

Exclusions

Only the head teacher of a school can exclude a pupil and this must be on disciplinary grounds.

There are two types of exclusions that are open to head teachers to use:

- *Fixed term – this can be for one or more fixed periods up to a maximum of 45 days in one academic year. A fixed period exclusion does not have to be continuous period and can also be used for parts of the day such as the lunch period.*
- *Permanent – where there has been a serious breach or persistent breaches of the school'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.*

When a head teacher excludes a pupil, the parents must be notified without delay of the type, reason and length of the exclusion. They must also be told of their rights to put forward their case about the exclusion to the governing body and, where relevant, what provision will be made for the pupil's education.

The head teacher must, without delay, notify the governing board and the 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; and*
- *any exclusion which would result in the pupil missing a public examination or national curriculum test.*

The head teacher must also notify the local authority and governing board once per term of any other exclusions not already notified.

Annex A – A summary of the governing board’s duties to review the head teacher’s exclusion decision



