



HALL GREEN SCHOOL

EXCLUSION POLICY

Adopted:	27 April 2022
Next Review:	April 2024
Governing Committee:	Pastoral and Curriculum
Responsibility:	Headteacher Assistant Headteacher/Pastoral

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Statement of intent

At Hall Green School, we understand that good behaviour and discipline are essential for promoting a high quality of education.

Amongst other disciplinary sanctions, the school recognises that exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behavioural Policy. Excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of others; in all cases, excluding pupils is only used as a means of last resort.

The school has created this policy to clearly define the legal responsibilities of the Headteacher, governing body and LA when responding to pupil exclusions, in order to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance.

This policy also aims to secure a pupil's right to an education despite having been excluded, by ensuring that appropriate arrangements are in place.

1. Legal framework

1.1. This policy has due regard to the related statutory legislation, including but not limited to, the following:

- The Education Act 2002 (As amended by The Education Act 2011)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (As amended 2014)
- Human Rights Act 1998
- The Equality Act 2010.

1.2. This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- Statutory guidance from DfE 'Exclusion from maintained schools, Academies and pupil referral units in England' 2017
- Non-statutory guidance from DfE 'Behaviour and discipline in schools' September 2020
- Statutory guidance from DfE 'Special educational needs and disability code of practice: 0 to 25 years' April 2020.

1.3. This policy will be implemented in conjunction with the following school policies and procedures:

- Behavioural Policy
- Anti-Bullying Policy
- Pupil Code of Conduct.

2. Grounds for exclusion

2.1 The school will only exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the school's Behavioural Policy, have failed to be successful. There might be instances that a one off serious incident might result in an exclusion.

2.2 Exclusions may be used as a sanction in response to, but not restricted to, the following examples of behaviour:

- Physical assault against a pupil or adult
- Verbal abuse against a pupil or adult
- Threatening and/or intimidating behaviour against a pupil or adult
- Possession, use, or threat of use of an offensive weapon or prohibited item
- Bullying
- Abuse against any protected characteristics
- Sexual misconduct
- Drug and alcohol related behaviour

- Damage to school property
- Theft
- Persistent disruptive behaviour
- Persistent defiance
- Inappropriate use of social media or online technology
- Wilful and repeated transgression of protective measures in place to protect public health
- Defamatory statements or comments, including online and via the use of social networking sites, towards a pupil or adult.

These include behaviour:

- taking part in any school-organised or school-related activity or
- travelling to or from school or
- wearing school uniform or
- in some other way identifiable as a pupil at the school.

Or misbehaviour at any time, whether or not the conditions above apply, that:

- could have repercussions for the orderly running of the school or
- poses a threat to another pupil or member of the public or
- could adversely affect the reputation of the school.

- 2.3. Pupils can be excluded on a fixed period basis or permanently. A pupil might be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A fixed-period exclusion does not have to be for a continuous period. A fixed-period exclusion can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be excluded from the school premises for the duration of the lunchtime period.
- 2.4. The law does not allow for extending a fixed-period exclusion or 'converting' a fixed-period exclusion into a permanent exclusion. 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.
- 2.5. Permanent exclusions will only be use as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- 2.6. In all cases, the Headteacher will decide which exclusion period a pupil will be subject to, depending on what the circumstances warrant.

3. A Headteacher's power to exclude

- 3.1. Only the Headteacher has the power to exclude a pupil from the school, and is able to decide whether this is on a fixed period or permanent basis. All exclusions will only be issued on disciplinary grounds.

- 3.2. The Headteacher is able to exclude pupils from the premises where their behaviour is disruptive during lunchtime. All lunchtime exclusions will be counted as half of a school day.
- 3.3. The Headteacher is able to consider a pupil who engages in disruptive behaviour outside of school premises as grounds for exclusion, in accordance with the school's **Behavioural Policy**.
- 3.4. Any decision made to exclude a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to exclusions and the school's wider legal duties, including the Human Rights Act (1998). All exclusions will be formally recorded.
- 3.5. When sending a pupil home following any exclusion, the Headteacher will ensure that they exercise their duty of care at all times and will always inform the parents/carers.
- 3.6. The Headteacher will apply the civil standard of proof when responding to the facts relating to an exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.
- 3.7. The Headteacher may withdraw any exclusion that has not already been reviewed by the governing body.
- 3.8. At all times, the Headteacher will take into account their legal duties under The Equality Act 2010 and the SEND Code of Practice: 0 to 25 years, ensuring that they do not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment.
- 3.9. The Headteacher will not issue any 'informal' or 'unofficial' exclusions, such as sending a pupil home to 'cool-off', regardless of whether or not the parents/carers have agreed to this.

4. Factors to consider when excluding a pupil

- 4.1. When considering the exclusion of a pupil, the Headteacher will:
 - Allow the pupil the opportunity to present their case.
 - Take into account any contributing factors that are identified after a case of poor behaviour has occurred, e.g. if the pupil's wellbeing has been compromised, or they have been subjected to bullying.
 - Take into consideration whether the pupil has received multiple exclusions or is approaching the legal limit of 45 excluded days per school year, and whether exclusion is serving as an effective sanction.
 - Consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour.
 - The Headteacher must also ensure that school policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. This

includes the fostering of good relationships and advance equality of opportunity between people who share a protected characteristic and people who do not share it.

- The Headteacher will never exclude for a non-disciplinary action.
- 4.2. The Headteacher will consider what extra support may be available and appropriate for vulnerable pupil groups whose exclusion rates are higher, in order to reduce their risk of exclusion, including the following:
- Looked after children (LAC)
 - Pupils eligible for free school meals
 - Pupils with special educational needs and disabilities (SEND)
 - Certain ethnic groups.
- 4.3. In light of the above, the Headteacher will consider avoiding permanent exclusion where possible for pupil groups who are particularly vulnerable to the impacts it would create for them, such as LAC and pupils with EHC plans.
- 4.4. Where any member of staff has concerns about vulnerable pupil groups and their behaviour, they will report this to the Headteacher who will consider what extra support or alternative placement should be explored.
- 4.5. Disruptive behaviour can be an indication of unmet needs. If members of staff at school and the Headteacher have concerns about a pupil's behaviour, they should try to identify whether there are causal factors and intervene early in order to reduce the need for a subsequent exclusion.
- 4.6. The Headteacher will work in conjunction with the parents/carers of any pupil with additional needs, in order to establish the most effective support mechanisms.

5. Working with Parents/Carers

- 5.1. Following the Headteacher's decision to exclude a pupil, school will inform the parents/carers immediately, without delay, of the period of the exclusion and the reasons behind this.
- 5.2. The Headteacher will inform the parents/carers in writing, of the following:
- The reasons for the exclusion
 - The length of the fixed period exclusion, or, for a permanent exclusion, the fact that it is permanent
 - The parents'/carers' right to raise any representations of the exclusion to the governing body, including how the pupil will be involved in this and how the representations will be made
 - The parents'/carers' right to attend a meeting where there is a legal requirement for the governing body to consider the exclusion, and the fact that they are able to bring an accompanying individual
 - The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision, or the pupil's return to school

- Relevant sources of free, impartial information
 - The date and time of the pupil's reintegration meeting with the Headteacher or delegated member of the pastoral team.
- 5.3. Where the pupil is of compulsory school age, the Headteacher will inform the parents/carers by the end of the afternoon session that:
- For the first five days of the exclusion, parents/carers are legally required to ensure that their child is not present in a public place during school hours without justification, and that parents/carers may receive a penalty fine if they fail to do so.
- 5.4. Where the Headteacher has arranged alternative provision, the Headteacher will also inform the parents/carers of the following:
- The start date for any provision of full-time education, including starting and finishing times
 - The address at which the provision will take place
 - Any information necessary for the pupil to identify the person they should report to on the starting date
- 5.5. Where the Headteacher is unable to provide information on alternative provision by the end of the afternoon session, they will provide the information in a subsequent written notice without further delay, and within 48 hours of the pupil beginning the provision.
- 5.6. If the alternative provision is due to begin before the sixth day of exclusion, the Headteacher is able to give less than 48 hours of notice, with the parents'/carers' consent.
- 5.7. If the Headteacher has decided to issue a further fixed term or permanent exclusion they will notify the parents/carers of the extended exclusion, the reasons for this and any other important information.
- 5.8. Following an exclusion, the Headteacher or a delegated member of staff will hold a reintegration meeting with the excluded pupil and parent or carer to consider the risks in returning the pupil to school. Where appropriate, a pupil may be placed in the Student Support Base for one or more days following exclusion and reintegration to review their behaviour and receive guidance.
- 5.9. Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking in to account their age and ability to understand.

6. Duty to inform the governing body and LA

- 6.1. The Headteacher will inform the governing body and LA, without delay, of the following:
- Any permanent exclusions
 - Any fixed term exclusions by weekly returns via attendance that it is sent to the local authority

- Any exclusions which would result in the pupil being absent from an examination or national curriculum test.
- 6.2. For any exclusions other than those above, the Headteacher will notify the governing body and LA once per term.
 - 6.3. All notifications to the governing body and LA will include the reason(s) for exclusion and the duration of any fixed period exclusion.
 - 6.4. If the pupil who is excluded lives outside the LA in which the school is located, the Headteacher will notify the pupil's 'home authority'.
 - 6.5. In addition, within 14 days of a request, a governing board must provide to the Secretary of State and the local authority, information about any exclusions within the last 12 months.

7. Arranging education for excluded pupils

- 7.1. For any fixed period exclusions of more than five school days, the governing body will arrange suitable full-time education for the pupil, which will begin no later than the sixth day of exclusion.
- 7.3. The governing body is aware that it is beneficial to excluded pupils to begin their alternative education arrangements before the sixth day of exclusion. The school will always attempt to arrange alternative provision before the sixth day of exclusion.
- 7.4. Where it is not possible to arrange alternative provision during the first five days of exclusion, the school will ensure that they take reasonable steps to set and mark work for the excluded pupil.
- 7.5. If a pupil with EHCP has been fixed term excluded, the school will liaise with LA via SENAR to arrange appropriate alternative provision. If a pupil with SEND has been permanently excluded, the LA via SENAR is responsible for arranging suitable alternative provision.
- 7.6. For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth school day of the exclusion.

8. Considering exclusions

- 8.1. The governing body, or a delegated committee, will consider any representations made by parents/carers in regard to exclusion.
- 8.2. Parents/carers, the Headteacher and, where applicable, a member of the LA, will be invited to attend any consideration of exclusions and will be able to make representations.
- 8.3. Any meeting to consider an exclusion will be arranged at a date and time convenient for all parties, and in compliance with any statutory time limits.
- 8.4. The governing body will consider exclusions, and the reinstatement of the pupil, where:

- The exclusion is permanent.
 - The exclusion is fixed period, and would bring the pupil's total number of excluded school days to more than 15 in any given term.
 - The exclusion would result in the pupil missing a public examination.
 - Where an exclusion totals between 6 and 15 days in a term and the parents have made representations to the governing body.
- 8.5. The governing body will consider exclusions within 50 school days of receiving notification, if requested by the parents/carers, where a pupil would be excluded for more than five school days per term, but not more than 15.
- 8.6. In the case of a fixed period exclusion, where the pupil's total number of excluded school days does not amount to more than five, the governing body will consider any representations made by parents/carers, but will not be able to reinstate the pupil.
- 8.7. Where exclusion would result in a pupil missing a public examination, the governing body will consider the exclusion before the test to decide whether the pupil should be reinstated in time to take the examination.
- 8.8. In light of the above, the governing body will also consider whether it would be appropriate to allow the excluded pupil to enter on to the premises to take the examination.
- 8.9. When considering exclusions, the governing body will:
- Only discuss the exclusion with the parties present at the meeting.
 - Ask for any written evidence prior to the meeting.
 - Circulate any written evidence and information to all parties, at least five school days in advance of the meeting.
 - Allow pupils and parents/carers to be accompanied by a person of their choice at the meeting.
 - Consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting.
 - Identify the steps needed to enable and encourage the excluded pupil to attend the meeting and speak on his/her behalf, or how he/she may contribute personal views by other means if attendance is not possible.
 - Consider the interests and circumstances of the excluded pupil, including the grounds for exclusion.

9. Reaching a decision

- 9.1. After considering exclusions, the governing body will either:
- decline to reinstate the pupil; or
 - direct reinstatement of the pupil immediately or on a particular date.
- 9.2. If reinstatement is not possible, e.g. if the pupil has already returned to school following the expiration of a fixed period exclusion or the parents make clear that they do not want their child reinstated, the governing body will consider whether the Headteacher's decision to exclude the pupil was fair, lawful and proportionate, based on the evidence presented.

9.3. The governing body will apply the civil standard of proof when responding to the facts relating to an exclusion, i.e. that ‘on the balance of probabilities’ it is more likely than not that the facts are true.

9.4. In order to reach a decision, the governing body will:

- Identify the steps they intend to take to ensure that all parties involved will have the opportunity to participate and present their views.
- Ensure that minutes are taken of the meeting as a record of the evidence that was considered.
- Ask all parties to withdraw from the meeting before concluding their decision.
- Consider whether the exclusion of the pupil was lawful, proportionate and fair, taking into account the Headteacher’s legal duties.
- Record the outcome of the decision on the pupil’s educational records, along with copies, will be kept in accordance with our Data Protection Policy.
- Make a note of their findings, where they have considered an exclusion but cannot reinstate the pupil, as detailed in [section 8.5](#) of this policy.

10. Notification of considered exclusions

10.1. The governing body will notify the parents/carers of the excluded pupil, the Headteacher and the LA of their decision following the consideration of an exclusion, in writing and without delay.

10.2. If the governing body decides to uphold the permanent exclusion, they will notify the parents/carers:

- That it is permanent, and their right for it to be reviewed by an independent review panel.
- Of the date by which an application for review must be made, as detailed in [section 12](#) of this policy.
- Of the name and address of the person to whom the review application should be submitted.
- That, regardless of whether a pupil has been identified as having SEND, the parents/carers have a right to require the governing body to ensure a SEND specialist attends the review.
- Of the role of the SEND expert that will attend the review.
- That they are required to make it clear if they wish for an SEND expert to attend the review.
- That they may appoint someone at their own expense to make representations to the panel.

10.3. The governing body will also notify parents/carers that if they believe an exclusion has been issued as a result of discrimination then they are required to make a claim under The Equality Act 2010, and that this should be within six months of when the discrimination allegedly took place.

10.4. After any conclusion, the governing body will notify the parents/carers, and all other parties involved, of the decision that was made and the reasoning for this, in sufficient detail.

11. Removing pupils from the school register

11.1. The Headteacher will remove pupils from the school register if:

- 15 school days have passed since the parents/carers were notified of the governing body's decision to uphold a permanent exclusion and no application for an independent panel review has been received.
- The parents/carers have stated in writing that they will not be applying for an independent panel review following a permanent exclusion.

11.2. If an application for an independent panel review has been made within 15 school days, the Headteacher will wait until the review has been determined, or abandoned, before removing the pupil from the school register.

11.3. If a pupil's name has been removed from the register and a discrimination claim is made, the pupil may be reinstated following a decision made by the First-tier Tribunal Court.

11.4. Whilst a pupil's name remains on the admissions register, the appropriate code will be used to mark the pupil's attendance:

- Code B: Education off-site
- Code D: Dual registration
- Code E: Absent and not attending alternative provision.

12. Independent review panel

12.1. The governing body will be responsible to make arrangements to review the decision not to reinstate a permanently excluded pupil, if the parents/carers submit their application for this within the required time frame.

12.2. Parents/carers are required to submit their applications within:

- 15 school days of receipt the governing body's notification of their decision.
- 15 school days of the final determination of a discriminatory claim made under The Equality Act 2010.

12.3. Any application made outside of this timeframe will not be reviewed.

12.4. Parents/carers are able to request an independent panel review even if they did not make a case to, or attend, the governing body's initial consideration of the exclusion.

13. Reconsidering exclusions following a review

13.1. Where the independent review panel instructs the governing body to review their exclusion decision, they will do so within 10 school days of being given notice of the review panel's decision.

- 13.2. The school is aware that if the governing body does not offer to reinstate the pupil, then the school maybe be required to make a payment of up to £4,000 directly to the LA in which the school is located.
- 13.3 If, following a reconsideration of an exclusion, the governing body offers to reinstate the pupil but the parents/carers decline, no adjustment will be made to the school's budget.
- 13.4 Following a reconsideration, the governing body will notify the parents/carers, the Headteacher and, where necessary, the LA, of their reconsidered decision and the reasons for this.

14. Criminal investigations

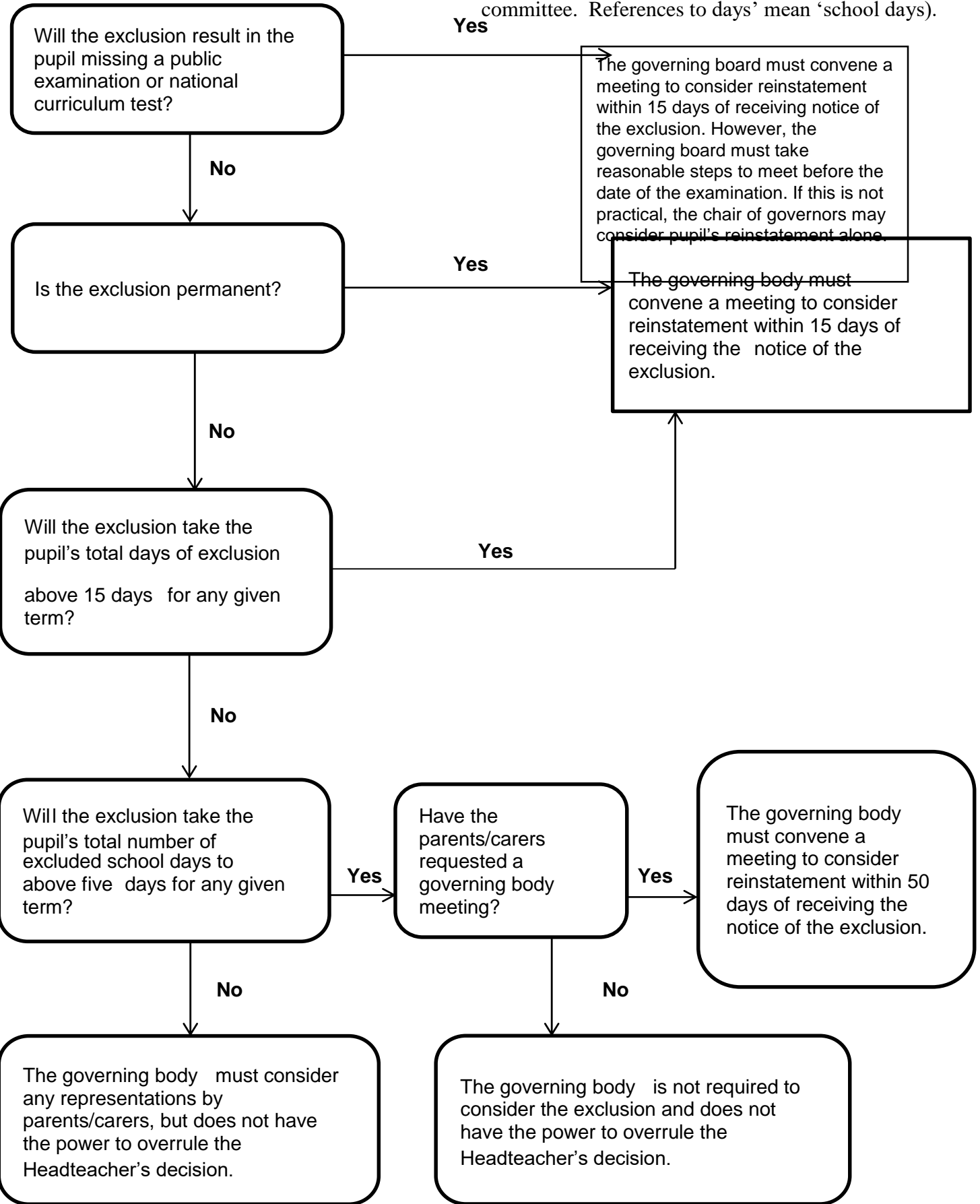
- 14.1 The Headteacher will not postpone taking a decision to exclude a pupil due to a police investigation being underway, or any criminal proceedings that are in place.
- 14.2 The Headteacher will give particular consideration when deciding to exclude a pupil where evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.
- 14.3 If the governing body is required to consider the Headteacher's decision in these circumstances, they will not postpone the meeting and will make a decision based on the evidence available.

15. Monitoring and review

- 15.1 This policy will be reviewed on a biannual basis by the **Headteacher** in conjunction with the **governing body**.
- 15.2 All members of staff are required to familiarise themselves with this policy as part of their induction programme.

A summary of the governing board’s duties to review the Headteacher’s exclusion decision

(The governing board may delegate its functions to consider an exclusion to a designated committee. References to days’ mean ‘school days’).



Appendix II – Exclusion letter for a fixed term period

Dear _____

I am writing to inform you of my decision to exclude xxx for a fixed period of 2 days, commencing on xxxxxxxxxxxxxxxx to xxxxxxxxxx. This means that xxxxx will not be allowed in school for this period.

The decision to exclude xxxxx has not been taken lightly. xxx has been excluded for this fixed period because of xx.

As the parent/carer you have a duty to ensure that xxxxxx is not present in a public place, in school hours, without reasonable justification during this exclusion on xxxxxxxxxxxxxxxxxxxxxxxx. I must advise you that you may receive a fixed penalty notice from the local authority or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

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

The school will continue to set work for xxxxxx during the period of his exclusion. Please ensure that any work set by the school is completed and returned to (xxxHead of Housexxx) for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact Mr G Scott-Cook C/o Hall Green School, as soon as possible. Whilst the governing body 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.

If you require further information or assistance on the exclusion process, please contact:

The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process. Tel: 0121 303 2685/7893. Email: exclusions@birmingham.gov.uk

Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137. Email: SENParentPartnership@birmingham.gov.uk.

A link to sources of impartial advice for parents such as the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.aced.org.uk>) and their limited advice line service on 03000 115 142 on Monday to Wednesday from 10.00 am to 1.00 pm during term time);

The exclusions guidance on:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/2017_0831_Exclusion_Stat_guidance_Web_version.pdf

Finally, you should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/ or make a claim, to the First Tier Tribunal. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-anddisability>

Making a claim would not affect your right to make representations to the governing body/ management committee.

You and xxxx are requested to attend a reintegration interview with xxxxx & xxxxxx at Hall Green School on xxxxx at xxxxx. If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Xxxxx's exclusion expires on xxxxx and we expect xxxxx to be back in school on xxxxx

Yours sincerely

Miss K Slater
Headteacher

Appendix III- Exclusion letter for a permanent exclusion

Dear xxx,

This letter is to inform you of my decision to exclude xxxx permanently from xxxxx.

This means that xxxxx will not be allowed back to this school unless she is reinstated by the School Governing Body Discipline Committee or the Independent Review Panel recommends that the governing body reconsiders their decision or quash the decision and direct that the governing body considers the exclusion again.

The decision to exclude xxxxxx has not been taken lightly. xxxxx has been excluded permanently because of xxxxxxxxxxxxxxxxxxxxxxxxx

As the parent/carer you have a duty to ensure that xxxxx is not present in a public place in school hours without reasonable justification during the first 5 school days of this permanent exclusion, that is on xxxxxxxxxxxxxxxxxxxxxxxxx. I must advise you that you may receive a fixed penalty notice from the local authority or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

Alternative arrangements for xxxxx's education to continue will be made. For the first five school days of the exclusion we will set work for xxxxxx and would ask you to ensure this work is completed and returned promptly to school for marking [this may be different if supervised education is being provided earlier than the sixth day]. From the sixth school day of the exclusion onwards - i.e. from xxxxxxxxxxxx, the local authority in Birmingham will provide suitable full-time education.

I have also today informed Elaine Simmons at Birmingham Local Authority of your child's exclusion and they will be in touch with you about arrangements for her education from the sixth school day of exclusion. You can contact them at Education and Skills Directorate, Exclusions Team, PO Box 16542, Birmingham B2 2DJ.

As this is a permanent exclusion the School Governors' Discipline Committee must meet to consider the reinstatement or to confirm the permanent exclusion of xxxxxx. You have the right to make representations about this decision to the School Governing Body Discipline Committee and ask them to reinstate xxxxxx. If the Governing Body Discipline Committee upholds the exclusion you have the right to ask for the decision to be reviewed by an Independent Review Panel. The latest date the Committee can meet is xxxxxxxxxxxxxxxxxxxxxxxxx. If you wish to make representations to the Committee please contact Mr A Poulton, Clerk to the Governing Body as soon as possible by email a.poulton@hallgreen.bham.sch.uk. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform Mrs P Elliott, PA to the Headteacher 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 Committee of the time, date and location of the meeting.

At the meeting you have the right to be accompanied by a friend and/or representative (at your own expense). Taking into account your child's age and understanding, she may also attend the meeting to speak on her own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate her views by other means.

If you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you may raise the issue with the Governing Body Discipline Committee. This would not affect your right to make a claim to the First Tier Tribunal.

[http://www.justice.gov.uk/guidance\(courts-and-tribunals\(tribunals/send/index.htm](http://www.justice.gov.uk/guidance(courts-and-tribunals(tribunals/send/index.htm).

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

If you require further information or assistance on the exclusion process, please contact:
The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process. Tel: 0121 303 2685/7893. Email: exclusionst@birmingham.gov.uk
Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137. Email: SENParentPartnership@birmingham.gov.uk. Website: <http://www.birmingham.gov.uk/sendiasm>
A link to sources of impartial advice for parents such as the Coram Children's Legal Centre (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 10.00 am to 1.00 pm during term time);

Where considered relevant by the Headteacher, links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership) www.councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about

The National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The exclusions guidance on:

[www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831
Exclusion Stat guidance Web version.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf)

Finally, you should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal. <http://www.justice.gov.uk/tribunals/first-tier-tribunal-special-educational-needs-and-disability> Making a claim would not affect your right to make representations to the governing body/management committee.

Yours sincerely

Miss K Slater
Headteacher

Appendix IV – Links to key documents

Exclusion from maintained schools, academies and pupil referral units in England Statutory guidance for those with legal responsibilities in relation to exclusion September 2017

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

Alternative Provision Statutory guidance for local authorities January 2013

<https://www.gov.uk/government/publications/alternative-provision>

Behaviour and discipline in schools Advice for Headteacher's and school staff January 2016

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

A guide to exclusion statistics Last updated: September 2017

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642577/Guide-to-exclusion-statistics-05092017.pdf

Getting the simple things right: Charlie Taylor's behaviour checklists

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

Impartial advice for parents:

<https://www.childrenslegalcentre.com/>

<http://www.ace-ed.org.uk/>

List of codes to use when completing your school census.

<https://www.gov.uk/guidance/complete-the-school-census/find-a-school-census-code>