## Model Letter 4

**FROM HEADTEACHER**

**For Permanent Exclusion**

***Where a public examination would be missed, please insert the following text into the letter at \*\****

*113. There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way. DfE Guidance 2023*

Dear [**Parent’s Name**]

I regret to inform you of my decision to exclude [**Child’s Name**] permanently with effect from [**Date**]. This means that [**he/she**] will not be allowed in this school unless [**he/she**] is reinstated by the school’s **[governing body/Academy Trust]**.

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. [**Child’s Name**] has been excluded permanently because [**Reason for Exclusion – also include any relevant previous history here**].

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 of this exclusion, that is on **[specify precise dates]** 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. 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 five school days of the exclusion we will set work for **[child’s name]** and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day].** From the sixth school day of the exclusion onwards – i.e. from **[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 arrangements will be notified shortly by a further letter or by phone].**

**[Add this paragraph where a pupil lives in a local authority other than the excluding school’s local authority]**

I have also today informed **[name of officer]** at **[name of local authority]** of your child’s exclusion and they will be in touch with you about arrangements for **his/her** education from the sixth school day of exclusion. You can contact them at **[give contact details].**

As this is a permanent exclusion the governing body must meet to consider it. The meeting must consist of at least 3 Governors, unless the exclusion results in your child missing a public examination or national curriculum test. At the meeting, you may make representations to the governing body and you may wish and ask them to reinstate your child in school. Parents have the right to make a request to hold the meeting via the use of remote access technology. If you would like this to be considered please contact… **[to whom parents should notify of remote access meeting request and by when]** The **[Governing Body/Academy Trust]** committee have the power to reinstate your child immediately or from a specified date; or, alternatively, they have the power to decline to reinstate your child, in which case you may request an independent review of their decision by requesting an independent review panel.

The latest date on which the governing body/academy trust must meet is [**date …….no later than 15 school days after the date on which the governing body were notified of this exclusion]**. We will endeavour to arrange the meeting at a date and time that is convenient for you to attend within this timeframe. If you wish to make representations to the **[governing body/academy trust]** 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 chose to make representations or not, be notified by the Clerk to the **[governing body/academy trust]** 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 or take part in the meeting. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

The governing body/academy trust will ask for written evidence from the school in advance of the meeting (including witness statements and other relevant information held by the school such as those relating to a pupil’s SEN) and will endeavour to circulate this information to you and all those who will be present at the meeting at least five school days in advance of the meeting. If you have any written evidence that you would like to submit to the governing body/academy trust, please send this to the Clerk to the governing body/academy trust at the earliest opportunity.

[Use if a Maintained school]

The local authority Exclusion & Reintegration Team will be invited to send a representative from the local authority to attend the meeting. Where possible, the representative will prepare a statement for the meeting based on the evidence pack circulated by the Clerk. You may wish to contact the local authority’s Exclusion & Reintegration Team to discuss this or if you have any questions about the exclusion procedures by email ERT@oxfordshire.gov.uk. Where possible, the local authority representative will prepare a statement based on the evidence pack circulated by the Clerk. The aim of this is to draw attention to issues where there is a lack of clarity, where more information may be needed or where it appears the DfE Exclusion Guidance has not been followed.

[Use if an Academy].

You may request that the local authority and/or the home local authority attend the meeting of the academy’s governing board as an observer; that representative may only make representations with the governing board’s consent. Where possible, the representative will prepare a statement based on the evidence pack circulated by the Clerk. You may wish to contact the local authority’s Exclusion & Reintegration Team to discuss this or if you have any questions about the exclusion procedures by email ERT@oxfordshire.gov.uk. Where possible, the local authority representative will prepare a statement based on the evidence pack circulated by the Clerk. The aim of this is to draw attention to issues where there is a lack of clarity, where more information may be needed or where it appears the DfE Exclusion Guidance has been ignored.

**\*\***

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

You may find it useful to contact: The Children’s Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or at <http://www.childrenslegalcentre.com/>. The advice line is open from 8am – 8 pm Monday to Friday, except Bank Holidays and 24th December to 1st January.

SENDIASS (formerly parent partnership) offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities <https://www.oxfordshire.gov.uk/cms/public-site/sendiass-oxfordshire-formerly-parent-partnership> you can call 01865 810516 (term–time only), text 07786524294, or email sendiass@oxfordshire.gov.uk.

**[Where considered relevant by the head teacher include the following]**

Traveller Education Services [insert information], the National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or

schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The statutory exclusions guidance can be found here:

[Suspension and permanent exclusion guidance September 2023](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181584/Suspension_and_permanent_exclusion_guidance_september_23.pdf)

Along with information and advice for parents:

<https://www.gov.uk/school-discipline-exclusions/exclusions>

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

Yours sincerely

**[Name]**

**Headteacher**

cc Exclusion & Reintegration Team pex@oxfordshire.gov.uk