

Children's Services

Exclusions Guidance Update

October 2011

**Guidelines regarding fixed period
and permanent exclusions**

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Foreword

This exclusions guidance from Children's Services (CS) updates all previously published exclusions guidance by Hertfordshire Local Authority. It is intended to supplement the Department for Education (DfE) guidance *Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units* published online in July 2007 and subsequently in hard copy in September 2007. The DfE document should be regarded as the definitive guidance which this Hertfordshire CS guidance complements by providing additional information which is either specific to Hertfordshire or amplifies the DfE guidance.

The September 2007 DfE guidance replaces that published in September 2006 by the then Department for Education and Skills (DfES).

The DfE has subsequently updated the 2007 guidance in respect of new regulations and guidance relating to Exclusions from Pupil Referral Units as of 1 April 2008. This guidance therefore applies to the Education Support Centres (ESCs) in Hertfordshire.

The latest DfE guidance is that of September 2008 and is valid for all exclusions from 1 September 2008.

This CS guidance has been updated to take into account the guidance of September 2008 and highlights the main changes. This CS guidance supersedes all previous CS and CSF guidance on exclusions.

The format of this guidance document follows the sequence of chapters in the DfE guidance for ease of reference.

Hard copies of the DfE guidance are available from DfE publications, telephone 0845 60 222 60. Alternatively the guidance can be downloaded from the teachernet website at

www.teachernet.gov.uk/wholeschool/behaviour/exclusion

This CS guidance is produced in electronic format only at

<http://www.thegrid.org.uk/info/welfare/exclusions.shtml>

CS has five Integration Officers who should be the first point of contact for any queries head teachers/teachers in charge may have regarding exclusions. The contact details for the Integration Officers are as follows:

Stevenage & North Herts	01438 843218
Broxbourne & East Herts	01992 588754
Watford & Three Rivers	01442 453086
St Albans & Dacorum	01442 453084
WGC/Hatfield & Hertsmere	01442 453087

Improving behaviour and attendance: guidance on exclusion from schools and Pupil Referral Units

Introduction

The introduction highlights that the exclusion procedures apply to all maintained schools (including sixth forms which are part of a maintained school) and PRUs (ESCs) and all pupils in them who may be below or above compulsory school age, apart from the requirement to put provision in place from the sixth day, which applies only to pupils of compulsory school age.

The introduction also notes that this guidance now reflects the introduction of statutory management committees in Pupil Referral Units (ESCs) from 1 February 2008 and the implementation of the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2008 which came into force on 1 April 2008. The regulations impose similar duties on ESC management committees in regard to exclusions from ESCs as to those which apply to the governing bodies of mainstream schools.

This guidance therefore applies to ESCs and teachers in charge of ESCs in Hertfordshire.

It should be noted that the DfE has included in this guidance the statutory arrangements for funding to follow pupils permanently excluded from school.

Part 1: Promoting positive behaviour and early intervention

Part 1 of the DfE guidance notes that the DfE has issued new guidance on school discipline and pupil behaviour policies, available on the teachernet website at www.teachernet.gov.uk/wholeschool/behaviour/schooldisciplinepupilbehaviourpolicies

The LA issued new operational guidance in June 2008 in respect of 'Avoiding the need for primary permanent exclusions'. This new guidance is attached at Appendix A and Head teachers are strongly urged to note this guidance in order that primary permanent exclusions may be avoided.

Paragraph 6 states that schools should intervene as early as possible to address emerging behaviour problems in order to minimise the need for permanent exclusion.

The guidance also notes in paragraph 8 that a Common Assessment Framework may be appropriate as part of a PSP or for pupils who have had multiple fixed period exclusions. Head teachers/teachers in charge are encouraged to arrange a CAF, as appropriate, in these cases in order to facilitate early intervention and support.

As well as the measures to minimise the risk of exclusion listed in paragraph 5 of the DfE guidance head teachers/teachers in charge can seek advice from the local integration teams as to local support mechanisms which may be available and how they can be accessed.

The DfE Code of Practice on School Admissions (2007) states that from September 2007 all schools must be party to a locally agreed In-Year Fair Access Protocol previously referred to as a Hard to Place Protocol.

Any managed move arranged as an alternative to exclusion should be made in accordance with these locally agreed arrangements.

Part 2: Removing pupils from a school site and the decision to exclude

Paragraph 12(d) relating to pupils being given permission to leave the school site, for example to remedy a breach of school uniform was first added in the July 2007 guidance. It reflects the DfE view that exclusion should not normally be used as a sanction for relatively minor breaches of discipline such as failure to wear the correct uniform. However paragraph 26(e) makes it clear that the exception to this is where such breaches are persistent and in open defiance of school rules.

Head teachers/teachers in charge are strongly urged to seek advice from the local Integration Teams before any decision is taken to remove a pupil from the school site (other than being given permission to leave as described in paragraph 12(d)).

Paragraph 20 of the guidance indicates that a child or young person “should be allowed and encouraged” to state their case at all stages of the exclusions process.

The guidance states (paragraph 23a) that before a decision is made to exclude a thorough investigation must be carried out. Failure to do so could, in the case of a permanent exclusion, potentially lead to a pupil being reinstated by an Independent Appeal Panel. Detailed advice on carrying out such an investigation is attached as Appendix B.

In reaching a decision head teachers may also wish to consider whether there are any aggravating or mitigating factors to take into account. A list of some of the factors which head teachers may wish to consider is attached as Appendix C.

The guidance contains a requirement in paragraph 23(f) to keep a written record of any actions taken, including any interview with the pupil concerned. It should also be noted that witness statements must be dated and should be signed wherever possible.

Paragraph 27 states that informal or unofficial exclusions are illegal regardless of whether the parents or carers agree.

The DfE has published new guidance on preventing unofficial exclusions and this can be found at

www.DfE.gov.uk/exclusions/exclusionsguidance

In respect of paragraph 34 the guidance is clear that it is inappropriate for children with SEN having conditions such as ADHD and autism to be sent home purely for that reason.

The most significant change introduced by the Education and Inspections Act 2006 and its associated regulations was the requirement for excluded pupils to be provided with full time education from day 6 of an exclusion. Paragraphs 37 to 39 refer to this change. Paragraph 38 outlines differing arrangements that may be made for provision from the sixth day however particularly notes that if on line learning packages are used as part of the programme that they need to be supervised and monitored appropriately.

In the case of fixed period exclusions provision from the sixth day is the responsibility of the school whereas it is the local authority's responsibility in the case of permanent exclusions. The exception is for ESCs where it is the local authority's responsibility to provide education from day 6 for both fixed period and permanent exclusions.

It is vitally important that the Integration Officer is informed immediately of any permanent exclusion in order that arrangements can be put in place for the pupil's continuing education. More details on the procedure are given in the next section, Part 3.

Paragraph 38 also indicates that during the first 5 days of any exclusion it is the school's responsibility to ensure that work is sent home. Parents have responsibility (paragraphs 38c and 43) to ensure that their child is not in a public place during school hours without reasonable justification. Parents can be issued with a fixed penalty notice if they fail to comply with this requirement.

A significant change from the 2007 guidance is covered in paragraph 40 which states that head teachers/teachers in charge must arrange a reintegration interview with the parents of any pupil of primary school age who has had a fixed period exclusion and with the parents of any secondary school pupil excluded for more than 5 school days. However paragraph 42 indicates that a pupil's return to school must not be deferred even if the parents do not attend the interview.

A checklist is attached at Appendix D giving details of what a governors' discipline committee/management committee should be looking for and what an Independent Appeal Panel will be considering when hearing an appeal against a permanent exclusion.

Paragraphs 44 to 46 of the guidance refer to parenting contracts and orders. CS' own guidance is attached at Appendix E for ease of reference.

Paragraph 57 notes that for excluded pupils, where possible, core National Curriculum subjects should be covered as part of the full time education provided.

Reintegration of permanently excluded pupils is dealt with in paragraphs 58-60. The local Integration Officers will co-ordinate the reintegration of pupils through the area Fair Access Protocols. The Integration teams will also work with families, schools and a wide range of professionals as appropriate to agree, monitor and review a reintegration plan for each individual pupil.

Part 3: Procedure for excluding a pupil: role of head teacher/teacher in charge

Informing parents about the exclusion

This part of the DfE guidance relates to changes to the model letters which reflect the requirements in respect of provision of education from day 6, parental responsibilities in days 1-5 and the requirement to arrange a reintegration interview. The model letters used in Hertfordshire can be found in Part 8. Some additional model letters have been added and these are highlighted in the contents page of this document.

In exceptional cases (paragraph 87) a head teacher, usually where further evidence has come to light, may extend a fixed period exclusion or convert it to a permanent exclusion.

A head teacher may also withdraw an exclusion that has not yet been reviewed by the governing body. A model letter for withdrawal of an exclusion has now been included in Part 8.

CF Procedures - Fixed Period Exclusions

Head teachers should continue to use Form X1 included as Appendix F to inform CSF of fixed period exclusions which should be sent in weekly to the local Integration Team. This does not apply if exclusion data is transferred via electronic link from SIMS

If further advice is needed regarding the marking of the registers head teachers should discuss this with their Attendance Improvement Officer.

CF procedures - permanent exclusions

Procedure to ensure full-time education from the sixth day of exclusion

It is essential that the local Integration Manager and Head of the local ESC are informed immediately of all permanent exclusions.

On the day of the exclusion:

The head teacher must telephone the parents to inform them of the decision to permanently exclude.

The head teacher must send the appropriate model letter by first class post.

The head teacher must inform the local Integration Manager and Head of the ESC by sending a copy of the X1 form included as Appendix F and the permanent exclusion letter to them electronically.

The head teacher must make arrangements for work to be set and marked during the first five days of the permanent exclusion.

The Integration Manager will liaise with the Head of the relevant ESC in respect of educational provision for the child from day 6.

The Integration Manager will write to the parents to inform them of the arrangements for the pupil's continuing education from day 6 of the permanent exclusion.

Part 4: Responsibilities of the governing body/management committee

The responsibilities of the governing body/management committee are detailed in Part 4 of the DfE guidance. It is the expectation that governors/management committee members required to sit on Discipline Committees receive appropriate training. **Training is available for governors/management committee members from the Schools Governance Unit.**

Governors/Management Committee members should note the requirement in paragraph 103(c) to invite all parties to the disciplinary hearing at a mutually convenient time. Implicit in this is that the availability of the local Integration Manager must be ascertained *before* the meeting is arranged.

A checklist for governors' discipline committees/management committees considering a permanent exclusion is attached as Appendix D.

Part 5: Independent appeal panels

The most common reasons for pupils being reinstated are that permanent exclusion was considered to be a disproportionate response to the offence or that the school/ESC had not exhausted all other strategies to deal with the pupil's behaviour.

It would be highly unusual for an Independent Appeal Panel to conclude that the pupil did not commit the alleged offence or for a pupil to be reinstated because of a procedural irregularity. All Hertfordshire's Independent Appeal Panel members have received training for this role.

There are five main changes introduced by this part of the guidance. Firstly paragraphs 121 – 122 have been added to reflect a High Court decision in 2006. The Court ruled that where pupils had been permanently excluded as a result of their participation in the same incident the Independent Appeal Panel must consider combining the appeals or ensuring that the same panel members hear separate appeals.

Secondly the change with regard to the composition of Independent Appeal Panels is outlined in paragraph 123b) which states that one (or, on a five member panel, two) must be, or have been, a governor of a maintained school or a member of a management committee of a PRU (ESC).

Additionally 123c) states that one (or, on a five member panel, two) must be, or have been within the last 5 years, a head teacher of a maintained school or a teacher in charge of a PRU (ESC).

The inclusion of membership from ESC management committees and teachers in charge of ESCs is new.

Thirdly the guidance in paragraph 158 explicitly states that schools must have regard to the Secretary of State's when developing and reviewing its policies on behaviour and exclusion. If a school's policies vary from the guidance then there will need to be well justified reasons for this.

Fourthly, and significantly, in deciding whether to reinstate a pupil, the panel must have regard (paragraph 159) not just to the interests of other members of the school/ESC community, but also to the risk of undermining the head teacher's /teacher in charge's authority and the general climate of discipline within the school/ESC.

Lastly at an appeal hearing evidence is now needed from the school/ESC as to why the pupil was excluded AND why reinstatement should not be directed. This is outlined in paragraph 166 and results from the Court of Appeal's judgement in the Bromley case in 2007.

Part 6: Police involvement and parallel criminal proceedings

The important points to note in this part of the DfE guidance are firstly that head teachers/teachers in charge need not delay a decision to exclude simply because of the possibility of parallel criminal proceedings however the critical factor will be the evidence that is available. Secondly where a pupil is excluded the governors' discipline committee/management committee must meet within the statutory time limits.

Part 7: Arrangements for money to follow pupils who have been permanently excluded from school

This section was previously an online additional section to the 2007 guidance. This section, now Part 7 of the guidance, outlines the changes made by the DfE including amendment to the 'relevant date' (now the sixth school day following the head teacher's decision to permanently exclude the pupil) to ensure that funding promptly follows a permanently excluded pupil.

These changes are being implemented by the LA in Hertfordshire as of 1 September 2008.

Part 8: Model Letters

The model letters for use in Hertfordshire are included in this section. Amendments have been made to the letters to reflect the updated DFE guidance and new model letters have also been added subsequent to the last CS Exclusions Guidance of February 2008.

MODEL LETTER 1

FROM HEAD TEACHER/TEACHER IN CHARGE OF ESC NOTIFYING PARENT OF A FIXED PERIOD EXCLUSION OF 5 SCHOOL DAYS OR FEWER IN ONE TERM, AND WHERE A PUBLIC EXAMINATION IS NOT MISSED

Dear **[Parent's Name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[specify full reason(s) for exclusion]**.

[For pupils of compulsory school age] You have a duty to ensure that **[Child's name]** is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if **[Child's name]** is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **[Child's name]** to be completed on the days specified in the previous paragraph as school days during the period of the exclusion when you must ensure that he/she is not present in a public place without reasonable justification. **[detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

[School/ESC] You have the right to make representations about this decision to the governors' discipline committee/management committee. If you wish to make representations please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, e-mail]**, as soon as possible. Whilst the governors' discipline committee/management committee has no power to direct reinstatement,

they must consider any representations you make and may place a copy of their findings on **[Child's name]**'s school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from 3 November 2008 under the new tribunal arrangements). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN.

[This paragraph applies to all fixed period exclusions of primary-aged pupils and may be used for fixed period exclusions of up to 5 days of secondary aged pupils if the head teacher/teacher in charge chooses to hold a reintegration interview].

You and **[Child's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed **[not for parents of secondary aged pupils]**. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see a copy of **[Child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **[name of Integration Officer]**, Integration Officer, Children's Services at **[contact details – address, telephone number, e-mail]**, who can provide advice. 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 on 0808 802 0008 or on

<http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

[Child's name]'s exclusion expires on **[date]** and we expect **[him/her]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 2

FROM HEAD TEACHER/TEACHER IN CHARGE OF ESC NOTIFYING PARENT(S) OF A PUPIL OF THAT PUPIL'S FIXED PERIOD EXCLUSION OF MORE THAN 5 SCHOOL DAYS (UP TO AND INCLUDING 15 SCHOOL DAYS) IN A TERM

Dear **[Parent's name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The exclusion start date is **[date]** and the end date is **[date]**. Your child should return to school on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but my decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[specify full reason(s) for exclusion]**.

[For pupils of compulsory school age – next 3 paragraphs]

You have a duty to ensure that **[Child's name]** is not present in a public place in school hours during the first five school days of this exclusion, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if **[Child's name]** is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[Child's name]** during the **[first 5 or specify other number as appropriate]** school days of this exclusion **[specify the arrangements for this]**. Please ensure that the work set is completed and returned to us promptly for marking.

[If the individual exclusion is for more than 5 days]

From the **[6th school day of the pupil's exclusion - specify date]** until the expiry of this exclusion we **[for ESC - the local authority]** will provide suitable full-time education.

On **[date]** **[he/she]** should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time – this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable – include information about transport arrangements from home to the alternative provider. If arrangements for provision from the sixth school day are not finalised say that the arrangements for suitable full time education will be notified shortly by a further letter.]**

[School/ESC] You have the right to request a meeting of the governors' discipline committee/ESC management committee to whom you may make representations, and my decision to exclude can be reviewed. As the period of this exclusion is more than 5 school days in a term the governors' discipline committee/management committee must meet if you request it to do so. The latest date by which the governors' discipline committee/management committee must meet, if you request a meeting, is **[specify date – no later than the 50th school day after the date on which the governors' discipline committee/management committee was notified of this exclusion]**. If you do wish to make representations to the governors' discipline committee/management committee, and wish to be accompanied by a friend or representative, please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]**, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you may make a claim to the Special Educational Needs and Disability Tribunal (SENDIST, which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from 3 November 2008 under the new tribunal arrangements). The address to which claims should be sent is: SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN. Making a claim would not affect your right to make representations to the governors discipline committee/management committee.

[Not mandatory for fixed period exclusions of five days or fewer of secondary aged pupils]

You and **[Child's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at **[time]**. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time.

The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may wish to contact **[name of Integration Officer]** Integration Officer, Children's Services at **[contact details – address, telephone number, e-mail]**, who can provide advice. 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 on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

[Child's name]'s exclusion expires on **[date]** and we expect **[him/her]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 3

FROM HEAD TEACHER/TEACHER IN CHARGE OF ESC NOTIFYING PARENT OF A FIXED PERIOD EXCLUSION OF MORE THAN 15 SCHOOL DAYS IN TOTAL IN ANY ONE TERM

Dear [Parent's Name]

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded for this fixed period because **[specify full reason(s) for exclusion]**.

[For pupils of compulsory school age – next 3 paragraphs]

You have a duty to ensure that **[Child's name]** is not present in a public place in school hours during **[the first five school days of this exclusion or 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 **[Child's name]** during **[the first 5 school days of this exclusion or specify dates]** **[specify the arrangements for this]**. Please ensure that the work set is completed and returned to us promptly for marking.

[If the individual exclusion is for more than 5 days]

From the **[6th school day of the pupil's exclusion - specify date]** until the expiry of this exclusion we **[for ESCs - the local authority]** will provide suitable full-time education. On **[date]** **[he/she]** should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time – this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable – include information about transport arrangements from**

home to the alternative provider. If arrangements for provision from the sixth school day are not finalised say that the arrangements for suitable full time education will be notified by a further letter.]

[School and ESC] As the length of the exclusion is more than 15 school days in total in one term the governors' discipline committee/management committee must meet to consider the exclusion. At the review meeting you may make representations to the governors' discipline committee/management committee if you wish. The latest date on which the governors' discipline committee/management committee can meet is **[date here – no later than 15 school days from the date the governors' discipline committee/management committee is notified]**. If you wish to make representations to the governors' discipline committee/management committee and wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governors' discipline committee/management committee of the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal (SENDIST which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from 3 November 2008 under the new tribunal arrangements). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN. Making a claim would not affect your right to make representations to the governors discipline committee/management committee.

[mandatory for all exclusions of primary aged pupils and those of more than 5 days of secondary aged pupils]

You and **[Child's name]** are invited to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **[place]** on **[date]** at

[time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time.

The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You also have the right to see and have a copy of **[Child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may want to contact **[name of Integration Officer]** Integration Officer, Children's Services at **[contact details – address, telephone number, e-mail]**, who can provide advice. 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 on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

[Child's name]'s exclusion expires on **[date]** and we expect **[Child's name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 4 - NEW

LETTER FROM CLERK TO PARENTS INVITING THEM TO THE MEETING OF THE GOVERNORS' DISCIPLINE COMMITTEE/ESC MANAGEMENT COMMITTEE IN RESPECT OF A FIXED PERIOD EXCLUSION OF MORE THAN 15 SCHOOL DAYS IN TOTAL IN ANY ONE TERM

Dear **[Parent's name]**

I am writing to advise you that the governors' discipline committee/ESC management committee is meeting at **[place]** on **[date]** at **[time]** to review the head teacher's decision to exclude **[Child's name]** from school from **[start date of period of exclusion]** to **[end date of period of exclusion]**.

If you wish to make representations to the governors' discipline committee/management committee, and wish to be accompanied by a friend or representative, please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]** as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

At the meeting the Chair will explain the order of proceedings and a copy is enclosed with this letter for your information.

If you wish to make a written representation this should be forwarded to me at the above address at least five school days before the meeting, i.e. by **[insert date]** so that it may be circulated to the members of the committee and to the head teacher in advance.

The committee will consider the representations made by all parties and decide whether to uphold the exclusion or to direct reinstatement of your child, either immediately or by a particular date.

If the governors' discipline committee/management committee cannot direct reinstatement due to the period of exclusion having expired and your child having already returned to school they will place a copy of their findings on the child's school record.

I would be grateful if you would let me know if you will be attending the meeting and if so, whether you will be accompanied.

Yours sincerely

[Name]

Clerk to the Governors' Discipline Committee/Management Committee

Enc.

Formal exclusion hearing – order of proceedings

Exclusion hearings follow a formal procedure as follows.

1. The head teacher and his/her witnesses, the Local Authority representative and the parent(s)/carer(s), the excluded pupil if over 18 years of age and/or their representatives are invited into the meeting room by the Clerk and enter the room together.
2. Introduction and brief explanation of procedures by the Chair of the governors' discipline committee/management committee.
3. The head teacher presents his/her reasons for the exclusion and calls such witnesses as he/she considers appropriate.
4. The head teacher and his/her witnesses are questioned by the parent(s)/carer(s), or the excluded pupil if over 18 years of age, or their representatives, and also by the committee.
5. A representative of the Local Authority may make oral representations.
6. The parent(s)/carer(s), or the excluded pupil if over 18 years of age, and/or their representatives, may make representations to the governors' discipline committee/management committee. The parent(s)/carer(s) remain the appellant unless the pupil is over 18 years. Unless there are strong reasons to refuse, the Chair of the governors' discipline committee/management committee should allow the excluded pupil to make a statement if he/she wishes. The excluded pupil should not be questioned unless he/she is over 18 years of age. Any witnesses who are pupils at the school may only appear voluntarily and with their parents' consent.
7. The parent(s)/carer(s), or the excluded pupil if over 18 years of age, and/or their representatives and/or any witnesses may be questioned by the governors and the head teacher.
8. Summing up by the head teacher.
9. Summing up by the parent(s)/carer(s), or the excluded pupil if over 18 years of age.

After this all parties except the governors' discipline committee/management committee and the clerk withdraw before the committee considers its decision.

The Clerk will notify the parent(s)/carer(s), or the excluded pupil if over 18 years of age, of the committee's decision in writing within one school day and send copies to the head teacher and the Integration Manager of the Local Authority.

MODEL LETTER 5 - NEW

**LETTER FROM CLERK TO THE GOVERNORS' DISCIPLINE COMMITTEE/ESC
MANAGEMENT COMMITTEE REGARDING THE COMMITTEE'S DECISION IN
RESPECT OF A FIXED PERIOD EXCLUSION OF MORE THAN 5 DAYS IN ANY
ONE TERM**

Dear **[Parent's name]**

I am writing to confirm the decision reached by the governors' discipline committee/management committee at the meeting held on **[date]** to review the head teacher's decision to exclude **[Child's name]** from school from **[start date of period of exclusion]** to **[end date of period of exclusion]**.

After careful consideration of all the evidence available and the representations made the governors' discipline committee/management committee decided to

direct reinstatement from **[specify date]** for the following reason(s)
[insert reasons]

[If applicable – where reinstatement cannot be directed due, for instance, to the period of exclusion having expired and your child having returned to school the committee's findings will be annotated in your child's school record].

or

uphold the head teacher's decision to exclude for the following reason(s)
[insert reasons]

Yours sincerely

[Name]

Clerk to the Governors' Discipline Committee/Management Committee

MODEL LETTER 6

FROM HEAD TEACHER/TEACHER IN CHARGE OF ESC NOTIFYING PARENT OF A LUNCHTIME EXCLUSION OF (UP TO 5 SCHOOL DAYS)

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** during lunchtimes for a fixed period of **[specify period – number of days]**. This means that **[he/she]** will not be allowed in school at lunchtimes for this period. The exclusion begins on **[date]** and ends on **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** at lunchtime has not been taken lightly. **[Child's Name]** has been excluded because **[reason for exclusion]**.

This exclusion covers the lunchtime period only from **[time]** to **[time]** and you should ensure that arrangements are in place for your child's supervision away from school during this period.

You have the right to make representations about this decision to the governors' discipline committee/ESC management committee. If you wish to make representations please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]**, as soon as possible. Whilst the governors' discipline committee/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on **[Child's name]**'s school record.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST which is scheduled to become part of the Health, Education and Social Care Chamber of the First Tier Tribunal from 3 November 2008 under the new tribunal arrangements). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington DL3 9DN.

You also have the right to see a copy of **[Child's name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

[If applicable] As **[Child's name]** is eligible to receive a free school meal, I have made arrangements for a packed lunch to be provided for the period of the lunchtime exclusion.

You may wish to contact **[name of Integration Officer]**, Integration Officer, Children's Services at **[contact details – address, telephone number, e-mail]**, who can provide advice. 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 on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

[Child's name]'s lunchtime exclusion expires on **[date]** and **[Child's name]** can return for lunchtime in school as from **[date]**.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 7

FROM THE HEAD TEACHER OF A PRIMARY, SECONDARY OR SPECIAL SCHOOL OR THE TEACHER IN CHARGE OF ESC NOTIFYING THE PARENT(S) OF THAT PUPIL'S PERMANENT EXCLUSION

Dear **[Name(s) of parent(s)]**

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[date]**. This means that **[Child's Name]** will not be allowed in this school/ESC unless **[he/she]** is reinstated by the governors' discipline committee/ESC management committee or by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude **[Child's name]** has not been taken lightly. **[Child's name]** has been excluded because **[reasons for the exclusion – include any other relevant previous history here]**.

[For pupils of compulsory school age]

You have a duty to ensure that **[Child's name]** is not present in a public place at any time in school hours during the first five school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during normal school hours on these dates. It will be for you to show reasonable justification.

[For pupils of compulsory school age]

Alternative arrangements for **[Child's Name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[Child's Name]** and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards – i.e. from **[specify the date]** the local authority **[give name of the local authority]** will provide suitable full-time education. **[Where pupil lives in Hertfordshire] [Name of Integration Manager]** Integration Manager will contact you to let you know the arrangements for this.

[For pupils of compulsory school age]

[Where pupil lives outside of Hertfordshire] I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governors' discipline committee/ESC management committee must meet to consider it. At the review meeting you may make representations to the governors' discipline committee/ESC management committee if you wish and ask them to reinstate your child in school. The governors' discipline committee/ESC management committee have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Appeal Panel. The latest date by which the governors' discipline committee/management committee must meet is **[specify the date – the 15th school day after the date on which the governors' discipline committee/management committee was notified of the exclusion]**. If you wish to make representations to the governors' discipline committee/management committee and wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]** as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governors' discipline committee/management committee of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the governors' discipline committee/management committee.

You have the right to see a copy of **[Name of child]**'s school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also wish to contact **[Name of Integration Officer]** Integration Officer at **[contact details – address, telephone number, e-mail]**, who can provide advice on what options are available to you. 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 on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Yours sincerely

[Name]

Head teacher

MODEL LETTER 8 - NEW

**LETTER FROM CLERK TO THE GOVERNORS' DISCIPLINE COMMITTEE/ESC
MANAGEMENT COMMITTEE INVITING PARENTS TO THE DISCIPLINE
COMMITTEE MEETING IN RESPECT OF A PERMANENT EXCLUSION**

Dear **[Name(s) of parent(s)]**

I am writing to advise you that the governors' discipline committee/ESC management committee is meeting at **[place]** on **[date]** at **[time]** to review the head teacher's decision to permanently exclude **[Child's name]** from the school/ESC from **[start date of exclusion]**.

If you wish to make representations to the governors' discipline committee/management committee, and wish to be accompanied by a friend or representative, please contact **[Name of Contact]** on/at **[Contact Details – Address, telephone number, email]** as soon as possible. Please advise me if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

At the meeting the Chair will explain the order of proceedings and a copy is enclosed with this letter for your information.

If you wish to make a written representation this should be forwarded to me at the above address at least five school days before the meeting, i.e. by **[insert date]** so that it may be circulated to the members of the committee and to the head teacher in advance.

The committee will consider the representations made by all parties and decide whether to uphold the exclusion or to direct reinstatement of your child, either immediately or by a particular date.

I would be grateful if you would let me know if you will be attending the meeting and if so, whether you will be accompanied.

Yours sincerely

[Name]

Clerk to the Governors' Discipline Committee/Management Committee

Enc.

Formal exclusion hearing – order of proceedings

Exclusion hearings follow a formal procedure as follows.

1. The head teacher and his/her witnesses, the Local Authority representative and the parent(s)/carer(s), the excluded pupil if over 18 years of age and/or their representatives are invited into the meeting room by the Clerk and enter the room together.
2. Introduction and brief explanation of procedures by the Chair of the governors' discipline committee/management committee.
3. The head teacher presents his/her reasons for the exclusion and calls such witnesses as he/she considers appropriate
4. The head teacher and his/her witnesses are questioned by the parent(s)/carer(s), or the excluded pupil if over 18 years of age, or their representatives, and also by the committee.
5. A representative of the Local Authority may make oral representations.
6. The parent(s)/carer(s), or the excluded pupil if over 18 years of age, and/or their representatives, may make representations to the governors' discipline committee/management committee. The parent(s)/carer(s) remain the appellant unless the pupil is over 18 years. Unless there are strong reasons to refuse, the Chair of the governors' discipline committee/management committee should allow the excluded pupil to make a statement if he/she wishes. The excluded pupil should not be questioned unless he/she is over 18 years of age. Any witnesses who are pupils at the school may only appear voluntarily and with their parents' consent.
7. The parent(s)/carer(s), or the excluded pupil if over 18 years of age, and/or their representatives and/or any witnesses may be questioned by the governors and the head teacher.
8. Summing up by the head teacher.
9. Summing up by the parent(s)/carer(s), or the excluded pupil if over 18 years of age.

After this all parties except the governors' discipline committee/management committee and the clerk withdraw before the committee considers its decision.

The Clerk will notify the parent(s)/carer(s), or the excluded pupil if over 18 years of age, of the committee's decision in writing within one school day and send copies to the head teacher and the Integration Manager of the Local Authority.

MODEL LETTER 9

FROM THE CLERK TO THE GOVERNORS' DISCIPLINE COMMITTEE/ESC MANAGEMENT COMMITTEE TO PARENT REGARDING THE DECISION IN RESPECT OF A PERMANENT EXCLUSION

Dear **[Parent's name]**

The meeting of the governors' discipline committee/management committee at **[school]** on **[date]** considered the decision by **[head teacher/teacher in charge]** to permanently exclude your **[son/daughter] [Child's name]**. The governors' discipline committee/management committee after carefully considering the representations made and all the available evidence has decided to

uphold **[Child's name]**'s permanent exclusion

or

direct reinstatement of **[Child's name]** immediately

or

direct reinstatement of **[Child's name]** on **[specify date]**

The reasons for the governors' discipline committee/management committee decision are as follows: **[give the reasons in as much detail as possible explaining how they were arrived at]**

[Where a permanent exclusion has been upheld]

You have the right to appeal against this decision. If you wish to appeal, please notify the Customer Focus Team on 01992 588548 of your wish to appeal. You must set out the reasons for your appeal in writing, and if appropriate may also include reference to any disability discrimination claim you may wish to make, and send this notice of

appeal to the Customer Focus Team, County Hall, Pegs Lane, Hertford, SG13 8DF by no later than **[specify the latest date – the 15th school day after receipt of this letter]**.

If you have not lodged an appeal by **[repeat latest date]** you will lose your right to appeal. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform the Customer Focus Team if it would be helpful for you to have an interpreter present at the hearing.

Your appeal will be heard by an Independent Appeal Panel which can also hear disability discrimination claims. A three member panel will comprise one serving, or recently retired (within the last 5 years) head teacher, one serving, or recently serving, experienced governor and one lay member who will be the Chairman. The appeal panel will rehear all the facts of the case – if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances panels may adjourn a hearing until a later date.

In determining your appeal the panel can make one of three decisions: they may uphold your child's exclusion; they may direct your child's reinstatement in school, either immediately or by a particular date; or they may decide that the exclusion should not have taken place, but that reinstatement in the school is not in the best interests of all concerned.

I would advise you of the following sources of advice:

[Name of Integration Officer] Integration Officer at **[contact details – address, telephone number, e-mail]** who can provide advice on what options are available to you. 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 on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

The arrangements being made for **[Child's name]**'s education will continue currently. **[Where child lives in Hertfordshire] [Name of Integration Officer] Integration Officer** will be in contact with you following the receipt of this letter.

Yours sincerely

[Name]

Clerk to the Governors' Discipline Committee/ESC Management Committee

MODEL LETTER 10 - NEW

**LETTER FROM THE HEAD TEACHER/TEACHER IN CHARGE OF ESC
WITHDRAWING A FIXED PERIOD/PERMANENT EXCLUSION**

Dear **[Parent's name]**

Further to my letter of **[Date of letter giving notification of exclusion]** I am writing to advise you that I am, on this occasion, withdrawing my earlier decision to

permanently exclude **[Child's name]** from the school

or

exclude **[Child's name]** for a fixed period between **[insert dates of start and end of exclusion]**

I have decided to withdraw the exclusion on this occasion for the following reasons.

[insert reasons]

Yours sincerely

[Name]

Head teacher

Appendix A - NEW

Avoiding The Need For Primary Aged Permanent Exclusions

Operational guidance: for LA Support Services and Officers

Information: for head teachers

June 2008

Introduction

- 1.1 Over the past five years the number of primary aged permanent exclusions in Hertfordshire has been steadily reducing. Last year there were only thirteen. This is a very small number compared to the number of pupils and primary schools in Hertfordshire, and the fact that it is so low is a tribute to the hard work and commitment of schools and also the LA Behaviour Support Services. It is now an aspiration for the LA to create circumstances where it is no longer necessary for schools to permanently exclude any primary aged pupils.
- 1.2 Primary schools do not generally suffer from the levels of disaffection associated with adolescence. In primary schools children who are permanently excluded will either have a medical condition or have been damaged by their experience of life. It makes sense that these children's needs should be addressed through the special needs route without having to suffer the additional damage and rejection which is inherent in the permanent exclusion process. Further more, if a child becomes permanently excluded as a result of a medical condition there is a risk that an illegal action may have occurred due to disability discrimination.
- 1.3 It should be noted that a clear distinction is made between the use of fixed period exclusions and permanent exclusions. Fixed period exclusions can be an extremely important part of a school's caring response to a pupil's needs. It can allow a breathing space so that further advice can be sought and discussions take place about the strategies that will be used to support the pupil when he/she returns to school. Lengthy fixed period exclusions, or fixed period exclusions used in isolation, are usually unhelpful. (See the protocol for 6th day cover dated May 2008).
- 1.4 To ensure that schools are not driven to exclude through desperation, support services and support packages will be made available as speedily as possible. A comprehensive range of behaviour support services are now available at primary level. From September 2008 Education Support Centres (ESCs) will be the first point of contact for schools which need help and/or advice for a child who may be experiencing fixed period exclusions or heading towards permanent exclusion. Schools should also be seeking/receiving advice from their attached Educational Psychologist (EP). Where appropriate, access to further specialist support or more intensive support can be gained by the ESC or attached EP taking the child's case to the intake meeting of the Behaviour Support Team (BST). In situations where a more rapid response is needed the

head of the ESC and the manager of the BST can agree a response prior to the next intake meeting. The BST is responsible for prioritising the relatively small number of children who receive intensive support from Primary Support Bases (PSBs). Funding, that was previously only available once a child had become permanently excluded, has now been made available to Integration Managers so that it can be used proactively to prevent permanent exclusion, e.g. support packages for pupils having a managed move if the PSB extended roll is full.

- 1.5 ESCs are the main provider of support for children who are at risk of exclusion. ESCs are also the main route through which pupils are referred to the BST to be considered for PSB extended roll or other services. All pupils who need intensive support to avoid permanent exclusion should be considered for extended roll. Therefore, now that PSBs have been established across the LA, PSB staff should be already working with children for whom permanent exclusion is an imminent possibility. PSB staff, working closely with Integration Managers, SN Officers and other support staff, will then be able to help manage the situation. For a very small number of children it may be possible to offer a period of respite to give both the child and the school a longer breathing space than can be achieved with a fixed period exclusion. *Respite is only available for children who are already on the extended roll of the PSB.*

Strategy for pupils who need to leave their current school.

- 2.1 If it becomes clear that it is not possible for a pupil to continue in his/her present school then the first preference should be a managed move with significant support. This may be provided by extended roll staff if they have spare capacity, or funded by Integration Managers, or both, depending on the individual needs of the pupil. *PSB schools should not be asked to admit a managed move child to their mainstream simply because they have a base. A PSB school should only be asked to consider admitting a managed move if it is the logical school for other reasons.*
- 2.2 If in the opinion of the professionals concerned the child is not suitable for a managed move then he/she should be statutorily assessed. Of course, the school would need to complete the necessary paperwork. Once agreement is given, then a KS2 child could be considered for a place on the permanent roll of a PSB. Once assessment is completed the child would only remain on the roll of the PSB if he/she meets normal admission criteria. *(NB: It is not normal to offer permanent roll places to Y6 children as this would conflict with the core function of PSBs. Occasionally Y6 children are given an extended respite placement to avoid a permanent exclusion prior to secondary transfer. It should be emphasised that Y6 children given a respite placement still remain on the roll of their original school and their assessment results are credited to that school.)*

- 2.3 Primary EBD special schools may consider taking KS1 children on an assessment placement where there is agreement to begin statutory assessment.
- 2.4 Funding made available to Integration Managers should be used for tuition or other creative solutions pending agreement to statutory assessment.
- 2.5 Pupils with statements should not be permanently excluded but should have their statements reviewed. A decision can then be taken about the need for a change of provision.
- 2.6 LA staff and schools will need to act as quickly as is practical to find appropriate provision using the strategies described above. Should tuition be necessary as an intermediate step, it will be necessary to negotiate a room, preferably at the nearest ESC, or at another local school.
- 2.7 The numbers indicate that the overwhelming majority of schools are extremely reluctant to permanently exclude, and some areas of the authority have had zero permanent exclusions at primary level for a number of years. This is very encouraging. The vast majority of SEN funding to meet predictable need has now been delegated to schools and is being used well. Very occasionally schools have difficulty in allocating funding to meet the needs of particular pupils. If this occurs then Integration Managers and/or SN Managers will need to support the school in identifying the resources that the LA would expect the school to use. This will, of course, include full use of support services and, if appropriate, statement review procedures.

Appendix B

Guidelines for school disciplinary investigations & interviewing of pupils

Whilst it would be unreasonable to expect schools to follow the requirements of the Police and Criminal Evidence Act (PACE) the bullet points below provide a few pointers on how a school can run an investigation in a way that employs the principles behind that legislation. Although this will involve additional work, the school may find this beneficial in situations where evidence is questioned.

- When interviewing a pupil schools are advised to have two adults present. This is in order that one adult can ask the questions and the other adult can take notes. To avoid the interview becoming intimidating it is advisable that only one of the adults present asks questions.
- Any more than two adults in the room during an interview could be considered to create an intimidating environment for the pupil and so should be avoided.
- It is advisable to keep a close record of the timings of any interviews and any comings and goings from the room. It may also be helpful to keep a record of where the pupil is between interviews.
- Once it has been established that a pupil is involved, either by their own admission or through information provided by another pupil, it is best to ask the pupil to write a statement in their own words. Pupils may find a writing frame helpful.
- Where a pupil's weak literacy skills would make a written statement of limited value or where a pupil is refusing to cooperate with the statement writing, an adult may take down dictated text for the pupil. As with all statements this will need to be signed and dated by the pupil.
- If the veracity of a pupil's statement is in question because of other information available to the school the pupil should be asked to write a further statement with corrections or more details.
- Guidance requires statements to be signed and dated. To avoid confusion and assist in any future scrutiny of the investigation in respect of piecing together the chronology of a series of interviews involving more than one pupil, it may be best to also record the time the statement was written.
- It may be necessary for a further interview to be held to discuss the information available and to try to reach a conclusion about the pupil's involvement through more detailed questioning than written statements permit. As well as a questioner and scribe (as outlined above) it would be appropriate to have an adult present to support the pupil. If appropriate or possible, a parent could be invited. Otherwise a member of the school's pastoral team such as a counsellor or an inclusion worker may be appropriate. Crucially this additional adult should not contribute to the pressure on the pupil, but be there to help the pupil put their case, advise the

pupil of the implications of difficult questions and ensure that the interview is conducted in a neutral way that cannot be said, at a later date, to be pressured.

- School staff should be careful not to ask complicated or leading questions. Staff should also be careful that they maintain a neutral tone. Any record of an interview should note the questions asked as well as the answers given.
- Whilst notes from a meeting need to be accurate it is almost impossible for a scribe to keep a verbatim record. It is important that the record is agreed as accurate by all parties. The pupil and their supporter should be shown notes of the interview and be given an opportunity to amend errors or point out omissions. Once the text is agreed it is advisable for it to be signed by all parties and a photocopy given to the pupil's parents as an accurate and agreed account of the meeting.
- If the interviews and investigation is going to be prolonged, bear in mind the pupil's physical, emotional and psychological needs. Allow toilet breaks; provide water; offer snacks to keep their energy up; enable them to eat at mealtimes; do not leave them for long periods on their own in isolated situations; let them get some fresh air.

Appendix C

Mitigating and aggravating factors

The list below is designed to assist head teachers in assessing the seriousness of an offence that may lead to exclusion, including permanent exclusion, once he/she is satisfied that, on the balance of probabilities, a pupil has breached the school's behaviour policy. This should assist head teachers in deciding the appropriate level of sanction to apply in such cases.

The list is not exhaustive and not every factor will be relevant to every case.

Mitigating factors	Aggravating factors
The incident was impulsive or committed in the heat of the moment	The pupil had failed to heed warnings about similar behaviour in the past
The incident was provoked, e.g. as a result of persistent bullying or racial abuse)	The pupil had been warned of the risk of exclusion
The general medical, emotional and mental condition of the pupil	The offence was premeditated
New to the school (possible unawareness of school's behaviour code)	There is a history of similar incidents
The pupil was coerced or encouraged by others, for example peer group pressure	There has been witness intimidation
First offence	The victim(s) sustained physical injury requiring medical attention
Previous behaviour and character of the pupil suggest that repetition of the behaviour is unlikely	The victim was particularly vulnerable, e.g. much younger or weaker than the pupil
The pupil has apologised for his/her behaviour	The pupil has received significant support from the school in the past to modify behaviour
The pupil is repentant and contrite and shows a willingness to assume responsibility for his/her conduct	The pupil encouraged others to behave inappropriately in relation to the offence
The pupil cooperated with and assisted the investigation	The pupil shows no contrition or a willingness to accept responsibility for his/her actions
The pupil admitted the offence	The pupil did not cooperate with the investigation or worse, actively sought to frustrate and prolong it

<p>The pupil played a relatively minor role in the incident compared to others</p> <p>Agreement/readiness to make restitution towards the victim(s)</p>	
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Appendix D

Checklist - What a governors' discipline committee/management committee should look for when considering a permanent exclusion:

- Permanent exclusion should either be as a last resort, when all available strategies for dealing with the pupil's behaviour have been exhausted; or as a response to a serious one-off offence.
- The case for permanent exclusion should be "watertight".
- Has DfE guidance been followed, "Improving Behaviour and Attendance: Guidance on Exclusion from Schools and Pupil Referral Units (May 2008)
- The governors' discipline committee/management committee should (and an independent appeal panel will) expect the case put before them to demonstrate *by means of sound evidence*:
 - the grounds upon which the exclusion is being made: clarity about whether the exclusion is for a serious one-off incident or a history of inappropriate behaviour. If the latter, a history of support will be needed.
 - that procedures and timescales have been adhered to
 - where appropriate, documented evidence of the incidents which have impacted adversely on the maintenance of good discipline within the school, the learning of other pupils and the health and safety of other members of the school community (an incident log)
 - details of any final incident that led to the exclusion including an account of what happened, details of the investigation that was carried out including witness statements (signed and dated), how these were taken and a recorded version of events from the excluded pupil, a statement from the victim.
 - witness statements: governors' discipline committee/management committee should have the signed originals and all others at the meeting should have copies of these.
 - which inclusion strategies have been employed by the school (where appropriate)
 - parental involvement
 - that the decision to exclude was considered and not taken "in the heat of the moment"
 - that the school's/ESCs discipline policy states that permanent exclusion is a possible consequence of behaviour such as that alleged
 - how the details of the school's/ESCs discipline policy are disseminated to pupils and parents

Children's Services

CODE OF PRACTICE FOR THE IMPLEMENTATION OF PARENTING CONTRACTS AND PARENTING ORDERS IN RELATION TO EXCLUSIONS

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ENCOURAGING ACCEPTABLE BEHAVIOUR IN SCHOOL

INTRODUCTION

Regular and punctual attendance at school is both a legal requirement (as specified in the Education Act 1996) and essential for the educational achievement of pupils of compulsory school age. Effective teaching and learning best takes place in an ordered and purposeful environment. Therefore, good standards of behaviour whilst in school benefit both individual pupils and the whole school community.

Guidance on Education-Related Parenting Contracts, Parenting Orders and Penalty Notices (DfES/0234/2004) outlines the circumstances and times in which Parenting Contracts may effectively be used to engage a parent to support the education of their child; how and when Parenting Orders may be obtained and, in the case of non-attendance, the issue of Penalty Notices.

The LA and Schools must apply their powers fairly and consistently having regard to the DFE Guidance and to this Code of Practice. They should therefore conform to all requirements of the Human Rights Act, Equal Opportunities legislation, Race Relations legislation, Disability Discrimination legislation.

School-level Action

All schools are required by law to have a written behaviour policy. The governing body of a school is responsible for making sure that the behaviour policy is in place and the head teacher is responsible for ensuring the behaviour policy is implemented on a day-to-day basis.

A decision to exclude should only be taken in response to serious breaches of the school's behaviour policy and if allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

Local Authority (LA) - level action

An effective LA should work with schools to encourage review of their behaviour policies and support practice across the whole school. It does this in a number of ways including through the work of Behaviour Support Services, which support both individual pupils and wider school practice. The emphasis of this work is on building good practice, early intervention, working with parents, and collaborating with specialist support services as appropriate.

In a number of areas, LAs also manage school-based multidisciplinary teams who support schools with high numbers of pupils with complex emotional and behavioural needs.

LAs also have statutory duties in the exclusion process. All exclusions should be reported to the LA. The LA does, wherever possible, attend the governors' discipline committee meetings which are arranged as part of the permanent exclusion process. The Customer Focus Team in Hertfordshire is responsible for administering the independent appeal panel process.

In the case of fixed period exclusions and up to and including the fifth school day following a permanent exclusion, the school continues to be responsible for the pupil's education.

From the sixth school day following a permanent exclusion and subsequently where a permanent exclusion from school is upheld the LA is responsible for making arrangements for the pupil to continue receiving a suitable full-time education.

In the case of pupils at Education Support Centres the LA is responsible for making arrangements for suitable full-time education from the sixth school day of both a fixed period exclusion and a permanent exclusion.

Cross Border Working

If a pupil who lives in a different LA to the school is permanently excluded, they become the responsibility of the LA in which they live and therefore the LA in which they live should take the lead in any action necessary to improve their behaviour.

THE NEW PROVISIONS

The new provisions are intended to help to ensure that parents take seriously their responsibilities in respect of their child's regular attendance at school and to behave well when they get there.

Parenting contracts and parenting orders are intended to add to the range of strategies available for tackling poor behaviour in school and to enable schools and LAs to engage with parents effectively.

The provisions are available where serious misbehaviour or exclusion has taken place. The provisions are not intended to replace any existing practice but to provide additional options for working with the parent and pupil to bring about an improvement in the pupil's behaviour. Parenting contracts and parenting orders could form part of the school's behaviour policy.

Useful guidance – How to source Parenting Provision, A guide to sourcing suitable parenting provision aimed in particular at local authority and school staff wishing to support parents in order to improve their child's behaviour or attendance at school. You can download this publication or order copies on line at:

<http://www.teachernet.gov.uk/publications>

Search using ref: P-DfES-0094-2005

Copies can be obtained from:

DfE Publications,

PO Box5050,

Sherwood Park,

Annesley,

Nottingham, NG15 0DJ

Quote ref: P-DfES-0094-2005

Schools may also wish to contact their local District Partnership Team.

PARENTING CONTRACTS IN CASES OF EXCLUSION FROM SCHOOL OR SERIOUS MISBEHAVIOUR THAT MAY LEAD TO EXCLUSION

Overview

A parenting contract is a formal written agreement between a parent and either the LA or the governing body of a school and should contain:

- a statement by the parent that they agree to comply for a specified period with whatever requirements are specified in the contract; and
- a statement by the LA or governing body agreeing to provide support to the parent for the purpose of complying with the contract.

Entry into a parenting contract is voluntary. The parent cannot be compelled to enter into a parenting contract if they do not wish to do so. Equally, there is no obligation on the LA or governing body to offer a parenting contract.

Parenting contracts will, however, often be a useful tool in identifying and focusing on the issues behind the misbehaviour and in developing a productive relationship with parents to address these issues.

Failure to keep to the terms of the parenting contract cannot lead to action for breach of contract or for civil damages.

There is no direct sanction for a parent's failure to comply with or refusal to sign a parenting contract. However, if the pupil's misbehaviour continues or escalates to such a level that the school or LA considers an application for a parenting order is appropriate, the court will be required to take this failure or refusal into account in deciding whether to make the order.

All those defined as a parent under section 576 of the Education Act 1996 are parents for the purposes of these provisions with the exception of local authorities who have parental responsibility as a result of being named in a care order ("corporate parents") who are not included here. Parenting contracts can apply to each and any parent coming within the definition.

A parenting contract can be used in conjunction with a Pastoral Support Plan and is not intended to replace the excellent practice that already exists in this area, but instead provides an additional mechanism which is more focused on the potential of the parent to improve their child's attendance.

Circumstances in which a parenting contract might be pursued

A parenting contract may be offered to a parent where the child has been excluded from school, whether for a fixed period or permanently or when there is serious misbehaviour that may lead to exclusion.

The purpose of a parenting contract is to improve the pupil's behaviour at school and to address any underlying causes. It is not to be seen or used as a punitive measure against the parent.

Assessing when a parenting contract is appropriate

In deciding whether a parenting contract might be appropriate, the LA or governing body should consider all the issues behind the misbehaviour or exclusion, in particular whether the pupil's behaviour may be improved through working with the parent and providing support to them and, if so, what form this support should take.

At what point should the contract be arranged

The parenting contract should be arranged as soon as possible after the exclusion and completion of any exclusions review and appeal process.

In the case of **permanent exclusions** this would be:

- the date by which it is known that the parent does not wish to lodge an appeal against the head teacher's decision to exclude which has been upheld by the governors' discipline committee/ESC management committee
- the date upon which the Independent Appeal Panel upheld the decision to exclude.

In the case of **fixed period exclusions** the date on which the review process is complete would be:

- the date upon which the governors' discipline committee/ESC management committee upheld the head teacher's decision to exclude; or
- if the exclusion is not considered by the governors' discipline committee/ESC management committee the date on which the exclusion began.

Liaison between the head teacher, governing body/ESC management committee, Local Authority and other agencies involved

Parenting contracts require the party entering into the contract to fund any cost of the supportive element of the contract. In the context of the school, this will be the governing body (which controls the school budget under the School Standards Framework Act 1998).

Therefore it is the governing body's name that must appear on the contract and the governing body that will have ultimate responsibility for the parenting contract.

The governing body may delegate responsibility for parenting contracts to the head teacher who may commit funds on behalf of the governing body where the governing body has chosen to delegate this power.

Parenting Contracts following Permanent Exclusion

In cases of permanent exclusion from school, it will usually be the LA that will consider arranging a parenting contract in relation to the pupil.

The governing body of any school which takes in an excluded pupil may also consider arranging a parenting contract if it wishes, but is under no obligation to do so. However, in accordance with the law on admissions, a school may not require a

parent to sign a parenting contract as a condition of their child being accepted by the school.

PARENTING ORDERS IN CASES OF SERIOUS BEHAVIOUR OR EXCLUSION FROM SCHOOL

Overview

Where a pupil is permanently excluded from school or receives more than one fixed period exclusion within 12 months, the LA may apply to the court for a parenting order.

Parenting orders compel parents who have been unwilling or unable to engage on a voluntary basis to address their child's poor behaviour in school by providing support including parenting classes.

The parenting order consists of 2 elements:

- A requirement for the parent to attend counselling or guidance sessions (e.g. parenting education or parenting support classes). This element can last for up to 3 months
- A requirement for the parent to comply with such requirements as are specified in the order. This element can last up to 12 months.

The LA is responsible for making an application for a parenting order and for all costs associated with it including the costs of the parenting programme.

The court can impose a parenting order on any or all parents coming within the definition and their consent is not required.

All parenting orders must be supervised by a 'responsible officer'. This could be an officer of the LA, a head teacher or a person nominated by the head teacher.

If the parent fails to comply with an order, then breach proceedings must be considered. If proven guilty of breaching a parenting order, the parent is liable for a fine not exceeding level 3 (currently up to £1000).

Circumstances in which a parenting order might be pursued

Application to a magistrates' court for a free-standing parenting order might be made when:

- a pupil has been excluded from school for a second fixed-period within a period of 12 months; or
- a pupil has been permanently excluded from school.

Assessing when a parenting order is appropriate

A parenting order is appropriate only where the exclusion has been made in response to serious misbehaviour.

In deciding whether a parenting order might be appropriate, the LA must make a judgement about whether parenting is a significant factor in the pupil's misbehaviour, whether a parenting programme could remedy this and what other requirements might be useful in an order to address the pupil's behaviour. It may be appropriate to hold a multi-agency meeting involving agencies currently working with the family.

Timing of an application for a parenting order

An application for a parenting order must be made after the date upon which the exclusion review and appeal process ends.

In the case of **permanent exclusions**, the date on which the appeal process is complete would be:

- the date by which it is known that the parent does not wish to lodge an appeal against the head teacher's decision to exclude which has been upheld by the governors' discipline committee/ESC management committee or
- the date upon which the Independent Appeal Panel upheld the decision to exclude.

In the case of **fixed period exclusions**, the date on which the review process is complete would be:

- the date upon which the governors' discipline committee/ESC management committee upheld the Head teacher's decision to exclude or
- if there is no consideration by the governors' discipline committee/ESC management committee the date on which the exclusion began.

If there is no parenting contract in place, the LA or school has 40 school days to carry out any necessary assessment, prepare their evidence and make the application to the court. Applications should be made as soon as possible within this time limit to allow for quick and effective intervention.

If the parent has already entered into a parenting contract (or is offered and accepts a parenting contract in respect of the exclusion in question which subsequently proves to be ineffective), the LA may make an application for a parenting order within 6 months of the date on which the contract was signed.

Liaison between the head teacher, governing body/ESC management committee, LA and other agencies involved

Although only the LA can apply for a parenting order and the final decision as to whether the application is appropriate will rest with the LA, the head teacher may in the case of fixed period exclusions, where the child remains a registered pupil at the school, ask the LA to apply for a parenting order where he or she considers that this

may have a positive impact on the pupil's behaviour, preventing further fixed period exclusions or permanent exclusion.

Making an application for a parenting order in cases of exclusion from school will require close collaborative working between the school and the LA. LAs should also make checks to find out what other agencies are involved with the family and should consult them to ascertain existing interventions, discuss any underlying issues and consider the types of requirements that might usefully be included in the parenting order.

Costs

LAs are under no obligation to apply for a parenting order in cases of exclusion from school. Nor will it be appropriate in all circumstances.

Where an application for a parenting order is made, the LA will have to cover the costs of making the application and the costs associated with any order made including the costs of any counselling or guidance programme.

Making the Application

Applications must be made in accordance with the Magistrates' Courts (Parenting Order) Rules 2004 which specify the form of application that should be used. A copy of the specimen application form for a parenting order is included as Appendix 2.

In addition, the LA will need to prepare evidence in support of their application. Evidence that the pupil has been excluded from school should take the form of a statement by the head teacher of the school, the minutes of the governors' discipline committee/ESC management committee (where applicable) and, in the case of permanent exclusions where the parent lodges an appeal, the decision letter of the independent appeal panel hearing.

The court has discretion to consider all the circumstances of the case in deciding whether it is desirable to make a parenting order including the evidence of parents and other witnesses in court. The assessments of the pupil and their parents by the LA and details of the LAs ability to deliver the parenting programme should be presented to support the application.

The LA should also provide evidence of any experience of trying to engage the parent through a parenting contract. Magistrates are obliged to take into account any parental refusal to enter into, or failure to comply with, a parenting contract

Parenting orders in cases of exclusion from school apply only to parents as individuals. Therefore this type of parenting order cannot be made against local authorities in respect of looked after children. It will apply to foster parents.

APPENDIX 1

SPECIMEN PARENTING CONTRACT

Personal details

Pupil's Name: Sam Adams

Parents' Names: Mr John Adams and Ms Sue Thomas

Name of School: Parkmead High School

Sam's Year Head: Mr Phillips. Sam's form teacher: Mr Jones

LA Officer (if appropriate)

Form Teacher's contact details: 01888 888888

Background to Parenting Contract

Following a meeting on 6th March between Mr Jones (Sam's form teacher), Mr Adams and Ms Thomas (Sam's parents) and Sam, we have all agreed that we want to work together to help Sam to behave well in class.

Mr Jones, Sam, Mr Adams and Ms Thomas have also agreed a pastoral support plan for Sam and a copy is attached to this agreement.

What has been agreed

The School/LA's promise

Mr Jones has agreed that to help Sam's parents help Sam behave in class he will:

Send Sam's parents a behaviour report at the end of every day so that they know if there have been any problems;

Make sure that a member of staff contacts Sam's parents immediately if Sam is not at school when the register is taken or if the school becomes aware that Sam is not on the premises;

Be available between 4 and 4.30 every school day if there is anything that Mr Adams or Ms Thomas want to discuss with him in person;

Put Mr Adams and Ms Thomas in touch with the local parent peer group;

Provide Sam with a learning mentor.

Mr Adams' and Ms Thomas' promise

Sam's parents have agreed that to help Sam behave well in class they will:

Sign the copy of the behaviour report and tell Mr Jones if they have any comments on it;

Discuss the behaviour reports with Sam at the end of every week;

Let Mr Jones know if there are any problems which might make Sam behave badly in class;

Set rules for Sam at home to make sure that he behaves properly at home, does his homework and is in bed by 10.30pm and back each other up in sticking to them. (A meeting has been arranged with Sally Pieterman, the local parent practitioner to discuss what types of rules might be appropriate and how to enforce them);

Regularly attend meetings with the local parent support network group

Get Sam up for school by 7.45 so that he has enough time to get ready for school and eat breakfast and so that he arrives at school on time every day;

Provide a doctor's note if Sam is off sick.

Review

Mr Jones, Mr Adams, Ms Thomas and Sam will meet again at the end of term (31st March) to discuss how things are going and whether this agreement needs to be changed in any way.

Mr Jones, Mr Adams or Ms Thomas can ask for a meeting at any time to discuss the agreement further or to discuss any difficulties or problems.

Important dates

We will next meet on **March 20th** at **4pm** at Parkmead High

Sam, his parents or Mr Jones can also request additional meetings.

Other important dates are:

April 18th when Sam returns to school after the holidays

May 22nd to June 23rd when Sam has his school tests

We will review this agreement on **April 4th** and **June 6th**

We will end this agreement at the end of the school year (July 25th) and have a meeting to discuss any issues on **July 21st**.

Useful Contact details

Mr Jones: _____

Sally Pieterman, Parenting Support practitioner: _____

If Sally is unavailable contact: _____

Parentline Plus _____

Local Youth Project & Activity Centre _____

Agreement

We will do what we have agreed in this parenting contract and will work together to help Sam behave well in class

Signed: Mr Jones _____

Date:

Ms Thomas _____

Date:

Mr Adams _____

Date:

Parents' Consent to Information Sharing [If required]

We also understand and agree that information about me/us has been and will continue to be collected so that Mr Jones, the school and the LA can assess and provide appropriate assistance and services. The school and LA may also use this information for service planning, monitoring and research purposes and may share the information with external agencies and providers of relevant services that they need to work with to ensure that we are provided with the most appropriate services.

We understand that this information will be stored either electronically or in the manual records by the school/LA for case management purposes until the end of the agreement on July 25th and for 6 months following, to monitor and evaluate the effectiveness of the plan. The school/LA will keep the information updated and notify anyone who is given the information of any changes to ensure corrections are made.

[The above statements must be explained in full to the parents so that they understand them & the implications clearly]

Signed: Mr Jones _____

Ms Thomas _____

Mr Adams _____

Date:

Complaints procedure

Mr Jones has provided Mr Adams and Ms Thomas with a copy of the school's complaints procedure and explained it to them so that both of them understand it.

Signed: Mr Jones _____

Ms Thomas _____

Mr Adams _____

Date:

APPENDIX 2
SPECIMEN APPLICATION
FORM FOR A PARENTING ORDER

Application for Parenting Order
(Anti-social Behaviour Act 2003, section 20)

.....Magistrates' Court
(Code)

Date:

Child or young person's
address:.....

Child or young person's age:
.....

Parent:.....

Parent's
address:.....

which is in the area of Hertfordshire Local Authority

Parent:.....

Parent's
address:.....

which is in the area of Hertfordshire Local Authority

Applicant Local Authority:

.....

It is alleged that:

(a) the child or young person has been excluded from school or is at risk of being excluded on disciplinary grounds; and

(b) the prescribed conditions are satisfied in that [insert details].
[The parent(s) entered into a parenting contract on [date].] [It is alleged that the parent(s) have failed to comply with the parenting contract, a copy of which is attached to this application form.]

Short description of alleged failure to comply with parenting contract:

Evidence of this alleged failure to comply is attached.]

[It is alleged that the parent(s) have refused to enter into a parenting contract.]

[The child or young person is under 16. Information as to the family circumstances of the child or young person is attached.]

[It is alleged that:

(a) the attendance of the parent at a residential course is likely to be more effective than their attendance at a non-residential course in improving the child's or young person's behaviour; and

(b) any interference with family life which is likely to result from the attendance of the parent at a residential course is proportionate in all the circumstances.

The court is requested to order that the counselling or guidance programme may include a residential element.]

Short description of the counselling/ guidance programme to be attended by the parent(s):

Further requirements to be included in the order:

Appendix F

X1 Forms for Reporting Fixed Period, Lunchtime and Permanent Exclusions

FORM X1

DETAILS OF FIXED PERIOD EXCLUSION 1 TO 5 DAYS			
School Name		LA School No.	DFE School No.
Pupil Legal Surname		Pupil Legal First Name	
Date of Birth	Gender	Year Group	
Student Address	Home Phone Number	UPN	
<u>Parent/Carer Name With Parental Responsibility</u>		<u>Relationship to Student</u>	<u>Priority</u>
Contact Address			
Ethnic Origin	SEN Code of Practice Stage		Possible Codes
			N – No Special Educational Need A – School Action P – School Action Plus S - Statement
Looked After	If Yes, Name of Local Authority	Home Education Authority (if not Herts)	
Fixed Period Exclusion			
Start Date	End Date	No. of days	
Reason For Exclusion:			
Pattern of Behaviour (please tick one)			
One-Off		Persistent disruptive	

FORM X1

DETAILS OF FIXED PERIOD EXCLUSION 6 – 15 DAYS			
School Name		LA School No.	DFE School No.
Pupil Legal Surname		Pupil Legal First Name	
Date of Birth	Gender		Year Group
Student Address	Home Phone Number	UPN	
Parent/Carer Name With Parental Responsibility		Relationship to Student	<u>Priority</u>
Contact Address			
Ethnic Origin		SEN Code of Practice Stage	Possible Codes
			N – No Special Educational Need A – School Action P – School Action Plus S - Statement
Looked After	If Yes, Name of Local Authority		Home Education Authority (if not Herts)
Fixed Period Exclusion			
Start Date		End Date	No. of days
Reason For Exclusion:			
Pattern of Behaviour (please tick one)			
One-Off		Persistent disruptive	

FORM X1

DETAILS OF FIXED PERIOD EXCLUSION 16 DAYS PLUS			
School Name		LA School No.	DFE School No.
Pupil Legal Surname		Pupil Legal First Name	
Date of Birth	Gender		Year Group
Student Address	Home Phone Number	UPN	
Parent/Carer Name With Parental Responsibility		<u>Relationship to Student</u>	<u>Priority</u>
Contact Address			
Ethnic Origin		SEN Code of Practice Stage	Possible Codes
			N – No Special Educational Need A – School Action P – School Action Plus S - Statement
Looked After	If Yes, Name of Local Authority		Home Education Authority (if not Herts)
Fixed Period Exclusion			
Start Date		End Date	No. of days
Reason For Exclusion:			
Pattern of Behaviour (please tick one)			
One-Off		Persistent disruptive	

FORM X1

DETAILS OF LUNCHTIME EXCLUSION			
School Name		LA School No.	DFE School No.
Pupil Legal Surname		Pupil Legal First Name	
Date of Birth	Gender		Year Group
Student Address	Home Phone Number	UPN	
Parent/Carer Name With Parental Responsibility		Relationship to Student	<u>Priority</u>
Contact Address			
Ethnic Origin		SEN Code of Practice Stage	Possible Codes
			N – No Special Educational Need A – School Action P – School Action Plus S - Statement
Looked After	If Yes, Name of Local Authority		Home Education Authority (if not Herts)
Lunchtime Exclusion			
Start Date		End Date	No. of days
Reason For Exclusion:			
Pattern of Behaviour (please tick one)			
One-Off		Persistent disruptive	

FORM X1

DETAILS OF PERMANENT EXCLUSION			
School Name		LA School No.	DFE School No.
Pupil Legal Surname		Pupil Legal First Name	
Date of Birth	Gender		Year Group
Student Address	Home Phone Number	UPN	
Parent/Carer Name With Parental Responsibility		<u>Relationship to Student</u>	<u>Priority</u>
Contact Address			
Ethnic Origin		SEN Code of Practice Stage	Possible Codes
			N – No Special Educational Need A – School Action P – School Action Plus S - Statement
Looked After	If Yes, Name of Local Authority		Home Education Authority (if not Herts)
Permanent Exclusion			
Start Date		Reason For Exclusion	