



# **OASIS COMMUNITY LEARNING EXCLUSION LETTERS**

**March 2019**

**SAMPLE LETTER FOR FIXED PERIOD OF EXCLUSION OF 5 DAYS OR LESS (but not more than 15 days exclusion in total for the present term)**

Dear (Name of Parent or Guardian)

(Student's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be very detailed, clear and factual, avoiding subjective or judgemental language

e.g. 'Stephen hit Mark with his fist. Mark was sitting down when Stephen hit him in the middle of his back. Mark has bruising' rather than 'premeditated aggressive and violent behaviour'.

During this exclusion, work will be set and marked by the Academy. Please make arrangements to collect this from reception and return the completed work to the Academy for marking.

Your child should return to the Academy on (date) at (time) **(insert details of your Academy's re-admittance strategy here)**.

You have a duty to ensure that your child is not present in a public place in Academy hours during this exclusion (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 Academy hours on the specified dates. If this is the case, it will be for you to show reasonable justification as to why your child was in a public place.

You have the right to make a representation to the Exclusion Panel in writing. To do this you should contact (name and address of the EA to the RD).

**"In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period."**  
(DfE: *Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance. September 2017 page 8*)

## **Contacts**

You may find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through [http://www.childrenslegalcentre.com/index.php?page=education\\_legal\\_practice](http://www.childrenslegalcentre.com/index.php?page=education_legal_practice).
- ACE education on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time and on the website: <http://www.ace-ed.org.uk/>.

- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk).
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>. 'School discipline and exclusions' and 'Complaint about a school or childminder':
- <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Principal

Copy to:                   Regional Director

**SAMPLE LETTER FOR FIXED PERIOD OF EXCLUSION OF 5.5 and 15 DAYS OR LESS (but not more than 15 days exclusion in total for the present term)**

Dear (Name of Parent or Guardian)

(Student's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be very detailed, clear and factual, avoiding subjective or judgemental language  
e.g. 'Stephen hit Mark with his fist. Mark was sitting down when Stephen hit him in the middle of his back. Mark has bruising' rather than 'premeditated aggressive and violent behaviour'.

For the first five school days of the exclusion we will set work for (student's name) and would ask you to ensure this work is completed and returned promptly to the Academy for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

**Academies are responsible for making their own arrangements for day 6 provision** [Inset details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale)]

Your child should return to the Academy on **(date) at (time) (insert details of your Academy's re-admittance strategy here)**.

You have a duty to ensure that your child is not present in a public place in Academy hours during this exclusion (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 Academy hours on the specified dates. If so, it will be for you to show reasonable justification.

**"In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period."** (DfE: *Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance. September 2017 page 8*)

You have the right to request a meeting of the Exclusion Panel to whom you may make representations and to do this you should contact (name and address of the EA to the RD).

### **Contacts**

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- Coram Children's Legal Centre on 0345 345 4345 or through [http://www.childrenslegalcentre.com/index.php?page=education\\_legal\\_practice](http://www.childrenslegalcentre.com/index.php?page=education_legal_practice)

- ACE education on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time and on the website: <http://www.ace-ed.org.uk/>.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk).
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Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder': <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Principal

Copy to:                   Regional Director

## SAMPLE LETTER FOR ANY EXCLUSION WHERE TO THE TOTAL NUMBER OF DAYS EXCEEDS 15 DAYS OR LESS

Dear (Name of Parent or Guardian)

(Student's name) (Date of birth)

I have today made the decision to exclude your son/daughter, (child's name), for a fixed period of (specify period) days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid exclusion that have included **(describe the support provided)**.

However, today the following incident occurred...

The account should be very detailed, clear and factual, avoiding subjective or judgemental language  
e.g. 'Stephen hit Mark with his fist. Mark was sitting down when Stephen hit him in the middle of his back. Mark has bruising' rather than 'premeditated aggressive and violent behaviour'.

For the first five school days of the exclusion we will set work for (child's name) and would ask you to ensure this work is completed and returned promptly to the Academy for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

**Academies are responsible for making their own arrangements for day 6 provision** [Inset details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale)]

Your child should return to the Academy on **(date) at (time) (insert details of your Academy's re-admittance strategy here)**.

You have a duty to ensure that your student is not present in a public place in Academy hours during this exclusion (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 student is present in a public place during Academy hours on the specified dates. If so, it will be for you to show reasonable justification.

**"In exceptional cases, usually where further evidence has come to light, a further fixed-period exclusion may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period."** (DfE: *Exclusion from maintained schools, academies and pupil referral units in England. Statutory guidance. September 2017 page 8*)

As the length of the exclusion is more than 15 days in total in one term the Exclusion Panel must meet to consider the exclusion. You will be invited to the review meeting where you can give your views to the Exclusion Panel if you wish. The latest date on which the Exclusion Panel can meet is **(insert date here – no later than 15 school days from the date that the Regional Director is notified)**.

If you wish to make representations to the Exclusion Panel you can do so in writing or you can attend to speak to the Exclusion Panel in person. You can, if you wish, be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the Academy. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You will, whether you choose to make representations or not, be notified by the clerk to the Exclusion Panel of the time, date and location of the meeting.

### **Contacts**

You may find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through [http://www.childrenslegalcentre.com/index.php?page=education\\_legal\\_practice](http://www.childrenslegalcentre.com/index.php?page=education_legal_practice).
- ACE education on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time and on the website: <http://www.ace-ed.org.uk/>.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk).
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>. 'School discipline and exclusions' and 'Complaint about a school or childminder':
- <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Principal

Copy to:                      Regional Director

## SAMPLE LETTER FOR A PERMANENT EXCLUSION

Dear (Name of Parent or Guardian)

(Student's name) (Date of birth)

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 Academy unless he/she is reinstated by the Exclusion Panel.

I realise that this exclusion may be upsetting to you and your family, but the decision to permanently exclude **(child's name)** has not been taken lightly. **(Child's name)** has been excluded because:

**The reason for the exclusion should be given in plain English and should be explicit. The Principal should make it clear that s/he has investigated the incident fully, has checked whether the incident was provoked by racial or sexual harassment and allowed the student to give their version of events.**

You have a duty to ensure that your child is not present in a public place in Academy hours during this exclusion **(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 Academy hours on the specified dates. If so, it will be for you to show reasonable justification.

For the first five school days of the exclusion we will set work for **(student's name)** and would ask you to ensure this work is completed and returned promptly to the Academy for marking. Please make arrangements to collect this from reception.

### ***If student lives in the LA***

From the sixth school day of the exclusion onwards — i.e. from (specify the date) ..... Local Authority will provide suitable full-time education. The Alternative Provision School will contact you by letter detailing the arrangements.

### ***If student lives in a different Local Authority:***

I have also today informed (name of officer) at (name of 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 Exclusion Panel must meet to consider it. The Exclusion Panel has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed an Independent Review Panel. The latest date by which the Exclusion Panel can meet is **(specify date – the 15<sup>th</sup> school day after the date on which the Regional Director was notified of the exclusion).**

If you wish to make representations to the Exclusion Panel you can do so in writing or you can attend to speak to the Exclusion Panel in person. You can, if you wish, be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the Academy. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.



You will, whether you choose to make representations or not, be notified by the clerk to the Exclusion Panel of the time, date and location of the meeting.

### **Contacts**

If you want advice about exclusions you can contact:

- Coram Children's Legal Centre on 0345 345 4345 or through [http://www.childrenslegalcentre.com/index.php?page=education\\_legal\\_practice](http://www.childrenslegalcentre.com/index.php?page=education_legal_practice).
- ACE education on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time and on the website: <http://www.ace-ed.org.uk/>.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through [schoolexclusions@nas.org.uk](mailto:schoolexclusions@nas.org.uk).
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Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>. 'School discipline and exclusions' and 'Complaint about a school or childminder':
- <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

**Principal**

Copy to: Regional Director

## **SAMPLE LETTER FOR NOTIFYING PARENTS/CARERS FOR THE EXCLUSION PANEL MEETING**

### **FROM THE CLERK TO THE EXCLUSION PANEL INVITING PARENT/CARER TO EXCLUSION PANEL MEETING**

**Please delete the information in 'italics' before sending the letter.**

Dear [*Parent's name*]

**Re: Permanent Exclusion of [*NAME OF STUDENT*] – [*DOB*:]**

I am writing to confirm that the Exclusion Panel will meet to consider [**STUDENT NAME'S**] permanent exclusion on [**DAY and DATE**]. The meeting will start at [**TIME**]. The meeting will be held at (**enter location and address**). Please come to (*reception*) 10 minutes before the scheduled start.

You and [**STUDENT NAME**] are invited to attend this meeting. [**STUDENT NAME**] should attend the meeting in full Academy uniform.

If you wish to be accompanied to the meeting by a friend or representative please let me know in advance of the meeting. [**include if required**] **Please advise me immediately if you need an interpreter present at the meeting so that I may make arrangements.**

You have the right to make representations, both in writing before the meeting and by speaking at the meeting, if you wish. Should you choose to submit written information please send this to me before the hearing so that I may forward it to the Exclusion Panel.

The people serving on the Exclusion Panel will be [**NAME and title 1**], [**NAME and title 2**] and [**NAME and title 3**]. The meeting will be clerked by the clerk to the Exclusion Panel.

A copy of all the paperwork related to the exclusion will be sent out to you in advance of the meeting.

In the meantime if you have any questions please do not hesitate to get in touch with me.

Yours sincerely

**Clerk to the Exclusion Panel**

CC: Members of the Exclusion Panel

CC: Principal

CC: Regional Director

CC: Local Authority

**SAMPLE LETTER - TO BE USED BY THE CLERK TO THE EXCLUSION PANEL WHEN WRITING TO THE PARENT/CARER CONFIRMING THE PANEL'S DECISION TO UPHOLD THE PERMANENT EXCLUSION.**

Dear **[Parent/Carer's name]**

The meeting of the Exclusion Panel at **[name of Academy]** on **[date]** considered the decision by **[Principal]** to permanently exclude your **[son/daughter]**, **[student name]**.

The Exclusion Panel, considered the interests and circumstances of **[student name]**, including the circumstances in which **he/she** was excluded, as well as the interests of other pupils and people working at the school. The Panel considered whether the decision to exclude **[student name]** was lawful, reasonable and procedurally fair, taking account of the Principal's legal duties and any evidence that was presented to the Exclusion Panel in relation to the decision to exclude.

After carefully considering the representations made and all the available evidence, have decided to uphold **[student name]**'s permanent exclusion.

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

You have the right to ask for the decision to be reviewed by an Independent Review Panel (IRP). If you wish to request a review please notify **(name and address details of Academy's person dealing with arrangements for setting up an Independent Review Panel)** that you wish to apply for a review of the decision in respect of the permanent exclusion by no later than **[specify the latest date –15 school days after the day on which notice in writing was given of the Exclusion Panel decision to the parents. Where notification was given by first class post, it is treated as having been given on the 2<sup>nd</sup> working day after which it was posted if sent by first class mail]**. Your application for review must state your reasons as to why you are requesting a review and any written evidence should also be submitted. Where appropriate, you should include a reference to how the student's special educational needs are considered to be relevant to the exclusion.

If you have not lodged a request for a review by **[repeat latest date]**, your right to request a review will lapse. Please advise **[contact]** if you have a disability or special needs which would affect your ability to attend a review. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the review meeting.

Regardless of whether your child has recognised special educational needs (SEN), you have the right to request an SEN Expert to attend the review. There would be no cost to you for this appointment. The SEN expert is there to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion. Please make it clear in your application whether you wish for an SEN expert to be appointed.

If you decide to request a review, it will be heard by an IRP. You may be accompanied by a friend and/or, at your own expense, appoint someone to make written and/or verbal representations on your behalf. A three member panel would comprise one serving or recently retired (within the last five years) head teacher/principal, one serving or recently serving, school/Academy governor and one lay member, who would be chairperson. The IRP would rehear all the facts of the case - if you have fresh evidence to present to the Panel you may do so. The Panel are required to meet no later than the 15<sup>th</sup> school day after the date on which a review request is lodged. In exceptional circumstances, panels may adjourn a hearing until a later date.

In determining your review the IRP can make one of three decisions:

- they may uphold your child's exclusion;
- they may recommend that the governing body reconsiders their decision; or
- they may quash the governing body's decision and direct that the governing body considers the exclusion again.

In addition to the right to apply for a review by an IRP, if you believe that the exclusion has occurred as a result of discrimination, you 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 six months of the date on which the discrimination is alleged to have taken place e.g. the day on which your child was excluded.

The arrangements currently being made for **[student's name]**'s education will continue. **[specify details here]**.

I would like to remind you of the following sources of advice and assistance:

The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process.

Tel:

Email address: (as appropriate)

A link to sources of impartial advice for parents such as the Coram Children's Legal Centre ([www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)) or ACE Education (<http://www.ace-ed.org.uk>) and their limited advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time);

The statutory guidance on exclusions is available at:

<https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely

**[Name]**

Clerk to Exclusion Panel

**SAMPLE LETTER FROM THE CLERK TO PARENT(S) OVERTURNING A PERMANENT EXCLUSION.**

Dear **[Parent/Carer's name]**

The meeting of the Exclusion Panel at **[name of Academy]** on **[date]** considered the decision by the Principal to permanently exclude **[student name]**. The Panel, after carefully considering the representations made and all the available evidence, overturned the Principal's decision to exclude **child's name** from the Academy.

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

Your child may therefore return to the Academy on **[time & date]**.

To support **child's name's** return and reintegration to the Academy the following will be organised.....

A copy of this letter will be placed on **[his/her]** their record. Please note that it is not possible to delete all record of this exclusion having been imposed, but the child's file will make it clear that it was subsequently overturned by the Panel.

You may find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0300 330 5485 or at <http://childlawadvice.org.uk>

Statutory guidance on exclusion can be found here:  
<https://www.gov.uk/government/publications/school-exclusion>

Yours sincerely,

**Clerk to the Exclusion Panel**

CC: Regional Director  
CC: LA Exclusions representative