Relevant guidance:

* [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](https://www.gov.uk/government/publications/school-exclusion)
* [Timpson Review of School Exclusion](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807862/Timpson_review.pdf)
* [Permanent exclusions - Ethnicity facts and figures](https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/permanent-exclusions/latest)
* [Suspensions - Ethnicity facts and figures](https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/absence-and-exclusions/pupil-exclusions/latest)

Relevant excerpts:

* *“Under the Equality Act 2010 (the Equality Act) and the Equality Act 2010: advice for schools - GOV.UK (www.gov.uk), schools must not discriminate against, harass, or victimise pupils because of their: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment.”*

Duties under the Equality Act 2010 and Children and Families Act 2014:[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](https://www.gov.uk/government/publications/school-exclusion)

* *“In carrying out their functions, the public sector equality duty means schools must also have due regard to the need to:* 
  + *eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;*
  + *advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and*
  + *foster good relations between people who share a relevant protected characteristic and people who do not share it.”*

Duties under the Equality Act 2010 and Children and Families Act 2014:[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](https://www.gov.uk/government/publications/school-exclusion)

* *“There are longstanding national trends which show that particular groups of children are more likely to be excluded from school, both for a suspension or permanent exclusion. All of these factors will differ for each child, and the influence of out-of-school factors will vary according to local context, so it is important that schools, local authorities and local partners work together to understand what lies behind local trends. Local leaders will be best placed to effectively plan and put in place additional and targeted action based on their own context. If they identify any gaps, they are also in the position to act to ensure those who work with children have the training, services and support they need to address these.”*

Paragraph 53: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](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 refer to the above excerpts to strengthen your argument).*

young person is of young person’s ethnic background background. Young people of this background are statistically more vulnerable to exclusion than their peers, according to the government’s published exclusion statistics.

The evidence indicates that children from minority ethnic groups, including Black Caribbean and Gypsy, Roma, and Traveller children, as well as children with special educational needs and disabilities (SEND) and care-experienced children, are much more likely to be excluded than their peers. The Timpson review acknowledged that children from African-Caribbean, Irish Traveller, and Gypsy/Roma backgrounds are three-to-four times more likely to be excluded from school than other groups. It is very concerning that already vulnerable and marginalised groups are disproportionately affected by school exclusion.

Statistically speaking, young person is less likely to remain in mainstream school than one of their peers and is therefore more likely to be disadvantaged and prevented from reaching their potential.

The school’s public sector equality duty mandates that they will advance equality of opportunity between members of different groups with a relevant protected characteristic. This is a positive duty and requires that the school take proactive steps. This requires that the school, in certain circumstances, treat “some persons more favourably than others”.

The school has not been able to provide any evidence of any such action, and we therefore submit to the governing board that the school has failed in its public sector equality duty.

The governing board should therefore reinstate young person with immediate effect.