Model Letter 3

**FROM HEADTEACHER**

**Suspension of 15.5 days or more in one term**

***Where a public examination will 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 **[Parents Name}**

I am writing to inform you of my decision to suspend [**Child’s Name**] for a period of [**specify period of suspension**]. This means that [**Child’s Name**] will not be allowed in school for this period. The suspension begins/began on [**date**] and ends on [**date**].

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. [**Child’s Name**] has been suspended for this fixed period because (**Reason for Suspension**].

**[Use this paragraph 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 of this suspension, that is on **[specify 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.

We will set work for **[Name of Child]** during the **[first 5]** school days of his/her suspension **[specify the arrangements for this].** Please ensure that work set by the school is completed and returned to us promptly for marking.

**(Delete the following paragraph if this suspension is less than 6 days)**

From the **[6th school day of the pupil’s suspension - specify date]** until the expiry of this suspension we will provide suitable full-time education.

[**Name of Child**]’s suspension expires on [**Date**] and we expect [**Name of Child**] to be back in school on [**Date**] at [**Time**].

You and **[Name of child]** have the right to make representations about this suspensionto the school’s governing body. If you wish to do so please contact [**Name of Contact**] on/at [**Contact Details-Address, Phone Number, email**] as soon as possible.

**[The following information must be included with this notice where it can reasonably be found out within the timescale]**

The arrangements for [pupil name]’s education are as follows:

* the start date for any provision of full-time education that has been arranged for the child during the suspension;
* the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
* the address at which the provision will take place; and
* any information required by the pupil to identify the person they should report to on the first day.

**[Use if education arrangements are not available by the date of this letter]**

The arrangements for [pupil name]’s education will be set out in writing shortly in a further letter.

As the length of the suspension is 15 school days or more in total in one term the governing body must meet to consider the suspension. At the meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is [**date … no later than 15 school days after the date on which the [Governing Body/Academy Trust]** **was notified of this suspension**]. If you wish to make representations to the governing body 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 **[governing body/Academy Trust]** of the time, date and location of the meeting. Please advise if you have a disability or special needs that would affect your ability to attend or take part in a meeting at the school. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

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 wish to contact the Local Authority’s Exclusion & Reintegration Team if you have any questions about the suspension procedures by email ERT@oxfordshire.gov.uk.

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 at <http://www.childrenslegalcentre.com/>. The advice line to contact about education law is 0300 330 5485, it’s open from 8am – 6 pm Monday to Friday.

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]**

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:

[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 ERT@oxfordshire.gov.uk