

Milton Keynes Exclusion guidance



www.milton-keynes.gov.uk/schools-and-lifelong-learning

Date issued: January 2020

Contents

Section 1

- Context
- Other relevant statutory guidance
- Local Authority Contacts

Section 2

- Frequently asked questions

Section 3

- Head teacher's checklist

Model Letters

Model Letter 1 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of 5 days or fewer in one term, and where a public examination is not missed

Model Letter 2 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term

Model Letter 3 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of more than 15 days in total in one term

Model Letter 4 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of fixed period exclusion *in the first instance* pending further investigation/reflection. (Signals possibility that exclusion may become permanent)

Model Letter 5 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of a permanent exclusion

Model Letter 6 - From the Clerk inviting the parent(s) to a Pupil Discipline Committee meeting to review a fixed period or permanent exclusion

Model Letter 7 - From the Clerk to parent(s) following a meeting of the Pupil Discipline Committee (to which parents have made representation) and governors have decided fixed term exclusion was inappropriate

Model Letter 8 - From the Clerk to parent(s) following a meeting of the Pupil Discipline Committee (to which parents have made representation) and governors have decided fixed term exclusion was appropriate

Model Letter 9 - From the Clerk to parent(s) upholding a permanent exclusion

Model Letter 10 - From the Clerk to parent(s) overturning a permanent exclusion.

Model Letter 11 - From head teacher (or teacher in charge of a PRU) notifying parent(s) of lunch time exclusion.

Section 1

Context

This guidance is written in addition to the DfE guidance on exclusions ***Exclusions from maintained schools, Academies and pupil referral units (PRU) in England – a guide for those with legal responsibilities in relation to exclusion*** hereafter referred to as the statutory guidance and should be read in conjunction with the [Statutory Guidance Regulations](#)

Other relevant statutory guidance

The guidance should also be read in conjunction with the following documents:

1. [Behaviour and discipline in schools guide](#)
2. [Ensuring good behaviour in schools](#)
3. [Use of reasonable force](#)
4. [Searching, screening and confiscation advice](#)

Details of Local Authority Officers

To notify the Local Authority contact the Children Missing Education Team on (01908) 253338
exclusions@milton-keynes.gov.uk

School exclusion data must be updated on the online portal:

https://emsonline.milton-keynes.gov.uk/ccsenterpriseonline_live/

Governors' Services as part of their traded services can offer guidance on the role and responsibilities of the Pupil Disciplinary Committee including a clerking service for the process. Please contact Sara Butler on (01908) 253497

sara.butler@milton-keynes.gov.uk

Model letters are attached to this guidance. You may choose to write your own letters but you must ensure the wording includes all of the points covered by the statutory guidance

Section 2

Frequently asked questions

Q1	Does this guidance apply to Academies?
A	This guidance applies to all maintained schools, including sixth forms which are part of a maintained school, and Pupil Referral Units. Academies must also have regard to this guidance and their procedures should not depart significantly from this guidance without good reason.
Q2	How soon must the head contact parents?

A	A school must contact parents and provide details of a period of exclusion and the reasons for it, without delay and by the end of the afternoon session. This is likely to be by the quickest route either by telephone or in person. The school must follow this up with the information in writing (Para 26 – 39 of statutory guidance).
Q3	Who is authorised to exclude a pupil from school?
A	Only a head teacher can authorise a pupil's exclusion. Wherever practical a head teacher should give pupils the opportunity to present their case before taking the decision to exclude.
Q4	Does a school have to send a letter through the post?
A	No, the required information must be provided in writing and can either be delivered directly to the parent/s, left at the last known address, or by posting it to this address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way. (Para 28 of the statutory guidance).
Q5	What provision should be made if the parents of an excluded pupil do not have a good understanding of English?
A	The school or local authority should arrange for an interpreter to be present at any meetings about the exclusion and documentation relating to the exclusion should be translated into their mother tongue.
Q6	What is a reasonable period of time for fixed term exclusion?
A	Fixed term exclusions should be for the shortest time only, bearing in mind that exclusions of more than a day or two make it more difficult for the pupil to reintegrate into the school afterwards. Ofsted inspection evidence suggests that 1 - 3 days are often long enough to secure the benefits of exclusion without adverse educational consequences.
Q7	What is an unofficial exclusion?
A	Unofficial or informal exclusions are illegal, regardless of whether they are done with the agreement of parents or carers. (See para 3.13 of the statutory guidance). An unofficial exclusion is when parents are asked to take their child home following an incident in school. If parents are asked to take their child home this must be treated as an exclusion and recorded as such
Q8	Who is responsible for arranging educational provision after the fifth day of any period of exclusion?
A	For a fixed period of more than 5 days the governing body (or local authority, in respect of a PRU) must arrange suitable full time education on Day 6. If a pupil is permanently excluded the responsibility for full time education from Day 6 falls to the Local Authority.
Q9	Are there any breaches of school rules for which an exclusion is not appropriate?
A	An exclusion must be on disciplinary grounds. The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgment for the head teacher in accordance with the school's published behaviour policy. It is unlawful to exclude for a non-disciplinary reason, for example because a pupil has additional needs that the school feels it is unable to meet.

Q10	Can parents/carers appeal the decision to exclude?
A	<p>a) Parents/carers can request that the Governing Body meet to consider their representation. If the exclusion takes the total number of days of exclusion above 5 days for the term and parents have requested the Governing Body to meet, they must do so within 50 school days of receiving notice of exclusion (para. 56 of the statutory guidance).</p> <p>b) If a child has been excluded for more than 15 days in one term, the Governing Body must meet to consider reinstatement within 15 school days of receiving the notice of the exclusion. (See para 55 of the statutory guidance)</p> <p>c) If a child receives a permanent exclusion the Governing Body must meet to consider reinstatement within 15 school days of receiving the notice of the exclusion. (see para. 55 of the statutory guidance)</p>
Q11	How do I organise an Independent Review Panel?
A	<p>For Milton Keynes maintained schools contact the Children Missing Education Team, Education, Sufficiency and Access. Telephone: 01908 253338 exclusions@milton-keynes.gov.uk</p> <p>For academies the Academy Trust must organise their own Independent Review Panel. (See paras 8 and 9 of statutory guidance)</p>

Section 3

Head teacher's checklist

Head teachers should give consideration to the following checklist before deciding to exclude for any period of time

Has the Pupil Committed the Offence?	Yes	No
Has there been serious breach/es of the school behaviour policy?		
Is the pupil's presence in school detrimental to the education or welfare of the pupil or others in the school?		
Is this as a last resort following a wide range of other strategies that have been unsuccessful? Or Is this a serious first or 'one off 'offence?		
Is exclusion the appropriate response? Factors to Consider <ul style="list-style-type: none"> • Decision to exclude not taken in the heat of the moment • A thorough investigation has been carried out • Evidence has been considered in the light of policies and discrimination • The pupil's views have been encouraged, heard and recorded • Mitigating circumstances and provocation (bullying etc.) have been considered • Appropriate wider consultation has been considered 		
Has there been involvement from Specialist Behaviour Support / SEND teams or an Educational Psychologist (EP)?		
Has a Behaviour Plan/IEP been implemented?		
Is it appropriate to make a referral to Children and Family Practices via the Multi Agency Safeguarding Hub (MASH)?		
Have alternatives to exclusion been considered (e.g. restorative work, mediation, internal exclusion, managed move, proactive alternative education placement)?		
On the balance of probabilities, did the pupil do it? For more serious allegations the evidence must be more substantiating		
Special Considerations		

Does this pupil have a statement of Special Educational Needs (SEN) or an EHC Plan? Have you contacted the SEN officer? Has an emergency Annual Review/Interim Review been called? <i>See separate check list for considerations around the exclusion of children with SEN/disability</i>		
Is this pupil currently a child in the care of the Local Authority? Have you contacted the Head of the Virtual School and Social Worker?		
Is this pupil subject to Child Protection procedures or a Child In Need? Have you spoken to the Social Worker?		
Is there a TAF for this child/family? Have you liaised with your Children & Families Practice?		
Have issues of SEN, disability, race and care been fully considered? <i>See separate checklist for considerations around the exclusion of children with SEN/disability</i>		
Has the appropriate length of exclusion been considered? Is this for the shortest possible time?		
Has the pupil been excluded previously?		

Head teacher's checklist for Pupils with a SEN/disability

Head teachers should give consideration to the following checklist before deciding to exclude a pupil with SEN/disability for any period of time. *(See paragraphs 3.22–3.24 of the statutory guidance)*

Does the pupil have a Statement of Special Educational Needs or EHC Plan?	Yes	No
<ul style="list-style-type: none"> Has the SEN Caseworker been contacted? Has an emergency Annual Review/Interim Review been called? <p>Not all pupils with statements of Special Educational Needs will have a disability but there is a significant overlap.</p>		
<p>Is this pupil on the SEN register?</p> <ul style="list-style-type: none"> Has extra assistance from the local authority been explored (have Specialist SEND teams/EP had recent involvement)? 		
<p>Does the pupil have a disability</p> <p>For example, do they have a mental or physical impairment which has a substantial, adverse effect on their ability to carry out normal day to day activities? In law “substantial” means more than minor or trivial In law “long term” means at least a year Not all pupils with a disability will have a statement of Special Educational Needs, or EHC plan but many will. “Disability” includes physical disabilities, speech and language needs, memory and ability to concentrate, perception of the risk of danger when these are adverse, long term and substantial</p>		
<p>Has the pupil been treated less favourably? Would a pupil without a disability have been dealt with in the same way? You will need to consider</p> <ul style="list-style-type: none"> What is less favourable treatment? What is the reason for less favourable treatment? Is the reason directly related to their disability? Can less favourable treatment be justified? Is the justification material and substantial? 		
<p>Have reasonable adjustments been made for this pupil? You will need to consider:</p> <ul style="list-style-type: none"> Would failure to make reasonable adjustments place the pupil at a substantial disadvantage? Could the need to make reasonable adjustments have been anticipated? Has the school reviewed policies, practices and procedures (continuing responsibility)? 		

<ul style="list-style-type: none"> • Does reasonable adjustment involve removal/alteration of physical features? • Does reasonable adjustment involve provision of auxiliary aids/services (SEN framework)? • Have relevant factors been explored and balanced? <ul style="list-style-type: none"> ○ Need to maintain standards? ○ Financial resources available? ○ Cost of taking particular step? ○ Extent to which it is practical to take particular step? ○ Extent to which auxiliary aid/services will be provided under SEN framework? ○ Health and safety requirements? ○ Interests of other pupils/prospective pupils? • Could the school have been reasonably expected to know about the disability (confidentiality; lack of knowledge)? • Can actions or omissions be materially and substantially justified? 		
--	--	--

Section 4

Model letter 1

From head teacher (or teacher in charge of a PRU) notifying parent(s)/carer(s) of a fixed period exclusion of 5 school days or fewer in one term, and where a public examination is not missed.

{ } brackets to be included/omitted as appropriate

Note: head teacher should notify parents/carers by the end of the school day of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **Parent/Carer**,

I am writing to inform you of my decision to exclude **child's name** for a fixed period of **specify period**. This means that **he/she** will not be allowed in school for this period. {This brings the total number of days excluded this term to ...}

We expect **child's name** to be back in school on the **date at time**.

Child's name has been excluded for this period because **reason for exclusion**

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **child's name** has not been taken lightly. We have taken the following steps to try to avoid this exclusion **state action taken**.

{I am aware of **child's name's** Special Educational Needs. The following steps have been taken to make reasonable adjustments for this **state adjustments made**.}

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during **specify dates** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during this exclusion period. Please ensure that work set by the school is completed and returned promptly for marking.

You should 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 (Special Educational Needs and Disability)

[First Tier Tribunal](#)

You and **child'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**. The purpose of the reintegration interview is to discuss how best your child's return to school can be successfully managed.

You also have the right to see a copy of **child's name'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 **child's name's** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs, or Education and Health Care Plan, you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 2

From head teacher (or teacher in charge of a PRU) notifying parent(s)/carer(s) of a fixed period exclusion of more than 5 school days (up to and including 15 school days) in a term.

{ } brackets to be included/omitted as appropriate

Note: head teacher should notify parents/carers immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **Parent/Carer**,

I am writing to inform you of my decision to exclude **child's name** for a fixed period of **specify period**. This means that **he/she** will not be allowed in school for this period. {This brings the total number of days excluded this term to ...} **Your child should return to school on date.**

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **child's name** has not been taken lightly. We have taken the following steps to try to avoid this exclusion **state action taken**.

Child's name has been excluded for this period because **reason for exclusion**

{I am aware of **child's name's** Special Educational Needs. The following steps have been taken to make reasonable adjustments for this **state adjustments made**.}

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **or specify dates for the exclusion if fewer than 5 days** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during this exclusion period. Please ensure that work set by the school is completed and returned to us promptly for marking.

(If the individual exclusion is for more than 5 days)

From the 6th school day of the pupil's exclusion **specify date** until the expiry of the exclusion we **(for PRUs, the Local Authority)** will provide suitable full-time education. **(set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter).**

You have the right to request a meeting of the **{Governing Body's Pupil Discipline Committee /Management Committee}**, to whom you may make representation and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the **{Governing Body's Pupil Discipline Committee /Management Committee}** must meet if you request it to do so. The latest date by which the **{Governing Body's Pupil Discipline Committee /Management Committee}** must meet is **specify date – no later than the 50th school day after the date on which the {Governing Body's Pupil Discipline Committee /Management Committee} were notified of this exclusion.**

If you do wish to make representation to the Pupil Discipline Committee/Management Committee and wish to be accompanied by a friend or a representative please contact **my secretary, include contact details – address, phone number, email**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also please inform **contact** if it would be helpful to have an interpreter present at the meeting.

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 (Special Educational Needs and Disability) [First Tier Tribunal](#)

You and **child'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**. The purpose of the reintegration interview is to discuss how best your child's return to school can be successfully managed.

You also have the right to see a copy of **child's name'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 **child's name's** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs or Education and Health Care plan, you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 3**From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion of more than 15 school days in total in one term**

{ } brackets to be included/omitted as appropriate

Note: head teacher should notify parents/carer immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **Parent/Carer**,

I am writing to inform you of my decision to exclude **child's name** for a fixed period of **specify period**. This means that **he/she** will not be allowed in school for this period. {This brings the total number of days excluded this term to ...}

We expect **child's name** to be back in school on the **date** at **time**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **child's name** has not been taken lightly. We have taken the following steps to try to avoid this exclusion **state action taken**.

Child's name has been excluded for this period because **reason for exclusion**

{I am aware of **child's name**'s Special Educational Needs. The following steps have been taken to make reasonable adjustments for this **state adjustments made**.}

[For pupils of compulsory school age]

[If current exclusion is 5 days or fewer]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **or specify dates for the exclusion if fewer than 5 days** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during this exclusion period. Please ensure that work set by the school is completed and returned promptly for marking.

[If current exclusion is more than 5 days].

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **or specify dates for the exclusion if fewer than 5 days** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during the first 5 days of **his/her** exclusion. Please ensure that work set by the school is completed and returned to us promptly for marking. From the 6th school day of the exclusion **specify date** until the end of the exclusion we will provide for suitable full time education.

As the length of the exclusion brings the total number of days excluded to more than 15 school days in one term, the **{Pupil Discipline Committee/Management Committee}** must meet to consider the exclusion. At the review meeting you may make representations to the **{Pupil Discipline Committee/Management Committee}** if you wish. The latest date on which the **{Pupil Discipline Committee/Management Committee}** can meet is **date – no later than 15 school days from the date the Governing Body is notified**. If you wish to make representations to the **{Pupil Discipline Committee/Management Committee}** please contact **the Clerk to the Pupil Discipline Committee – include contact details – address, phone number, email**, as soon as possible.

Please inform **contact** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school.

You will, whether you choose to make representations or not, be notified by the Clerk to the Pupil Discipline Committee/Management Committee of the time, date and location of the meeting.

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 (Special Educational Needs and Disability) [First Tier Tribunal](#)

You and **child'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**. The purpose of the reintegration interview is to discuss how best your child's return to school can be successfully managed.

You also have the right to see a copy of **child's name'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 **child's name's** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs, or Education and Health Care plan you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 4

From head teacher (or teacher in charge of a PRU) notifying parent(s) of a fixed period exclusion *in the first instance* pending further investigation/reflection. (Signals a possibility that exclusion may become permanent).

{ } brackets to be included/omitted as appropriate

Note: head teacher should notify parents/carer immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **Parent/Carer**,

I am writing to inform you of my decision to exclude **child's name** for a fixed period of **specify period** in the first instance to give me an opportunity to investigate the incident fully and decide if **he/she** should be permanently excluded. **Child's name** has been excluded for this fixed period because **reason/s for exclusion** I shall be writing to you again in the next few days {following the completion of my investigations} to explain my decision on what should happen next. This means that he/she will not be allowed in school between **date** and **date**. {This brings the total number of days excluded this term to ...}.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **child's name** has not been taken lightly. We have taken the following steps to try to avoid this exclusion **state action taken**.

Child's name has been excluded for this period because **reason for exclusion**

{I am aware of **child's name's** Special Educational Needs. The following steps have been taken to make reasonable adjustments for this **state adjustments made**.}

[For pupils of compulsory school age]

[If current exclusion is likely to be 5 days or fewer]

You have a duty to ensure that your child is not present in a public place in school hours unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during this exclusion period. Please ensure that work set by the school is completed and returned to us promptly for marking.

[If current exclusion is likely to be for more than 5 days].

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **or specify dates for the exclusion if fewer than 5 days** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **child's name** during the first 5 days of **his/her** exclusion. Please ensure that work set by the school is completed and returned to us promptly for marking. From the 6th school day of the exclusion **specify date** until the end of the exclusion we will provide for suitable full time education.

[Select from the following 2 paragraphs depending on your decision in the first instance; more than 5 days, this exclusion brings total days of exclusion to 15 days or more in a term.]

[More than 5 days]

As the period of this exclusion is more than 5 school days the {**Pupil Discipline Committee/Management Committee**} must meet if you request it to do so. Alternatively, you may make written representation. If you request a meeting, the latest date by which the {**Pupil Discipline**

Committee/Management Committee} must meet is **specify date – no later than the 50th school day after the date on which the Pupil Discipline Committee/Management Committee were notified of this exclusion.** To request a meeting please contact the Clerk to the Pupil Discipline Committee/Management Committee **include contact details – address, phone number, email,** as soon as possible. Please inform **contact** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school.

[Total of 15 days or more in one term]

As the length of the exclusion brings the total number of days excluded to more than 15 school days in one term, the **Pupil Discipline Committee/Management Committee}** must meet to consider the exclusion. At the review meeting you may make representations to the **{Pupil Discipline Committee/Management Committee}** if you wish. The latest date on which the **{Pupil Discipline Committee/Management Committee}** can meet is **date here – no later than 15 school days from the date the Pupil Discipline Committee/Management Committee} is notified.** Please inform **contact** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school.

[For all]

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 (Special Educational Needs and Disability) [First Tier Tribunal](#)
You and **child'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**. The purpose of the reintegration interview is to discuss how best your child's return to school can be successfully managed.

You also have the right to see a copy of **child's name'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 **child's name's** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs, or Education and Health Care Plan you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

Name

Head teacher

cc. Chair of Governors

Children Missing Education Team, Milton Keynes Council at exclusions@milton-keynes.gov.uk
(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 5

From the head teacher of a primary, secondary or special school (or the teacher in charge of a PRU) notifying the parent(s) of that pupil's permanent exclusion.

{ } brackets to be included/omitted as appropriate

Note: Head teacher should notify parents/carer immediately of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **[name of parent/carer]**

I regret to inform you of my decision to permanently exclude **[child's name]** with effect from **[date]**. This means that **[child's name]** will not be allowed in this **school/PRU** unless **he/she** is reinstated by the **[Pupil Discipline Committee/Management Committee in case of a PRU]** or by an independent review panel.

I realise that this exclusion may well be upsetting for 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 **[reasons for the exclusion — include any other relevant previous history]**. We have taken the following steps to try to avoid this exclusion **[state actions taken]**

[For pupils of compulsory school age – next 3 paragraphs]

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

Alternative arrangements for **[child's name]**'s education to continue will be made. For the first 5 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 school for marking **[this may be different if supervised education is being provided earlier than the 6th day]**. From the 6th school day of the exclusion onwards **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]**

[Where pupil lives in a Local Authority other than Milton Keynes 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 6th school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the **Pupil Discipline Committee/Management Committee in case of a PRU** must meet to consider it. At the review meeting you may make representations to the **[Pupil Discipline Committee/Management Committee in case of a PRU]** if you wish and ask them to reinstate your child in school. The **[Pupil Discipline Committee/Management Committee]** 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 appeal against their decision to an Independent Review Panel. The latest date by which the Pupil Discipline Committee/Management Committee must meet is **[specify the date — the 15th school day after the date on which the Pupil Discipline Committee/Management Committee in case of a PRU was notified of the exclusion]**. If you wish to make representations to the **[Pupil Discipline Committee/Management Committee in the case of a PRU]** and wish to be accompanied by a friend or representative please contact **[name of contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the **[Pupil Discipline Committee/Management Committee]** of the time, date and location of the meeting. Please let us

know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You 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 (Special Educational Needs and Disability) [First Tier Tribunal](#) or to a county court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the **[Pupil Discipline Committee/Management Committee]**.

You also have the right to see a copy of **[child's name]**'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 **[child's name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs, or Education and Health Care Plan you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Children Missing Education Team, Milton Keynes Council at
exclusions@milton-keynes.gov.uk

(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 6

From the Clerk inviting the parent(s) to a Pupil Discipline Committee/Management Committee meeting to review a fixed period or permanent exclusion.

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I refer to the letter from the head teacher dated **date** concerning **child's name's** exclusion from school.

[Select from the following 3 paragraphs; fixed period of more than 5 school days or 10 lunchtimes, 15 school days or more in one term, permanent exclusion]

[Fixed period of more than 5 school days or 10 lunchtimes]

{The Pupil Discipline Committee/Management Committee} must meet if requested by parents where an exclusion exceeds 5 school days/10 lunchtimes.

The meeting to review **child's name's** exclusion will be held at **place** on **date** at **time**. Please inform **contact** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. **Child's name** is welcome to attend the meeting.

[Fixed period of 15 school days or more in one term]

{The Pupil Discipline Committee/Management Committee} must meet where an exclusion exceeds 15 school days in one term. The meeting to review **child's name's** exclusion will be held at **place** on **date** at **time**. Please inform **contact** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. **Child's name** is welcome to attend the meeting.

[Permanent exclusion]

The **{The Pupil Discipline Committee/Management Committee}** must meet when a pupil has been permanently excluded. They must decide whether to reinstate **child's name** or confirm the Head teacher's decision to exclude.

The meeting will be held at **place** on **date** at **time**. If you intend to submit a written report, please send it to me to be received no later than **date**. This will enable me to circulate it to all parties in advance of the meeting, together with relevant information from the Head teacher, which I will be sending to you at the same time. Please send your report to:

The Clerk to the Pupil Discipline Committee,
School Name and Address or Local Authority Governor Services
[Please return the slip below to advise us whether or not you will be attending.]

Yours sincerely,

Clerk to the Pupil Discipline Committee/Management Committee

Reply slip here if appropriate

NOTE: It is important to ensure that all parties receive information at the same time at least 5 days in advance of the hearing. This enables parents the opportunity to prepare fully in response to the head teacher's statement

Model letter 7

From the Clerk to parent(s) following a meeting of the Pupil Discipline Committee (to which parents have made representation) and governors have decided a fixed period exclusion was inappropriate.

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I refer to the meeting of the Pupil Discipline Committee which took place on **date** when the question of **child's name**'s fixed term exclusion from this school was considered.

The Pupil Discipline Committee considered the case presented by the head teacher very thoroughly. They {also considered the representations made by yourself and the representative of the Local Authority and} came to the conclusion that in the circumstances the Head teacher's decision to exclude **child's name** was inappropriate.

The Pupil Discipline Committee has therefore asked the head teacher to attach the following note to the letter recording **child's name**'s exclusion on **his/her** file.

The Pupil Discipline Committee which met on **date** to consider the fixed term exclusion of **child's name** decided not to support this exclusion for the following reasons: **State reasons** and instructed the Head teacher to attach this note to the record of exclusion on **his/her** file.

{Thank you for taking time to meet with the governors}. We are pleased that **child's name** is now back in school and hope that **he/she** continues with **his/her** school career in a positive and purposeful way.

Yours sincerely

Clerk to the Pupil Discipline Committee

Model letter 8

From the Clerk to parent(s) following a meeting of the Pupil Discipline Committee (to which parents have made representation) and governors have decided fixed period exclusion was appropriate.

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I refer to the meeting of the Pupil Discipline Committee which took place on **date** when the question of **child's name**'s fixed term exclusion from this school was considered.

The Pupil Discipline Committee considered the case presented by the head teacher very thoroughly. They {also considered the representations made by yourself and the representative of the Local Authority and} came to the conclusion that in the circumstances the head teacher's decision to exclude **child's name** was appropriate. The governors came to this decision for the following reasons: **state reasons**.

{Thank you for taking time to meet with the governors}. We are pleased that **child's name** is now back in school and hope that **he/she** continues with **his/her** school career in a positive and purposeful way.

Yours sincerely

Clerk to the Pupil Discipline Committee

Model letter 9**From the Clerk to parent(s) upholding a permanent exclusion**

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I refer to the meeting of the Pupil Discipline Committee which took place on **date** when the question of **child's name's** permanent exclusion from this school was considered. You are aware that the Governing Body has the power to order re-instatement, but I regret to inform you that on this occasion the panel has decided that the head teacher's decision to exclude should be upheld.

The governors have come to this decision for the following reasons. **State the reasons in as much detail as possible explaining how they were arrived at.**

You have a right to make representations to an independent review panel. For further advice, please contact the Children Missing Education team via email exclusions@milton-keynes.gov.uk or telephone 01908 253338. To make an application, please notify the Children Missing Education team at Milton Keynes Council, Civic, 1 Saxon Gate East, Milton Keynes, MK9 3EJ no later than **specify the latest date – the 15th school day after receipt of this letter**. You must set out the reasons for your appeal in writing, and if appropriate may also include reference to any disability discrimination claim you may wish to make. If you have not lodged an appeal by **[repeat latest date]** you will lose your right to appeal. {You have a right to make this appeal even though you did not attend the meeting of the Discipline Committee}.

Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform the Clerk to the Independent Review Panel if it would be helpful for you to have an interpreter present at the hearing.

Your appeal will be heard by an Independent Review Panel, which can also hear disability discrimination claims. A 3 member panel will comprise one serving, or recently retired (within the last 5 years), head teacher, one serving, or recently serving, experienced governor/management committee member and one lay member who will be the Chair.

[Use the following if there is a possibility that a five-member panel may sit]

A 5 member panel will comprise two serving, or recently retired (within the last 5 years), head teachers, two serving, or recently serving, experienced governors/ management committee members and one lay member who will be the Chair. The Independent Review Panel will rehear all the facts of the case – if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

In determining your appeal the panel 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 decision and direct that the governing body considers the exclusion again.

The Independent Review Panel's decision does not have to be unanimous and can be decided by a majority.

If you want to appeal against the governing body's decision to uphold your child's permanent exclusion you can have your case heard by an independent review panel, where you can make oral and written statements. You have the right to request the attendance of a special educational needs (SEN) expert, whether or not the school have identified that your child has SEN.

If you think that an SEN expert may be useful in your case, please let me know at the same time as expressing your desire to appeal, there is no cost for this service.

You may at your own expense, appoint someone to make written and/or oral representation to the panel or bring a friend to the review.

If your child attends an academy contact the school directly, and the Academy Trust will arrange the panel.

You will need to include a supporting letter giving the reasons for your appeal and you may set out any claim to disability discrimination you may wish to make. You must do this by **date [15 days from notification of the decision]**.

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 (Special Educational Needs and Disability) [First Tier Tribunal](#)

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has an Education Health Care Plan, you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendias@milton-keynes.gov.uk

Yours sincerely

[Name]

Clerk to the Pupil Discipline Committee/Management Committee

cc. Chair of Governors

Children Missing Education Team, Milton Keynes Council at

exclusions@milton-keynes.gov.uk

(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 10

From the Clerk to parent(s) overturning a permanent exclusion.

Dear **Parent/Carer**,

I refer to the meeting of the Pupil Discipline Committee which took place on **date** when the question of **child's name's** permanent exclusion from this school was considered.

The Pupil Discipline Committee considered the case presented by the Head teacher very thoroughly and has overturned the head teacher's decision to exclude **child's name** from school.

{Thank you for taking time to meet with the governors}. **child's name** will therefore be expected back on school on **date of child's return**.

Yours sincerely,

Clerk to the Pupil Discipline Committee/Management Committee **(in case of a PRU)**.

cc. Chair of Governors
Children Missing Education Team, Milton Keynes Council at
exclusions@milton-keynes.gov.uk
(Anita Hewitson, Stephenson Academy for secondary phase only)

Model letter 11

From the head teacher (or teacher in charge of a PRU) notifying parent(s) of a lunchtime exclusion.

{ } brackets to be included/omitted as appropriate

Note: head teacher should notify parent/carer of the decision to exclude, ideally by telephone. The telephone call should be followed by written notification.

Dear **Parent/Carer**,

I am writing to inform you of my decision to exclude **child's name** at lunchtime for a fixed period of **specify number of days**. **Child's name** has been excluded for this fixed period because **reason for exclusion {this brings the total number of days excluded to ...}**

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **child's name** has not been taken lightly. We have taken the following steps to try to avoid this exclusion **state actions taken**.

{I am aware of **child's name's** Special Educational Needs. The following steps have been taken to make reasonable adjustments for this **state adjustments made**.}

You and **child's name** should attend a re-integration interview with me (alternatively specify the name of another staff member) on **date** at **time** If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the re-integration interview is to discuss how best **child's name's** return to school at lunchtime can be managed.

Lunchtime exclusions 'count' as half a day, so if the lunchtime exclusion extends for a period in excess of 10 lunchtimes the following paragraph should be substituted....

You have the right to request a meeting of the Pupil Discipline Committee at which you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is **date** [no later than 50 days from the date the Committee is notified].

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 (Special Educational Needs and Disability) [First Tier Tribunal](#)

You and **child'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**. The purpose of the reintegration interview is to discuss how best your child's return to school can be successfully managed.

You also have the right to see a copy of **child's name'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 **child's name's** school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory Exclusions guidance can be located at [Statutory Exclusions guidance](#)

If your child has a Statement of Special Educational Needs, or a Education and Health Care Plan you should contact the SEN team on 01908 253414 or email sen@milton-keynes.gov.uk

In addition you may find it useful to contact the Coram Children's Legal Centre (<http://www.childrenslegalcentre.com>). They aim to provide free legal advice and information to parents on state education matters. You could also contact ACE Education (<http://www.ace-ed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time. Additionally MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) is based at at Milton Keynes Council Civic Offices. Contact is available on 01908 254518 between 9:00 and 17.00 Monday to Friday term time only, or on mksendas@milton-keynes.gov.uk

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors
(Anita Hewitson, Stephenson Academy for secondary phase only)