

Gloucestershire County Council Supplementary Guidance points and paperwork for Headteachers on:

**‘Suspension and Permanent
Exclusion from maintained schools,
academies and pupil referral units in
England, including pupil movement
Guidance for maintained schools,
academies, and pupil referral units
in England, May 2023’**

August 2024



Gloucestershire
COUNTY COUNCIL

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Introduction:

This exclusion pack was compiled by Gloucestershire County Council to:

- help schools apply Government statutory guidance:
Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England, August 2024
<https://www.gov.uk/government/publications/school-exclusion>
- provide additional information about Gloucestershire's policies and procedures relating to preventing and managing exclusions.
- Please note a technical update has been made to this guidance in 2024 to reflect [The School Attendance \(Pupil Registration\) \(England\) Regulations 2024 \(legislation.gov.uk\)](#)

Please note: This GCC guidance supports the information within the Government guidance and must not be read as a standalone document.

The government exclusion guidance relates to the exclusion of pupils from: maintained schools, pupil referral units (PRUs), academy schools (including free schools, studio schools and university technology colleges) and alternative provision academies (including alternative provision free schools) in England.

Head teachers can download this pack, the DfE exclusion guidance and other supporting materials via the following link: www.gloucestershire.gov.uk/schoolsnet/exclusions

Advice available for schools regarding exclusions:

Education Inclusion Service

Each school has a designated Locality Inclusion Lead within the Education Inclusion Service who, along with the Inclusion officers, monitor school exclusions and provide challenge, advice and support to schools relating to:

- school-based strategies for preventing exclusions including My Plan/My Plan+ (Following the 'Assess – Plan – Do – Review Cycle' on the Gloucestershire Graduated Pathway)
- alternatives to exclusion
- Managed Moves
- the legal framework surrounding exclusions and inclusive 'best practice' in Gloucestershire.

Head teachers can take advice from the team regarding the exclusion process and any points outlined below.

Head teachers and clerks to Governing boards can also contact the Education Inclusion Service for advice regarding the procedures following a decision to exclude.

In addition, **The Education Inclusion Service:**

- collates information on all exclusions (suspensions and permanent exclusions) in Gloucestershire maintained schools (including sixth forms), academies, free schools, alternative provision academies and alternative provision schools.
- compiles annual county exclusion reports including analysis of exclusions by type, reason, SEND, ethnicity, age and gender.
- co-ordinates the attendance of a LA representative at Governing Board Meeting. (GBM)

Gloucestershire County Council also:

- notifies the relevant Alternative Provider of all reported permanent exclusions.
- co-ordinates the educational provision for CYP who have been permanently excluded.
- co-ordinate the Fair Access Panel (FAP) procedures to provide mainstream educational provision for CYP who have been permanently excluded.

Supplementary Guidance Notes:

For each section (Page number in brackets) within the DFE Exclusion guidance we have provided any additional information that relates to the specific processes in Gloucestershire. Where a section is not included there are no additional guidance points of note.

Part three: The headteacher's power to suspend or permanently exclude for headteachers, academy principals and teachers in charge of pupil referral units (p11)

Permanent exclusion (p13)

12. Support services in Gloucestershire include;

- Education Inclusion Service (EIS)
- The Educational Psychologist Service (EPS)
- The Advisory Teaching Service (ATS)
- Speech and Language Therapy Service (SALT)
- Families First Plus
- Youth Support Services
- Children and Adolescent Mental Health Services – CAMHS
- Alternative Provision School or another Alternative Provider
- Voluntary Sector Support Services.

This list is not exhaustive and further advice can be found from Education Inclusion Service (EIS).

Cancelling exclusions (p13)

13. Headteachers **must** notify Gloucestershire County Council of any cancelled exclusions by emailing the name of the pupil and date of headteachers decision and reason for the cancellation to schoolexclusions@gloucestershire.gov.uk

Setting a clear process for exclusions (p14)

15. Where a pupil is suspended for more than 5 days, schools will need to provide suitable, full-time education. We would recommend that schools plan in advance around how to meet this duty by communicating with the Alternative Provision schools. This provision would be full-funded by school **and not** eligible for a match funded placement.

Please note: Schools are legally required to provide Free School Meals (FSM) to eligible children on their roll. This includes providing FSM when a child has been excluded. As children are not on-site during periods of exclusion, schools can use alternative arrangements to provide FSM, such as the provision of food parcels or vouchers.

Suspension

The school is responsible for providing education for the first 5 days and therefore responsible for providing FSM for this period. From the 6th day the school must arrange suitable full-time education. If the chosen Alternative Provider can offer FSM, the school can pass this duty to them. If, however, the Alternative provider cannot offer this the school must continue to provide FSM.

Permanent Exclusion

The school is responsible for providing education for the first 5 days of a permanent exclusion and therefore responsible for provision of FSM. From Day 6 the Local Authority is responsible for provision of education and takes over responsibility for FSM.

Safeguarding, including guidance concerning pupils who have abused another pupil (commonly known as child-on-child abuse) (p16)

Gloucestershire Safeguarding in Education Team

[Gloucestershire Safeguarding Children Partnership | Gloucestershire Safeguarding Children's Partnership](#)

GCC Peer on Peer leaflet

[child-on-child-leaflet-for-staff-v6-august-23.pdf \(gloucestershire.gov.uk\)](#)

Reintegration after a suspension or off-site direction (p17)

27. Should you wish to have support in developing your reintegration strategy you can contact Education Inclusion Service for support.

28. Whilst there is no requirement for parents to attend reintegration meetings, we would recommend a copy of the meeting notes are provided to the family whether they attend or not.

30. Part Time Time-Tables (PTTTs) will need to be reported to Gloucestershire County Council. Further information on the use of PTTs and how to report can be found here.

<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/attendance/>

30. Gloucestershire recommends that the use of the PSP procedure and process is only used where the school identifies that it will bring another element to supporting the pupil which has not been included as part of the My Plan/My Plan+. Elements of a PSP can be incorporated in the My Plan/My Plan+ “assess – plan – do – review” cycle to avoid duplication and ensure effective support.

Part four: Factors to consider before making a decision to exclude (p19)

Preventative measures to school exclusion (p19)

32. Disruptive behaviour can be an indication of unmet needs. Headteachers and Governing boards must comply with their statutory duties in relation to pupils with Special Educational Needs (SEND) having regard for ‘The Special Educational Needs (SEND) Code of practice - Jan 2015 ‘

Where a school has concerns about a pupil's behaviour it should take steps to identify whether there are any causal factors, and/or unidentified SEND, and intervene early in order to reduce the need for a suspension. In this situation, schools should give consideration to a multi-agency assessment that goes beyond the pupil's educational needs. To achieve effective assessment and planning, the Gloucestershire Graduated Pathway (My Plan /My Plan+) is the recommended approach.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any SEND that a pupil may have. The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN.

Additional guidance for Reasonable Adjustments can be found at: [Technical Guidance for Schools in England | Equality and Human Rights Commission \(equalityhumanrights.com\)](https://www.equalityhumanrights.com/en/technical-legal-advice/technical-guidance-for-schools-in-england)

33. Gloucestershire schools can access alternative provision through match funded partnership places. This provision can be discussed directly with the alternative provision schools with further information found on their websites.

34. Where a pupil is suspended for more than 5 days, schools will need to provide suitable, full-time education. We would recommend that schools plan in advance around how to meet this duty by communicating with the Alternative Provision schools. This provision would be full-funded by school eligible for a match funded placement.

Off-site direction (p20)

36. Any pupil who is directed off-site would need to have a Part-Time Timetable (PTTT) completed and reported to Gloucestershire County Council.

Further information on the use of PTTTs and how to report can be found here.

<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/attendance/>

40. We recommend where a pupil has an EHC Plan schools should communicate with the designated EHCP caseworker before any decision is made.

46. We recommend that in order to meet the duties under the Equality Act 2010 and Children and Families Act 2014, schools should allocate a named contact to liaise with APS in regard to reasonable adjustments.

Managed Moves (p22)

48. When a managed move is being considered, the Education Inclusion Service can support schools on request. In the first instance please contact your school's allocated Inclusion Officer.

49. If a child has an EHCP the school should contact the designated EHCP caseworker prior to any decision being made.

Pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans) (p23)

55. When assessing the suitability of provision for a pupil's SEN or disability please refer to guidance points **12** and **32** above for further guidance.

57. If a child has an EHCP the school should contact the designated EHCP caseworker to consider requesting an early annual review. Where a pupil with SEN does not have an EHCP school should consider a Team Around the Family (TAF) meeting and review graduated pathway plan where relevant.

Pupils who have a social worker, including looked-after children, and previously looked-after children (p24)

60. For Children in Care in Gloucestershire, the CIC Transfer Protocol provides an alternative to Permanent Exclusion. It allows the Head Teacher to withdraw the Permanent Exclusion and decisions about the next steps for the child to be made quickly. Details for the Virtual School Head in Gloucestershire can be found here- <https://www.gloucestershire.gov.uk/vschool/>

Part five: The headteacher's duty to inform parties about an exclusion (p26)

Duty to inform parents about an exclusion (p26)

64. Template exclusion letters can be found attached in appendices. (Appendix D)

Consideration should be given to the requirements set out within the supplementary guidance provided around the use of remote meetings in **Annex A: Key principles when conducting meetings via the use of remote access.**

73. Particular care should be taken when considering how to communicate accessibly and clearly, where communication needs relating to a disability or having English as an additional language (EAL) have been identified.

Informing social workers and Virtual School Heads about an exclusion (p29)

78. Details for the Virtual School Head in Gloucestershire can be found here-
<https://www.gloucestershire.gov.uk/vschool/>

Informing the local authority about an exclusion (p31)

83. The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion. Guidance can be found at
<https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/exclusions/>

Guidance to the Headteacher on informing the governing board about an exclusion (p31)

86. It is the headteachers duty to collate all the evidence and provide to the governing board for distribution to all parties.

All witness statements should be attributed, signed and dated. In exceptional circumstances the school may have good reason to wish to protect the anonymity of the witness, in which case, the statement should be dated and labelled in a way that allows it to be distinguished from other statements. *Appendix C Witness Statement*. In these circumstances the Head teacher must make it clear, in their Headteacher's statement, why information has been redacted.

The following advice is taken from Witness Statements Preparation Guide, European Human Rights Advocacy Centre, 2008.

If an adult is writing down the statement of a young person, or asking a pupil to write their own statement, they must avoid using leading questions.

Useful questions might include:

- When did the incident take place?
- Where was the witness at the time and what was he or she doing?
- Who was the witness with and what did the witness see?
- What did each person say or do?

Statements should be factual and in the words of the witness: 'I did this...', and 'I saw...'

Statements could also include photos, maps, sketches or diagrams.

When the decision is made to 'anonymise' witness statements by pupils, the school should contact the pupil's parents of the witness to explain that the 'anonymised' statement will be presented to the Governors' Board Meeting. Governors can read the original statements and decide whether to lift the 'veil of anonymity' to ensure fairness. In this case all parties at the meeting will see the names of the witnesses. Parents of the witness will need to agree to this in advance of the meeting otherwise the evidence may be discounted.

See appendix C for a Witness Statement template.

Part six: The governing board and local authority's duties to arrange education for excluded pupils (p33)

The education of pupils from the sixth day of an exclusion (p33)

90. The Local Authority referral for six-day provision is initiated by receipt of the online permanent exclusion notification via JADU. As such it is essential that this is completed without delay.

The education of pupils prior to the sixth day of an exclusion (p34)

94. We recommend that schools directly contact the Virtual School or social worker to discuss arranging alternative provision from the first day following suspension or permanent exclusion.

Part seven: The governing board's duty to consider an exclusion (p35)

Preparing for the consideration of a suspension or permanent exclusion

112. If not using GCC templates then please ensure it is clear parents and child are invited to make representations and they may be accompanied by a friend or representative. The governing board must be able to identify the steps they have taken to support the child to attend the meeting, and this should be detailed at the beginning of the meeting and included in the minutes.

Pupils who may miss a public examination or national curriculum test if they are suspended or permanently excluded (p42)

113. We recommend, where possible, an excluded child is supported to complete public exams or national curriculum tests on site. This can be in a separate room with the child attending only for the duration of the exam. Where exam access arrangements are in place this is even more essential as these are non-transferable so the child will be significantly disadvantaged if taking the exam elsewhere.

Guidance on considering the reinstatement of a suspended or permanently excluded pupil (p43)

122. Minutes of the meeting should also be taken during the deliberation – setting out which areas were discussed and the outcome of the discussion.

The governing board's duty to notify people after its consideration of reinstatement (p45)

131. The Governing board must notify Gloucestershire County Council of the outcome of the Governing Board Meeting by emailing schoolexclusions@gloucestershire.gov.uk .

Part nine: The local authority/academy trust's duty to arrange an independent review panel (p50)

Arranging a date and venue

150. An Academy Trust must, at their own expense, arrange for an IRP hearing. Within Gloucestershire Academy trusts may pay to use the Democratic Service IRP provision as a traded service. For information on this contact DemocraticServices@gloucestershire.gov.uk

If Academy Trust is arranging own IRP hearing, it is essential the information in paragraphs 159 – 172 and paragraph 186 are followed in regard to panel members and clerk. In addition, 187 – 196 sets out requirements for SEN expert.

Part eleven: Requests for remote access meetings for governing board meetings or IRPs (p66)

249. Consideration should be given to the requirements set out within the supplementary guidance provided around the use of remote meetings, **Annex A: Key principles when conducting meetings via the use of remote access.**

251. Social Workers or VSHs **must** be allowed to join via the use of remote access should they wish to do so.

Part thirteen: The local authority's role in overseeing the financial readjustment/payment (p72)

Guidance to the local authority on overseeing the transfer of funding following a permanent exclusion

272. Where the panel has made a financial readjustment order and the excluding school is an Academy GCC will issue invoices directly for the sum of £4000.

Part fourteen: Statutory guidance to the headteacher, governing board and IRP members on police involvement and parallel criminal proceedings (p74)

Please note: Police involvement and parallel criminal proceedings against a pupil may affect how the exclusion and its review process are conducted, although they must always remain lawful, reasonable, and procedurally fair. This section offers guidance to headteachers, governing boards, and IRP when this is the case.

Appendices:

Head teacher Appendices

- A. Pupil at risk of permanent exclusion
- B. Pupil at risk of permanent exclusion- Pupil voice template
- C. Witness statement pro-forma
- D. Sample letters
- E. Exclusion leaflet
- F. Head teacher guide to paperwork for GDM
- G. Head teacher Summary Report for Governor Board Meeting

Appendix A

Pupil at risk of permanent exclusion			
<i>This form is for a pupil who is at imminent risk of permanent exclusion for persistent disruptive behaviour</i>			
Name of child:		Class/Tutor group:	
SEND Status:	<input type="checkbox"/> EHCP <input type="checkbox"/> SEN Support <input type="checkbox"/> No SEN Needs	SEN Primary need:	
		<input type="checkbox"/> Social, Emotional & Mental Health (SEMH) <input type="checkbox"/> Cognition & Learning (C&L) <input type="checkbox"/> Communication & Interaction (C&I) <input type="checkbox"/> Physical Disability & Sensory Needs (PD&S)	
Graduated Pathway Plan:	Choose an option	CIC (Child in Care):	Choose an option
Date Information requested:	Click or tap to enter a date.		
Section 1 to be completed by 'Pastoral Lead' and returned to Head teacher by:			Click or tap to enter a date.
Section 2 to be completed by 'Form Tutor' and returned to Head teacher by:			Click or tap to enter a date.

Section 1 - To be completed by Pastoral Lead /Tutor or Senior Leader

Current government exclusion guidance states that any decision to exclude, 'must be **lawful** (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights); **rational; reasonable; fair; and proportionate**'.

A decision to exclude a pupil permanently should usually be final step in a process for dealing with disciplinary offences - an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil and should normally be used as a last resort.

As a school, we will have to demonstrate that we are already using a range of strategies to support this student.
Your account below will help me decide what needs to happen next. In the event of a Permanent Exclusion, this form will be included in the evidence presented to parents/carers, relevant external agencies, Local Authority representatives and Governors.

Interventions to date	Detail		Impact – Level of Success
My Plan i.e. evidence that the school has identified need, set targeted outcomes.	Date started:	Click or tap to enter a date.	
	Review cycles completed:		
	Last reviewed:	Click or tap to enter a date.	
	Focus of outcomes:		
My Assessment i.e. evidence that the school has carried out a holistic assessment of the pupil's needs, set targeted outcomes, implemented appropriate strategies/provisions and reviewed progress	Date started:	Click or tap to enter a date.	
	Date completed:	Click or tap to enter a date.	
	Outcome of assessment:		
EHCP Annual/Emergency review	Date held:	Click or tap to enter a date.	
	Date sent to LA:	Click or tap to enter a date.	
	Outcome of review:		
Specific Strategies and interventions utilised i.e. what has been implemented within school to support and what has the impact been?	Examples of strategies could include: <input type="checkbox"/> Academic Support in lessons <input type="checkbox"/> Specific interventions to meet need <input type="checkbox"/> Peer Buddying /mentoring <input type="checkbox"/> Alternative curriculum <input type="checkbox"/> Mentoring <input type="checkbox"/> Time-out card/system <input type="checkbox"/> Reduced/changed timetable <input type="checkbox"/> Access to student support out of the classroom <input type="checkbox"/> Assessment of special educational needs <input type="checkbox"/> Risk Assessment <input type="checkbox"/> Meeting with Parent/s <input type="checkbox"/> Trusted adult support <input type="checkbox"/> Out-reach support <input type="checkbox"/> Counselling <input type="checkbox"/> Other:		

Outside agency support utilised	Examples of agencies could include: <input type="checkbox"/> Education Inclusion Service (EIS) <input type="checkbox"/> The Educational Psychologist Service (EPS) <input type="checkbox"/> The Advisory Teaching Service (ATS) <input type="checkbox"/> Speech and Language Therapy Service (SALT) <input type="checkbox"/> Families First Plus <input type="checkbox"/> Youth Support Services <input type="checkbox"/> Children and Adolescent Mental Health Services <input type="checkbox"/> Alternative Provision School <input type="checkbox"/> Other Alternative Provider <input type="checkbox"/> Voluntary Sector Support Services. <input type="checkbox"/> Other:		
Alternative Provision utilised i.e. partnership placement, outreach, in reach support			
Other external support tried i.e. Managed Move, TALC etc			
Section 1 Completed by:		Role:	
Section 1 Completed on:	Click or tap to enter a date.		

Support Summary and Impact		
Section 2 -To be completed by Subject Teachers/Form Tutor		
<p>Current government exclusion guidance states that any decision to exclude, '<i>must be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights); rational; reasonable; fair; and proportionate</i>'.</p> <p>A decision to exclude a pupil permanently should usually be final step in a process for dealing with disciplinary offences - an acknowledgement by the school that it has exhausted all available strategies for dealing with the pupil and should normally be used as a last resort.</p> <p><u>As a school, we will have to demonstrate that we are already using a range of strategies to support this student.</u></p> <p>Your account below will help me decide what needs to happen next. In the event of a Permanent Exclusion, this form will be included in the evidence presented to parents/carers, relevant external agencies, Local Authority representatives and Governors.</p>		
Support to date	Detail	Impact on student's behaviour

Classroom strategies		
Direct support		
Other		
Section 2 Completed by:		Role:
Section 2 Completed on:	Click or tap to enter a date.	

Pupil's views for Headteacher's consideration	
<p>Template for gathering child's views. The questions below are suggestions and should be adapted to take into account the pupils age and understanding. It is recommended that the child is supported to provide their views, which will feed into the decision making process. Support should be provided by parents, trusted adult in school/external and /or social worker.</p>	
Name:	
Date of birth:	
Name of adult supporting child:	
Can you explain what has happened from your point of view?	

Is there any support that you think would have helped you?	
Is there anything currently happening at school that has been affecting you?	
Has anything happened at school in the past that that has affected you?	
Is there anything currently happening at home or outside school that is affecting you?	
Has anything happened at home or outside school in the past that has affected you?	
Date completed:	Click or tap to enter a date.

Appendix C

Witness Statement			
Name of witness:		Year group / Role:	
School:			
<i>I believe the facts in this witness statement are true.</i>			
Signed by the witness:		Date:	
Use this space to write in your own words what you saw. Keep to facts like time, date, places and names in your statement. Continue overleaf if necessary			

<i>If you have written this statement (word for word as the witness described the events) on behalf of a witness, sign below</i>			
Signed by the scribe:		Date:	

Sample letter for suspension of 5 days or less

Appendix D

(but not more than 15 days suspension in total for the present term*)

Dear **(Name of Parent or Guardian)**

(Child's name) (Date of birth)

I have today made the decision to suspend your child, **(child's name)**, for a set period of **(specify period)** days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid suspension that have included **(describe the support provided)**.

However, today the following incident occurred...

The reason for the exclusion should be given in plain English and should be explicit (using DfE reasons). The account should be clear and factual, avoiding subjective or judgemental language behaviour .

During this suspension, work will be set and marked by the school. Please make arrangements to collect this from reception and return the completed work to school for marking.

Your child should return to school on **(date)** at **(time)** **(insert details of your school's reintegration strategy here)**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If this is the case, it will be for you to show reasonable justification as to why your child was in a public place.

You have the right to present your views in writing to the schools' governing board and to do this you should contact **(name and address of the clerk to the governing board)**

You also have the right to see a copy of your child's school record. To obtain a copy contact the school office.

Contacts

If you want advice about suspensions, you can contact:

Education Inclusion Service, Gloucestershire County Council
Telephone: 01452 427360/427800

You may also find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through schoolexclusions@nas.org.uk.
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion
<https://www.gov.uk/government/publications/school-exclusion>.

- 'School discipline and exclusions' and 'Complaint about a school or childminder':
<https://www.gov.uk/school-discipline-exclusions/exclusions> and
<https://www.gov.uk/complain-about-school>.

Yours sincerely

Head teacher

Copy to: Education Inclusion Service, Gloucestershire County Council
 Chair of Governors
 Social worker/ Virtual School (if appropriate)

Sample letter for suspension between 5 ½ days and fifteen days
(but not more than 15 days suspension in total for the present term*)

Dear **(Name of Parent or Guardian)**

(Child's name) **(Date of birth)**

I have today made the decision to suspend your child, **(child's name)**, for a set period of **(specify period)** days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid suspension that have included **(describe the support provided)**.

However, today the following incident occurred...

<p>The reason for the exclusion should be given in plain English and should be explicit (using DfE reasons). The account should be clear and factual, avoiding subjective or judgemental language</p>
--

For the first five school days of the suspension we will set work for **(child's name)** and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

(Insert details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale) ***Schools are responsible for making their own arrangements for day 6 provision***

Your child should return to school on **(date)** at **(time)** **(insert details of your school's reintegration strategy here)**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to request a meeting of the school's discipline committee to whom you may make representations and to do this you should **contact (name and address of the clerk to the governing board)**.

You have the right to request this meeting takes place via the use of remote access (virtually). If you wish to request this, please contact **(name and address of the name of contact)**. Please note, holding meetings via remote access can only happen where governing boards are satisfied that the meeting can be held fairly and transparently. Where no request is received, the meeting will take place in person.

You also have the right to see a copy of your child's school record. To obtain a copy contact the school office.

Contacts

If you want advice about suspensions you can contact:

- **Education Inclusion Service**, Gloucestershire County Council Tel: 01452 427360/427800

You may also find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through schoolexclusions@nas.org.uk.
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder': <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Head teacher

Copy to: Education Inclusion Service, Gloucestershire County Council
Chair of Governors
Social worker/ Virtual School (if appropriate)

Sample letter for any suspension whereby the total number of days suspended in this term* exceeds fifteen days

Dear **(Name of Parent or Guardian)**

(Child's name) **(Date of birth)**

I have today made the decision to suspend your child, **(child's name)**, for a set period of **(specify period)** days.

This decision has not been taken lightly. As you know, we have tried a number of preventative strategies in an attempt to avoid suspension that have included **(describe the support provided)**.

However, today the following incident occurred...

The reason for the exclusion should be given in plain English and should be explicit (using DfE reasons). The account should be clear and factual, avoiding subjective or judgemental language

For the first five school days of the suspension we will set work for **(child's name)** and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards - i.e. from **(specify the date)**

(Insert details here including the address, contact name, start and finish times of full-time education, including the times for morning and afternoon sessions where relevant (where it can reasonably be found out within the timescale) **Schools are responsible for making their own arrangements for day 6 provision**

Your child should return to school on **(date)** at **(time)** **(insert details of your school's reintegration strategy here)**.

You have a duty to ensure that your child is not present in a public place in school hours during this suspension **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your pupil is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to give your views to the schools' governing board in writing and to do this you should contact **(name and address of the clerk to the governing board)**

As the length of the suspension is more than 15 days in total in one term the governing board must meet to consider the suspension. You will be invited to the review meeting where you can give your views to the governing board if you wish. The latest date on which the governing board can meet is **(insert date here – no later than 15 school days from the date that the governing board is notified)**.

If you wish to make representations to the governing board you can do so in writing or you can attend to speak to the governors in person. You can, if you wish, be accompanied by a friend or representative. **(child's name)** is also welcome to attend the meeting with the governing board and be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect

your ability to attend a meeting at the school. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You have the right to request this meeting takes place via the use of remote access (virtually). If you wish to request this, please contact **(name and address of the name of contact)**. Please note, holding meetings via remote access can only happen where governing boards are satisfied that the meeting can be held fairly and transparently. Where no request is received, the meeting will take place in person.

You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting.

You also have the right to see a copy of your child's school record. To obtain a copy contact the school office.

Contacts

If you want advice about suspensions you can contact:

- **Education Inclusion Service, Gloucestershire**
County Council Tel: 01452 427360/427800

You may also find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through schoolexclusions@nas.org.uk.
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion
<https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder':
<https://www.gov.uk/school-discipline-exclusions/exclusions> and
<https://www.gov.uk/complain-about-school>.

Yours sincerely

Head teacher

Copy to: Education Inclusion Service, Gloucestershire County Council
Chair of Governors
Social worker/ Virtual School (if appropriate)

Sample letter for a permanent exclusion

Dear **(Name of Parent or Guardian)**

(Child's name) **(Date of birth)**

I regret to inform you of my decision to permanently exclude **(child's name)** with effect from **(date)**. This means that **(child's name)** will not be allowed in this school unless they are reinstated by the governing board.

I realise that this exclusion may be upsetting to you and your family, but the decision to permanently exclude **(child's name)** has not been taken lightly. **(Child's name)** has been excluded because:

The reason for the exclusion should be given in plain English and should be explicit (using DfE reasons). It must be clear whether the exclusion is for persistent disruptive behaviour OR a one-off event. The head teacher should make it clear that they have investigated the incident fully, has checked whether there are any extenuating circumstances prior to the incident (for example racial or sexual harassment) and allowed the pupil to give their version of events.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

For the first five school days of the exclusion we will set work for **(child's name)** and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception.

If pupil lives in Gloucestershire

From the sixth school day of the exclusion onwards — i.e. from **(specify the date)** Gloucestershire Local Authority will provide suitable full-time education.

(Where known – include details of APS centre name, address, start date, key contact and sessions times. If not known at time of sending letter, this information must be provided prior to the provision starting.) The Alternative Provision School will contact you detailing the arrangements.

If pupil lives in a different Local Authority:

I have also today informed **(name of officer)** at **(name of Local Authority)** of your child's exclusion and they will be in touch with you about arrangements for their education from the sixth school day of exclusion. You can contact them at **(give contact details)**

As this is a permanent exclusion the governing board must meet to consider it. The governing board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed an Independent Review Panel. The latest date by which the governing board can meet is **(specify date – the 15th school day after the date on which the governing board was notified of the exclusion)**.

If you wish to make representations to the governing board you can do so in writing or you can attend to speak to the governors in person. You can, if you wish, be

accompanied by a friend or representative. **(child's name)** is also welcome to attend the meeting with the governing board and be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

You have the right to request this meeting takes place via the use of remote access (virtually). If you wish to request this, please contact **(name and address of the name of contact)**. Please note, holding meetings via remote access can only happen where governing boards are satisfied that the meeting can be held fairly and transparently. Where no request is received, the meeting will take place in person.

You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting.

You have a right to see your child's school record, which may help you to write or talk to the governing board about this decision.

Contacts

If you want advice about exclusions you can contact:

Education Inclusion Service, Gloucestershire County Council
Tel: 01452 427360/427800

You may also find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through schoolexclusions@nas.org.uk.
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder': <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Head teacher

Copy to: Chair of Governors
Social worker/ Virtual School (if appropriate)

Sample permanent exclusion letter – Child in Care Transfer Protocol

Dear **(Name of Parent or Guardian)**

(Child's name) **(Date of birth)**

I regret to inform you of my decision to permanently exclude **(child's name)** with effect from **(date)**. This means that **(child's name)** will not be allowed in this school unless they are reinstated by the governing board.

I realise that this exclusion may be upsetting to you and your family, but the decision to permanently exclude **(child's name)** has not been taken lightly. **(child's name)** has been excluded because:

The reason for the exclusion should be given in plain English and should be explicit (using DfE reasons). It must be clear whether the exclusion is for persistent disruptive behaviour OR a one-off event. The head teacher should make it clear that they have investigated the incident fully, has checked whether there are any extenuating circumstances prior to the incident (for example racial or sexual harassment) and allowed the pupil to give their version of events.

You have a duty to ensure that your child is not present in a public place in school hours during this exclusion **(specify dates)** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

For the first five school days of the exclusion we will set work for **(child's name)** and would ask you to ensure this work is completed and returned promptly to school for marking. Please make arrangements to collect this from reception. From the sixth school day of the exclusion onwards — i.e. from **(specify the date)** Gloucestershire Local Authority will provide suitable full-time education. The Alternative Provision School will contact you detailing the arrangements.

As this is a permanent exclusion the governing board must meet to consider it. The governing board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed an Independent Review Panel. The latest date by which the governing board can meet is **(specify date – the 15th school day after the date on which the governing board was notified of the exclusion)**.

If you wish to make representations to the governing board you can do so in writing or you can attend to speak to the governors in person. You can, if you wish, be accompanied by a friend or representative. **(child's name)** is also welcome to attend the meeting with the governing board and be accompanied by a friend or representative. Please advise **(name of contact) on/at (contact details – address, phone number, email)** as soon as possible, if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform **(name of contact)** if it would be helpful for you to have an interpreter present at the meeting.

As your child is In Care, by using the *Gloucestershire Child In Care Transfer Protocol* this permanent exclusion may be withdrawn if you give consent for your child to be educated at an alternative education provision. In order for this to happen, we need to meet to discuss the conditions of the transfer. The meeting will take place in school on **(insert date within first 5 days the permanent exclusion)**.

You have a right to see your child's school record, which may help you to write or talk to the governing board about this decision.

Contacts

If you want further advice you can contact:

- **Inclusion Lead, The Virtual School**, Gloucestershire County Council Tel: 01452 328360
- **Education Inclusion Service**, Gloucestershire County Council. Tel: 01452 427360/427800

You may also find it useful to contact:

- Coram Children's Legal Centre on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.
- The National Autistic Society (Schools Exclusion Service (England) on 0808 800 4002 or through schoolexclusions@nas.org.uk.
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

Further sources of advice can be accessed from:

- The government's guidance to schools on exclusion <https://www.gov.uk/government/publications/school-exclusion>.
- 'School discipline and exclusions' and 'Complaint about a school or childminder': <https://www.gov.uk/school-discipline-exclusions/exclusions> and <https://www.gov.uk/complain-about-school>.

Yours sincerely

Head teacher

Copy to: Chair of Governors
Social Worker and Virtual School

Sample letter following Child in Care Transfer Meeting

Dear **(Name of Parent or Guardian)**

Following our meeting to discuss the Child in Care Transfer Protocol at **(school)** on **(date)**, I can confirm that the permanent exclusion issued on **(date)** has been rescinded with your agreement. Your child's record will now show that they have been suspended for a set period from **(date of permanent exclusion)** to **(first day of provision offered by the Alternative Provision School) ***.

Yours sincerely

Head teacher

Copy to: Virtual School and Social Worker
Chair of Governors

Or

Dear **(Name of Parent or Guardian)**

Following our meeting to discuss the Child in Care Transfer Protocol at **(school)** on **(date)**, I can confirm you have requested that the governing board meet to consider the permanent exclusion issued on **(date)**. The governing board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may ask for the decision to be reviewed an Independent Review Panel. You will be notified by the clerk to the governing board of the time, date and location of the meeting.

Yours sincerely

Head teacher

Copy to: Education Inclusion Service
Virtual School and Social Worker
Chair of Governors

***If this Suspension takes the child to more than 45 days exclusion for the year, then the end date for the exclusion must be the 45th day. Subsequent days should be recorded as Authorised Absence up until the first day Alternative Provision is offered.**

Head teacher guide to exclusion paperwork for Governor Board Meetings

This guide has been drawn up by Gloucestershire County Council) to help the head teacher organise their contribution to the paperwork compiled by the clerk to governors' for a Governor Board Meeting.

We recommend that the paperwork comprises the following:

- A cover sheet - name of the school, child, date of birth and date of the Governor Board Meeting
- A contents page - Sections A- E below
- Page numbers to help governors and other meeting attendees navigate the pack during the meeting. These can be handwritten onto the paperwork when the pack is complete.

Exclusion for a 'one off' offence

Any decision to exclude, must be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties) rational; reasonable; fair; and proportionate - **Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, Guidance for maintained schools, academies, and pupil referral units in England, May 2023**

What to include

What to leave out

Section A – exclusion notification

- | | |
|---|--|
| <ul style="list-style-type: none"> • Copy of the relevant exclusion letter sent to parents • If the head teacher issued a short, suspension in the first instance in order to investigate an incident, both letters should be included • Copy of invitation to Governor review panel | <ul style="list-style-type: none"> • Any other exclusion/suspension letters |
|---|--|

Section B – evidence relating to the incident

- | | |
|---|---|
| <ul style="list-style-type: none"> • Headteachers statement/summary report • Evidence such as photographs, CCTV etc. • Witness statements including a statement by the pupil being excluded. The head teacher should also complete a contemporaneous statement if they were involved in the incident. If witness statements have been anonymised, originals need to be made available at the GBM if required by governors. • Good witness statements: <ul style="list-style-type: none"> ○ Are signed and dated. ○ Are completed before the decision to exclude if possible. If written statements are completed after the date of the permanent exclusion, the head should include notes of verbal statements obtained as part of the evidence collection. ○ Generally, provide the evidence that led to the decision to exclude. The head teacher should address any inconsistencies as part of the statement to governors at the GBM. • Evidence of the excluded pupil's view/opinion taken before the decision to permanently exclude. | <ul style="list-style-type: none"> • Behaviour logs or statements relating to academic attainment or behaviour other than the incident that led to the exclusion |
|---|---|

Section C – school support

- | | |
|---|--|
| <ul style="list-style-type: none"> • Evidence of the school following the Graduated Pathway e.g. My Plan/My Plan + • Consideration and identification of possible SEND in consultation with the SENDCO – needs identified should be incorporated into pupil's current My Plan/My Plan + • Where there is an EHCP, evidence of an early/emergency review. This review should take place before the GBM. | |
|---|--|

Section D – parent/social worker submission

- | | |
|---|--|
| <ul style="list-style-type: none"> • This will include any paperwork sent to the clerk by the parents. • Where a social worker cannot attend the governor review panel a written statement should be included | <ul style="list-style-type: none"> • Any school view or comment about the parents' involvement in the child's education |
|---|--|

Section E Appendices

- | | |
|--|--|
| <p>The school Behaviour Policy and any other relevant school policy</p> <ul style="list-style-type: none"> • The head teacher can decide to include only the relevant section of the policies to manage printing costs. • It will help to have a brief note explaining how the school ensures all parents know how to access school policies, including revisions. | |
|--|--|

Exclusion for persistent disruptive behaviour	
Any decision to exclude, must be lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties) rational; reasonable; fair; and proportionate - Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, Guidance for maintained schools, academies, and pupil referral units in England, May 2023	
What to include	What to leave out
Section A – exclusion notification	
<ul style="list-style-type: none"> Copy of the most recent exclusion letter sent to parents Copy of all exclusion/suspension letters from the current school relating to behaviour that led to this exclusion Copy of invite to Governing Board Meeting 	<ul style="list-style-type: none"> Any information on file relating to exclusions from previous schools
Section B – evidence of persistent disruptive behaviour	
<ul style="list-style-type: none"> Head teachers statement/summary report Behaviour logs (this should only include information relevant to exclusion) Electronic monitoring reports (be aware of consent to share) Witness statements from pupils and staff relating to any 'trigger' incident. If witness statements have been anonymised, originals need to be made available at the GBM if required by governors. Good witness statements: <ul style="list-style-type: none"> Are signed and dated. Are completed before the decision to exclude if possible. If written statements are completed after the date of the permanent exclusion, the head should include notes of verbal statements obtained as part of the evidence collection. Generally, provide the evidence that led to the decision to exclude. The head teacher should address any inconsistencies as part of the statement to governors at the GBM. Evidence of the excluded pupil's view/opinion taken before the decision to permanently exclude. 	<ul style="list-style-type: none"> Evidence of academic attainment levels Attendance information
Section C – school support	
<p>Any action taken to support the child's behaviour prior to the exclusion. Appendix A – pupil at risk of permanent exclusion is designed to help head teachers ensure all possible support had been provided</p> <ul style="list-style-type: none"> MP / MP+ or equivalent. <ul style="list-style-type: none"> Samples of outcome setting and support strategies/interventions identified. Evidence of review of strategies/interventions. Evidence of review dates and attendees Evidence of referrals/involvement of outside agencies to support child's behaviour. PSP or equivalent including review paperwork (if no MP/MP+) Managed Move paperwork. <ul style="list-style-type: none"> Original agreement and review paperwork EHCP review. This review should be scheduled before the GBM if possible. <p>Details of any alternatives to permanent exclusion considered</p> <ul style="list-style-type: none"> List of any alternatives considered and reasons judged not to be appropriate e.g. Managed Move, long Suspension, use of alternative provision Notes of any discussion / emails relating to alternatives considered /explored <ul style="list-style-type: none"> Evidence of the excluded pupil's view/opinion taken before the decision to permanently exclude. 	<ul style="list-style-type: none"> Early Help assessment following Graduated Pathway. Copies of every individual target card/MP/MP+ or equivalent. It is sufficient to provide a sample noting what that sample represents. (however provide a list of review dates to give the overview of process)
Section D – parent/social worker submission	
<ul style="list-style-type: none"> This will include any paperwork sent to the clerk by the parents. Where social worker is not able to attend meeting a written submission should be included. 	<ul style="list-style-type: none"> Any school opinion or comment about the parents' involvement in the child's education
Section E Appendices	
<p>The school Behaviour Policy and any other relevant school policy</p> <ul style="list-style-type: none"> The head teacher can decide to include only the relevant section of the policies e.g. drug and alcohol abuse section of a behaviour policy to manage printing and copying costs It will help to have a brief note explaining how the school ensures all parents know how to access school policies, including revisions 	

Head teacher Summary Report for Governor Board Meeting

Re: Further to my witness statement written on (date), I wish to present the following:

The reasons for my decision to permanently exclude **NAME** were based upon the safety and well - being of all pupils, staff and **NAME**.

In reaching my decision I was informed not only by the current Government Exclusions Guidance but also Gloucestershire Exclusion pack that provides additional advice to head teachers and governors – specifically

A decision to exclude a pupil permanently should only be taken:

- *in response to serious 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.*

The particular circumstances around this exclusion are as follows:

Brief factual summary of persistent disruptive or aggressive behaviours

The impact of **NAME's behaviour was:**

-
-
-
-
-

The DfE guidance states that any decision to exclude must be lawful, rational, reasonable, fair and proportionate.

HT should briefly explain how the exclusion was:

Lawful:

Legally sound – exclusion procedures followed including informing parents, witness statements as well as any broader legal considerations, Child Protection, SEN Code of Practice, Equalities Act etc.

Rational:

Time taken to consider the evidence and advice sought from any relevant professionals

Reasonable:

Based on expectations or demands within the realms of what is possible and achievable for that child

Fair:

That any extenuating circumstances were considered as well as any differences in response to other child in the same or similar situation - not biased

Proportionate:

Why a permanent rather than a fixed period exclusion was appropriate.

As well as the guidance issued by government, the following school policies apply:

Our behaviour policy states:

-
-
-

Our CPSHE policy states:

-
-
-

Our Home School Agreement Policy:

-
-
-

SEN/Anti bullying/Physical intervention/drugs etc.

Summary: I am satisfied that in this case I had not alternative to permanent exclusion and ask the governors to uphold my decision.

Useful Contacts:

Education Inclusion Service

Shire Hall, Gloucester, Gloucester GL1 2TP

Tel: 01452 427360

Email: schoolexclusions@gloucestershire.gov.uk

Inclusion Lead, The Virtual School

Battledown Centre, Harp Hill, Cheltenham GL52 6PZ

Tel: 01452 328360

Email: virtualschooladmin@gloucestershire.gov.uk

Governor Support Services

Sandra Shepherd

Governor Services, Gloucestershire County Council, Shire Hall, Gloucester GL1 2TP

Tel: 01452 427803/427802

Email: governor.services@gloucestershire.gov.uk

Alternative Provision School

The Altus School

Website: [The Altus School - Home](http://TheAltusSchool-Home)

Email: admin@altusschool.org.uk

Please see website for site specific contact information

SENDIASS Gloucestershire

(Special Educational Needs Disability Information Advice & Support Service)

2nd Floor, Messenger House, 35 St Michael's Sq., Gloucester GL1 1HX

Tel: 01452 389344 /389345

Freephone: 0800 158 3603

Website: <https://sendiassglos.org.uk/>

**Contact Lisa Meggs, Education Inclusion Service Lead, on 01452 328423
if you have any questions about this pack.**