

# My child has been excluded from school

An information booklet for parents and carers



# PINS

PUPIL INCLUSION NETWORK SCOTLAND

## 2 | An information booklet for parents and carers about school exclusion

This leaflet explains what should happen when a child or young person has been excluded from school. It is based on Scottish Government guidance called **Included, Engaged and Involved: A Positive Approach to Preventing and Managing School Exclusions (2017)**.

All children and young people need school to be a place where they are included, engaged and involved in their learning and the life of the school.

Schools, parents and children and young people should work together to make school a place where there are positive relationships and positive behaviour so that everyone can learn. Sometimes children and young people need extra support to get the best out of their school experience.

Excluding a child or young person from school should be a last resort. In the past, people might have talked about 'suspending' a child from school. Now, every time a child is told they must not come to school, no matter for how long, this would be called an exclusion.

Excluding a child or young person from school must only be used when all other possible things a school can do have been tried and have been unsuccessful. Exclusion from school must not be used as a punishment, or as a way to cope with a child's additional support needs. Exclusion must have a positive purpose.

The Scottish Government has written guidance for schools about what they can do to prevent school exclusions and when they happen, how to manage them.

In this booklet when we talk about *parents* we mean anyone with parental responsibility, including carers, those providing foster or residential placement, or the Local Authority where full parental responsibility is with them.

## WHAT DOES EXCLUSION FROM SCHOOL MEAN?

Exclusion from school means that your child is told not to come to school. A child or young person can be excluded because of an incident in school, or out of school. They can be excluded because of their behaviour towards other pupils, teachers or staff. It may be they have caused disruption or they have been a danger to themselves or others.

**The law says these are the reasons (it could be one or both) for a child or young person being excluded<sup>1</sup>:**

- To allow the learner to continue attendance at the school would be likely to be seriously detrimental; to order and discipline in the school or the educational wellbeing of the learners there.
- The parent of the learner refuses or fails to comply, or to allow the learner to comply, with the rules, regulations or disciplinary requirements of the school.

Children and young people must not be sent home on an 'informal exclusion' or to 'cool-off'. If your child is told to leave school, this is an exclusion. All exclusions from school must be formally recorded, and you should receive formal notification.

The Scottish Government has written guidance for Local Authorities and schools that says that exclusion from school should not be used to punish a child or young person. Exclusion should only be used if it will improve things for the child or young person. When a child or young person is excluded they still have the right to an education no matter how long the exclusion. An exclusion should only be used if it achieves one or more of these things:

- A positive change in behaviour.
- To take time to understand the behaviour or situation and put in place a plan to resolve it or support the child or young person, staff or other learners who have been affected.
- It is important that a child/young person recognises their harmful behaviour, so that they can be involved in resolving the situation.
- To take time to make sure that parents understand their child's behaviour and understand their role in resolving the situation.

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<sup>1</sup> Regulations 4 and 4A of the Schools General (Scotland) Regulations 1975, as amended and the Schools General (Scotland) Amendment (No.2) Regulations 1982

**It can be very worrying and upsetting when your child is excluded from school. This leaflet explains what should happen if your child has been excluded.**

## **TELLING YOU THAT YOUR CHILD HAS BEEN EXCLUDED**

If your child is under 16, the school or the Local Authority (this would be someone from the Department that manages schools) must speak or write to you telling you that a decision to exclude your child has been made. The school (or person appointed) should contact you *before* the child is asked to leave the school premises.

The school or Local Authority must write to you (it will usually be the school) to give the reasons for the exclusion. In this letter, they must give a date, time and place where someone will meet with you as the parent – this must be within 7 days of the exclusion.

If your child is 16, 17 or 18 the Scottish Government Guidance says it would be best for you to be contacted in the same way, but this is not required as they would be above the compulsory age for attending school.

## **MAKING SURE YOUR CHILD IS SAFE**

If your child is excluded from school, the school must make sure that arrangements are made for your child's care and safety before they leave the school. If necessary, your child should stay in school and be supervised until arrangements have been made.

## **KEEPING YOUR CHILD INVOLVED**

Your child should be involved and take part in all stages of an exclusion and return to school.

Younger children and children with additional support needs should get the support they need to take part in discussions and meetings about an exclusion and any plan to get them back to school.

## **LENGTH OF THE EXCLUSION**

Your child's school will follow what the Local Authority guidance or policies are on this. This will say what maximum number of days can be used by a school. Scottish Government Guidance says that an exclusion should always be for as short a time as possible. No matter how many days an exclusion is given for, with everyone's agreement a child/young person can return to school before the end of the exclusion period originally given.

If your child is excluded near the end of a term it is good practice to deal with it promptly in the same term, and get your child back to school before term ends.

## **RIGHT OF APPEAL**

If your child is excluded the Local Authority (or the school) must provide information about how an appeal can be made and how this will work. A parent or a child/young person can appeal. If you or your child wants to make an appeal you need to read about this in detail. Perhaps it would be good to get some support with this. Support agencies and a link to the full Scottish Government guidance are at the end of this leaflet.

## **WHEN A CHILD/YOUNG PERSON HAS MULTIPLE EXCLUSIONS**

Some children and young people are excluded several times in a school year. Remember, every time your child is sent home from school this is an exclusion and this must be recorded by the school as an exclusion. Being excluded over and over will have an impact on your child's learning, wellbeing and entitlement to education.

The Scottish Government wants schools to understand that they should not use an exclusion to punish a child or young person, or as a way of coping with your child's additional support needs. If exclusion has been happening regularly the exclusion is not fixing the problem, and so it is time to look at on-going problems in a different way.

## REFERRAL TO THE REPORTER

If the school believes your child is at risk or that there are serious enough concerns about their behaviour, they may refer your child to the Children's Reporter. The Reporter would consider if compulsory measures of supervision may be needed and if so, will refer your child to a children's hearing.

## PROVIDING SCHOOL WORK AND OTHER SUPPORT WHEN YOUR CHILD IS EXCLUDED FROM SCHOOL

If your child has been excluded from school, they still have the right to education. This means that an alternative education should be provided without undue delay. It is reasonable to expect that after only a few days out of school then your child should have work relevant and appropriate for their learning needs provided by their school.

As well as work to do at home your child might need teaching so they can understand the work. The amount of time your child will have with a teacher will be depend on their needs. Younger children who are less able to work on their own, or children with difficulties with learning, or young people working towards exams, might have a greater need for direct teacher contact.

As a parent, you need to do all you can to make any arrangements work.

It is especially important that if your child has additional support needs, and they are excluded from school, then the Local Authority is still responsible for meeting the additional support your child needs. If your child is excluded they should still get the support they normally get, such as physiotherapy or speech and language therapy.

Children and young people with social, emotional and behavioural needs have high rates of exclusion. When a child or young person with such needs is excluded the support they get should continue, or it should be reviewed to make sure it meets the child's needs.

If exclusion happens around the time as a young person is due to sit exams the school should make sure that they are able to sit exams as planned, or at an alternative location.

## A RETURN TO SCHOOL

If your child is under the age of 16 any meeting to discuss the exclusion should be with you as parent. Your child can also come to the meeting if both you and the school agree. It is important that everyone affected, including your child and school staff, have their say.

A part of any return to school might include making a plan to support all of the people affected by the problem behaviour. A plan should outline if the child has any additional support needs and what support the school will put in place to meet these needs.

To help get your child back to school, staff should meet with your child to discuss the return to classes. They might say there is school work that needs to be completed. The Scottish Government guidance says it is important not to focus too much on work to be caught up on, as this will not help ease your child back into class.

As a parent, and with your child, you will also need to discuss the support that might be needed to get your child back into classes.

A return to school meeting is sometimes called a *reintegration meeting* or a *readmission meeting*. In the meeting, you will need to talk about future behaviour and what needs to be done to support your child. A plan will say what support is to be provided and by whom. If behaviour is an issue you do not need to guarantee good behaviour or sign a behaviour contract.

## **KEEPING IN TOUCH**

When your child returns to school, staff might want to keep in touch with you to make sure that any concerns can be dealt with quickly. Keeping in touch by phone or email if there are any questions or concerns can help avoid future difficulties.

## **FLEXIBLE AND PART-TIME TIMETABLES**

In exceptional circumstances, as part of a support plan for your child, it might be suggested that rather than return to school for the full day every day, they have a flexible or part-time timetable. This can help get your child back into school. A part-time timetable should only be put in place with your agreement and with an agreed timescale as to when this will end. Any such agreements should be for a short, agreed period with the aims and conditions around this recorded in any support plan.

## **FLEXIBLE PACKAGES**

In some circumstances a Local Authority (or your child's school) might suggest that your child spends some of their school week in the school and some time in another learning centre or placement. For an older young person, this could be in a College, or perhaps in a local community organisation that provides educational or vocational opportunities. This flexible package must provide your child with the same number of hours of learning each week. For a primary school age child, this is 25 hours per week and for a secondary school age child this is 27.5 hours per week.

## **WHAT HAPPENS IF MY CHILD CAN'T GO BACK TO THEIR SCHOOL IMMEDIATELY, OR CAN'T STAY IN THEIR CURRENT SCHOOL?**

After an exclusion, most children and young people go back to their original school. In some circumstances the Local Authority or your child's school might suggest that your child should go to another school for a short time. This can be called a hosting arrangement. Your child's current school will need to talk with you and your child and explain why this is a good option. Sometimes a temporary hosting arrangement can become a permanent move to this other school, if this is the best thing for your child.

In a very small number of cases a child or young person who is excluded can then be removed from the register of their original school. If this happens then your child would be given a place at another school, or in some other educational provision.

## MORE HELP AND INFORMATION

There is another booklet in this series that will help if your child has not been excluded, but you are concerned this might happen: **'I am worried my child might be excluded from school'** which is available here: <http://www.pinscotland.org/theme-school-exclusion.html>

The full version of the Scottish Government guidance **'Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusion'** is available here: <http://www.gov.scot/Publications/2017/06/8877>

**Information for parents on school attendance** is also available here: <http://www.gov.scot/Resource/Doc/294630/0091104.pdf>

**ParentLine Scotland.** At some time, all parents and carers find that parenting can be difficult or stressful. ParentLine Scotland is a free, confidential, telephone helpline, email and online chat service. You can call about any problem, however big or small. **Phone 08000 282233** or **email [parentlinescotland@children1st.org.uk](mailto:parentlinescotland@children1st.org.uk)**

**Enquire** is the advice service for additional support for learning. If your child needs extra help but you are unsure what to do phone 0345 123 2303. Enquire has factsheets that are very helpful for parents and carers. Visit: <http://www.enquire.org.uk>

**RESOLVE: ASL** is an independent mediation service that helps resolve conflict around meeting a child or young person's additional support for learning needs. Visit: [https://childreninscotland.org.uk/our-work/services/resolve\\_](https://childreninscotland.org.uk/our-work/services/resolve_)

**Scottish Child Law Centre** helps children, young people, their families and carers by providing advice and information. Visit: <http://www.sclc.org.uk/>

**Clan Child Law** provide free legal advice and representation for children and young people. Visit: <http://www.clanchildlaw.org/>

**Scottish Children's Reporter and Children's Hearings.** This is the legal system for children and young people in Scotland who are either at risk or who have been caught offending. Families become involved if their child is getting into trouble with the police, or there are concerns for the wellbeing. Visit: <http://www.scra.gov.uk/parents-carers/>

**Every Local Authority has its own guidance or policy on school exclusion, school attendance, behaviour and positive relationships.** This should reflect the guidance provided by Scottish Government which is explained in this booklet. Your child's school will be able to tell you where you can see these. Or contact your Local Authority Education Department for information.