

Information for parents and carers of pupils who have been Suspended or excluded from school

Ealing schools and the Local Authority (LA) work in partnership to raise standards and achievement and address the issues of behaviour and discipline within the school community. We recognise that under certain circumstances, a headteacher may feel that they have no option but to suspend/exclude a pupil.

What does suspension/permanent exclusion mean?

Your child has been suspended/permanently excluded from their school because of unacceptable behaviour. The decision to suspend/exclude can only be taken by the headteacher (the decision rests with the Deputy head teacher in the headteacher's absence).

Permanent exclusion – The headteacher has decided that your child should not return to the school.

Suspension – For a set number of days, from 1 to 45 school days in an academic year. The number of days will be stated in the letter that the headteacher has sent to you. The suspension is temporary and your child will return to school at the end of it. Please note that the number of days stated by the Head Teacher relates only to school days and not weekends, holidays or teacher training days.

Lunchtime suspension – Is used to suspend your child for the duration of the lunchtime period only. For this suspension, one lunchtime is equivalent to one half school day.

Suspensions for indefinite periods are illegal.

What are my responsibilities?

During the first 1 to 5 days of an suspension/permanent exclusion [except a lunchtime suspension as specified above], you must ensure that your child is not in a public place during school hours, if you fail to do so you will have committed an offence under Section 103(3) of the Education and Inspection Act 2006 and will be liable to a fixed penalty. There is no appeal process but you have a defence if you can prove you had reasonable justification for your failure to comply.

If the exclusion is permanent or the suspension is for 6 or more days you must ensure that your child attends the alternative full-time provision which will be put in place from the 6th day [again except for lunchtime suspensions], failure to do so could lead to action being taken against you for the non-attendance.

What can I do?

It is important for you to liaise closely with the school. The school will be setting and marking work for your child for the first 1 - 5 days of a suspension/permanent exclusion. If you do not agree with the Head Teacher's decision to exclude you have the right to state your views to the governors of the school, this can be done by writing to the governors via the clerk to the governing body at the school's address. You also have the right to see your child's school record but due to confidentiality restrictions you must put your request in writing.

For suspensions of up to 5 days in one school term: You have the right to submit representations to the Governors. The Governors must consider and respond to your representations. You may also request that the governors meet to discuss the suspension but they do not have to.

For suspensions between 6 & 15 days in one school term: You have the right to submit representations to the Governors. You also have the right to request that the Governors meet to discuss the suspension. If you make this request the Governors must meet within 50 school days of the date they were notified of the suspension. The meeting is unlikely to take place before the suspension ends and the Governors are therefore unlikely to be able to direct reinstatement. However, the meeting can still provide the opportunity for all parties to make their views known. You have the right to present your views both in writing before

the meeting and by speaking at the meeting. The Governors may then add their written views to your child's school file.

For all suspensions over 15 days in one school term (and for permanent exclusions) or where your child will lose the opportunity to take a public examination: The Governors must meet to consider the Head Teacher's decision to suspend/exclude and that meeting must take place between the 6th and 15th school day after the date they were notified of the suspension/exclusion. The Governors will meet at a time convenient to you, school staff, the LA representative and themselves. If, due to the suspension/exclusion, your child will miss the opportunity to take a public examination, the time limits do not apply and the Governors will try to meet before the exam.

A friend or relative may accompany you to the meeting to support you. It is advisable that your child attends although it is recognised that this could be stressful for them. After listening to the views of all parties the Governors will reach a decision.

What decisions can the Governors make?

The Governors may decide that your child should be re-instated, in which case they will return to school as soon as possible. (For short suspensions the Governors might not meet until after your child has returned to school). If the Governors decline to reinstate your child after the Head Teacher's decision regarding suspension, your child will return to school once they have served the number of days or lunchtimes originally stated by the Head Teacher.

If the Governors decline to reinstate your child after the Head Teacher has issued a permanent exclusion, you have the right to request that an Independent Review Panel review the decision. Details of how to do this will be given in the Governors' decision letter sent to you after the meeting. The decision of the Independent Review Panel is final. If your child remains permanently excluded at the end of process, the LA (or the home LA if not Ealing) will be responsible for making suitable educational.

Who can I get advice from?

The Local Authority (LA)

Contact us for advice on the process and procedures around exclusion. A representative will endeavour to attend all governor meetings for permanent exclusions and suspensions of more than 15 days. Their role is to advise the Governors and to ensure that the school has followed DfE guidance. Our representative will attend any independent review panels.

Principal officer or support officer –
Suspensions/Exclusions, 2nd Floor, Perceval House,
14/16 Uxbridge Road, Ealing W5 2HL
Tel: **020 8825 5070**

Coram Children's Legal Centre

Organisation that provides free legal advice and information to parents. Advice line open 8am- 8pm Monday to Friday, except Bank Holidays and 24 December - 1 January.

Tel: 0300 330 5485
Website: www.childrenslegalcentre.com

Impartial support, advice and information on disability and special educational needs (ISAID)

[Family Action I SAID](http://www.family-action.org.uk) provides advice to children and young people with SEND aged up to 25 and their parents/carers. Their caseworker may support you with the exclusion process if you feel the exclusion involves your child's special educational needs or disability.

Family Action I SAID, Lido Centre, 63 Mattock Lane,
West Ealing W13 9LA
Email: isaidealing@family-action.org.uk
Website: www.family-action.org.uk/isaid
Tel: **0208 280 2251**

Department for Education (DfE):

Suspension/exclusion procedures are outlined in the DfE Guidance booklet and can be viewed via the 'pupil support' section of the DfE website: <https://www.gov.uk/government/publications/school-exclusion>

Tel: 0870 000 2288