

# EXCLUSION GUIDANCE

## September 2023



Cyngor Bwrdeisdref Sirol

**Blaenau Gwent**

County Borough Council

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## Exclusion Guidance for Schools

This guidance is supplementary to and should be read in conjunction with the Welsh Government (WG) Guidance “Exclusion from schools and pupil referral units” – which was revised in November 2019. All decisions about exclusion must be made with reference to the guidance which outlines statutory responsibilities. In this BG guidance document, the term ‘schools’ refers to Primary, Middle, Secondary and Special schools.

Schools should note that the WG guidance is statutory guidance and is available via the link below:

<https://gov.wales/exclusion-schools-and-pupil-referral-units-pru>

Contact details for queries relating to exclusions:

Statemented pupils/IDP – ALN Manager

[ALNEnquiries@blaenau-gwent.gov.uk](mailto:ALNEnquiries@blaenau-gwent.gov.uk) or 01495 355443

Non statemented pupils – Senior Education Welfare Officer

[lisa.adams@blaenau-gwent.gov.uk](mailto:lisa.adams@blaenau-gwent.gov.uk) or 07870 998947

## Introduction

Blaenau Gwent's aim is for all children and young people is to be purposefully engaged in an educational programme appropriate to their needs and age. We want our children and young people to flourish and to achieve positive outcomes for themselves, their families, and our community and for society at large. We want our children and our adults to be happy, healthy, capable and engaged with school and the wider community. Minimal school exclusions will be a key indicator of our collective success.

National government recognises and promotes the importance of wellbeing in schools as a key factor in achieving this ambition. Blaenau Gwent is aware that improving the all-round wellbeing of pupils and staff is important in and of itself, as well as crucial in lifting performance and attainment levels.

The latest published data from Welsh Government in October 2020 highlighted the fact that children with free school meals were consistently (at least 3 times higher) more likely to be excluded and overall children with additional learning needs (ALN) have higher rates of exclusion than those without.

The Children's Commissioner for Wales report, 'Building Blocks – Inclusion in the Foundation Phase', highlighted concerns about repeat exclusions, reduced timetables and children being taught in isolation.

The Office for the Police and Crime Commissioner (OPCC) has also recently written a report considering growing national concern regarding the correlation between school exclusions and children's subsequent involvement in crime. The research indicated that school exclusions were not necessarily a causal factor for criminality, but rather an indicator of a series of vulnerabilities that increase both exposure to crime and exploitation. More specifically, the research suggested that children excluded or at risk of exclusion from school sit within a network of vulnerability, including adverse childhood experiences, additional learning needs and care experience.

In most cases, fixed-term exclusions are only given after exhausting all the available options for internal interventions and exclusions from the classroom. However, the research also demonstrated the clear need to consider what additional external support can be provided to children to prevent exclusion when internal school-based interventions fail.

Considering the recent reports, the increased focus on the emotional well-being needs of children, and the fact that Blaenau Gwent has relatively high number of fixed term exclusions in Wales, the guidance has been revised as part of Blaenau Gwent's strategy to reduce exclusions

In addition, the Managed Move policy has also been revised and we would encourage head teachers to use this as a supportive intervention.

## **About This Guidance**

This supplementary guidance updates and replaces all previous guidance regarding exclusion from maintained schools, including special schools, published by Blaenau Gwent County Borough Council, herein after referred to as the Local Authority (LA). It applies equally to children with and without statements of special educational needs or individual development plans (IDPs).

This guidance differs to previous guidance as it now contains a checklist for schools to reflect on provision for learners presenting with challenging behaviour to reduce the risk of exclusion. This guidance is also intended to be of assistance to all parties involved in the exclusion process including head teachers, governing bodies and local authority officers.

The requirements of the guidance apply in relation to all pupils, including those who may be below or above compulsory school age, such as those attending nursery classes.

The term “parents” in this guidance include any person who has parental responsibility (which includes the LA where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives. Where practicable it is expected that all those with parental responsibility should be engaged with the exclusion process. The Education Welfare Service should be the first point of contact for any queries that head teachers, governors, parents, pupils or others may have regarding exclusions.

### 3 stage approach to supporting inclusion of learners presenting with challenging behaviour

<p>1. Monitor Behaviour – report card – contact home</p>	<ul style="list-style-type: none"> <li>• Use the school relationship/behaviour policy and monitor behaviour, attendance, and attainment regularly.</li> <li>• Work with ALNCO to ensure repeated behaviours resulting in sanctions are not a result of unmet need.</li> <li>• Ensure work is being planned for at the right level of challenge.</li> <li>• Work with parents, to ensure home-school partnership towards improved engagement with school and learning.</li> </ul>
<p>2. Inclusion Support Plan ISP The ISP is a helpful alternative to an individual behaviour plan or Pastoral Support Plan. Try to establish what the child is trying to communicate through their behaviour by reflecting on triggers for disengagement and developing strategies to re-engage the learner.</p>	<ul style="list-style-type: none"> <li>• Introduce following internal exclusions or a serious behaviour incident.</li> <li>• Review weekly with key adults in school. Work towards agreed outcomes (rather than set targets) to ensure the pupil makes progress from where they are currently.</li> </ul>
<p>3. Pastoral Support Plan PSP - The PSP continues to run as the main framework for supporting school settings to reduce permanent exclusions.</p>	<ul style="list-style-type: none"> <li>• Introduce if the pupil is at risk of exclusion/PEX. Outline the support offered.</li> <li>• Frequently meet with parents to review progress.</li> <li>• Set achievable goals towards an acceptable outcome in a period.</li> </ul>

When thinking about next steps for the learner – consider the following questions

- Check the data (attendance / exclusions / behaviour points)
- Are there any themes?
- Can you identify any triggers for behaviour through the patterns?
- Does the pupil file highlight a history of need?
- Has the pupil been identified with any ALN?
- Has Blaenau Gwent ALN guidance been used to check what the key barriers to engaging in learning are for the pupil?
- Have any diagnostic assessments been used to identify any needs or areas for development?
- Is the pupil in a group vulnerable to underachievement? (CLA/ALN/EAL/CASP)
- Is there an IDP/statement in place / Has there ever been a CAF or IDP/statement for this child?

- Does the pupil have a one-page profile?
- Is the school relationship/behaviour policy being used consistently to support the learner (including any identified reasonable adjustments?)
- Is the school reward system being used in a way that is equitable to the pupil's needs?
- What external issues may be affecting the learner at this time? (e.g., significant family events).
- Are there any historic issues that may now be affecting the pupil?

Provision for the learner. Have you engaged with or considered the following?

- Team Teach training and de-escalation strategies.
- Behaviour assessment to identify inclusion strategies.
- Is there a Risk Assessment in place for staff, other pupils, the pupil themselves?
- Have you considered an Ed Psych referral and assessment?
- Have you tried a bespoke timetable working with the pupil to avoid 'behaviour hotspots'?
- Work with the pupil to RAG rate their timetable and put in support to eliminate red and reduce amber.
- What incentives are meaningful and relevant to the pupil?
- Is a reduced timetable a useful tool currently? (Ensure all guidelines are followed for safeguarding reasons)
- What nurture interventions are available that would benefit the pupil?
- Would the CYP benefit from seeing a counsellor at this time?
- Some form of therapy?
- Is support needed for the family?
- Consider referral to external agencies / partners.
- Is there a key adult for the pupil – to advocate and support them each day, rewarding where success and progress has been made and communicate with home and other adults in school?
- Is there a need for restorative justice to move a relationship forward?
- Is there a timeline of incidents that supports the pupil to begin to understand and manage their behaviours?
- How are staff being supported?
- How is the pupil developing independence in managing their emotions?
- Support for developing emotional literacy and self-regulation strategies.

At each meeting / review point

- What is the data telling us now?
- What are the views of the child?
- What are the views of the Parents / staff / support team / external agencies?
- How will I ensure the meeting is professional and managed well so all views can be heard, and it is a positive process for all moving the situation forward?

At each significant incident

- Ensure the paperwork is completed and a clear record is maintained. Avoid emotional language and keep it factual.
- Ensure all parties share what happened so that an accurate account is recorded in an impartial manner.
- Ensure the pupil has supported time to reflect and learn from what went wrong using appropriate tools when they are calm, ready and able to do so.
- Ensure the pupil learns from the behaviour incident and has opportunities to mend relationships and 'put right' the situation when they are calm, ready and able to do so.
- Ensure staff who were involved have time to follow up with the pupil to move on from the incident when the time is appropriate.
- Ensure students who were involved in the incident have the appropriate follow up.
- For all CYPs involved communicate clearly with parents / carers what happened and the follow up



## **Decision to Exclude**

Only the Headteacher or teacher in charge of a setting can exclude a learner. They cannot delegate the power to exclude to another teacher. In their absence, the most senior teacher may exercise the power of exclusion though they should make clear they are working in the Headteacher's absence.

If a pupil is deemed to be at risk of exclusion it is appropriate to have a Pastoral Support Programme and support from Families First to enable a range of strategies and support to be implemented.

Schools should, as far as possible, avoid permanently excluding any pupil with a statement, an individual development plan or any pupil who is a child looked after.

## **Key Considerations Before Excluding – Safeguarding**

Where a pupil receives support from a Families First worker, is a child in need of care and support or subject to child protection planning, the school must inform the relevant professionals within social care if they feel the child is at risk of exclusion and in advance of any decision to exclude.

If you are concerned about the risk of exclusion of a looked after child, please contact the pupil's social worker and the child looked after co-ordinator.

For pupils where there is concern around sexual, drug or gang exploitation, for those who self-harm or demonstrate behaviours that could cause them significant harm, an exclusion can result in increased risks to the pupil's immediate safety, health and wellbeing.

Proactive planning with professional partners and family/carers about what to do in the event of a serious breach of school relationship/behaviour policy where the conditions for exclusion are met is the ideal, but in an unforeseen situation, contact the relevant involved professionals at the earliest opportunity and before sending a pupil home.

## Headteacher' s Checklist

Any decision to exclude a pupil must be:

In response to serious breach of the school's behaviour policy; and, if allowing the learner to remain in school would seriously harm the education or welfare of the learner or others in the school.

In deciding to exclude a pupil, the Headteacher must be able to demonstrate that the exclusion has been carefully considered and is being used as a last resort. The checklist below is designed to assist head teachers in these deliberations.

<b>The circumstances of the case</b>	<b>Yes</b>	<b>No</b>
Has there been a serious breach or breaches of the school behaviour policy?		
Does the pupil's presence seriously harm or threaten to harm the education/welfare of pupils/ others?		
Is exclusion a last resort following a wide range of other strategies that have been unsuccessful? Is this a serious 'one off' offence?		
Is exclusion the appropriate response? Factors to consider: <ul style="list-style-type: none"> <li>• Has a thorough investigation been conducted?</li> <li>• Has the pupil's version of events been sought / encouraged / recorded?</li> <li>• Has the evidence been considered in the light of school policies and possible discrimination?</li> <li>• Are there any mitigating circumstances or any provocation which may be relevant (bullying, harassment etc.)?</li> </ul>		
Has a pastoral support programme been used?		
Is this pupil at school action or school action plus? and if so; Has the possibility of additional support from the LA been explored?		
Have alternatives to exclusion been considered (e.g. restorative approach, mediation, internal exclusion)?		
Standard of proof – "on the balance of probabilities" is it more probable than not that the pupil did what he/she is alleged to have done?		
<b>Special considerations</b>	<b>Yes</b>	<b>No</b>
<b>ALN</b> Does this pupil have a statement of special educational needs or an individual development plan? Has the ALN team been contacted? Has an emergency review been arranged?		
<b>CLA</b> Is this pupil looked after? Has the CLA Co-ordinator been contacted?		
<b>SAFEGUARDING</b> Is this pupil subject to a child protection or a child in need plan? Has the social worker been contacted?		
Is there a JAFF for this pupil? What other agencies/services are involved?		

<b>The circumstances of the case</b>	<b>Yes</b>	<b>No</b>
Have issues of ALN or disability been taken into account and reasonable adjustments put in place?		

## Notification of Exclusions

When a Headteacher has decided to exclude a pupil he/she must:

- immediately inform the parent(s) by telephone.
- draft the appropriate letter (see model letters in appendices)
- ensure that this letter is sent by first class post to arrive the following day or is hand delivered;
- ensure that the letter contains the following information:
  - the reasons for the exclusion.
  - the period of fixed term exclusion or, for a permanent exclusion, the fact that it is permanent and the date it takes effect;
  - parents' and learner's right to make representation about the exclusion to the governing body's discipline committee; \*
  - how any representation should be made including the person for the parent/carer and/or learner should contact;
  - when there is a legal requirement for the governing body to consider the exclusion, that the parents and/or learner have a right to attend a meeting, be represented at this meeting (at their own expense) and to bring a friend;

Headteachers should ensure an exclusion form is completed **within 24 hours** after all exclusions and forwarded to the LA via [BSInclusionSupport@blaenau-gwent.gov.uk](mailto:BSInclusionSupport@blaenau-gwent.gov.uk) so that the LA database can be kept up to date (see Appendix A for exclusion form). Full details of notification requirement to the school's governing body can be found in section 8.4 of this guidance and in Appendix B 'Summary of Main Processes and Time Limits for Fixed Term Exclusion'.

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the head teacher must also advise the pupil's 'home authority' of the exclusion without delay.

## Unofficial / Illegal Exclusions

The procedures described above and in the WG guidance must always be applied when a pupil is excluded. Sending a pupil home informally for a "cooling-off period" or asking parents to take a pupil home to avoid an exclusion are illegal acts which could be subject to challenge. This also applies to lunchtimes; if a pupil is asked by the school to go home at lunchtimes this must also be treated as one quarter of a day exclusion for each lunchtime.

It is also unlawful to exclude for a non-disciplinary reason. For example, it would be unlawful to exclude a pupil simply because they have additional needs or a disability that the school feels it is unable to meet, or for a reason such as: academic attainment/ability; the action of a pupil's parents; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting.

At no time should a school encourage a parent to electively home educate (EHE) in order to avoid a permanent exclusion. Such children will either not have access to

the provision that they need or will transfer to a new school without appropriate support thereby placing additional pressures on both schools and families. Schools should, therefore, not promote the use of EHE to remove a child with challenging behaviour or poor attendance from their roll.

## **Reduced Timetables**

It is illegal for a school to impose a reduced or partial timetable.

In some cases a reduced timetable may be used as a short-term measure towards achieving full reintegration, building back up to full time hours if the parents agree and a written agreement, signed by all parties with stated review dates where appropriate, put in place via a PSP.

Full Blaenau Gwent Guidance on the use of reduced timetables is available from the Education Directorate.

## **Procedures Following Exclusion**

Following a permanent exclusion, staff are available within the LA to assist with the reintegration and support of excluded learners.

Statemented pupils – ALN Manager

Non statemented pupils – Senior Education Welfare Officer

The Education (Reintegration Interview) (Wales) Regulations 2010, require Headteachers of schools to request in specified circumstances parents/carers of learners excluded for a fixed term to attend a reintegration interview at the school. The request for interview applies to all fixed-term exclusions for primary-aged learners but only fixed-term exclusions of six or more days for secondary-aged learners. Reintegration interviews need to take place within 15 school days of the last day of the exclusion period.

Headteachers should note, however, that neither parents nor a pupil can be required to meet specific conditions, such as attending a reintegration meeting, before reinstatement.

## **ALN / Disability / Vulnerable Group Considerations**

Other than in the most exceptional circumstances, schools should avoid permanently excluding any pupil with a statement of SEN or an IDP. The 2010 Equality Act does not prohibit schools from excluding learners with a protected characteristic but does prohibit schools from excluding learners because of their protected characteristic (e.g. excluding a disabled learner because of their disability or because of their racial group) or discriminating unlawfully during the exclusions process. This applies to permanent and fixed-term exclusions.

Where a pupil is 'Looked After' (CLA), schools should try every practicable means to maintain the learner in school and should seek LA and other professional advice as appropriate prior to any exclusion decision.

## **The Governing Body's Duty to Consider an Exclusion – Key Points**

The responsibility of the governing body to consider exclusions is usually delegated to a sub-committee of at least three governors. This committee is known as the Discipline Committee. The Discipline Committee has a clear set of responsibilities.

Where required or requested, the governing body must hold a Governors Discipline Committee (GDC) within the required timescale. (In the case of a permanent exclusion, the GDC must meet within 15 school days of being notified of the exclusion).

For all fixed term exclusions of 5 days or fewer within a term, the Headteacher must notify the governing body discipline committee once a term. For fixed term exclusion of 6 to 15 days or more than 20 lunchtimes in a school term and/or where a public exam or national test will be missed, the Headteacher must notify the governing body discipline committee within one day. For all fixed term exclusions of more than 15 days in a school term and following any exclusion in the same term after 15 days has been reached the Headteacher must notify the governing body discipline committee within one day.

Full advice and support is available to school and governing bodies on the role and responsibilities of the GDC from the Governor Support and Development Section of the EAS (where the school has entered into the SLA agreement).

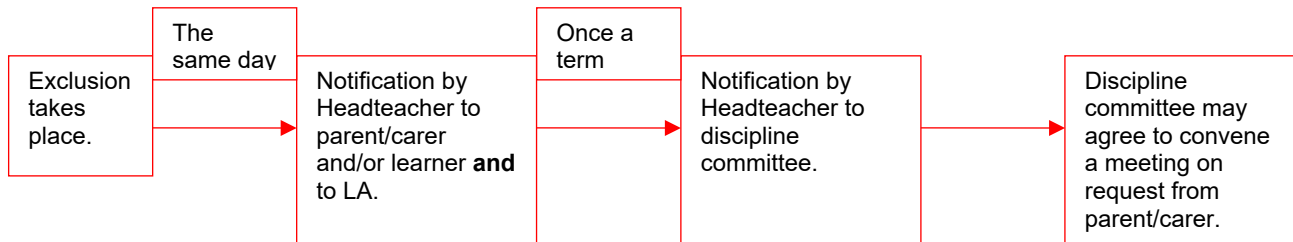
South East Wales Education Achievement Service  
[Statutory Committees <statutory.committees@sewaleseas.org.uk>](mailto:statutory.committees@sewaleseas.org.uk)



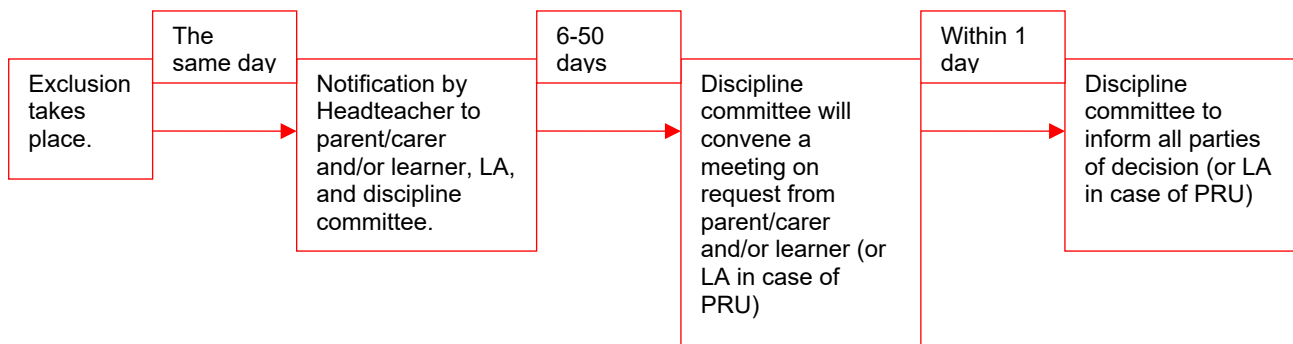
## Fixed term Exclusions

The term 'days' refers to school days throughout.

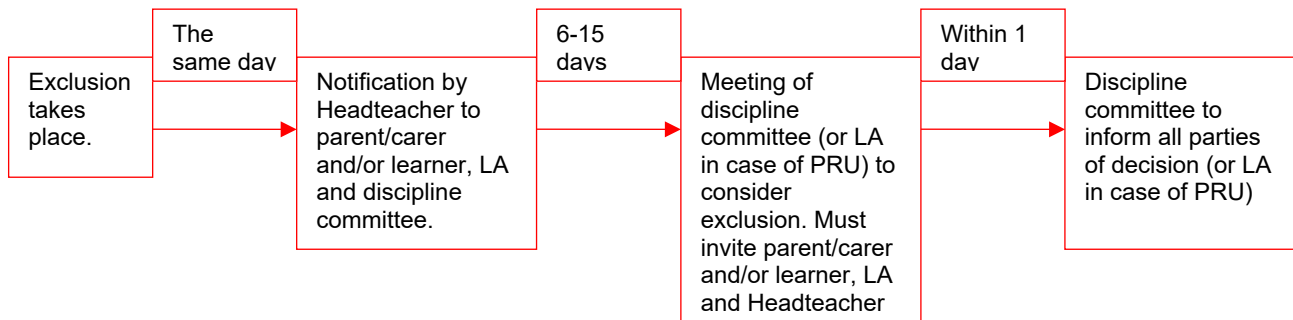
### 5 days or fewer in a school term



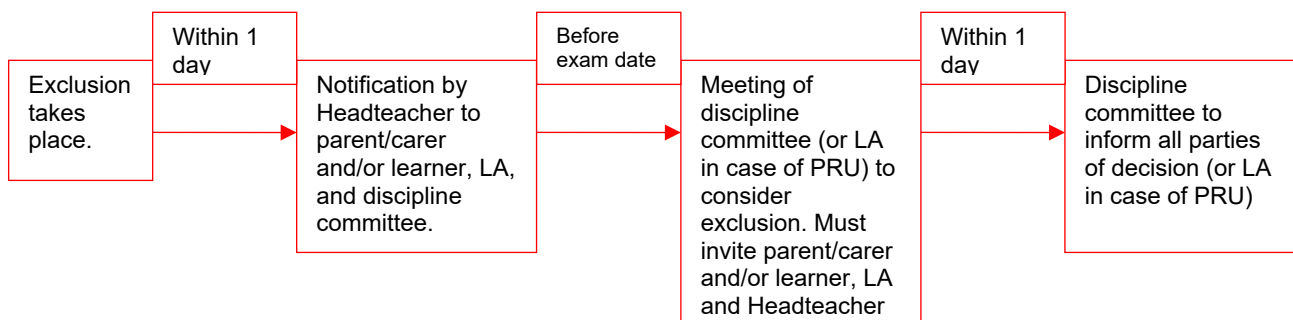
### 6-15 days or more than 20 lunchtimes in a school term and/or where a public exam or national test will be missed



### More than 15 days in a school term and following any exclusion in the same term after 15 days has been reached.



### Where a public examination will be missed

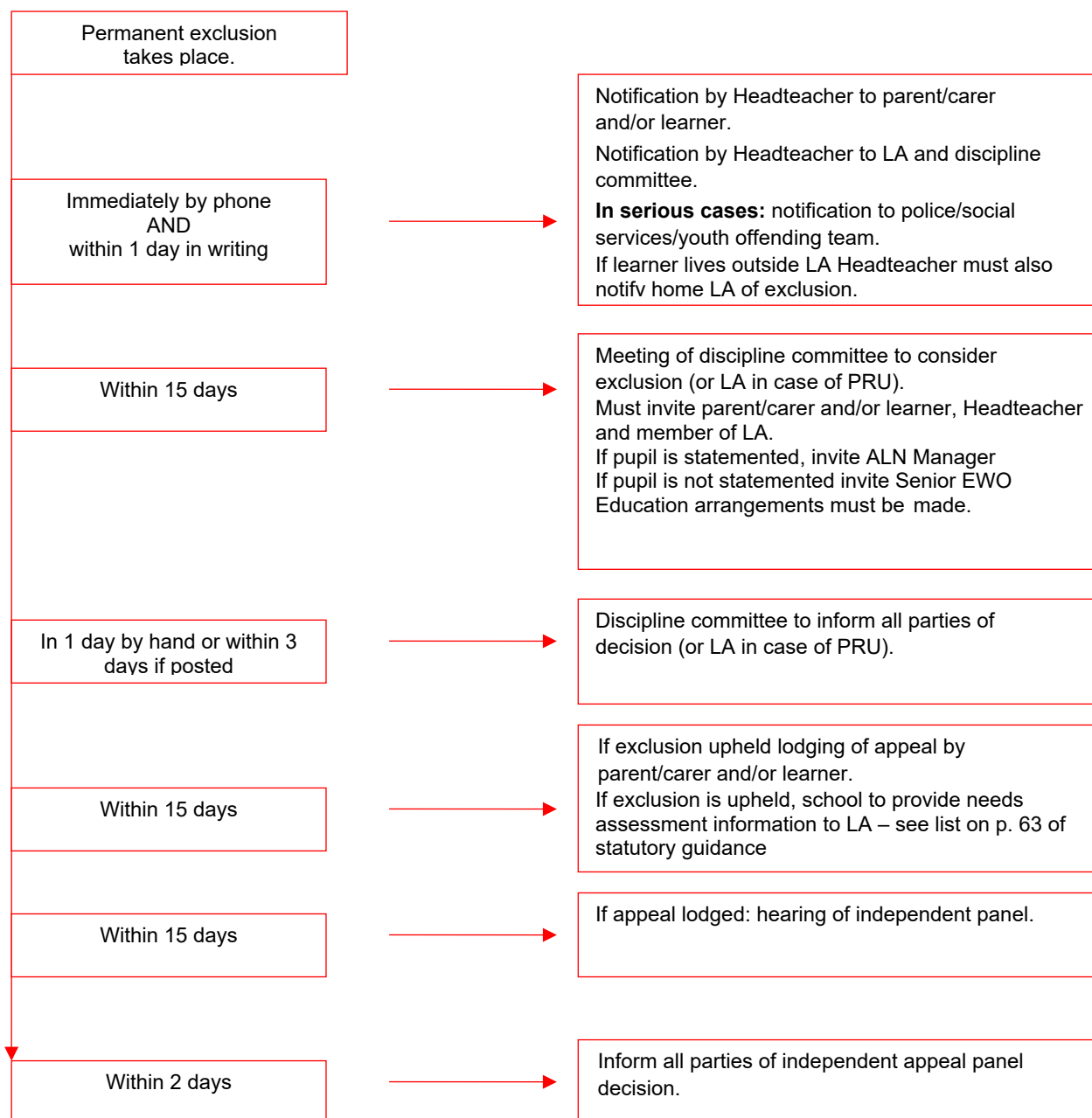




## Appendix C

### Permanent Exclusions

The term 'days' refers to school days throughout.



## Appendix D

### Model Letters

#### Model letter 1: Fixed-term exclusion of less than six days

From Headteacher (or teacher in charge of a PRU) notifying parent/carer and/or learner of a fixed term exclusion of less than six days, and where a public examination is not missed.

Dear **[parent/carer/learner's name]**

I am writing to inform you of my decision to exclude **[learner's name/you]** for a fixed term of **[period of exclusion]**. This means that **[learner's name/you]** will not be allowed in school for the period of the exclusion which began on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[learner's name/you]** has not been taken lightly. **[learner's name/you]** has/have been excluded for this fixed term because **[reason for exclusion]**.

The school will continue to set work for **[learner's name/you]** during the period of his/her/your exclusion **[insert details of arrangements that are in place for this]**. Please ensure that any work set by the school is completed and returned to us for marking.

**[For learners over compulsory school age insert the following]**. As you have been excluded from the school you should arrange for someone to return the work to us on your behalf.

**[School/other setting]**

You **[and learner's name where learner is aged less than 11]** have the right to make representations to the school governors' pupil discipline committee. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**, as soon as possible. While the discipline 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/your school record.

**[Special School]**

You **[and learner's name where learner is aged less than 11]** have the right to make representations to **Blaenau Gwent LA**.

These representations will be considered by **[contacting the Service Manager - Inclusion]**. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]** as soon as possible.

You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be

supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

**[Primary school only]**

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before **[date within the next 10 days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **your/your parent's/your carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.

You may want to contact **[name]** at **Blaenau Gwent** LA on/at **[contact details: address, phone number, e-mail]**, who can provide advice.

**[Learner's name/your]** exclusion expires on **[date]** and we expect **[learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[name]**

Headteacher/teacher

## Model letter 2: Fixed-term exclusion of 6–15 days

From Headteacher (or teacher in charge of a PRU) notifying parent/carer and/or learner of a fixed-term exclusion of six to 15 days, or where cumulative exclusions in the same term fall within this range, or where a public examination is missed.

Dear **[parent/carer/learner's name]**

I am writing to inform you of my decision to exclude **[learner's name/you]** for a fixed term of **[period of exclusion]**. This means that **[learner's name/you]** will not be allowed in school for the period of the exclusion which began on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[learner's name/you]** has not been taken lightly. **[learner's name/you]** has/have been excluded for this fixed term because **[reason for exclusion]**.

The school will continue to set work for **[learner's name/you]** during the period of his/her/your exclusion **[insert details of arrangements that are in place for this]**. Please ensure that any work set by the school is completed and returned to us for marking.

**[For learners over compulsory school age insert the following]**

As you have been excluded from the school you should arrange for someone to return the work to us on your behalf.

**[School/setting]**

You have the right to request a meeting of the school governors' pupil discipline committee at which you **[and learner's name where learner is aged less than 11]** may make representations and the decision to exclude can be reviewed. As the length of the exclusion is more than five school days (or equivalent) the committee must meet if you request it to do so. The latest date the committee can meet is **[date – no later than 50 school days from the date the committee is notified]**. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**, as soon as possible.

**[Special School]**

You **[and learner's name where learner is aged less than 11]** have the right to make representations to **Blaenau Gwent Local Authority**. These representations will be considered by **the Lead Officer for Inclusion**. If you wish to make representations please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]** as soon as possible.

**[Note: this wording is not suitable where the learner would lose the opportunity to take a public examination.]**

You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be

supplied with a copy of **[learner's name/your]** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.

**[Applies to children of compulsory school age only]**

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before **[date within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **your/your parent's/your carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.

You may want to contact **[name]** at **Blaenau Gwent** LA on/at **[contact details: address, phone number, e-mail]**, who can provide advice.

**[Learner's name/your]** exclusion expires on **[date]** and we expect **[learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[name]**

Headteacher/teacher

### Model letter 3: Fixed-term exclusion of 16 or more days

From Headteacher (or teacher in charge of a PRU) notifying parent/carer and/or learner of a fixed-term exclusion of 16 days or more, or where cumulative exclusions in the same term are 16 days or more.

Dear **[parent/carer/learner's name]**

I am writing to inform you of my decision to exclude **[learner's name/you]** for a fixed term of **[period of exclusion]**. This means that **[learner's name/you]** will not be allowed in school for the period of the exclusion which began **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[learner's name/you]** has not been taken lightly. **[learner's name/you]** has been excluded for this fixed term because **[reason for exclusion]**.

Alternative education other than setting work will be provided for **[learner's name/you]** if the exclusion has not been overturned within 15 days. A **Blaenau Gwent** LA representative will contact you to discuss this.

#### **[School/Setting]**

As the length of the exclusion is more than 15 school days (or equivalent) the school governors' pupil discipline committee must automatically meet to consider the exclusion. At the review meeting you may make representations to the committee if you wish to do so. The latest date the committee can meet is **[date – no later than 15 school days from the date the discipline committee is notified]**. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the committee of the time, date and location of the meeting.

#### **[Special School]**

As the length of the exclusion is more than 15 days **Blaenau Gwent LA** must consider the exclusion. **[Set out the arrangements which the LA has made to review fixed-term exclusions.]** A review meeting will be held and at the review meeting you may make representations if you wish. The latest date for a review meeting is **[date – no later than 15 school days from the date the LA is notified]**. If you wish to make representations and wish to be accompanied by a representative please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**.

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

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is

because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys, LD1 6DF.

**[Applies to children of compulsory school age only]**

You **[and learner's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before **[date within the next 10 days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **your child's/your** return to school can be managed. You should be aware that **your/your parent's/your carer's** failure to attend a reintegration interview will be a factor taken into account by a court when deciding, on any future application, whether to impose a parenting order on **you/your parent/your carer**.

You may want to contact **[name]** at **Blaenau Gwent** LA on/at **[contact details: address, phone number, e-mail]**, who can provide advice.

**[Learner's name/your]** exclusion expires on **[date]** and we expect **[Learner's name/you]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[name]**

Headteacher/teacher

## Model letter 4: Permanent exclusion

From Headteacher (or teacher in charge of a PRU) notifying parent/carer and/or learner of a permanent exclusion.

Dear **[parent's/carer's/learner's name]**

I regret to inform you of my decision to exclude **[learner's name/you]** permanently from **[date]**. This means that **[learner's name/you]** will not be allowed back to this **[school/pupil referral unit]** unless reinstated by the **[school governors' discipline committee/LA pupil referral unit management committee]** or by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[learner's name/you]** has not been taken lightly. **[Learner's name/you]** has been excluded permanently because **[reason for exclusion – also include any other relevant history here]**.

Alternative education other than setting work will be provided for **[learner's name/you]** if the exclusion has not been overturned within 15 days. A LA representative will contact you to discuss this.

### **[School/Setting]**

As this is a permanent exclusion the school governors' pupil discipline committee will meet to consider the exclusion. At the review meeting you **[and learner's name where learner is aged less than 11]** may make representations to the committee if you wish to do so. The discipline committee has the power to reinstate **[learner's name/you]** immediately or from a specified date, or alternatively, has the power to uphold the exclusion in which case you may appeal to an independent appeals panel. The latest date the committee can meet is **[date – no later than 15 school days from the date the committee is notified]**. If you wish to make representations to the committee and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details: address, phone number, e-mail]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the committee of the time, date and location of the meeting.

### **[Special School]**

You have the right to appeal to an independent appeal panel against this decision. If you wish to appeal please notify **[name of Clerk to appeal panel]** of your wish to appeal including your grounds of appeal in writing to **[address]** by no later than **[specify the latest date – the fifteenth school day after the second working day after the letter is posted if sent by first class post, or, if delivered by hand, the fifteenth school day after delivery]**. If you have not lodged an appeal by this date your right to appeal will lapse.

A parent/carer also has the right to make a claim of disability discrimination to the Special Educational Needs Tribunal for Wales (SENTW) if she or he thinks that the exclusion is because of a disability their child has. The address to which claims should be sent is Unit 32, Ddole Road Enterprise Park, Llandrindod Wells, Powys LD1 6DF.



You also have the right to see a copy of **[learner's name/your]** school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[learner's name/your]** 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 want to contact **[name]** at **Blaenau Gwent LA** on/at **[contact details: address, phone number, e-mail]**, who can provide advice on what options are available to you.

Yours sincerely

**[name]**

Headteacher/teacher

## Model letter 5: Permanent exclusion – discipline committee’s decision

From the Clerk of the discipline committee notifying the parent/carer of a permanently excluded learner of the discipline committee’s decision.

Dear **[parent’s/carer’s/learner’s name]**

The meeting of the school governors’ pupil discipline committee at the **[school]** on **[date]** considered the decision by **[Headteacher]** to permanently exclude you/your son/daughter **[name of learner]**. The committee, after carefully considering the representations made and all the available evidence, have decided:

### Either

to overturn the exclusion and direct that **[you/name of learner]** are/is reinstated in the school by **[date]**. We therefore expect **[you/name of learner]** to be back in school on **[date]** at **[time]**.

If you wish to discuss **[learner’s name/your]** return to school before reinstatement, please contact **[name of Headteacher]** to arrange a convenient time and date.

A copy of this letter will be added to **[learner’s name/your]** school record for future reference.

### Or

to uphold **[your/name of learner’s]** exclusion.

The reasons for the committee’s decision are as follows: **[give the reasons in as much detail as possible, explaining how the committee arrived at its decision]**.

You have the right to appeal against this decision. If you wish to appeal, please notify **[name of the Clerk to the appeal panel]** of your wish to appeal. You must set out the reasons for your appeal in writing and if appropriate, you may also include any disability discrimination claim you may wish to make and send them to **[address]** by no later than **[specify the latest date – the seventeenth school day after the date of this letter]**. If you have not lodged an appeal by **[repeat latest date]**, your right to appeal will lapse.

Your appeal would be heard by an independent appeal panel.

A **[three-member/five-member]** panel will comprise **[one/two]** serving education practitioner[s] (possibly **[a]** Headteacher[s]) **[one/two]** serving or recently serving experienced governor[s]; and one lay member who will be the chair. The appeal 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 fifteenth school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn a hearing until a later date.

I would like to remind you of the following sources of advice and assistance: **[repeat]**

**details from the original exclusion letter, i.e. a named LA officer and the Advisory Centre for Education and any other local source of advice or assistance if known].**

The arrangements currently being made for **[learner's name/your]** education will continue for the time being. However, new arrangements to provide full-time education for **[Learner's name/your]** are being made and **[name of LA officer]** will liaise with you shortly about these new arrangements. If you have any questions about this please contact **[name]**.

Yours sincerely

**[name]**

Clerk to the discipline committee

## Model letter 6: Independent appeal panel decision

From the Clerk to the independent appeal panel notifying the parent/carer and/or learner of the outcome of their appeal.

Dear **[parent's/carer's/learner's name]**

Following the hearing of your appeal by the independent appeal panel constituted by **Blaenau Gwent** Local Authority on **[date]** at **[location]** against the decision of the governing body of **[name of school]/the discipline committee for [name of PRU]** not to reinstate **[learner's name/you]**, I am writing to advise you of the panel's decision.

After careful consideration of your representations (both oral and written) and those of **[school/PRU]** and **Blaenau Gwent** Local Authority **[and of others if applicable, e.g., any victim]** and in the light of the available evidence, the panel has decided:

### Either

(i) to uphold the exclusion

or

(ii) to direct **[learner's name/your]** reinstatement in **[name of school/PRU]** with effect from **[date and time]**. **[Learner's name/you]** should report to **[name of school staff member]** at that time

or

(iii) that it is not practical to direct **[learner's name/your]** reinstatement **[here give reasons, e.g. because this is an exceptional case where reinstatement would not be in the learner's best interests or those of the whole school/PRU community]** although otherwise reinstatement would have been appropriate. Your **[child's]** school record will show that the permanent exclusion was overturned on appeal even though reinstatement was not directed.

**[Give reasons in as much detail as possible for the panel's decision: the decision may be challenged by judicial review; or be the subject of a complaint of maladministration by the appeal panel to the Public Services Ombudsman for Wales.**

The panel's decision is binding on you, the governing body of **[name of school]/** and **[name of LA]**.

### For decisions (i) and (iii) above:

The alternative arrangements put in place for **[learner's name/your]** full-time education will continue for the time being; but **[LA officer's name]** will be in touch with you to discuss future provision.

A copy of this letter will be added to **[learner's name/your]** school record for future reference.

Yours sincerely

**[name]**

Clerk to the independent appeal panel