

drb Ignite Multi Academy Trust

Exclusion Policy

Trust vision

The drb Ignite Multi Academy Trust has been established through a shared belief that lives can be transformed by what goes on in schools. We believe that the process of teaching and learning shapes futures. To this end our vision is to provide every child with learning experiences that excite them and give them the power to begin to shape their own lives.

all pupils achieve the highest standard of educational outcomes regardless of circumstances or background.

Policy purpose

This policy outlines the Trust's pupil exclusion process within the government's statutory framework. Department for Education (DfE), *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England Guidance 2017*.

<https://www.gov.uk/government/publications/school-exclusion>

Legislation related to the policy

For information, the principal legislation to which this policy relates is:

- the Education Act 2002, as amended by the Education Act 2011;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- the Education and Inspections Act 2006;
- the Education Act 1996;
- the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014.

Policy statement

Exclusion is a sanction used by the Trust as a final resort and only in cases deemed as extremely serious breaches of the Trust's *Pupil Behaviour Policy*. A pupil may be at risk of exclusion from school for:

- verbal or physical assault of a fellow pupil or adult in school
- persistent and repetitive disruption of lessons and the learning of other pupils
- extreme or inappropriate misbehaviour
- placing the safety of adults or other pupils at risk
- wilful and intentional damage to property

For note:

The policy applies to all pupils at Trust schools, including those who are above or below compulsory school age, for example where a school has a nursery class.

The Trust and its schools are committed to promoting positive behaviours and pupil self-regulation with the aim of reducing unacceptable behaviours, incidents and attitudes. This Trust's approach aims to support good relationships, a positive atmosphere of mutual respect, discipline and clear behavioural expectations within all Trust schools.

Policy principles

Unicef Rights of the Child

Article 3: All organisations concerned with children should work towards what is best for each child.

Article 28: Children have the right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthier countries should help poorer countries achieve this.

The policy is underpinned by the following principles which reflect the Trust's culture, values and ethos:

- All children have a right to education.
- Good discipline in Trust schools is essential to ensure that all pupils can benefit from the opportunities provided by education.
- The Trust supports headteachers in using exclusion where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the Trust's *Behaviour Policy* and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.
- The decision to exclude a pupil must be lawful, reasonable and fair. The Trust recognises its statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race.
- The behaviour of a pupil outside school can be considered grounds for an exclusion.
- Schools will pay particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion. School staff will ensure preventative measures and early help are in place to reduce the risk of exclusion.
- The Trust recognises that disruptive behaviour can be an indication of unmet needs. Where a school has concerns about a pupil's behaviour, it will try to identify whether there are any causal factors and intervene early in order to reduce the need for a subsequent exclusion.

For note:

In this situation, a school may consider whether a multi-agency assessment that goes beyond the pupil's educational needs is required.

- Schools will have a strategy for reintegrating a pupil who returns to school following a fixed-period exclusion and for managing their future behaviour.
- Informal or unofficial exclusions, such as sending a pupil home to *cool off*, are unlawful, regardless of whether they occur with the agreement of parents.
- Any exclusion of a pupil, even for short periods of time will be formally recorded.
- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking in to account their age and ability to understand.
- Where a pupil has received multiple exclusions or is approaching the legal limit of 45 school days of fixed-period exclusion in an academic year, the headteacher will consider whether exclusion is providing an effective sanction.
- Headteachers must take account of their legal duty of care when sending a pupil home following an exclusion.

Definition of exclusion types

Fixed term

A *Fixed Term Exclusion* is for a specific period of time. A pupil may be excluded for one or more fixed periods up to a maximum of 45 school days in a single academic year.

A headteacher may sometimes exclude for the lunchtime period only if behaviour during this period is inappropriate. A lunchtime exclusion is considered to be the equivalent of half a day.

From the first day of exclusion, school will arrange for work to be provided. It is a parental responsibility to see that this work is completed and returned. Work will be marked and more work provided. If the exclusion is for more than five days, the pupil is entitled to full time education from day six onwards. It is the school's responsibility to provide this and details will be outlined in the exclusion notification letter.

The Trust and its schools have a legal duty to provide suitable full-time education from day six of a fixed term exclusion, either on the school site or with an alternative provider.

During the first five days of a fixed term exclusion the pupil must remain at home.

A fixed term exclusion can only be authorised by the headteacher or a senior leader acting on his/her behalf. If no-one is available to authorise an exclusion the decision should be deferred until the opportunity for authorisation is possible. The Trust is informed half-termly of fixed term exclusions in any of its schools.

Parental notification of an exclusion (fixed or permanent)

Parents will be notified as soon as possible of the decision to exclude a pupil and the reason for the exclusion. This will be done on the day of the exclusion either by direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents the same day. This will include:

- the reason(s) for the exclusion
- the period of a fixed-period exclusion
- if the exclusion is permanent this will be stated
- parents' right to make representations about the exclusion to Trust Board and how the pupil may be involved in this;
- how any representations should be made
- where there is a legal requirement for the Trust Board to consider the exclusion, that parents have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- where an excluded pupil is of compulsory school age the headteacher will notify parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours. These days are the first five school days of an exclusion (or until the start date of any alternative provision or the end of the exclusion where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted.

Any pupil who has been excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour and the consequence.

When notifying parents about an exclusion, the headteacher will draw attention to relevant sources of free and impartial information. See Appendix B for further details.

This information should include:

- a link to this statutory guidance on exclusions <https://www.gov.uk/government/publications/school-exclusion>
- a link to sources of impartial advice for parents such as the Coram Children's Legal Centre (www.childrenslegalcentre.com), or ACE Education (<http://www.aceed.org.uk>) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1 pm during term time)
- where considered relevant by the headteacher, links to other local services.

The headteacher will ensure that information provided to parents is clear and easily understood. Where the parents' first language is not English consideration will be given, where practical, to translating the letter or taking additional steps to ensure that the details of the exclusion and their right to make representations to the Trust Board have been understood.

Pupils returning from a fixed term exclusion

Pupils returning from a fixed term exclusion are required to attend a reintegration meeting, accompanied by a parent. This meeting seeks to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between pupil, parent and school.

Schools will work with parents to put in place a support plan for the pupil. This will include input from both staff and parents as appropriate. It may also include external support agencies especially where safeguarding concerns are involved. Trust schools will work positively with all external support agencies in the best interests of the pupil. It is hoped that, in most cases, following exclusion the pupil will be able to return to school and improvements in behaviour/attitude will be secured.

The Trust's Director of School Improvement and relevant school staff will be notified of all fixed term exclusions. The Director of School Improvement will report all exclusions by school to the Trust Board through the Trust's *Achievement, Support and Scrutiny* and *Trust Improvement Board* sub-committee meetings.

Permanent exclusion

A permanent exclusion involves the pupil being removed from the school roll. A permanent exclusion is authorised by the headteacher after consultation with the Trust's Director of School Improvement and Chief Executive Officer. The final decision rests with the headteacher of the school in line with the Trust's *Annual Scheme of Delegation* which can be viewed on the Trust website.

A Trust school will only permanently exclude a pupil as a **very last resort** or as the result of a serious incident. The Trust and its schools are committed to supporting pupils at risk of exclusion and meeting individual pupil needs as much as possible. All preventative measures will be implemented before any decision to exclude is made. On rare occasions and in exceptional circumstances, a headteacher, with the support of the Trust's executive leadership team, will decide to permanently exclude a pupil because of ongoing, serious issues or in response to an isolated serious incident.

If a pupil is permanently excluded:

- parents will be notified by the headteacher in a face-to-face meeting and immediately followed up with a written confirmation
- the Trust Board will review the headteacher's decision
- the school will explain to parents in writing how to lodge an appeal
- the relevant local authority is required to provide full-time education from the sixth day of a permanent exclusion.

Headteacher responsibilities

Trust school headteachers have a duty to inform the Trust Board about an exclusion. The head teacher must, without delay, notify the Trust and local authority of:

- any permanent exclusion (including where a fixed-period exclusion is followed by a decision to permanently exclude the pupil);
- any exclusion which would result in the pupil being excluded for a total of more than five school days (or more than ten lunchtimes) in a term
- any exclusion which would result in the pupil missing a national curriculum test.

For note:

In addition, within 14 days of a request, the Trust must provide to the Secretary of State information about any exclusions within the last 12 months.

For note:

For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the headteacher must also notify the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

For note:

Headteachers will also have regard to Local Authority Guidance from both Birmingham and Dudley e.g. Dudley's *Inclusive Pathways document* and associated *Support Directory*.

Trust Board responsibilities

The Trust Board has a duty to consider an exclusion and to consider parents' representations about an exclusion. The requirements on the Trust Board to consider an exclusion depend upon a number of factors which are set out in Appendix A of this policy.

The Trust Board may delegate its functions with respect to the consideration of an exclusion to a designated sub-committee which will consist of a minimum of three trustees. The Trust Board must consider the reinstatement of an excluded pupil within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent
- it is a fixed-period exclusion which would bring the pupil's total number of school days of exclusion to more than 15 in a term
- it would result in a pupil missing a national curriculum test.

For note:

Whilst there is no automatic right for an excluded pupil to take a test on the excluding school's premises, the Trust Board will whether it would be appropriate to exercise its discretion to allow an excluded pupil onto the premises for the sole purpose of taking the test.

The requirements are different for fixed-period exclusions where a pupil would be excluded for more than five but less than 15 school days in the term. In this case, if the parents make representations, the Trust Board must consider within 50 school days of receiving the notice of exclusion whether the excluded pupil should be reinstated. In the absence of any representations from the parents, the Trust Board is not required to meet and cannot direct the reinstatement of the pupil.

Where an exclusion would result in a pupil missing a national curriculum test, the Trust Board will respond to a further requirement. As far as is reasonably practicable, it will consider the exclusion before the date of the test. If it is not practicable for a sufficient number of trustees to meet before the test date, the chair of the Board will consider the exclusion alone and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the Trust Board and allowed to make representations:

- parents and, where requested, a representative or friend
- the headteacher

The Trust Board will make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limits set out above. However, its decision will not be invalid simply on the grounds that it was not made within these time limits. It will also follow the DfE Guidance as set out in Section 6 with regard to consideration of an exclusion.

In the case of a fixed-period exclusion which does not bring the pupil's total number of days of exclusion to more than five in a term, the Trust Board will consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Reinstatement of an excluded pupil

In deciding whether to reinstate an excluded pupil the Trust Board will follow the statutory guidance as set out in Section Six of <https://www.gov.uk/government/publications/school-exclusion>

Parental appeals

Communication regarding an exclusion from a Trust school will inform parents of their right to appeal to the Trust against the decision to exclude. The Trust follows the procedure set out in the government's statutory guidance.

<https://www.gov.uk/government/publications/school-exclusion>

To initiate an appeal, parents should contact the school headteacher who will inform the clerk to the Trust Board. If the Trust Board confirms the exclusion, parents can appeal to an independent appeal panel organised by the Trust Board.

Where parents dispute the decision of the Trust Board not to reinstate a permanently excluded pupil, they can ask for this decision to be reviewed by an independent review panel. Where there is an allegation of discrimination (under the Equality Act 2010) in relation to a fixed-period or permanent exclusion, parents can also make a claim to the First-tier Tribunal (Special Educational Needs and 1 Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014, amending the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007. 7 Disability) for disability discrimination, or the County Court for other forms of discrimination.

Duty to arrange an independent review panel

If applied for by parents within the legal time frame, the Trust will, at its own expense, arrange for an independent review panel hearing to review the decision of the Trust Board not to reinstate a permanently excluded pupil.

The legal time frame for an application is:

- within 15 school days of notice being given to the parents by the Trust Board of its decision not to reinstate a permanently excluded pupil
- or**
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.

Any application made outside of the legal time frame will be rejected by the Trust.

For note:

The Trust will not delay or postpone arranging an independent review panel where parents also make a claim of discrimination in relation to the exclusion to the First-tier Tribunal (Special Educational Needs and Disability) or the County Court.

The Trust recognises that parents may request an independent review panel even if they did not make representations to, or attend, the meeting at which the Trust Board considered reinstating the pupil.

The Trust will take reasonable steps to identify a date for the review that all parties, and any SEN expert appointed to give advice in person, are able to attend. However, the review must begin within 15 school days of the day on which the parent's application for a review was made (panels have the power to adjourn a hearing if required).

Care will be taken to ensure the venue is accessible to all parties and the Trust will arrange this ensuring the hearing is in private.

For note:

An independent review panel does not have the power to direct the Trust Board to reinstate an excluded pupil. However, where a panel decides that the Trust Board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct the Board to reconsider its

decision. The panel will then be expected to order that the school must make an additional payment of £4,000 if it does not offer to reinstate the pupil.

For note:

Whether or not a school recognises a pupil as having SEN, all parents have the right to request the presence of a SEN expert at a review meeting. The SEN expert's role is to advise the review panel, orally or in writing or both, impartially, of the relevance of SEN in the context and circumstances of the review. For example, they may advise whether the school acted reasonably in relation to its legal duties when excluding the pupil.

For note:

Where the issues raised by two or more applications for review are the same, or connected, the panel may combine the reviews if, after consultation with all parties, there are no objections.

Selection and responsibilities of the independent review panel

The Trust will follow the DfE Statutory guidance in the process, appointment and conduct of the selection panel (Sections 8 to 12). This will include implementing the decision of the panel.

Pupils with SEND

Headteachers will carefully consider a pupil's special educational needs when reaching any exclusion decision. The headteacher and Trust Board will comply with their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the DfE *SEND Code of Practice*.

Managed moves

Trust schools have the power to direct a pupil off-site for education to improve their behaviour. A pupil can also transfer to another school as part of a *managed move* where this occurs with the consent of the parties involved, including the parents and the Trust. However, the threat of exclusion must never be used to influence parents to remove their child from a Trust school.

Monitoring pupil exclusions

The Trust monitors the number of both fixed and permanent exclusions every half-term to ensure that no pupil or group of pupils is unfairly disadvantaged and that contributory, underlying needs of all pupils are being fully met in all schools.

Relationship with other Trust policies

The Trust's *Pupil Exclusion Policy* should be viewed alongside the Trust's *Pupil Behaviour Policy*. Other policies may also be relevant:

- SEND Policy
- Equality & Diversity Policy
- Anti-Bullying Policy
- Attendance Policy.

Changes to the school exclusion process during covid-19

Timescales for permanent exclusions between 25 September 2020 and 24 September 2021


Permanent exclusions between 25 September 2020 and 24 September 2021 (inclusive) will follow the deadlines in the [suspensions and permanent exclusions from maintained schools, academies and pupil referral units in England statutory guidance](#), other than the deadline for the application of an independent review.

If it is not reasonably practicable to meet by the usual deadline either in person because of coronavirus (COVID-19), or by remote access because of the conditions for a remote access meeting, the meeting will not be delayed any longer than is reasonably necessary because of coronavirus (COVID-19).

The Trust will implement the changes to the school exclusion process as set out in the following DfE guidance

<https://www.gov.uk/government/publications/school-exclusion/changes-to-the-school-exclusion-process-during-the-coronavirus-outbreak>

Monitoring and review

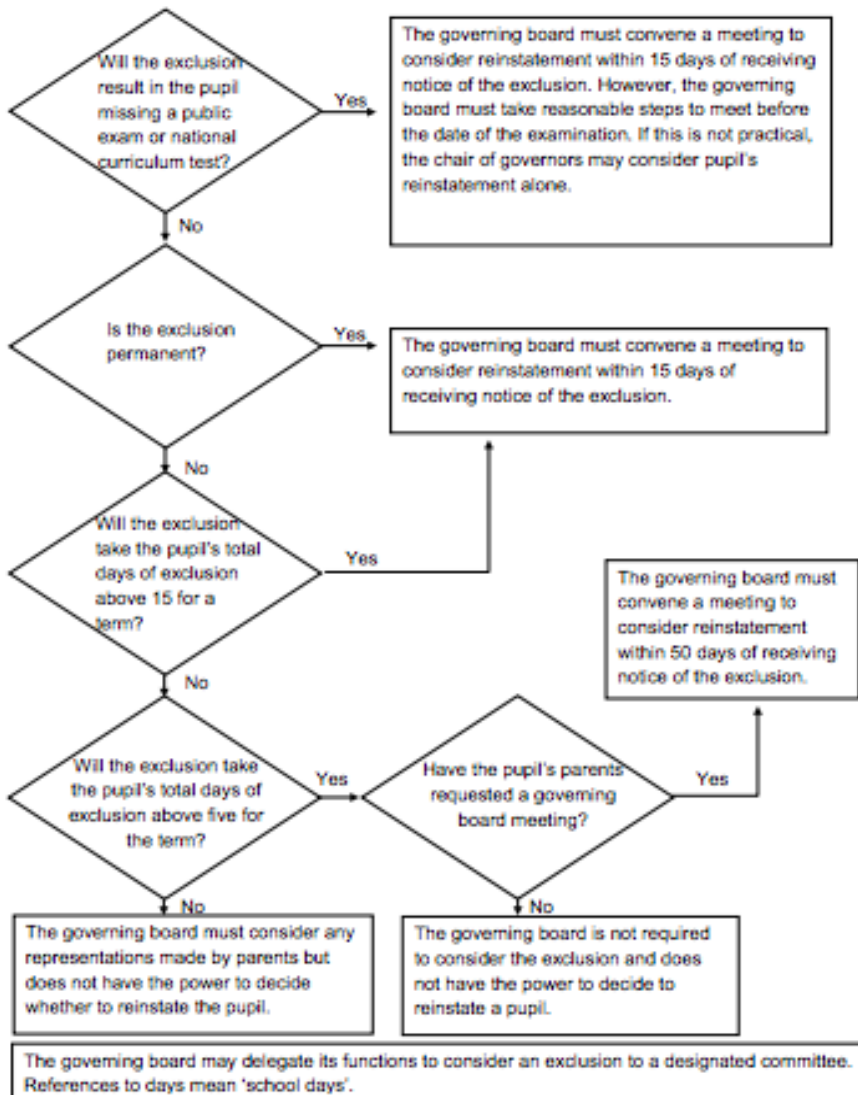
Monitoring and review	Trust Board
Links	Anti-Bullying Policy Attendance Policy Behaviour Policy Equality and Diversity Policy Medical Needs Policy SEND Policy
Staff responsible	Headteachers
Committee responsible	Achievement, Support and Scrutiny
Reviewed	July 2021
Next review	July 2023
Sign off by Chair of Trust	 Date: July 2021

*Please note that should there be any changes/further national guidance issued relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next Trust Board meeting. The policy may require updates as the covid-19 pandemic continues.

Change management

Issue No.:	Change date:	Change description:
1.0	Nov 16	Initial release
2.0	Nov 18	Rebranded, updated and signed off for release
3.0	Nov 19	Checked, no content changes, signed off and published
4.0	Nov 20	Updated, signed off
5.0	July 21	Covid-19 update

Appendix A Trust Board responsibilities



Appendix B

A guide for parents/carers

Parent/Carer Guide on Exclusion

Disclaimer *This non-statutory document is not replacing the statutory guidance on exclusion and is intended only to support parents' understanding of the exclusion process.*

Exclusion legislation

The exclusion legislation applies to schools in an academy trust in the same way as other schools. It applies to all pupils at these schools, including those who are above or below compulsory school age, for example where a school also has a nursery.

Glossary

- The term **must** refers to what the Trust and parents are required to do by law.
- The term **should** refers to recommendations for good practice as mentioned in the exclusions guidance.
- In this document and in the exclusion guidance, 'parents' refers to parent(s)/legal guardian(s)/foster carer(s) of pupils under 18 and the term 'governing board' includes the governing body of a maintained school, the management committee of a PRU and the Trust Board of a school in a multi academy trust.
- Fixed-period exclusion: when a pupil is barred from the school for a fixed amount of time (including exclusions during lunchtime).
- Permanent exclusion: when a pupil is permanently barred from the school premises.
- Alternative provision: this refers to the education arrangements made for excluded pupils to continue to have a suitable, full-time education whilst they are excluded from school or cannot attend school for another reason. In some circumstances, alternative provision can be used where a child has not been excluded, including alongside mainstream or special education, or for a placement to address poor behaviour.

For what reasons can a school exclude my child?

There is no list of set behaviours for which a pupil can and cannot be excluded, and the decision to exclude lies with the headteacher. Headteachers can only exclude a pupil for a disciplinary reason (e.g. because their behaviour violates the Trust and school's behaviour policy). They cannot, for example, exclude a pupil for academic performance/ability, or simply because they have additional needs or a disability that the school

feels it is unable to meet. A headteacher can exclude for behaviour outside of school, or for repeatedly disobeying academic instructions.

Can the school send my child to be educated elsewhere?

Schools have the power to send a pupil to another education provider at a different location to improve their behaviour without the parents having to agree. A school can also transfer a pupil to another school – a process called a ‘managed move’ - if they have the agreement of everyone involved, including the parents and the admission authority for the new school. Schools cannot force a parent to remove their child permanently from the school or to keep their child out of school for any period of time without formally excluding. The threat of exclusion must never be used to influence parents to remove their child from the school.

Can a school ask me to collect my child/send my child home early without following the formal exclusions process?

‘Informal’ or ‘unofficial’ exclusions, such as sending pupils home ‘to cool off’, are not allowed, even if they are with the agreement of parents. Any exclusion of a pupil, even for short periods of time, must follow the formal process including being formally recorded (see below). Any fixed-period exclusion must have a stated end date.

Exclusion process: What happens when my child is excluded?

Please go to section 2 entitled ‘What happens when your child is excluded’ on the gov.uk website.
<https://www.gov.uk/government/publications/school-exclusion>

What are the legal obligations on a school when excluding a pupil?

When a headteacher excludes a pupil, they must without delay let parents know the type of exclusion and the reason(s) for it. They must also, without delay, provide parents with the following information in writing:

- the reason(s) for the exclusion
- the length of the exclusion
- the parents’ right to put forward their case about the exclusion to the governing board,
- how they should go about doing this and how the pupil can be involved
- when relevant, what alternative provision will be provided from the sixth day of a fixed-period exclusion.

Is there a limit to the number of times my child can be excluded?

Yes. A pupil cannot be excluded for more than 45 school days in one school year. This means they cannot have one fixed-period exclusion of 46 school days or more and also, they cannot have lots of shorter fixed-period exclusions that add up to more than 45 school days. This is true even if these exclusions have been given in different schools.

Lunchtime exclusions

Where pupils are excluded from school over the lunch period because this is when their behaviour is a problem - are counted as half a day.

Scrutiny of the exclusion: Can I question the decision to exclude my child?

Parents have the right to make their case about the exclusion of their child to the governing board. For fixed-period exclusions, unless the exclusion takes a pupil's total number of school days of exclusion past five in that term, the governing board must consider any case made by parents, but it cannot make the school reinstate the pupil and is not required to meet the parents.

For all permanent exclusions, the governing board must consider, within 15 school days of being told about the exclusion, whether the excluded pupil should be reinstated. This is the same for fixed-period exclusions where the pupil will miss more than 15 days in one term or will miss a national curriculum test (e.g. a key stage 2 test taken at the end of primary school).

For a fixed-period exclusion that brings a pupil's total excluded days to more than five but under 15 the governing board must consider reinstatement within 50 school days if the parent asks it to do this. If the governing board decides not to reinstate the pupil who has been permanently excluded, parents can request an independent review panel to review the governing board's decision.

Information on school discipline and exclusions issued by the Department for Education can be found here <https://www.gov.uk/school-discipline-exclusions/exclusions>.

What can I do if I feel my child is being discriminated against in the exclusion process, for example because he/she has a disability?

Schools have a duty under the Equality Act 2010 not to discriminate against pupils on the basis of protected characteristics, such as disability or race, including in all stages of the exclusion process.

Parents can raise this issue during the exclusion consideration meeting with the governing board. If the governing board decides not to reinstate the pupil who has been permanently excluded, parents can request an independent review panel to review the governing board's decision. When making their request parents can ask for a Special Educational Needs (SEN) expert to attend the hearing to advise the panel on how SEN might be relevant to the exclusion. Parents can request this even if their child has not been officially recognised as having SEN.

If a parent believes that their child has been discriminated against in the exclusion process because of a disability, then they may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the exclusion:

www.tribunals.gov.uk/Tribunals/Firsttier/firsttier.htm.

The Tribunal can consider claims about permanent and fixed-period exclusions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If the parent believes that a permanent or fixed period exclusion occurred as a result of discrimination other than in relation to disability (e.g. in relation to race) they can make a claim to the County Court.

Where can I get independent advice on my options regarding the exclusion?

There are a number of organisations that provide free information, support and advice to parents on exclusion matters:

- Coram Children's Legal Centre can be contacted on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- The National Autistic Society (Schools Exclusion Service (England)) can be contacted on 0808 800 4002 or through: <http://www.autism.org.uk/services/helplines/school-exclusions.aspx>
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Arrangements for my child after exclusion Will my child still receive an education?

Schools should take reasonable steps to set work for pupils during the first five days of a fixed-period exclusion. From the sixth day of an exclusion, suitable full-time education must be arranged for pupils of compulsory school age (primary and secondary school age).

In the case of a fixed-period exclusion of more than five school days, it is the duty of the school to arrange this education, unless the school is a PRU (in which case the local authority should make arrangements).

If a parent wishes to raise a concern about lack of, or the quality of, education arranged during a fixed-period exclusion (and their child is still of compulsory school age), they may follow the school's official complaints procedure.

In the case of a permanent exclusion, arranging suitable full-time education is the duty of the local authority for the area where the pupil lives. If a parent wishes to raise a concern about lack of, or the quality of, education following a permanent exclusion (and their child is still of compulsory school age), parents should complain to the local authority where they live. If parents are unsure about which local authority they need to speak to, they should ask the school for advice.

Does my child still have a right to attend their national curriculum tests when excluded?

This is a decision for the school. Neither the school nor the local authority is legally required to arrange for an excluded pupil to take a national curriculum test that occurs during the exclusion, although some may choose to arrange for this, either on school premises or elsewhere. Where a parent has concerns about their child missing a national curriculum test, they should raise these with the school.

What are my duties as a parent when my child has been excluded?

For the first five school days of any exclusion, parents must ensure that their child of compulsory school age is not in a public place during school hours without very good reason. Parents must also ensure that their

child attends any new full-time education provided from the sixth day of exclusion (unless they have arranged suitable alternative