*About this resource:*

This is a Suggested Wording. It is a set of paragraphs you can use to argue to the school’s governors that the headteacher’s decision to exclude constitutes direct discrimination.

To understand when you might want to use this text, read the [Step by Step Guide: Preparing Written Arguments for the School’s Governors](https://justforkidslaw.org/school-exclusions-hub/legal-practitioners-and-professionals/making-case-schools-governor/meeting-preparing-case-governers/step-step-guide-creating-written-submissions)

If you want to understand more about the relevant law, read the [Quick-Guide: the Headteacher’s Power to Exclude](https://justforkidslaw.org/school-exclusions-hub/legal-practitioners-and-professionals/making-case-schools-governor/meeting-preparing-case-governers/quick-guide-headteachers-power-exclude#3c)

To use this resource, go through the text and enter the information where prompted to do so. Prompts appear as grey text. Then copy and paste your finished text into the [Template Document: Submissions to the Governors](https://justforkidslaw.org/school-exclusions-hub/legal-practitioners-and-professionals/making-case-schools-governor/meeting-preparing-case-governers/step-step-guide-creating-written-submissions/quick-guide-headteachers-power)*.*

This text is a guide. You might need to make amendments to fit your circumstances.

In part two, the Exclusions Guidance reminds schools that an exclusion must be made in line with the provisions set out in the Equality Act 2010.

The Equality Act 2010 states at section 13 that:

*A person discriminates against another if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.*

Section 4 states that:

*The following characteristics are protected characteristics—*

*age;*

*disability;*

*gender reassignment;*

*marriage and civil partnership;*

*pregnancy and maternity;*

*race;*

*religion or belief;*

*sex;*

*sexual orientation.*

young person is protected characteristic, which is a protected characteristic under the category of category of protected characteristic.

The headteacher has been influenced to permanently exclude young person because they are protected characteristic.

This is evidenced in piece of evidence which records that “quote from evidence”.

This clearly evidences an intent to permanently exclude young person, or at least an unwillingness to mitigate the risk of permanent exclusion, because of young person being protected characteristic, a protected characteristic under the Equality Act. We submit that, on the balance of probabilities, a person who did not share this characteristic, where all other circumstances are equal, would not have been excluded.

Therefore, the permanent exclusion resulted from direct discrimination and young person should be reinstated with immediate effect.