The Centre can be contacted on 0300 330 5485 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays, and 24<sup>th</sup> December to the 1<sup>st</sup> January. The Department for Education's statutory guidance on exclusions can be found at <https://www.gov.uk/government/publications/school-exclusion>

This information will be shared with other services within Central Bedfordshire Childrens Services including the Early Help and the SEND services who may contact you to offer additional support. Further information can be found at:

<http://www.centralbedfordshire.gov.uk/school/professionals/information-practitioners/early-help-offer.aspx>

SEN and Disability - Local offer (<http://www.centralbedfordshire.gov.uk/children/sen-disability/landing.aspx>)

Yours sincerely

**[Name]**  
**Headteacher**

## Appendix 4: More than 15 days total fixed exclusion CBC model letter

### Model letter 3

From head teacher notifying parent of a fixed period exclusion of **more than 15 school days in total in one term.**

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion begins/began on **[date]** and ends on **[date]**. We expect **[Name of Child]** to be back in school on **[date]** at **[time]**.

**(Child's name)** has been excluded for this fixed period because **(reason for exclusion)**.

You have a duty to ensure that your child is not present in a public place in school hours during **[the first five school days of exclusion or specify dates]**, unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will take reasonable steps to set work during the **[first 5 or specify other number as appropriate]** school days of his **[or her]** exclusion **[specify the arrangements for this]**.

**[if the individual exclusion is for more than 5 days]**

From the 6th school day of the pupil's exclusion **[specify date]** the school will provide suitable full-time education. Further arrangements will be communicated to you within the next three days.

As the length of the exclusion is more than 15 school days or brings the total number of days excluded to more than 15 days in one term; the governing board must meet to consider the reinstatement of **[child's name]**. At the review meeting you may make representations to the governing board if you wish. The latest date on which the governing board can meet is **[date here — no later than 15 school days from the date the governing board is notified]**. If you wish to make representations to the governing board 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 governing board 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 or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You may wish to contact the Inclusion Support Officer at Central Bedfordshire Council on 0300 300 6924 or 0300 300 6531, who can provide advice on the process. You may also find it useful to contact the Coram Children's Legal Centre which provides free legal advice and information to parents on education matters. The Centre can be contacted on 0300 330 5485 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays, and 24<sup>th</sup> December to the 1<sup>st</sup> January. The Department for Education's statutory guidance on exclusions can be found at <https://www.gov.uk/government/publications/school-exclusion>

This information will be shared with other services within Central Bedfordshire Childrens Services including the Early Help and the SEND services who may contact you to offer additional support. Further information can be found at:

<http://www.centralbedfordshire.gov.uk/school/professionals/information-practitioners/early-help-offer.aspx>

SEN and Disability - Local offer (<http://www.centralbedfordshire.gov.uk/children/sen-disability/landing.aspx>)

Yours sincerely

**[Name]**  
Headteacher

## Appendix 5: Permanent exclusion CBC model letter

### Model letter 4

From the headteacher of a primary, secondary or special school (or the teacher in charge of a PRU) notifying the parent(s) of **permanent exclusion**.

Dear **[Parent's Name]**

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[date]**. This means that **[Child's Name]** will not be allowed in this school unless he/she is reinstated by the discipline committee of the governing board.

**[Child's Name]** has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show that there is reasonable justification.

Alternative arrangements for **[Child's Name]**'s education to continue will be made. For the first five school days of the exclusion we will take reasonable steps to set work for **[Child's Name]**. From the sixth school day of the exclusion onwards — i.e. from **[specify the date]** the local authority will provide suitable full-time education and you will be notified of this within due course.

**\*\*[Where pupil lives in a local authority other than the excluding school's local authority-REMOVE THIS PARAGRAPH IF PUPIL LIVES IN CENTRAL BEDFORDSHIRE]** I have also today informed an officer at the local authority of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governing board must meet to consider **[child's name]** reinstatement. At the review meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to decline reinstatement. In which case you may refer their decision to an Independent Review Panel, which can ask the governing board to review its decision. The latest date by which the governing board must meet is **[specify the date — the 15th school day after the date on which the governing board was notified of the exclusion]**. If you wish to make representations to the governing board 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 governing board of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You may wish to contact the Inclusion Support Officer at Central Bedfordshire Council on 0300 300 6924 or 0300 300 6531, who can provide advice on the process. You may also find it useful to contact the Coram Children's Legal Centre which provides free legal advice and information to parents on education matters. The Centre can be contacted on 0300 330 5485 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays, and 24<sup>th</sup> December to the 1<sup>st</sup> January. The Department for Education's statutory guidance on exclusions can be found at <https://www.gov.uk/government/publications/school-exclusion>

This information will be shared with other services within Central Bedfordshire Childrens Services including the Early Help and the SEND services who may contact you to offer additional support. Further information can be found at:

<http://www.centralbedfordshire.gov.uk/school/professionals/information-practitioners/early-help-offer.aspx>

SEN and Disability - Local offer (<http://www.centralbedfordshire.gov.uk/children/sen-disability/landing.aspx>)

Yours sincerely

**[Name]**  
Headteacher

## Appendix 6: Permanent exclusion upholding to parents CBC model letter

### Model Letter 5

**From the governing board to notify a parent after its consideration of reinstatement.** Where text is in red, please adjust to suit each individual situation and change to black for the final version of the letter.

Dear [Parent's name]

The meeting of the governing board at [school] on [date] considered the decision by [head teacher] to permanently exclude your son/daughter [name of pupil]. The governing board, after carefully considering the representations made and all the available evidence, has decided to decline to reinstate [name of pupil].

The reasons for the governing board decision are as follows: [give the reasons in as much detail as possible, to enable all parties to understand why the decision was made.]

You have the right to refer this decision to an Independent Review Panel. If you wish to do this, please notify the clerk to the Review Panel, and set out the reasons for your referral in writing. The address to send this to is: **Clerk to the Independent Review Panel, Committee Services, Central Bedfordshire Council, Priory House, Chicksands, Shefford, Bedfordshire, SG17 5TQ** by no later than [specify the latest date — the 15th school day after receipt of this letter]. If the clerk has not received your application by [repeat latest date], you will lose your right to have the decision reviewed.

Your case should set out details of the reasons why you consider the decision of the **governing board** should be reviewed and include information about any special educational needs (SEN) your son/daughter may have that you consider to be relevant to the exclusion.

Regardless of whether your son/daughter has recognised SEN, you have a right to ask the Local Authority, or the Academy Trust, to appoint an SEN expert to attend the review at no cost to yourselves. The role of the SEN expert is to provide impartial advice to the Panel on how SEN might be relevant to the exclusion, although that will not include making an assessment of any SEN your son/daughter may have. The kind of thing s/he will comment on will be whether the school's policies on SEN are legal, reasonable and procedurally fair, and the extent to which the application of these policies had any bearing on the exclusion. Please let the Clerk to the Independent Review Panel know at the time of notification if you would like a SEN expert to attend the review meeting.

An Independent Review Panel is a three-member panel comprising one serving, or recently retired (within the last five years), head teacher, one serving, or recently serving, experienced governor/management committee member and one lay member who will be the chairman. The Review Panel will rehear all the facts of the case — if you have fresh evidence to present to the Panel you may do so. The Panel must meet no later than the 15th school day after the date on which your request for review is lodged. In exceptional circumstances panels may adjourn the meeting to a later date.

The Panel can make one of three decisions:

- they may uphold the governing board's decision;
- they may recommend that the governing board reconsiders reinstatement; or
- they may quash the decision and direct that the governing board reconsiders reinstatement.

If you do intend to ask for a review, please advise if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform the clerk to the Review Panel if it would be helpful for you to have an interpreter present.

In addition to the right to apply for an Independent Review Panel, you also have the right to make a claim to the First-tier tribunal if you believe that the exclusion has occurred as a result of disability discrimination. Under the Equality Act (2010) you can also make a claim for other forms of unlawful discrimination to the County Court. Any such claims should be made within 6 months of the exclusion. Guidance on making a claim

of discrimination to the First-tier Tribunal (Special Educational Needs and Disability) or County Court can be found at <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

You may wish to contact the Inclusion Support Officer at Central Bedfordshire Council on 0300 300 6924 or 0300 300 6531, who can provide advice on the process. You may also find it useful to contact the Coram Children's Legal Centre which provides free legal advice and information to parents on education matters. The Centre can be contacted on 0300 330 5485 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 6pm Monday to Friday, except Bank Holidays, and 24<sup>th</sup> December to the 1<sup>st</sup> January. The Department for Education's statutory guidance on exclusions can be found at <https://www.gov.uk/government/publications/school-exclusion>

The arrangements currently being made for [Pupil's name] education will continue through the Local Authority.

Yours sincerely

**[Name]**  
Clerk to the Governing Board/Chair of the Discipline Committee