Exclusion from school

My child has been excluded. What does this mean?

Exclusion means your child has been removed from school, usually because of their behaviour, and is not allowed to attend there for a certain number of days. However, if your child is excluded permanently, their name will be removed from the school register and they will not be allowed to return to that school at all.

Schools must keep a record of any exclusions and must follow a set of procedures when they exclude a pupil. This means the school should always tell you the procedures that should be followed before your child returns to school.

Why has my child been excluded?

There are only 2 reasons a school can give for exclusion:

- The school thinks order and discipline in the school and the education of the other pupils will be badly affected if your child continues to attend.
- The school thinks you, the parents, have not followed the school’s rules and have allowed your child to break the school rules.

Schools must always give one of these as the reason for the exclusion. Most exclusions take place for the first reason. Schools should view exclusion as a last resort, to be used only when all other measures have failed. When your child’s school is considering whether to exclude them, it is likely that you will already have been involved with the school in discussions about your child’s behaviour. Your child may have an individualised educational programme (IEP) setting targets for their behaviour.

You can find information on IEPs in Enquire factsheet 1: Planning children’s and young people’s learning.
My child has additional support needs. Can they be excluded?

Yes. The reasons used to exclude a pupil with additional support needs are the same as for any other pupil, as given in the previous section. However, a school should take great care when deciding to exclude a pupil with additional support needs. This is especially true when a pupil is attending a school named in a co-ordinated support plan (CSP). However, this would not prevent your child being excluded.

The school has to ensure that excluding a pupil with additional support needs who is disabled does not amount to unlawful discrimination. If the pupil is excluded because of behaviour connected to their disability, this may be unlawful discrimination. The school must always be able to justify excluding a pupil. The Equality Advisory and Support Service can provide further information on disability discrimination (contact details are at the end of this factsheet).

What happens next?

If your child is under school leaving age or is aged 16 or 17 but cannot understand because of additional support needs, then the school must follow certain procedures, which we explain here.

On the day your child is excluded

The school must contact you, verbally or in writing, to do the following:

- tell you that your child has been excluded. The school should also check that there are proper arrangements for your child’s care before they are sent home
- arrange a meeting with you to discuss the exclusion. The meeting should take place within 7 days, but if your child is excluded at the end of a term, the meeting must take place in the holidays.

Within 8 days of your child being excluded

The school should write to you to tell you:

- why your child was excluded, using one of the reasons mentioned on page 1
- any conditions that must be met before your child can return to school.

Schools often draw up a plan of action for a pupil that they and their parent must agree to before they are readmitted

- about your right to appeal against the exclusion.

Children with legal capacity also have a right to appeal against an exclusion.

It is important that your child is involved in any meetings about their exclusion, if you and the school think this is appropriate.

If your child is aged 16 or 17, information about their exclusion will be sent directly to them and it would be good practice for the school to keep you informed. If your child wants you to attend any meetings, it would be good practice for the school to allow this.
My child was sent home for a cooling-off period. Is this an exclusion?

Schools may use various phrases to describe removing a child from school. Some of these are:

- informal exclusion
- cooling-off period
- sending a pupil home early
- short-term suspension
- the child cannot cope with a full day.

Although these are all examples of exclusion, many schools do not always treat them as such. However, schools should record them as exclusions and follow the proper procedures. The school should not just send your child home because of their behaviour.

If you think your child has been excluded and the school has not followed the correct procedures, you should ask the school why your child has been removed and ask for proper procedures to be followed. It may be advisable to ask for a copy of the school’s and local authority’s policies on exclusion.

What if my child is offered part-time education?

An local authority can put in place part-time education for your child only when:

- the parents agree to it, or
- using the power to exclude. If so, the local authority must justify the exclusion using one of the reasons given on page 1, otherwise it can be challenged.

When part-time education may be appropriate

A very short period of part-time education may be acceptable, after discussions with you and with your agreement. This will allow the school to get measures and resources ready to meet your child’s needs. Part-time education often identifies the fact that your child may need a different curriculum or type of support.

If the school cannot provide appropriate full-time education for your child, alternative placement options may be considered.

For how long should my child receive part-time education?

Long-term part-time education can only be maintained with your agreement but you must consider whether this is meeting the long-term needs of your child and allowing them to develop their full potential.

Only a few children will benefit from long-term part-time education.

What about my child’s right to education?

Your child still has a right to education when excluded, whether for only a few days or if removed from the register (permanently).

If your child is removed from the register, Government guidance states that alternative education should be in place “without undue delay”. If your child is excluded for only a few days, they may not receive any teaching but they may be sent school work to complete at home and return to school for marking.
The local authority must arrange the alternative education. This may happen in another school that is willing to take your child. A pupil with additional support needs will need a school that can meet those needs. For a pupil in a special school, it may mean that a suitable special school is only available in a neighbouring authority.

If your child cannot attend another school, their education may be provided elsewhere, such as a community centre or at home. The local authority must make special arrangements to provide, as far as possible, the same amount, type and quality of education they received in their own school before they were excluded. This is particularly important if your child has additional support needs.

If your child has additional support needs, support from other agencies such as speech and language therapy or social work should continue during their exclusion.

My child has been excluded several times. What can I do?

A number of exclusions may suggest there need to be changes to your child’s education. At the re-admission meeting you could ask for a review of the support and strategies the school has to meet your child’s needs or a review of their individualised educational programme (IEP), Child’s Plan or any other educational plan in place. This would enable changes to be made to your child’s education to take account of all their needs.

I disagree with this exclusion. What can I do?

You have the right to appeal against the exclusion. A child or young person also has the right to appeal, as long as they fully understand the process.

You can find information on how to appeal an exclusion in Enquire factsheet 4: Resolving disagreements.

When your child is excluded, details of the exclusion are entered on their school records. If you successfully appeal against an exclusion, the record is changed to show this. This means information about that exclusion cannot be disclosed, such as to a future employer.
Where to get more information

Publications
The parents’ guide to additional support for learning, Enquire (2016)
Enquire factsheet 1: Planning children’s and young people’s learning (2016)
Enquire factsheet 4: Resolving disagreements (2016)
What’s the plan? Your education and support, an Enquire guide for young people (2013)
Scottish Government guidance
Included, engaged and involved part 2: a positive approach to managing school exclusions available at www.gov.scot/Publications/2011/03/17095258/0
The local authority’s exclusion policy.
The school’s exclusion policy.

Organisations
The Equality Advisory Support Service (EASS) can give information and guidance on discrimination and human rights.
Telephone: 0808 800 0082
Textphone: 0808 800 0084
www.equalityadvisoryservice.com
Enquire is the Scottish advice service for additional support for learning. We provide independent and impartial advice to parents and carers, to practitioners in education, social work and health services, and to children and young people themselves.

This factsheet has been awarded the Clear English Standard.

**Contact details**

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Helpline: **0345 123 2303**  
(Access to interpreters through Language Line)

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