

## Excluding pupils from school

Excluding a pupil is a serious step to take; schools will only do so as a last resort and if the child's presence in school may affect the education of, or be harmful to, other pupils.

### Why pupils are excluded

Pupils can be excluded for a number of reasons, either for a fixed period or permanently, under the following circumstances:

- where there is enough evidence that the pupil has committed a **serious one-off offence**.
- where the pupil is accused of a **serious criminal offence** away from school and the head, in the best interests of the pupil and others in school, feels that they should be educated off site for a period of time.
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

### Types of exclusion

There are three kinds of exclusion: lunchtime; fixed term and permanent.

- A **lunchtime exclusion** is counted as a temporary exclusion. A pupil given a lunchtime exclusion should leave the school premises for the duration of the lunchtime and return for the afternoon session.
- A **fixed term exclusion** is a temporary exclusion, where the child can't be excluded for more than 45 days in one school year.
- A **permanent exclusion** means that the pupil can't return to the school unless:
  - the school's discipline committee, after hearing the case presented by the child's parents, decides that the pupil can return to school, or
  - the Independent Review Panel directs the governing body to reconsider their decision.

## What happens if your child is excluded

Only the headteacher, or in their absence, the deputy headteacher can exclude your child.

If the headteacher decides to exclude your child, they'll call you to tell you about the exclusion.

They'll also write to you to confirm the reason for your child's exclusion and what type of exclusion will apply. In the letter, it will tell you that you can put your case forward to the governing body's discipline committee, how you can see your child's records, and what arrangements the school's made for setting and marking school work during your child's exclusion period.

Your child won't be allowed to go to school from the time the exclusion is made.

If your child is found in a public place during the period of exclusion without reasonable justification, you could be issued with a fixed penalty fine.

## If your child gets a fixed term exclusion

If your child is given a **fixed term exclusion of five days or less**, you can choose to put your case to the school's governing body for their consideration. They won't be able to overturn the exclusion, but if they disagree with it, they can register their disagreement on your child's record.

If your child is given a **fixed term exclusion of more than five days**, the headteacher must make alternative, full-time education available to them.

If your child would miss taking one of their exams because of the exclusion, the headteacher must let us know and inform the school's governing body.

For a **fixed term exclusion of between six and 15 school days**, you have the right to ask for a meeting with the school governors. This can take place any time between six and 50 school days after the exclusion.

For a **fixed term exclusion of more than 15 days**, the governors must meet between six and 15 days after the exclusion.

## Meeting with the school governors

If your child has been excluded and you've asked to meet the school governors to put forward your case, you can take someone with you for support and to take notes of the meeting. You must tell the school who this person is before the meeting.

In preparation for the meeting, you should gather your written evidence and write down any questions you want to ask the headteacher. You'll need to give a copy of your evidence to the headteacher and the clerk at the meeting.

There will be three or five governors at the meeting, as well as the headteacher and a clerk.

The headteacher will give their version of why your child has been excluded and call into the meeting any witnesses to the incident. You'll then get a chance to explain why your child shouldn't have been excluded. You can also call your own witnesses to back up your case.

After that, you and the headteacher will sum up your individual cases. Everyone but the governors and the clerk will leave the room to allow the governors to consider both cases and make their decision.

The clerk will let you know what the governors decide, either in person or by phone on the day of the meeting. They'll confirm the decision in a letter the following day.

## Useful links

- [The law on exclusions](#)
- [Education \(Pupil Exclusions and Appeals\)\(Maintained Schools\)\(England\) regulations 2002 \(SI 2002/3178\)](#)
- [Education \(Pupil Exclusions and Appeals\)\(Pupil Referral Units\)\(England\) regulations 2002 \(SI 2002/3179\)](#)