**Model letter 5**

**From the clerk to the governing body to parent upholding a permanent exclusion.**

Dear ***[Parent's name]***

The meeting of the governing body at ***[school]*** on ***[date]*** considered the decision by ***[head teacher]*** to permanently exclude your **son/daughter *[name of pupil]****.* After carefully considering the representations made and all of the available evidence, the governing body, has decided to uphold ***[name of pupil]***'s permanent exclusion.

The reasons for the governing body’s decision are as follows: ***[set out reasons for the decision in sufficient detail to enable all parties to understand why the decision was made and how they arrived at that decision]***

You have the right to request for a review of this decision by an Independent Review Panel. If you would like to request a review, please notify Tania Martin (Senior School Appeals Officer) in writing. You must set out the grounds on which the request for a review is being made and send this to Legal Services, Warwickshire County Council, Shire Hall, Warwick CV34 4RL by no later than ***[specify the latest date — the 15th school day after receipt of this letter]****.* Please note that requests received after ***[repeat latest date]*** will be rejected. If you have a disability or special needs that would affect your ability to attend the meeting, please advise the Senior School Appeals Officer. It would also be helpful to advise if you require an interpreter to be present.

Where appropriate, your request should include a reference to how your child’s Special Educational Needs (SEN) are considered to be relevant to the exclusion. You have a right to request the attendance of a Special Educational Needs Expert at the review, regardless of whether the school recognises that your child has SEN. The SEN expert’s role is to provide impartial advice to the panel about how SEN could be relevant to the exclusion and does not include making an assessment of your child’s special educational needs. There is no cost to yourself for this service but you must make it clear that you wish for an SEN expert to be appointed when you make your request for a review. You may at your own expense, appoint someone to make written and/or oral representation to the panel or bring a friend to the review.

Your review will be heard by an Independent Review Panel. The panel will comprise of one serving, or recently retired (within the last five years), head teacher, one serving, or recently served, school governor (who has served as a governor for at least 12 consecutive months) and one lay member who will be the Chairperson. The review panel will consider the lawfulness of the decision of the governing body’s decision to uphold the permanent exclusion. 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 the review request is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

Following its review the panel can decide to:

* uphold your child's exclusion;
* recommend that the governing body reconsiders their decision, or
* quash the decision and direct that the governing body considers the exclusion again.

In order to assist you to make an informed decision on whether, and if so, how to seek a review please see the information at the end of this letter. In addition 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 First Tier Tribunal [http://www.justice.gov.uk/tribunals/send/appeals w](http://www.justice.gov.uk/tribunals/send/appeals)ho have the jurisdiction to hear claims of discrimination under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g. the day on which the pupil was excluded.

The following sources of information are available to you:

For general advice on the suspensions process you may contact the Admissions Service at Warwickshire County Council by telephone: 01926 738353, by email: exclusions@warwickshire.gov.uk or on their website at

[www.warwickshire.gov.uk/exclusions](http://www.warwickshire.gov.uk/exclusions).

Warwickshire’s SENDIAS service provides information, advice and support to children and young people with SEND, including in relation to suspensions and exclusions. They are available to contact by telephone: 024 7636 6054, by e-mail: [warwickshire@kids.org.uk](mailto:warwickshire@kids.org.uk) or on their website at

<https://www.kids.org.uk/warwickshire-sendiass-front-page>.

Coram’s Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.

Independent Provider of Special Education Advice (known as IPSEA) is a registered charity and can be contacted via their website at [www.ipsea.org.uk](http://www.ipsea.org.uk). It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

The Department for Education statutory suspensions and exclusions guidance can be found at [www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion).

The arrangements currently being made for ***[pupil's name]***'s education will continue.

Yours sincerely

***[name]***

Clerk to the Governing Body