

Wiltshire Council - Exclusion from school

'Only a headteacher can exclude a pupil and this must be on disciplinary grounds.

Any decision to exclude must be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties), rational, reasonable, fair and proportionate.' (DfE).

The headteacher must, without delay notify parents of the period of an exclusion and the reasons for it, their legal responsibilities during the first five days of their child's exclusion and follow up in writing with:

- the reasons for the exclusion;
 - the period of a fixed period exclusion or, the fact that it is permanent;
 - parents' right to make representations about the exclusion to the governing body and how the pupil may be involved in this;
 - how any representations should be made to governors, depending on the length of the exclusion.
- The school must inform parents that a penalty notice can be issued if they fail to ensure their child is not in a public place during school hours, for the first 5 days of any exclusion.

Secondary schools must follow the Service Level Agreement (SLA) with Wiltshire Council.

Is the exclusion permanent?

School actions:

YES

- The Local Authority must be notified on the same day as the exclusion decision using the Exclusion Form available to download from the School Exclusions Resources page of **Right Choice** (login required) Right Choice and returned via Perspective Lite with an 'Exclusions' tag.
- The head teacher must notify their governing body without delay.
- If the pupil lives outside Wiltshire, the head teacher must also notify the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.
- The governing board must convene a meeting to consider reinstatement within 15 days of receiving notice of the exclusion.
- The DSL should liaise with Support and Safeguarding Service (SASS) to ensure any pre-existing safeguarding issues or emerging child protection concerns are reported (MASH) and information provided to plan support as appropriate.
- The headteacher will take reasonable steps to set and mark work for the pupil that is accessible and achievable by the pupil outside school for the days between the exclusion and the start of alternative provision (maximum 5 days).

Wiltshire Council actions

The Alternative Provision and Inclusion team will liaise with:

- The headteacher and parents/carers to gather information on which to plan and source the most effective provision for the pupil
- Alternative Providers to ensure full-time education is provided no later than day six of the exclusion.
- Teams within Wiltshire Council to ensure any additional needs of the pupil are met.

School actions:

NO

- The Local Authority must be notified on the same day as the exclusion decision using the Exclusion Form available to download from the School Exclusions Resources page of **Right Choice** (login required) Right Choice and returned via Perspective Lite with an 'Exclusions' tag.
- The head teacher must notify their governing body without delay of:
 - o 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; and
 - o any exclusion which would result in the pupil missing a public examination or national curriculum test.
- The DSL will liaise with Support and Safeguarding Service (SASS) to ensure any pre-existing safeguarding issues or emerging child protection concerns are reported (MASH) and support provided as appropriate.
- If exclusions amount to more than 15 days in one term the governing board must convene a meeting to consider the exclusion decision.
- The headteacher will ensure full-time education is provided no later than day six of an exclusion and will take reasonable steps to set and mark work for the pupil that is accessible and achievable by the pupil outside school for the days between the exclusion and the start of alternative provision (maximum 5 days).
- Notifications must include the reason(s) for and the duration of the exclusion.