

What to Do if Your Child Is Excluded and Doesn't Have an EHC Plan

This advice applies to pupils at maintained schools, academies (except 16–19 academies or free schools), alternative provision academies, and pupil referral units (PRUs).

Pupils with special educational needs (SEN) are sometimes excluded because their needs are not being properly met. When this happens, it might mean the exclusion is not fair or lawful. It could also show that they may have needs which need more investigation and/or help.

If your child has been excluded, whether for a fixed period (also known as suspension) or permanently, think about what can be done to get their needs better met to avoid further exclusions in the future.

If Your Child Has Been Excluded Due to Unmet SEN:

- Ask for SEN Support if they don't already receive it.
- If they already receive SEN Support, request an urgent review.
- Check the SEN Information Report on the school's website – are there additional strategies or resources the school could use?
- Remind the school of their duty under Section 66 of the Children and Families Act 2014 to do all they reasonably can to meet your child's SEN.
- If the school's support isn't enough, consider requesting an EHC needs assessment.
- Consider a school move if your child's needs aren't being met.
- Review the 2024 statutory guidance:
 - Has the school considered your child's SEN and the reasons behind their behaviour?

If Your Child Has Been Permanently Excluded:

- You have the right to request a SEN expert at the Independent Review Panel.
- The Local Authority (LA) must provide suitable, full-time alternative education.



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- Write to the Director of Children's Services as soon as possible. Use our template letter and keep a copy for your records.

Important Reminders:

- During the **first 5 days of any exclusion**, your child must not be in a public place during school hours without a valid reason — this could lead to a **fixed penalty notice**.
- If your child has no provision in place, **follow up immediately** with the school or LA.



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