provide information and advice to parents/carers, pupils, schools and governors;

advise the school governors about the exclusion, including giving information on statutory requirements and procedures;

provide you with the support of an exclusions officer from within the team to assist you through the permanent exclusion process, including organising education provision from the 6th day following the permanent exclusion (NB: day 1 for a child in care) and the procedures to identify a new school placement for your son/daughter at the end of the statutory process.

Exclusion from School
Information for parents and carers
December 2011

Please note that exclusion procedures are likely to change in the light of the current exclusions pilot (2011-14) – details provided are correct at the time of publication. Please check with the Exclusions Team at Sandwell Metropolitan Borough Council for the most up-to-date information (telephone number: 0121 569 8115).

Advice and information are available from:
The Exclusions Team, tel no: 0121 569 8115

Acknowledgement Statement
Sandwell MBC would like to thank Worcestershire County Council, with whose kind permission the contents of this leaflet are reproduced (February 2011).
Sources of help for parents and carers
(all free of charge)

1. The local authority Exclusions Team:

This local authority team provide advice and guidance on legislation related to exclusions; support young people and their families through the permanent exclusion process and requests for managed transfers; represent the local authority at independent appeals for permanent exclusions; organise education from the sixth day of a permanent exclusion (NB: day 1 for children in care) and coordinate the arrangements for new school places for young people following a permanent exclusion.

The team are based at the Council House, Oldbury B69 3DE. Telephone number: 0121 569 8115 Open: 10am – 1pm (Monday – Thursday)

2. The Children’s Legal Centre:

Advice line: 0845 345 4345 (open Monday-Friday, 9.00am – 6.30pm) http://www.childrenslegalcentre.com/
Free legal advice to parents/carers on education matters, funded by the DfE.

3. The Advisory Centre for Education (ACE):

ACE Limited, 1c Aberdeen Studios, 22 Highbury Grove, London, N5 2DQ. website: www.ace-ed.org.uk. Exclusions advice line: 0808 800 0327

- invite you to the discipline committee meeting, accompanied by a friend or legal representative if you so wish;
- tell you how the meeting will be conducted and how decisions are made;
- tell you of your right of appeal to an independent panel in the case of a permanent exclusion;
- review and then decide whether or not to confirm the exclusion;
- be informed if your child is permanently excluded, or fixed term excluded for more than 5 days if a public examination will be missed (NB: the local authority will work with the school to help them to try to prevent public examinations being missed in these circumstances).
- meet to review a fixed term exclusion of 5–15 days in any one term or when a pupil’s total fixed term exclusions add up to 15 days or more in one term.

The local authority will:

- receive copies of all the papers relating to a permanent exclusion;
- be invited to attend the discipline committee meeting that is required to enable governors to review a permanent exclusion (NB: Academies are not required to issue this invitation, but the local authority can send a representative if invited to do so by parents/carers or the academy);
• ensure that your child has the opportunity to speak about what has happened;

• inform you of your rights to see your child's curriculum records;

• make arrangements for re-integration to school following a fixed term exclusion (NB: this must be a meeting to include the parent/carer for primary aged children).

The governors will:

• form a discipline committee (made up of 3 or 5 governors) to review a permanent exclusion;

• meet according to timelines and procedures set out in the latest statutory guidance from the Department for Education. The current guidance is dated September 2008 and is available from: www.teachernet.gov.uk/publications, title: "Improving behaviour and attendance: guidance on exclusion from schools and pupil referral units";

• request information and witness statements to be provided before they are obliged to meet;

• invite representatives of the local authority to attend the meeting (NB: Academies are not required to issue this invitation, but the local authority can send a representative if invited to do so by parents/carers or the academy);

4. Rights and Equality Sandwell:

Rights and Equality Sandwell exists to improve equal opportunities and challenge unlawful discrimination. It assists schools and local authorities in the scrutiny of their policies for promoting equality and diversity; participates in empowering and informing parents and young people about policies and procedures by establishing effective links between parents, local authorities and schools and looking at issues effecting BME young people in schools.

28 Birmingham Street, Oldbury B69 4DS
Telephone: 0121 541 1775, fax: 0121 541 1385

Parents and carers have the right to:

• play a full part in the partnership between home and school to ensure their child's successful education;

• receive prompt oral and written communications from the Head Teacher about an exclusion from school;

• meet with the Head Teacher to discuss an exclusion from school if you feel such a meeting would be beneficial;

• be advised about arrangements for supply, collection and marking of work during the exclusion;
• request a meeting with governors for any fixed term exclusion of less than 5 school days – such a request should be put in writing, for the attention of the clerk to governors and sent care of your child’s school. The envelope should be marked “confidential”. The clerk will then respond to advise you of the next steps of this process;

• make a statement (your case) to the school governors at their discipline committee meeting about the decision to exclude your child – you may bring a friend or legal representative with you to this meeting if you so wish;

• encourage their child to attend the school governors discipline committee meeting and to state their own case.

Parents and carers have a responsibility to:

• ensure that their child is not in a public place during school hours for the first 5 days of an exclusion on penalty of a fine;

• ensure that work provided by school is completed and returned during the first 5 days of an exclusion;

• ensure your son’s/daughter’s attendance at school, and ensure compliance with the school’s behaviour/discipline policy or code of conduct.

If the head teacher excludes your child from school the parent/carers’ rights:

The head teacher will:

• ensure that a thorough investigation has taken place;

• make the decision to exclude;

• tell you by telephone or interview, followed by a letter, the reason your child has been excluded;

• tell you if the exclusion is for a number of days (including lunch time exclusions) or if it is permanent. **NB:** A lunch time exclusion counts as a half day exclusion;

• inform you of your responsibility to ensure that your child is not present in a public place during school hours for the first 5 days of an exclusion;

• provide school work for your child during the first 5 days of an exclusion;

• provide another educational setting for your child if he/she is fixed term excluded for longer than 5 days **(NB: from the first day for a child in care)**;

• tell you of your right to state your case against the decision to exclude;