

Information for parents and carers

See last page for how to get support from SENDIASS



School exclusions and part-time timetables

Children with special educational needs (SEN) are much more likely than their peers to be excluded from school or denied a full-time education. This guide explains the law around school exclusions, suspensions and part-time timetables, how these apply to pupils with SEN, and what you can do if this is happening to your child.

Disruptive behaviour can be a sign of unmet needs

Children with special educational needs (SEN) are sometimes excluded from school because their needs are not being properly met. Persistent challenging behaviour by a child could be evidence that they may have learning needs which require more investigation and/or help.

If your child is suspended or excluded from school it is important to keep talking to their teachers and school SENCO about what can be done to support your child's needs.

- Try to find out what the triggers for behaviour are
- Discuss with school how your child's needs arising from SEN are being supported
- What resources does your child have available to him/her when it is getting too much? Is there a member of staff to talk to? Is there a room he/she can go to?
- Are all the staff members aware that your child has additional needs? The school should produce a one-page profile ('pupil passport') that all staff working with your child should be aware of so they can use appropriate teaching strategies

What steps the school must take when they suspend or exclude a child

Only the headteacher is lawfully able to exclude a child. The decision to exclude a pupil must be lawful, reasonable and fair. Schools must not discriminate against pupils on the basis of protected characteristics, such as disability or race. The exclusion can be either for a fixed-term (eg. 2 days, 5 days - this is called a suspension), or a permanent exclusion.

No child should be excluded for an un-stated period, or for a non-disciplinary reason, or without formal notice in writing from the head. This includes pupils who are below compulsory school age, and above compulsory school age (post 16). You should be given a letter by the Head stating the reason for and the length of the exclusion, and giving you the right to appeal. If the school does not give you an official exclusion letter you are legally entitled to send your child back to school. The school should provide suitable work for your child while they are out of school. For a fixed-term exclusion/suspension of more than five school days, or a permanent exclusion, the pupil must be given suitable, alternative education.

Informal exclusions are unlawful

Any exclusion of a pupil, even for a short period of time, must be formally recorded. The statutory exclusions guidance makes clear that 'informal' or 'unofficial' exclusions, such as

sending pupils home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. This includes children who are below compulsory school age (those under 5), and young people over 16 in school sixth-forms.

Reduced (part-time) timetables

A reduced timetable is a type of exclusion. When children first start reception they may be on a part time timetable for a couple of weeks or so while they settle in. However, other than this the statutory guidance makes clear that, as a rule schools can't put children of compulsory school age on a part-time timetable other than in exceptional circumstances such as to meet a medical need. A part-time timetable must not be treated as a long-term solution, should be time-limited and should not be used to manage a pupil's behaviour

Children with EHC Plans

If your child has been excluded because their special educational needs are not being met and they have an EHC Plan, check that the provision in the plan has been implemented, and if not complain to the Local Authority. Is the provision sufficient? If not, write to the LA asking for an early Annual Review or a re-assessment of needs. At the Annual Review you can ask for changes to the Plan, to ensure the description of the support is clear enough.

Right to appeal an exclusion

Parents have the right to make representation to the school governors to say their views and why they object to the exclusion. If you believe the exclusion is unlawful you should make a complaint to the school governors. For permanent exclusions parents have a right to ask for the governors' decision to be reviewed by an independent review panel.

Sources of information

- <https://www.haringey.gov.uk/children-and-families/schools-and-education/information-parents/exclusion-school>
- IPSEA <https://www.ipsea.org.uk/Pages/Category/exclusion-from-school>
- Government guidance on school exclusions:
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension and Permanent Exclusion from maintained schools academies and pupil referral units in England including pupil movement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101498/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf)

Where to get independent advice and support

Markfield provides the Special Educational Needs and Disabilities Information, Advice and Support Service (SENDIASS) for residents of Haringey. Markfield is an independent charity. SENDIASS offers a free, impartial and confidential service for parents/carers of children with SEND aged 0 to 25 years. We can also give direct advice to young people. SENDIASS offers: help to navigate and understand the SEND system and support to engage with professionals

How to contact the SENDIASS team:

- **Telephone** the SENDIASS helpline: **020 8802 2611**
- **Email:** sendiass@markfield.org.uk
- **Drop-in advice session:** Thursdays in term times 10am to 12 at the Markfield centre
- **Drop-in** to our monthly **Family Club** at **Markfield centre** in Markfield Park, N15 4RB, on the second Saturday each month in school termtime from 11.30am to 2.30pm.