A guide to education welfare services for parents and carers

Exclusion from school
In most cases exclusion from school will be the last resort after a range of measures have been tried to improve the pupil’s behaviour. These notes are designed to help you during a difficult time for you, your child and your child’s school.

What kinds of exclusions are there?

There are two sorts of exclusions:

» Fixed term exclusions
   A pupil may be excluded for any period up to 45 days in any school year. A date is given for the pupils return to the same school.

» Permanent exclusions
   It is not intended that the pupil will return to the same school.

How am I told that my child has been excluded?

The school must tell you about the exclusion as soon as possible. You will receive a letter telling you:

» The reasons for the exclusion;

» Whether the exclusion is fixed term or permanent;

» The arrangements for continuing your child’s education. During the first five days of any exclusion you are responsible for your child’s education. If the exclusion is six days or longer and fixed term, then the school needs to make arrangements to provide education (normally off site) from day six onwards. If the exclusion is permanent then the local authority will arrange education from day six. This does not affect your right of appeal against exclusion;
That you have the right to appeal to the governing body’s discipline committee;

Who to contact if you wish to appeal and the latest date for doing so;

If the exclusion is fixed term, the date of return to school;

That you have the right to see your child’s school record.

How many times can my child be excluded?

The law allows a Headteacher to exclude a pupil for up to 45 days in an academic year. When an exclusion causes a pupil to miss more than five days in a term, the Headteacher must inform the parents, the local authority and the Governing Body’s Discipline Committee.

Parental responsibilities during exclusions

During the first five days of any period of exclusion the parent is regarded as responsible for their child’s education. The parent must therefore, ensure that their child is not found in a public place in school hours during this first five days. If the child is found to be in a public place without reasonable justification then a penalty notice may be issued by the local authority.

Where can I get some advice?

You can contact the Education Welfare Service reintegration officers, or the Parent Partnership Service. Both can offer you support and the contact details are at the end of this leaflet.
Can I appeal against the exclusion?
Yes, you have the right to ‘state a case’ to the Governing Body’s Discipline Committee. If you wish to make a statement, you should tell the clerk to the committee within 6 days of receiving the letter of exclusion. The Governing Body’s Discipline Committee will arrange a meeting to consider your statement. You and your child have a right to attend the meeting and may be accompanied by a friend or legal representative. You may also make your statement to the committee in writing.

What are the powers of the Governing Body’s Discipline Committee?
If your child has been permanently excluded and you disagree with the Governing Body’s Discipline Committee’s decision, you can appeal to an Independent Exclusion Review Panel, set up by the Local Authority. You must do this in writing within 15 days of the Governing Body’s Discipline Committee’s decision and you should explain the grounds for appeal. You can ask for a Special Educational Needs expert to be present on the panel if you feel this would be appropriate. The Independent Exclusions Review Panel can:

- uphold the exclusion decision
- recommend that the Governing Body reconsiders their decision;
- or
- quash the decision and direct that the Governing Body considers the exclusion again

Is there anything else I can do?
If you believe the Independent Appeals Panel has not treated you fairly, you can make a complaint to the Ombudsman. If you think the Panel acted unfairly you may ask for a judicial review. The Secretary of State has no power to intervene.

What about my child’s education
When a pupil is excluded for a fixed term it is the school’s duty to continue providing education during the period of exclusion if it is more than one day. The letter from the
Headteacher will let you know how this will be done. If the exclusion is for more than 15 days, the Headteacher will plan with the Local Authority and yourself how to best help your child to return to school. If the exclusion is longer than one day for a primary school aged child or five days for a secondary school aged child then you will be invited to attend a reintegration interview at school. The purpose of this is to plan the best way forward in supporting your child’s education.

Could I send my child to a different school?

You have the right at any time to look for a place for your child at a different school. If there are no places in the school of your choice, you can appeal to an Independent Admissions Panel. Please be aware that it you choose to move your child to a different school then you may be responsible for the transport costs. The admissions and transport section of the Local Authority can advise you about other schools in your area and your entitlement to transport should you choose to move schools.

What happens if my child is permanently excluded?

If your child is permanently excluded the Headteacher must contact the local authority to make them aware of this. The local authority reintegration officer will then contact you to determine whether you wish to appeal against the Headteacher’s decision at a Governor’s disciplinary appeals hearing. Following this meeting, if the permanent exclusion has been upheld, the reintegration officer will aim to support you and your child in accessing education provision.
What if, following a permanent exclusion, my child is not quickly admitted to another school?

The local authority will arrange education through alternative education provision. The staff at the alternative education provision will liaise with the reintegration officer to help find a place in another school for your child, or negotiate an individual programme of study.
Where to find us

For further information please contact the Education Welfare Service Offices.

**Liskeard**
Education Welfare Service
Children, Schools and Families
Luxstowe House
Greenbank Road
LISKEARD
PL14 3DZ
Telephone: 01579 341205

**Bodmin**
Education Welfare Service
Children, Schools and Families
Lyndhurst
66 St Nicholas Street
BODMIN
PL 31 1AG
Telephone: 01208 72737

**St Austell**
Education Welfare Service
Children, Schools and Families
Sedgemoor Centre
Priory Road
ST AUSTELL
PL25 5AB
Telephone: 01872 32746

**Penzance**
Education Welfare Service
Children, Schools and Families
Bolitho House
Laregan Hill
PENZANCE
TR18 4NY
Telephone: 01736 571090

**Falmouth**
The Park Children’s Centre
Park Terrace
FALMOUTH
TR11 2DJ
Telephone: 01326 311779

If you would like this information in another format or language please contact:

Cornwall Council, County Hall
Treyew Road, Truro TR1 3AY
Telephone: 0300 1234 100
Email: enquiries@cornwall.gov.uk
www.cornwall.gov.uk