

Milton Keynes Exclusion Guidance

September 2023

<https://www.milton-keynes.gov.uk/schools-and-lifelong-learning/information-schools/school-exclusions>



Contents

Section 1

- Context
- Other relevant statutory guidance
- Local Authority Contacts

Section 2

- Frequently asked questions

Section 3

- Head teacher's checklist

Templates

1. From Headteacher notifying parent(s) of a suspension of 5 days or fewer in one term, and where a public examination is not missed
2. From Headteacher notifying parent(s) of a suspension of more than 5 days (up to and including 15 school days) in a term
3. From Headteacher notifying parent(s) of a suspension of more than 15 days in one term
4. From Headteacher notifying parent(s) of suspension in the first instance pending further investigation/reflection. (Signals possibility of a permanent exclusion)
5. From Headteacher notifying parent(s) of a permanent exclusion
6. From the Clerk inviting the parent(s) to a Pupil Discipline Committee meeting to review a suspension of permanent exclusion
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 suspension was inappropriate
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 suspension was appropriate
9. From the Clerk to parent(s) upholding a permanent exclusion
10. From the Clerk to parent(s) overturning a permanent exclusion
11. From the Headteacher notifying parent(s) of lunch time suspensions

Section 1

Context

This guidance is written in addition to the DfE guidance on exclusions *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* – 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. [Use of reasonable force](#)
3. [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://exclusions.capitaone.cloud>

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. To enquire about the cost and details of the service, please contact, governorservicesmanager@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	What type of schools does this guidance apply to?
A	This guidance applies to all maintained schools, (including special schools, pupil referral units, academy schools which includes free schools, special schools, and alternative provision academies).
Q2	Who is authorised to suspend or permanently exclude a pupil from school?
A	A headteacher of a maintained school, the teacher in charge at a PRU and the principal of an academy. Where practicable, a head teacher should take the pupil's views into account before deciding to exclude. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded. (Para 1 – 4 of statutory guidance).
Q3	Can the headteacher cancel any exclusion that has already begun or is yet to begin?
A	The headteacher can cancel any exclusion before the governing body has met to consider whether the pupil should be reinstated. The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and Virtual School Headteacher as applicable, without delay. (Para 13 – 14 of statutory guidance)
Q4	What is an informal or unofficial exclusion?
A	An informal or unofficial exclusion, such as sending a pupil home 'to cool off', is unlawful when it does not follow the formal school exclusion process, regardless of whether it is done with the agreement of parents or carers (Para 18 -22 of the statutory guidance).
Q5	How soon must the headteacher contact parents?
A	Schools must, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it. The school must also, without delay, provide parents with the information in writing (Para 63 – 69 of statutory guidance).

Q6	How soon must the headteacher notify the local authority of a suspension or a permanent exclusion?
A	A headteacher must notify the local authority without delay of all exclusions regardless of the length of the exclusion. If the pupil has a social worker, or if a pupil is looked-after, the headteacher must also, without delay, notify the social worker and/or virtual school team.
Q7	Who is responsible for arranging educational provision during a suspension?
A	Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy. 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.
Q8	Can you extend or convert a suspension into a permanent exclusion?
A	The law does not allow this but in exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.
Q9	What interventions should be considered before deciding to exclude?
A	Where in school interventions have been unsuccessful or are deemed inappropriate, Headteachers should consider an off-site direction by submitting an alternative provision (AP) referral. Any use of AP should be to improve pupil behaviour and not as a sanction or punishment for past misconduct (para 32 – 33).
Q10	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.

Q11	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</p> <p>b) If a child has been suspended 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 suspension.</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.</p> <p>(Para 97 - 100 of the statutory guidance)</p>
Q12	How do I organise an Independent Review Panel?
A	<p>For maintained schools please email the Children Missing Education team, Access to Education, Employment and Training: exclusions@milton-keynes.gov.uk</p> <p>For academies the Academy Trust must organise their own Independent Review Panel.</p>

Section 3

Head teacher's checklist

Headteachers should consider the following checklist when deciding whether to suspend 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 		

<ul style="list-style-type: none"> • Evidence has been considered in the light of policies and discrimination • The pupil's views have been considered • Mitigating circumstances and provocation 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 Early Help Advisors or the Multi Agency Safeguarding Hub (MASH)?		
Have alternatives to suspension been considered, for example, 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	Yes	No
Does this pupil have 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 Plan 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 suspension been considered? Is this for the shortest possible time?		
Has the pupil been suspended previously?		

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

Headteachers should consider the following checklist before deciding to suspend a pupil with SEN/disability for any period of time.

Does the pupil have an Education and Health Care Plan?	Yes	No
<ul style="list-style-type: none"> • Has the SEN Caseworker been contacted? 		

<ul style="list-style-type: none"> • Has an emergency Annual Review/Interim Review been called? <p>Not all pupils with an EHCP 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, and ‘long term’ means at least a year. ‘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?</p> <p>Would a pupil without a disability have been dealt with in the same way?</p> <p>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?</p> <p>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)? • 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

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

Template 1 - from head teacher (or teacher in charge of a PRU) notifying parent(s)/carer(s) of a suspension of 5 school days or fewer in one term, and where a public examination is not missed.

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I am writing to inform you of my decision to suspend **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 suspension days this term to ...}

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

Child's name has been suspended for this period because **reason for suspension**

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend **child's name** has not been taken lightly. We have taken the following steps to try to avoid this suspension **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 suspension. Please ensure that work set by the school is completed and returned promptly for marking.

You should be aware that if you think the suspension 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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](http://www.mksendias.org.uk)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://www.childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [IPSEA Independent Provider of Special Education Advice](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Template 2- from head teacher (or teacher in charge of a PRU) notifying parent(s)/carer(s) of a suspension of more than 5 school days (up to and including 15 school days) in a term

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I am writing to inform you of my decision to suspend **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 suspension days 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 suspend **child's name** has not been taken lightly. We have taken the following steps to try to avoid this suspension **state action taken.**

Child's name has been suspended for this period because **reason for suspension.**

{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 suspension 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 **name, 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, or if you would like to hold the meeting via the use of remote access. 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 suspension 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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](#)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](#)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](#). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [\(IPSEA\) Independent Provider of Special Education Advice](#)) is a registered charity. It offers free and independent advice and support for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Access to Education, Employment and Training, Milton Keynes City Council at:
exclusions@milton-keynes.gov.uk

Template 3 - from head teacher (or teacher in charge of a PRU) notifying parent(s) of a suspension of more than 15 school days in total in one term

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I am writing to inform you of my decision to suspend **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 suspension days this term to ...}. We expect **child's name** to be back in school on the **date** at **time**.

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

Child's name has been suspended for this period because **reason for suspension**.

{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 suspension **specify date** until the end of the suspension we will provide for suitable full time education.

As the length of the suspension brings the total number of days suspended 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, or if you would like to hold the meeting via the use of remote access.

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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](#)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://www.childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [\(IPSEA\) Independent Provider of Special Education Advice](#)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Access to Education, Employment and Training, Milton Keynes City Council at:

exclusions@milton-keynes.gov.uk

Template 4 - from head teacher (or teacher in charge of a PRU) notifying parent(s) of a suspension *in the first instance* pending further investigation/reflection. (Signals a possibility that suspension may become permanent).

{ } brackets to be included/omitted as appropriate

Dear **Parent/Carer**,

I am writing to inform you of my decision to suspend **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 suspended for this fixed period because **reason/s for suspension** 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 suspension days this term to ...}.

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

Child's name has been suspended for this period because **reason for suspension**.

{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 suspension 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** suspension. Please ensure that work set by the school is completed and returned to us promptly for marking. From the 6th school day of the suspension **specify date** until the end of the suspension 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 suspension brings total days of suspension to 15 days or more in a term.]

[More than 5 days]

As the period of this suspension 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, or if you would like to hold the meeting via the use of remote access.

[Total of 15 days or more in one term]

As the length of the suspension brings the total number of days suspended to more than 15 school days in one term, the **Pupil Discipline Committee/Management Committee}** must meet to consider the suspension. 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, or if you would like to hold the meeting via the use of remote access.

[For all]

You should also be aware that if you think the suspension 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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](http://www.mkSENDIAS.org.uk)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://www.childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [IPSEA Independent Provider of Special Education Advice](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Executive Principal at Milton Keynes Primary PRU / Bridge Academy (as appropriate)

Access to Education, Employment and Training, Milton Keynes City Council at:

exclusions@milton-keynes.gov.uk

Template 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.

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, or if you would like to hold the meeting via the use of remote access. 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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](#)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [\(IPSEA\) Independent Provider of Special Education Advice](#)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Access to Education, Employment and Training, MKCC exclusions@milton-keynes.gov.uk

Template 6 - from the Clerk inviting the parent(s) to a Pupil Discipline Committee/Management Committee meeting to review a suspension 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 is 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

Template 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 suspension 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** suspension 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 suspend **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 suspension of **child's name** decided not to support this for the following reasons: **State reasons** and instructed the Head teacher to attach this note to the record of suspension 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

cc. Access to Education, Employment and Training, Milton Keynes City Council at:

exclusions@milton-keynes.gov.uk

Template 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 suspension 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 suspension 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 suspend **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

Template 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](#)

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](#)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://www.childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [IPSEA Independent Provider of Special Education Advice](#)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Clerk to the Pupil Discipline Committee/Management Committee

cc. Chair of Governors

Executive Principal at Bridge Academy / MK Primary PRU (as appropriate)

Access to Education, Employment and Training, Milton Keynes City Council at:

exclusions@milton-keynes.gov.uk

Template 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

Executive Principal at Bridge Academy / MK Primary PRU (as appropriate)

Access to Education, Employment and Training, Milton Keynes City Council at:

exclusions@milton-keynes.gov.uk

Template 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.

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

You may find it useful to contact the following sources for free and impartial advice:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here: [School exclusions: guide for parents - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- MK Special Educational Needs and Disability Information, Advice and Support Service (MK SEND IAS) ([SEND Information, Advice & Support Service | MK SENDIAS](http://www.mkSENDIAS.org.uk)). Contact is available on 01908 254518 between 10am – 3pm, Monday to Friday term time only, or email contact@mksendias.org.uk
- Coram Children's Legal Centre on 0300 330 5485 from Monday to Friday, 8am – 6pm or visit their website: [School exclusion - childlawadvice.org.uk](http://www.childlawadvice.org.uk). They aim to provide free legal advice and information to parents on state education matters.
- 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.
- Independent Provider of Special Education Advice (known as IPSEA - [IPSEA Independent Provider of Special Education Advice](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

Yours sincerely

[Name]

Head teacher

cc. Chair of Governors

Access to Education, Employment and Training
Exclusions@milton-keynes.gov.uk

01908 253338

[School Exclusions | Milton Keynes City Council \(milton-keynes.gov.uk\)](https://www.milton-keynes.gov.uk)

Milton Keynes City Council, Civic, 1 Saxon Gate East,
Central Milton Keynes, MK9 3EJ

