

LEWISHAM PARENT PARTNERSHIP SERVICE

EXCLUSIONS

Exclusions can be upsetting for both pupil and parent/carer, whether this is a fixed term or permanent exclusion. However many people do not know their rights, and the procedures. Parents/carers should know what to expect from the school and what plans should be made.

Fixed term exclusion:

This is usually for a short period and includes lunchtimes. The pupil must return after this period, and if for more than 1 day, work should be set for the pupil. Head teachers can exclude a pupil for up to 45 days in a school year. The school should call you on the day the exclusion is given and follow with a letter including information on the period of exclusion, the reasons and who to contact if you wish to give your views. A lunch time exclusion counts as half a day for each lunchtime. This should not be for an indefinite period. The school should work out another way of dealing with the problem.

Permanent exclusion

This is when a Head Teacher decides a pupil cannot return to the school. The governing body is then required to review the Head Teacher's decision and you may also meet with them to give your views. If the governing body upholds the decision, you can appeal to an independent appeal panel organised by the local authority. The school must explain in a letter how to lodge an appeal.

Unofficial Exclusions

If a Head Teacher is satisfied that, on the balance of probabilities, a pupil has committed a disciplinary offence and needs to be removed from the school site for that reason, formal exclusion is the only legal method of removal. **Informal or unofficial exclusions are illegal regardless of whether they are done with agreement of parents or carers. Sending a pupil home to cool down, during lunchtimes or telling you to keep your child at home until he/she calms down are not legal exclusions.**

Behaviour Outside School

- A pupil who is out of the school on school business, for example a school trip, work experience or a sport event is still under the school behaviour policy and any bad behaviour can be dealt with by the school as if it had happened in school.

- If a pupil is outside school and not on school business the school can exclude the pupil if there is a clear link between any behaviour and maintaining good behaviour and discipline among the pupil body as a whole. This is something that the Head Teacher must decide. A pupil's behaviour in an area very close to the school or on a journey to or from school can be grounds for exclusion.
- If school staff try to control the behaviour of pupils on public transport or in public places they can only use the same normal powers as any other person.

Pupils with Special Educational Needs

- Schools should only permanently exclude pupils with statements of special educational needs in exceptional circumstances.
- They should also make every effort to avoid excluding pupils who are at School Action or School Action Plus under the Special Educational Needs Code of Practice.
- In most of these cases the Head Teacher will know that the school is having difficulty with a pupil's behaviour well before the situation has worsened.
- The school should try every practicable way of keeping the pupil in school, including asking the LEA and other professionals for advice and support and if appropriate asking for a statutory assessment.
- The school should set up an individual behaviour plan (IBP) for the pupil and should have strategies in place to support them. If the pupil already has a statement and all of this has been tried, then the school should call an emergency annual review of the pupil's statement.
- If a pupil is excluded the Head Teacher should use the period between the exclusion starting and the meeting of the governing body over the exclusion to work with the LEA to see if more support could be made available or if a new school could be named in the statement.
- If either of these are possible the Head Teacher should normally then withdraw the exclusion.
- A pupil should not be excluded just because of his/her disability.

Minimising the risk of exclusion

- Schools should have policies, procedures and staff training in place that promote good behaviour and prevent bad behaviour. These need to be widely advertised so that pupils, all school staff and you are aware of the standards of behaviour expected and the range of punishments. You can ask to see these.

- The school should have a range of procedures that they could follow. These could include:
 - ❖ Engaging with the pupils' parents.
 - ❖ A change of teaching set or class.
 - ❖ Curriculum alternatives at Key Stage 4, including the pupil attending a further educational collage or another form of alternative provision.
 - ❖ A temporary placement in a Learning Support Unit as part of a planned positive programme for pupils. These placements often last 6 weeks.
 - ❖ A temporary or part-time placement in a Pupil Referral Unit where they are able to provide preventative programmes and where it is felt that it would be better for the pupil to be away from the school site for a while.
 - ❖ Assessment of Special Educational Needs, including a possible placement in a different school, if appropriate.
 - ❖ Allocation of a key worker such as a Learning Mentor, Connexions Personal Adviser or Education Welfare Officer.
 - ❖ Referral to a support service such as Education Welfare, Social Services or the Child and Adolescent Mental Health Service (CAMHS) for support.
 - ❖ The use of a Pastoral Support Programme to help the pupil manage their behaviour.
 - ❖ If the school is in an appropriate area, asking for input from the Behavioural and Education Support Team (BEST) – this only covers some areas of Lewisham – ask if your school is covered by a BEST team.

Procedures for exclusion:

For any exclusion parents must be notified immediately, ideally by telephone. Followed up by a letter within one school day. The letter must contain:

- For a fixed period exclusion, the length of the exclusion
- For a permanent exclusion, the fact that it is a permanent exclusion and the date it takes effect
- Reasons for the exclusion
- Parents right to make representations to the governing body
- The person the parent should contact if they wish to make representations

Lewisham Parent Partnership Service
 The Kabin, Forster Park School, Boundfield Road, SE6 1PQ
 Tel: 020 8695 5955 Email: lewishampps@pre-school.org.uk
 Website: www.lewishamparentpartnership.org.uk

The letter should also mention:

- In the case of fixed period exclusion, the date and time when the pupil should return to school.
- The parents' right to see and have a copy of his or her child's school record upon written request to the school
- Arrangements for the pupil to continue their education (work must be set and marked from day 2 of an exclusion).
- Name and number of a Local Authority Officer who can give advice
- Telephone number of the Children's: 0845 345 4345

Responsibility for excluded pupils

- Parents have a statutory responsibility for their child during the first 5 days of any exclusion.
- During the first 5 days, if a child who has been excluded is found in a public place in school hours, without reasonable justification, parents will face a fine.
- Schools must provide full-time education from the 6th day of any exclusion and inform parents of their responsibilities for the first 5 days.
- Head Teachers must arrange a reintegration interview following the end of a fixed period exclusion of at least 1 day from a primary school or more than 5 days from a secondary school.

Further advice and information

Karen John – Lewisham Exclusions Officer – 020 8314 9639

Children's Legal Centre. They can be contacted on **0845 345 4345** or visit www.childrenslegalcentre.com. The advice line is open from 9.00 am to 6.30 pm Monday to Friday.

Advisory Centre for Education (ACE): Exclusion Line: 0808 800 0327. ACE Exclusion Pack: 020 7704 9822 Website: www.ace-ed.org.uk

Independent Panel for Special Education Advice (IPSEA): Tel: 0800 018 4016
Website: www.ipsea.org.uk

www.parentscentre.gov.uk

Publications:

Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units. (September 2008; ref 00573 2008DOM). Available from the Department for Education. Tel: 0845 60 555 60

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Further Contacts

Parent Partnership Service: Independent information, advice and support for parents of children with Special Educational Needs. Contact details below

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