## Model Letter 6

**FROM CLERK TO THE GOVERNING BODY/ACADEMY TRUST INVITING PARENTS TO THE GOVERNING BODY/ACADEMY TRUST EXCLUSION MEETING**

Dear **[Parent’s Name]**

**PUPIL NAME: [ENTER NAME] D.O.B: 00.00.00**

I am writing to inform you that a meeting of school **[Governing body/Academy Trust]** will take place on **[date]** at **[time]** **[Location/Virtual]** to consider the head teacher's decision to exclude permanently **[pupil’s name]** from school.

You and your child are encouraged to attend and contribute to the meeting. You have the right to be represented at the meeting (at your own expense) by a legal advisor or advocate, or you are welcome to bring a friend, should you wish. Please let me know if there is any support that we could offer to assist you and your child to attend and contribute to this meeting; for example, let me know if you need an interpreter, or any reasonable adjustments because of a disability. The school will takesteps to enable and encourage (**pupil’s name**) to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a trusted adult), taking into account his/her age and understanding. If it is not appropriate for (**pupil’s name**) to attend, or you decide you do not want them to, the school will receive, read and concern any written submission from them.

If you are unable to attend on the date or at the time of this meeting, please contact me at the earliest opportunity.

The **[Governing body/Academy Trust]** committee has the power to reinstate your child immediately or from a specified date; or, alternatively, decline to reinstate your child in which case you may request a review of the decision by an independent review panel.

The Department for Education exclusion guidance states:

*In reaching a decision on whether a pupil should be reinstated, the governing board should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair. This should consider the welfare and safeguarding of the pupil and their peers, the headteacher’s legal duties, and any evidence that was presented to the governing board in relation to the decision to exclude.* *(Paragraph 124).*

The school will provide a pack of evidence about the exclusion which is circulated to all parties invited to the meeting. You should receive the pack of evidence at least 5 school days in advance of this meeting. If you have written evidence that you would like to submit to the meeting, please send this to me at the earliest opportunity so it can be circulated to all parties.

The meeting must consist of at least 3 Governors, unless the exclusion results in your child missing a public examination or national curriculum test or in the case of an academy trust: the trust’s articles of association allow them to do so. At this meeting the Chairperson will briefly explain the procedure the meeting will follow and the order in which each party will have the opportunity to put their case to the panel of governors and ask questions. The head teacher will present the reasons for the exclusion and witnesses may be called if appropriate. You and/or your legal representative/friend/advocate can present your case and/or give a written account. You will also have the opportunity to question the head teacher.

At the close of the meeting, the **[Governing body/Academy Trust]** will ask all parties to leave the room so they can discuss the evidence presented by all parties and make a decision on whether they will offer to reinstate your child immediately or on a particular date, or if they will not offer to reinstate your child.

Where reinstatement would make no practical difference because for example, you make clear you do not want your child reinstated, the governing board must still consider whether your child should be officially reinstated. If it decides against reinstatement of your child following the permanent exclusion, you can request an independent review.

**[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. 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 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. If you would like a Local Authority representative to attend, please inform the Clerk of this and contact the local authority’s Exclusion & Reintegration Team 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.

You may also 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.

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], 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 [Suspension and permanent exclusion guidance September 2023 (publishing.service.gov.uk)](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>

Please contact me [**insert telephone, email and address details**] and let me know the following:

* if you will be attending this meeting
* if your child will be attending this meeting
* if you will be represented by a legal advisor or advocate
* if you will be accompanied by a friend
* if there is any support that we could offer to assist you or your child to attend and contribute to this meeting
* if you wish to call any witnesses – their name (s) and contact details
* if you have any written/documented evidence that you would like to provide ahead of the meeting

**[Use if an academy]**

* if you would like a Local Authority representative to be invited to the meeting

Please find enclosed an order of proceedings for the meeting.

Yours sincerely

**[Name]**

**Clerk to the [Governing Body/Academy Trust]**

Cc Head teacher

 Exclusion & Reintegration Team pex@oxfordshire.gov.uk

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**Governing Body Consideration of Exclusion**

**The order in which the meeting will be conducted**

The Clerk meets with the Governing Body, explains the process, answers questions and asks for a volunteer or nominations to be Chair if one is not already appointed.

The Clerk ushers in the parent(s), head teacher and others attending.

The Clerk makes introductions, explains the purpose and the order of the meeting before handing over to the Chair.

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| Step 1 |  |
| a) | The head teacher describes the incident and presents evidence. |
| b) | The parent(s) may question the head teacher about the evidence they’ve presented. [Parent(s) have an opportunity to state their case in full at Step 2]. |
| c) | The members of the Governing Body question the head teacher. |
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| Step 2 |  |
| a) | The parent(s) put their case. |
| b) | The head teacher may ask questions of the parent(s) about their case. |
| c) | The members of the Governing Body may ask questions of the parent(s) about their case. |
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| Step 3 |  |
| a) | The LA representative makes a statement. |
| b) | The members of the Governing Body question the LA representative. |
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| Step 4 |  |
| a) | The head teacher sums up his/her case. |
| b) | The parent(s) sum up their case. |
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Members close the meeting and clarify how parties will be informed of their decision. Members retire and discuss the case and come to a decision.