Relevant guidance:

* [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](https://www.gov.uk/government/publications/school-exclusion)

Relevant excerpts:

* *The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated.*

Paragraph 13:[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](https://www.gov.uk/government/publications/school-exclusion)

Suggested wording

*(This suggested wording is a guide. You might need to make amendments to fit the individual circumstances of the pupil in question. You can also make reference to the above excerpts to strengthen your argument).*

My name is your first name. I am assisting name of young person with their permanent exclusion from name of school.

I understand that name of young person was permanently excluded for reason for the exclusion. However, I am concerned that the circumstances of this permanent exclusion do not fall within any of the lawful powers granted to you to take this decision. I am therefore writing to ask you to reconsider and withdraw the exclusion without the need for us to go through the exclusion challenge process.

The statutory regime set out in the Department for Education’s 2022 guidance makes clear that a permanent exclusion can only be used for disciplinary reasons, where there have been serious or persistent breaches of the school’s behaviour policy. It cannot be used for any other reason. In addition, you only have the power to exclude where these breaches are serious or persistent, *and* where allowing name of young person to return to name of school *would* seriously harm the education or welfare of themselves or others, such as staff or pupils in the school. This regime is binding on name of school.

However, the reason you have given for the permanent exclusion is “reason for the exclusion”. This is not a lawful reason to support your decision to permanently exclude.

Therefore, I would ask you to reconsider your decision and withdraw the permanent exclusion. We would be happy to have a conversation with you to address any ongoing concerns you have about name of young person’s education at name of school, if you feel this would be helpful.