**Permanent exclusion notification letter (Derbyshire residents)**

Dear [Parent's Name]

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 unless he/she is reinstated by the governing board. I realise that this exclusion may well be upsetting for [Child’s Name], you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because [reasons for the exclusion — as a *minimum* should include a summary of the incident and behaviour which led to taking the decision to exclusion the pupil].

Both of the following two thresholds for permanent exclusion have been met:

* a serious breach or persistent breach of the school’s behaviour policy has occurred; ***and***
* allowing the pupil to remain in school would seriously harm the education and welfare of the pupil or others in the school

[Include a summary of how the threshold has been met].

**[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]**

Since your child is of compulsory school age, you have a duty to ensure that your child is not present in a public place during school hours for the duration of the first 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification for this. I must inform you that you could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on these dates. It will be for you to show that there is reasonable justification.

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 the name of the authority in which the family reside] will provide a full time, interim blended programme, comprising face to face and online learning, leading to a permanent placement in an appropriate setting. Arrangements for full-time education will be organised by the Inclusion Pathways Team, who can be contacted on 073771 82034 or 073771 81993.

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. This can now be held via the use of remote access (for example, live video link) if requested by you. Please see Annex A page 76 of the Department for Education guidance ‘Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement’ dated May 2023 which sets out a number of matters you may want to consider before requesting a remote access meeting. If you do not request a remote meeting it will be held in person. As this is a permanent exclusion, the governing board ***must*** meet to consider the decision to exclude. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to decline to reinstate the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of exclusion[**specify the date — the 15th school day from the exclusion decision date]**.

**[NB – Only include the subsequent paragraph if the pupil will miss a public exam or national curriculum test]**

If the pupil will miss a public exam or national curriculum test and you request a meeting of the governing board, then the governing board must take reasonable steps to meet before the date of examination. If this is not practical, the chair of governors may consider the pupil’s reinstatement alone.

If you wish to make representations to the governing board (including any request for remoted access) and wish to be accompanied by a friend or representative, at your own expense, please contact the clerk to governors [name of contact] on/at [contact details — address, phone number, email], as soon as possible.

Your child may also be involved in this meeting to speak on [his/her] own behalf if it is appropriate, taking into account [his/her] age and level of understanding. You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting. Please let us know if you have a disability or special needs so that suitable arrangements may be made for you to attend the meeting at school. Also, please inform [above 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 occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination.  If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place.

Information on disability discrimination and other forms of discrimination claims are available on the [HM Courts and Tribunal Service](http://www.justice.gov.uk/tribunals/send) website (www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability)

Making a claim would not affect your right to make representations to the governing board.

You may wish to contact the Inclusion Team for advice and information:

* Sharon Neak, Inclusion Manager, County Hall, Smedley Street, Matlock, Derbyshire DE4 3AG, on 01629 535802 or Sharon.Neak@derbyshire.gov.uk

The Department for Education (DfE) has developed exclusion guidance for parents which can be accessed via the following web links:

<http://www.gov.uk/school-discipline-exclusions/exclusions>

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

The following general information may be useful:

* Inclusion Pathways Team (Esteem Academy Trust) arrangements for education on 073771 82034 or 073771 81993.
* Derbyshire Information, Advice & Support Service (exclusion support) 01629 533668 [Welcome to the Derbyshire Information, Advice and Support Service for SEND - Derbyshire Information, Advice & Support Service for SEND](https://www.derbyshireiass.co.uk/home.aspx) (derbyshireiass.co.uk)
* Council for Disabled Children - [SENDIAS The Information, Advice and Support Services Network](https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network) (councilfordisabledchildren.org.uk)
* [Coram’s Child Law Advice Service](file:///C%3A%5CUsers%5C71101334%5CDownloads%5CCoram%E2%80%99s%20Child%20Law%20Advice%20Service) (<https://childlawadvice.org.uk/information-pages/school-exclusion/>)
* [ACE Education](http://www.ace-ed.org.uk) – (www.ace-ed.org.uk), telephone 0300 0115 142.
* Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Yours sincerely

[Name] Headteacher