



**THE  
DIOCESE OF  
SHEFFIELD  
ACADEMIES  
TRUST**

## **Suspensions and Exclusions Policy**

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**Approved by:**

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# 1. Principles

In developing this policy for Exclusions, the DSAT missions statement is important.

- To create and sustain challenging, stimulating, nurturing and exciting learning experiences where all children achieve well and are keen to learn.
- To deliver good and outstanding teaching and learning for all pupils every day.
- To offer an inclusive framework for education that opens for our children 'life in all its fullness.'

To empower leadership at all levels to drive improvements so that each school is aspirational and moves to its next level of performance.

The quest for inclusion within this mission means that our policy for Exclusions should be clear and consistently applied. Although there is not a one size fits all approach to exclusions and each case should be considered individually, it is important that attendance at any one of our academies should equate to fair and equitable treatment.

We recognise that some children may need more, or something different from our core offer as mainstream schools and we will strive to ensure that this is provided or made accessible wherever possible. We want all children attending DSAT schools to feel that they belong, regardless of their individual needs and school staff are committed to this endeavour.

DSAT spans three Local Authorities, each with its own guidance. All schools and LAs follow statutory guidance from the DfE upon which this policy is devised. Schools within DSAT will therefore follow this policy which outlines the Trust's expectations but will also adhere to individual requirements as outlined by their Local Authority. This policy has been devised using materials from each of the LAs represented in the Trust and credit is therefore given to the relevant authorities.

Following the release of the DfE statutory guidance, exclusions formerly referred to as 'fixed-term' have become 'suspensions'. Although still referred to as 'fixed term exclusions' in law, this policy will make reference to suspensions throughout.

This policy should be read alongside [Suspension and permanent exclusion guidance September 23](#) which Headteachers and Exclusion Panels must have regard to.

There are references in the DfE guidance to the school's 'Governing Body'. This policy is written in line with DSAT's specific governance arrangements where a Local School Board is in operation but statutory responsibilities of governance sit with the Board of Trustees. The Board of Trustees have created an Exclusions Panel in place of a school's Governing Board for consideration of all exclusions and appeals. A member of the school's Local School Board will attend any panel hearing but they will be chaired by the Chair of the Exclusions Panel (ExP).

**Headteacher** in this document applies equally to Heads of School and Executive Headteachers, including anyone in an acting or interim capacity.

**Parent** in this document includes any person who has parental responsibility (which includes the Local Authority where it has a care order in respect of a child) and any person (for example foster-carer) with whom the student lives or has main care of the child. It is expected that those with parental responsibility will engage with the exclusions process. As DSAT is a Trust comprising of primary schools only, there will never be an excluded person over the age of 18 who will be able to make representation for themselves.

Only the Headteacher (including Heads of School, Executive Headteachers and anyone acting in an interim capacity) can exclude a child from the school. A permanent exclusion will only be taken as a last resort. Any decision to exclude must be lawful (with respect to the legislation related directly to suspensions/exclusions and the Academy's wider legal duties), rational, reasonable, fair and proportionate. Headteachers must formally record and specify the length of the suspension and notify the DSAT Head of Access to education and the Deputy CEO without delay.

## 2. Aims

We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

- › Ensure that the exclusions process is applied fairly and consistently
- › Help governors, staff, parents/carers and pupils understand the exclusions process
- › Ensure that pupils in school are safe and happy
- › Prevent pupils from becoming NEET (not in education, employment or training)
- › Ensure all suspensions and permanent exclusions are carried out lawfully

### A note on off-rolling

'Off-rolling' is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the pupil, to:

Remove a pupil from the school roll without a formal, permanent exclusion, or

Encourage a parent/carer to remove their child from the school roll, or

Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or

Due to a pupil's poor academic performance, or

Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

## 3. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education (DfE): Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023.

It is based on the following legislation, which outlines schools' powers to exclude pupils:

Section 51a of the Education Act 2002, as amended by the Education Act 2011

The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils

Section 579 of the Education Act 1996, which defines 'school day'

The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014

The Equality Act 2010

Children and Families Act 2014

The School Inspection Handbook, which defines 'off-rolling'

Academies, including free schools, if applicable, add/amend:

This policy complies with our funding agreement and articles of association.

## 4. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent/carer – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

## 5. Roles and responsibilities

### 5.1 The headteacher

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

#### **A decision to suspend a pupil will be taken only:**

In accordance with the school's behaviour policy

To provide a clear signal of what is unacceptable behaviour

To show a pupil that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

#### **A decision to exclude a pupil will be taken only:**

In response to serious or persistent breaches of the school's behaviour policy, and

If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, the headteacher will:

Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked

Allow the pupil to give their version of events

Consider whether the pupil has special educational needs (SEN)

Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))

Consider whether all alternative solutions have been explored, such as:

For suspensions, detentions or other sanctions provided for in the behaviour policy

For exclusions, off-site direction or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

### **Informing parents/carers**

If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers/pupil as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents/carers/pupil will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/pupil will also be provided with the following information in writing, without delay:

The reason(s) for the suspension or permanent exclusion

The length of the suspension or, for a permanent exclusion, the fact that it is permanent

Information about the parents/carers'/pupil's right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil is attending alongside parents/carers, how they may be involved in this

### **How any representations should be made**

Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents/carers/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend

That parents/carers/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies

Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

The start date for any provision of full-time education that has been arranged

The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant

The address at which the provision will take place

Any information the pupil needs in order to identify the person they should report to on the first day

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers/pupil without delay, and provide a reason for the cancellation.

### **Informing the Trust Exclusions Team**

The headteacher will, without delay, notify the Trust Exclusions Team of:

Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil

Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term

Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam

Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

### **The notification will include:**

The reason(s) for the suspension or permanent exclusion

The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the pupil's social worker and/or virtual school head (VSH)

### **If a:**

Pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher will inform the social worker as early as possible

Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the headteacher will inform the VSH as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

They have decided to suspend or permanently exclude the pupil

The reason(s) for the decision

The length of the suspension or, for a permanent exclusion, the fact that it is permanent

The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)

They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any relevant meetings about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the pupil's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the Exclusions Panel. Where there is a cancellation:

- › The parents/carers, Trust Exclusions' Panel and LA will be notified without delay
- › Where relevant, any social worker and VSH will be notified without delay
- › The notification must provide the reason for the cancellation
- › The Exclusion Panel's duty to hold a meeting and consider reinstatement ceases
- › Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- › The pupil will be allowed back in school without delay

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

### **Providing education during the first 5 days of a suspension or permanent exclusion**

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

## **5.2 The Exclusions Panel**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Exclusions Panel

The Exclusions Panel has a duty to consider parents/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

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Within 14 days of receiving a request, the Exclusions Panel will provide the secretary of state and the LA' with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the Trust Exclusions Panel will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

### **DFE Guidance Pt 6 P89**

'For a suspension of more than five school days, the governing board (or local authority about a pupil suspended from a PRU) must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

### **Monitoring and analysing suspensions and exclusions data**



The Exclusions Panel will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The Exclusions Panel will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

### 5.3 The Local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## 6. Considering the reinstatement of a pupil

The Exclusions Panel will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term the Exclusions' Panel must consider any representations made by parents/carers, it is not required to arrange a meeting with parents/carers and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the board, the Exclusions Panel will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Exclusions Panel will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the Exclusions Panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the Exclusions Panel and allowed to make representations or share information:

- Parents/carers (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

Exclusion Panel meetings can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

The Exclusions Panel will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

**The Exclusions Panel can either:**

- › Decline to reinstate the pupil, or
- › Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the Exclusions Panel will consider:

- › Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- › Whether the headteacher followed their legal duties
- › The welfare and safeguarding of the pupil and their peers
- › Any evidence that was presented to the Exclusions Panel

They will decide whether or not a fact is true 'on the balance of probabilities.'

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The Exclusions' Panel will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- › The parents/carers
- › The headteacher
- › The pupil's social worker, if they have one
- › The VSH, if the pupil is looked after
- › The local authority
- › The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the Exclusions Panel has decided not to reinstate the pupil, the notification of decision will also include the following:

- › The fact that it is a permanent exclusion
- › Notice of parents/carers' right to ask for the decision to be reviewed by an independent review panel
- › The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the Exclusion Panel's decision is given to parents/carers)
- › The name and address to which an application for a review and any written evidence should be submitted
- › That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- › That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the Exclusions' Panel to appoint an SEN expert to advise the review panel
- › Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment
- › That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- › That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- › That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7. Independent review

If parents/carers apply for an independent review within the legal timeframe, the Trust will, at their own expense, arrange for an independent panel to review the decision of the Exclusions Panel not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents/carers by the Exclusions Panel of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- › A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- › Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- › Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- › Are a member of the Academy Trust of the excluding school
- › Are the headteacher of the excluding school, or have held this position in the last 5 years
- › Are an employee of the Academy Trust or the Local School Board, of the excluding school (unless they are employed as a headteacher at another school outside of the Academy Trust).
- › Have, or at any time have had, any connection with the Academy Trust school, Local School Board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- › Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents/carers will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

- › Uphold the Exclusion Panel's decision
- › Recommend that the Exclusion Panel reconsiders reinstatement
- › Quash the Exclusion Panel's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the Exclusions Panel at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Exclusions Panel and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the Exclusions Panel to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- › The panel's decision and the reasons for it
- › Where relevant, details of any financial readjustment or payment to be made if the Exclusion Panel does not subsequently decide to offer to reinstate the pupil within 10 school days
- › Any information that the panel has directed the Exclusions Panel to place on the pupil's educational record

## 8. School registers

A pupil's name will be removed from the school admission register if:

- › 15 school days have passed since the parents/carers were notified of the Exclusions Panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- › The parents/carers have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the Exclusion Panel will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

## Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- › The pupil's full name
- › The full name and address of any parent/carer with whom the pupil normally resides
- › At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency
- › The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)
- › Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- › Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

## 9. Returning from a suspension

### 9.1 Reintegration strategy

Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- › Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- › Daily contact in school with a designated pastoral professional

- › Mentoring by a trusted adult or a local mentoring charity
- › Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage
- › Informing the pupil, parents/carers and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers, and other relevant parties.

## 9.2 Reintegration meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## 10. Remote access to meetings

Parents/carers, can request that a Trust meeting, or independent review panel be held remotely. If the parents/carers don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The Exclusions Panel and the Academy Trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- › All the participants have access to the technology that will allow them to hear, speak, see and be seen
- › All the participants will be able participate fully
- › The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- › Compromise the ability of participants to contribute effectively, or
- › Prevent the meeting from running fairly and transparently

## 11. Monitoring arrangements

The Academy Trust will collect data on the following:

- › Attendance, permanent exclusions and suspensions
- › Use of pupil referral units (PRUs), off-site directions and managed moves
- › Anonymous surveys of staff, pupils, trustees, and other stakeholders on their perceptions and experiences

The Trust Exclusions Team will meet every half term to analyse suspensions to identify patterns across the Trust and provide support. At the beginning of every school year, the Trust Exclusions Team will meet Headteachers to discuss specific school needs and offer any support required.

## Challenge and support from the Trust

Through the school improvement work of the CEO and minutes from the Local School Board meetings, Trustees will be made aware of all suspensions and exclusions. The CEO will consider:

- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Rolling average of permanent exclusions to ensure they re used as a very last resort
- Timing of moves and permanent exclusions and whether there are any patterns including any indications which may highlight where policies or support are not working.
- The characteristics of children who are suspended or permanently excluded, removed from roll, or educated off site, such as the proportion who have SEND, whether they are supported by social care and have needed social workers, and their ethnic background. This should include considering whether any groups are permanently excluded or moving out of school at a higher rate than others, discussing why this is and whether any changes to practice are required to address disparities.
- Whether the placements of pupils directed off site into AP are reviewed at sufficient intervals to provide assurance the education is achieving its objectives and that the pupils are benefiting from it.

The data will be analysed from a variety of perspectives including:

- › At school level
- › By age group
- › By time of day/week/term
- › By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

***This policy will be reviewed annually by the Trust Exclusions Team.***

## 12. Links with other policies

This policy is linked to our:

- › Behaviour Policy
- › SEND Policy
- › SEND Information Report
- › Attendance Policy

## Appendix 1:

### Independent review panel training

The Academy Trust must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

#### Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

## Appendix 2:

### Head teacher checklist for suspension

<b>Exclusion Guidance – Head Teacher’s Checklist</b>	<b>Yes</b>	<b>No</b>
On the balance of probabilities, has the pupil committed the alleged offence?		
Has there been a serious breach (one off) or breaches of the school behaviour policy?		
Does allowing the pupil to remain in school seriously harm their education or health, safety and welfare, or that of others such as staff or other pupils in the school?		
Is this a ‘last resort’ decision following a wide range of strategies implemented from DfE’s ‘Behaviour in Schools’ guidance that have been deemed unsuccessful?		
Is suspension/exclusion the most appropriate response?		
Is the length of suspension/exclusion considered appropriate and proportionate considering the level and nature of the incident?		
Is this suspension for the shortest possible time?		
Has there been involvement from external services, Educational Psychologist, school support staff, and other agencies/services with a relevant, personalised support programme developed and implemented?		
Has advice from services been implemented using an assess, plan, do, review approach?		
Have alternatives to suspension/exclusion been considered? (e.g., restorative approaches, mediation, internal exclusion, alternative provision, managed move and/or an off-site direction)		
Factors to consider: <ul style="list-style-type: none"> <li>• Has the suspension/exclusion been considered ‘in the heat of the moment’?</li> <li>• Has a thorough investigation been carried out?</li> <li>• Has the evidence been reviewed with full consideration being given towards policies and discrimination?</li> <li>• Has the pupil’s version of events been heard - encouraged / considered / recorded?</li> <li>• Are there any mitigating circumstances or is any provocation evident (bullying, harassment etc)?</li> <li>• Is the child looked after by the LA?</li> <li>• Does the child have an EHC plan?</li> <li>• Does the pupil have a social worker? Have they been communicated to and involved in planning?</li> </ul>		
<b>Special Considerations</b>		
Have issues of SEN or disability been considered and reasonable adjustments been made? See Equality Act 2010		
Is this pupil a young carer?		
Is this pupil a Looked after Child?		



In the case of a looked after child, have you contacted the appropriate Designated Teacher (statutory role) in your school, the pupil's social worker and the Virtual School Head to discuss?		
Is the Virtual School Team involved in supporting this pupil?		
Has the governor for looked after children been informed/involved?		
Is this pupil subject to a Child in Need Plan or a Child Protection Plan?		
Where pupil has a social worker, have they been notified and invited to be involved in decisions made?		
Is there an Early Help Assessment and Support Plan in place?		
Have regular Team around the Family (TAF) meetings taken place to review the plan?		
If necessary, have you referred to Social Care? (MASH)		

## Appendix 3:

### Headteacher Checklist – Permanent Exclusion

Investigation & Evidence Gathering		
1	Has sufficient evidence been gathered?	
2	Do you have witness statements from any victims (if relevant)? Are they signed and dated? Other children referenced as 'Child A, Child B' etc. throughout?	
3	Do you have witness statements from any staff and students who witnessed the incident (if relevant)? Are they signed and dated?	
4	If you have not taken statements from all witnesses, do you have a rationale for that?	
5	Do you have a statement from the excluded pupil? Is it signed and dated?	
6	If not, was the excluded pupil given sufficient opportunity to give a statement and do you have evidence of this? For example, emails requesting a statement, asking the parents to submit one on the pupil's behalf, giving clear timeframe to do so.	
7	Do the statements corroborate?	
8	If not, have you decided which version you believe on the balance of probabilities and why?	
9	Did the academy follow its behaviour policy and any other relevant policies (if relevant)?	
10	Were correct academy procedures followed when dealing with the incident/behaviour? For example, de-escalation techniques, physical restraint.	
11	Do you believe that the pupil was clear about the academy expectations as set out in the behaviour policy and the potential outcomes?	
12	Do you have a record of strategies and sanctions the academy tried before the exclusion, including internal support and outside agency support? For example, tutor group change, lesson/timetable changes, regular check ins with a member of staff, restorative justice, anger management sessions, counselling, alternative provision, internal suspension, fixed period suspension managed moves.	
13	Have the parents been involved in (and kept informed about) these strategies and sanctions? Collect any records of meetings or contact with parents.	

14	Do you think the academy exhausted all support strategies and interventions for the pupil?	
15	Does the pupil have any identified SEND? a. If yes, does the pupil have an EHCP in place and has appropriate provision been put in place? b. In no, might the pupil have SEND that to date have not been recognised? If so, have any steps been taken to assess?	
16	Have you complied with statutory duties in relation to SEN when administering the exclusion process (if relevant)?	
17	Are there any extenuating circumstances that might reasonably mitigate exclusion for the pupil? For example, family situation, mental health concerns, bereavement, bullying.	
18	Have you included any extenuating circumstances in your considerations?	
19	If you discounted any extenuating circumstances, do you have a rationale for this?	
<b>Making the decision</b>		
20	Do you believe, based on the balance of probabilities, that the pupil has done what is alleged?	
21	Was there a serious breach or persistent breaches of the academy's behaviour policy?	
22	Will allowing the pupil to remain in the academy seriously harm the education or welfare of the pupil or others in the academy?	
23	Do you have a rationale for your answers to questions 20 to 22?	
24	Will this exclusion result in the pupil missing a public exam or National Curriculum test?	
25	Do you consider that the decision to exclude this pupil is lawful, rational, reasonable, fair and proportionate? This judgement will be based on your responses to all the previous questions.	

Checks	
26	Have you (or a colleague) checked the exclusion paperwork for accuracy before issuing?
Informing parties about the exclusion	
27	Inform the parents immediately, ideally initially in person or by telephone
28	Send letter to parents
29	<b>Exclusion resulting in the pupil missing a public exam or National Curriculum test</b> - notify chair, clerk and LA immediately. Clerk will arrange a panel to review the decision.
30	Notify chair, clerk and LA immediately. Clerk will arrange a panel to review the decision.
Paperwork for panel (if panel hearing required)	
31	Are statements signed and dated?
32	Are photographs or other evidence labelled and dated?
33	Are names anonymous, identifying letters to protect the identity of all other individuals?
34	Do you have witness statements from any victims (if relevant)? Are they signed and dated?

## Appendix 4:

### Suspension letters – up to 5, 6-15, More than 15

**SUSPENSIONS OF 5 DAYS OR LESS (including lunchtime suspensions) AND WHERE A PUBLIC EXAMINATION WOULD NOT BE MISSED**

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [x day(s)]. While this suspension is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should [Pupil's Name] come onto school premises I would view this as a serious breach of the legal process.

(Delete paragraph as necessary – if the pupil is due to have an assessment) **However, as you are aware [Pupil Name] is due to have an assessment** (specify type of assessment). **The assessment will go ahead on [specify date, time, place, staff contact and instructions for arrival]**

**The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].**

**The suspension is for:** [give exclusion reason as worded in Arbor]

**The reason for my decision is** (give a description of the incident, including **date and time of incident**, ensuring that the **specific reason for suspension** is understood).

(Delete as necessary) **Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]**

(Delete as necessary - if other incidents contribute to this decision) **In making this decision, I am taking other incidents of previous misbehaviour into account.**

**School will set work for [Pupil's Name] to be completed during the suspension period** (detail the **arrangements** for this). **You are responsible for ensuring that the completed work is returned to school promptly for marking.**

(Delete paragraph as necessary - if the pupil is eligible for FSM) **As [Pupil Name] is entitled to free school meals you can request a packed lunch from school by contacting [Staff Name and contact]. Although the school is obliged to provide a meal it is your responsibility to request and collect it.**

(Delete paragraph as necessary- if pupil has an allocated social worker). **As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.**

(Delete paragraph as necessary - if pupil is a Looked after Child) **As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.**

(Delete paragraph as necessary - if pupil is NOT compulsory school age) **During a suspension, parents are legally required to ensure that their child is not present in a public place during school hours without**

reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.

(The next paragraph may be used if the head teacher chooses to hold a reintegration meeting. There is no legal requirement to hold a reintegration meeting, however, all schools should have a reintegration strategy in place following a period of suspension).

You and [Pupil's Name] are requested to attend a reintegration meeting with \*me [\*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be supported. Failure to attend a reintegration meeting could be a factor considered by a magistrates' court, for instance in circumstances such as non-school attendance.

Should you wish to discuss this matter with the Local Authority please contact [Enter details of the LA Exclusions Contact] Alternatively you may wish to contact the [Coram Children's Legal Centre](#) Advice line on 0300 3305485, or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)

(Delete paragraph as necessary – SEN register) As [Pupil's Name] [is on the SEN register/has an Education, Health and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health and social care issues from [Enter contact details of LA SENDIASS].

#### Your rights to make representations to the Exclusions Panel

- A. **If the total number of days suspension in any one term are below five** you have the right to make representations to the Exclusions Panel who will consider these, but the Exclusions Panel does **not** have the authority to overturn the suspension.
- B. **If the total number of days suspension in any one term is above 5 but below 15** you have the right to request an Exclusions Panel Hearing. This meeting will be held within 50 days of you receiving the suspension notice.
- C. **If the total number of days suspension in any one term are above 15** the Exclusions Panel **must** convene a statutory meeting to consider reinstatement. A representative of the local authority may attend.

Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.

If you wish to make representations, please contact [Name and contact details of Clerk to the Local School Board]

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:

HM Courts & Tribunals Service

First-tier Tribunal (Special Educational Needs and Disability)

1st Floor, Darlington Magistrates Court

Parkgate

Darlington

DL1 1RU

Telephone: 01325 289350 Fax: 0870 7394017

By Email: [sendistqueries@hmcts.gsi.gov.uk](mailto:sendistqueries@hmcts.gsi.gov.uk)

Website: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

**Making a claim would not affect your right to make representations to the Exclusions Panel.**

**Other sources of support that can be accessed:**

ACE education **runs a limited advice line service** on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. **Information can be found on the website:** <http://www.ace-ed.org.uk/>.

The National Autistic Society **Schools Exclusion Service (England)** can be contacted on 0808 800 4002 or through: <http://www.autism.org.uk/services/helplines/school-exclusions.aspx>

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

The Department for Education statutory guidance on exclusions **can be found at** <https://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance>.

**Yours Sincerely**

[Name]

**Head Teacher/HoS**

**Copies: Chair of the Local School Board**

**Clerk to the Local School Board**

**Head of DSAT Access to Education**

**Local Authority Exclusion Team**

**[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]**

**Pupil's file**

**SUSPENSION OF ABOVE 5 DAYS (including lunchtime suspensions) AND WHERE A PUBLIC EXAMINATION WOULD NOT BE MISSED**

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [xx day(s)]. While this suspension is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

(Delete paragraph as necessary – if the pupil is due to have an assessment) **However, as you are aware [Pupil Name] is due to have an assessment** (specify type of assessment). **The assessment will go ahead on [specify date, time, place, staff contact and instructions for arrival]**

**The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].**

**The suspension is for:** [give exclusion reason as worded in Arbor]

**The reason for my decision is** (give a description of the incident, including **date and time of incident**, ensuring that the **specific reason for suspension** is understood).

(Delete as necessary) **Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]**

(Delete as necessary - if other incidents contribute to this decision) **In making this decision, I am taking other incidents of previous misbehaviour into account.**

**School will set work for [Pupil's Name] to be completed during the first [\*x day(s)] of this suspension** (\*specify the number as appropriate) [detail the **arrangements** for this]. **You are responsible for ensuring that the completed work is returned to school promptly for marking.**

(Delete paragraph as necessary - if the pupil is eligible for FSM) **As [Pupil Name] is entitled to free school meals you can request a packed lunch from school by contacting [Staff Name and contact]. Although the school is obliged to provide a meal it is your responsibility to request and collect it.**

(Delete paragraph as necessary- if pupil has an allocated social worker). **As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.**

(Delete paragraph as necessary - if pupil is a Looked after Child) **As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.**

(Delete paragraph if pupil is NOT compulsory school age) **During suspension parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.**

(Delete paragraph if pupil is NOT compulsory school age) **From the 6<sup>th</sup> (or earlier if appropriate) school day of this suspension [specify date] until the expiry of the suspension [specify date] we will provide suitable**



**full-time education. On [date] [Pupil's Name] should attend at [name and address of the alternative provider if not the home school] at [start time] and report to [staff member's name].**

[If applicable specify [transport arrangements/responsibilities] from home to the alternative provider] (If arrangements, for suitable full-time education are not available at time of writing the suspension letter, inform parent/carer that they will be notified by a further letter).

(The next paragraph may be used if the head teacher chooses to hold a reintegration meeting. There is no legal requirement to hold a reintegration meeting, however, all schools should have a reintegration strategy in place following a period of suspension).

**You and [Pupil's Name] are requested to attend a reintegration meeting with \*me [\*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be supported. Failure to attend a reintegration meeting could be a factor considered by a magistrates' court, for instance in circumstances such as non-school attendance.**

**Should you wish to discuss this matter with the Local Authority please [contact \[Enter details of LA Exclusions contact\]](#). Alternatively, you may wish to contact the [Coram Children's Legal Centre](#) Advice line on 0300 3305485, or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)**

(Delete paragraph as necessary – SEN register) **As [Pupil's Name] [is on the SEN register/has an Education, Health and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health and social care issues from [Enter contact details of LA SENDIASS].**

#### **Your rights to make representations to the Exclusions Panel**

- A. If the total number of days suspension in any one term are below five** you have the right to make representations to the Exclusions Panel who will consider these, but the Exclusions Panel does **not** have the authority to overturn the suspension.
- B. If the total number of days suspension in any one term is above 5 but below 15** you have the right to request an Exclusions Panel Hearing. This meeting will be held within 50 days of you receiving the suspension notice.
- C. If the total number of days suspension in any one term are above 15** the Exclusions Panel **must** convene a statutory meeting to consider reinstatement. A representative of the local authority may attend.

**Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.**

If you wish to make representations, please contact [[Name and contact details of Clerk to Local School Board](#)]

**You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.**

**You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:**

HM Courts & Tribunals Service  
First-tier Tribunal (Special Educational Needs and Disability)  
1st Floor, Darlington Magistrates Court  
Parkgate  
Darlington  
DL1 1RU  
Telephone: 01325 289350 Fax: 0870 7394017  
By Email: [sendistqueries@hmcts.gsi.gov.uk](mailto:sendistqueries@hmcts.gsi.gov.uk)  
Website: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

**Making a claim would not affect your right to make representations to the Exclusions Panel.**

**Other sources of support that can be accessed:**

ACE education runs a **limited advice line service** on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. **Information can be found on the website:** <http://www.ace-ed.org.uk/>.

The National Autistic Society **Schools Exclusion Service (England)** can be contacted on 0808 800 4002 or **through:** <http://www.autism.org.uk/services/helplines/school-exclusions.aspx>

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

The Department for Education statutory guidance on exclusions **can be found at** <https://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance>.

Yours Sincerely

[Name]

Head Teacher/HoS

Copies: Chair of the Local School Board

Clerk to the Local School Board

DSAT Head of Educational Access

Local Authority Exclusion Team

[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School

etc.]

Pupil's file

## A SUSPENSION THAT HAS RESULTED IN MORE THAN 15 SCHOOL DAYS SUSPENSION IN ONE TERM

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [xx day(s)]. While this suspension is in force, I would inform you that you are responsible for ensuring that [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

(Delete paragraph as necessary – if the pupil is due to have an assessment) **However, as you are aware [Pupil Name] is due to have an assessment** (specify type of assessment). **The assessment will go ahead on [specify date, time, place, staff contact and instructions for arrival].**

**The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].**

**The suspension is for: [give exclusion reason as worded in Arbor]**

**The reason for my decision is** (give a description of the incident, including **date and time of incident**, ensuring that the **specific reason for suspension** is understood).

(Delete as necessary) **Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]**

(Delete as necessary - if other incidents contribute to this decision) **In making this decision, I am taking other incidents of previous misbehaviour into account.**

**School will set work for [Pupil's Name] to be completed during the first [X days] of this suspension** (detail the **arrangements** for this). **You are responsible for ensuring that the completed work is returned to school promptly for marking.**

(Delete paragraph as necessary - if the pupil is eligible for FSM) **As [Pupil Name] is entitled to free school meals you can request a packed lunch from school by contacting [Staff Name and contact]. Although the school is obliged to provide a meal it is your responsibility to request and collect it.**

(Delete paragraph as necessary- if pupil has an allocated social worker). **As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.**

(Delete paragraph as necessary - if pupil is a Looked after Child) **As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.**

(Delete paragraph if pupil is NOT compulsory school age) **During a suspension, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.**

(Delete paragraph as necessary or if pupil is NOT compulsory school age) **From the 6<sup>th</sup> school day of this suspension [specify date] until the expiry of the suspension [specify date] school will provide suitable full-time education. On [date] [Pupil's Name] should attend at [name and address of the alternative provider if not the home school] at [start time] and report to [staff member's name].**

[If applicable — specify **transport arrangements/responsibilities** from home to the alternative provider]

(If arrangements, for suitable full-time education are not available at time of writing the suspension letter, inform parent/carer that they will be notified by a further letter).

[The next paragraph may be used if the head teacher chooses to hold a reintegration meeting. There is no legal requirement to hold a reintegration meeting, however, schools should have a reintegration strategy in place following a period of suspension.]

**You and [Pupil's Name] are requested to attend a reintegration meeting with \*me [\*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school before your child is due to return to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be supported. Failure to attend a reintegration meeting may be a factor considered by a magistrates' court, for instance in circumstances such as non-school attendance.**

**As this suspension brings the total number of suspension days this term to over 15, the Exclusions Panel must meet to consider the [suspension\[s\]](#). The latest date on which the Exclusions Panel can meet is [date] (no later than 15 school days from the date the Exclusions Panel is notified).**

**At the review meeting you may make representations to the Exclusions Panel.**

**You will, whether you choose to make representations or not, be notified by the Clerk to the Local School Board of the time, date and location of the meeting. Please inform [[contact name and details](#)] if you wish to be accompanied by a friend or representative. Also advise them if you have a disability or additional need which may affect your ability to attend or take part in a meeting at the school, reasonable adjustments will then be made. In addition, please advise if you require an interpreter to be present.**

**Should you wish to discuss this matter with the Local Authority please contact [[Enter contact details of LA Exclusions team](#)]. Alternatively, you may wish to contact the [Coram Children's Legal Centre](#) Advice line on 0300 3305485, or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)**

(Delete paragraph as necessary – SEN register) **As [Pupil's Name] [[is on the SEN register/has an Education, Health and Care Plan](#)], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health and social care issues from [[Insert contact details of LA SENDIASS](#)].**

#### **Your rights to make representations to the Exclusions Panel.**

- A. If the total number of days suspension in any one term are below five you have the right to make representations to the Exclusions Panel who will consider these, but the Exclusions Panel does **not** have the authority to overturn the suspension.**
- B. If the total number of days suspension in any one term is above 5 but below 15 you have the right to request an Exclusions Panel Hearing. This meeting will be held within 50 days of you receiving the suspension notice.**
- C. If the total number of days suspension in any one term are above 15 the Exclusions Panel **must** convene a statutory meeting to consider reinstatement. A representative of the local authority may attend.**

**Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.**

If you wish to make representations, please contact [[Name and contact details of Clerk to Local School Board](#)]

**You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.**

**You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:**

HM Courts & Tribunals Service  
First-tier Tribunal (Special Educational Needs and Disability)  
1st Floor, Darlington Magistrates Court  
Parkgate  
Darlington  
DL1 1RU  
Telephone: 01325 289350 Fax: 0870 7394017  
By Email: [sendistqueries@hmcts.gsi.gov.uk](mailto:sendistqueries@hmcts.gsi.gov.uk)  
Website: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

**Making a claim would not affect your right to make representations to the Exclusions Panel.**

**Other sources of support that can be accessed:**

ACE education **runs a limited advice line service** on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. **Information can be found on the website:** <http://www.ace-ed.org.uk/>.

The National Autistic Society **Schools Exclusion Service (England)** can be contacted on 0808 800 4002 or through: <http://www.autism.org.uk/services/helplines/school-exclusions.aspx>

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

The Department for Education statutory guidance on exclusions **can be found at** <https://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance>.

**Yours Sincerely**

[Name]

**Head Teacher/HoS**

**Copies: Chair of the Local School Board**

**Clerk to the Local School Board**

**DSAT Head of Educational Access**

**Local Authority Exclusion Team**

**[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]**

**Pupil's file**

PERMANENT EXCLUSION

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to exclude [Pupil's Name] permanently from attendance at this school with effect from [time and date]. This means that [Pupil's Name] will not be allowed in this school unless [he/she] is reinstated by the Exclusions Panel.

While this exclusion is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should [Pupil's Name] come onto school premises I would view this as a serious breach of the legal process.

Alternative arrangements for [Pupil's Name] education to continue will be made.

The exclusion is for: [use wording on Arbor]

The reason for my decision is (give a clear and informative description of the incident, including date/time of incident, ensuring that the specific reason for exclusion is understood and that all relevant circumstances are made known).

(Delete as necessary) Due to the serious nature of the incident, I will continue to investigate and gather information. If evidence/information comes to my attention that I was not in possession of at the time of making the decision to permanently exclude [Pupil's Name] you will be notified.

(Delete as necessary) In making this decision, I am taking other incidents of previous misbehaviour into account. (Provide brief details of any relevant previous warnings, suspensions, or other sanctions/strategies used in an attempt to avoid exclusion).

Further details will be forwarded to you shortly in form EP1 (evidence pack to review the permanent exclusion).

School will set work for [Pupil's Name] during the first [\*specify the number as appropriate] school days of this exclusion (detail the arrangements for this). You are responsible for ensuring that the work is completed and returned to school promptly for marking.

(Delete as necessary - if the pupil is eligible for FSM) As [Pupil's Name] is entitled to free school meals please contact [Staff Name and details] to discuss how this can be facilitated.

(Delete as necessary) From the 6<sup>th</sup> school day of this exclusion [specify date] the Local Authority will provide suitable education. A representative from the Local Authority will contact you directly with details of these arrangements.

(Delete as necessary Where the pupil lives in a Local Authority other than the excluding school's) As you are resident outside [Name LA] I have also today informed [Name of Officer] at [Local Authority] of your child's exclusion and they will be in touch with you about the arrangements for [Pupil's Name] education from the 6<sup>th</sup> school day of this exclusion.

(Delete as necessary – if the pupil is NOT compulsory school age) During an exclusion, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, or for the purposes of education as arranged by the school. Parents may be given a fixed penalty notice or prosecuted if they fail to comply.

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit a request, to school in writing to obtain copies of this file. There may be a charge for photocopying.

As this is a permanent exclusion the Exclusions Panel must meet to consider it no later than [specify date] (no later than 15 school days from the date the exclusion began)

**At the review meeting you may make representations to the Exclusion Panel.**

**You will, whether you choose to make representations or not, be notified by the Clerk to the Local School Board of the time, date and location of the meeting. Please inform [contact name and contact details] of any disabilities or additional needs that may affect your ability to attend or take part in a meeting at the school, reasonable adjustments will then be made. In addition, please advise if you require an interpreter and if you wish to be accompanied by a friend or representative.**

**The Exclusions Panel has the power to reinstate your child immediately or from a specified date, or alternatively it has the power to confirm the exclusion. If this is the case, you have a right to request a review by an Independent Review Panel.**

**Should you wish to discuss this matter with the Local Authority please contact [Insert LA contact details]. Alternatively, you may wish to contact the [Coram Children's Legal Centre](#) Advice line on 0300 3305485, or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com)**

(Delete paragraph as necessary – SEN register) **As [Pupil's Name] [is on the SEN register/has an Education, Health and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health and social care issues from [Insert LA SENDIASS contact details]**

**You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.**

**You should also be aware that if you think this permanent exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the Special Educational Needs and Disability First Tier Tribunal. The address to which appeals should be sent is:**

HM Courts & Tribunals Service  
First-tier Tribunal (Special Educational Needs and Disability)  
1st Floor, Darlington Magistrates Court  
Parkgate  
Darlington  
DL1 1RU  
Telephone: 01325 289350 Fax: 0870 7394017  
By Email: [sendistquiries@hmcts.gsi.gov.uk](mailto:sendistquiries@hmcts.gsi.gov.uk)  
Website: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

**Making a claim would not affect your right to make representations to the Exclusions Panel.**

**Other sources of support that can be accessed:**

ACE education **runs a limited advice line service** on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. **Information can be found on the website:** <http://www.ace-ed.org.uk/>.

The National Autistic Society **Schools Exclusion Service (England) can be contacted** on 0808 800 4002 or **through:** <http://www.autism.org.uk/services/helplines/school-exclusions.aspx>

Independent Parental Special Education Advice <http://www.ipsea.org.uk/>

The Department for Education statutory guidance on exclusions **can be found at** <https://www.gov.uk/topic/schools-colleges-childrens-services/school-behaviour-attendance>.

**Yours Sincerely**

[Name]

**Head Teacher/HoS**

**Copies: Chair of the Local School Board**

**Clerk to the Local School Board**

**DSAT Head of Access to Education**

**Local Authority Exclusion Team**

**[Insert as required: Pupil's Social Worker Education Health and Care  
Assessment Team, Virtual School etc.]**

**Pupil's file**



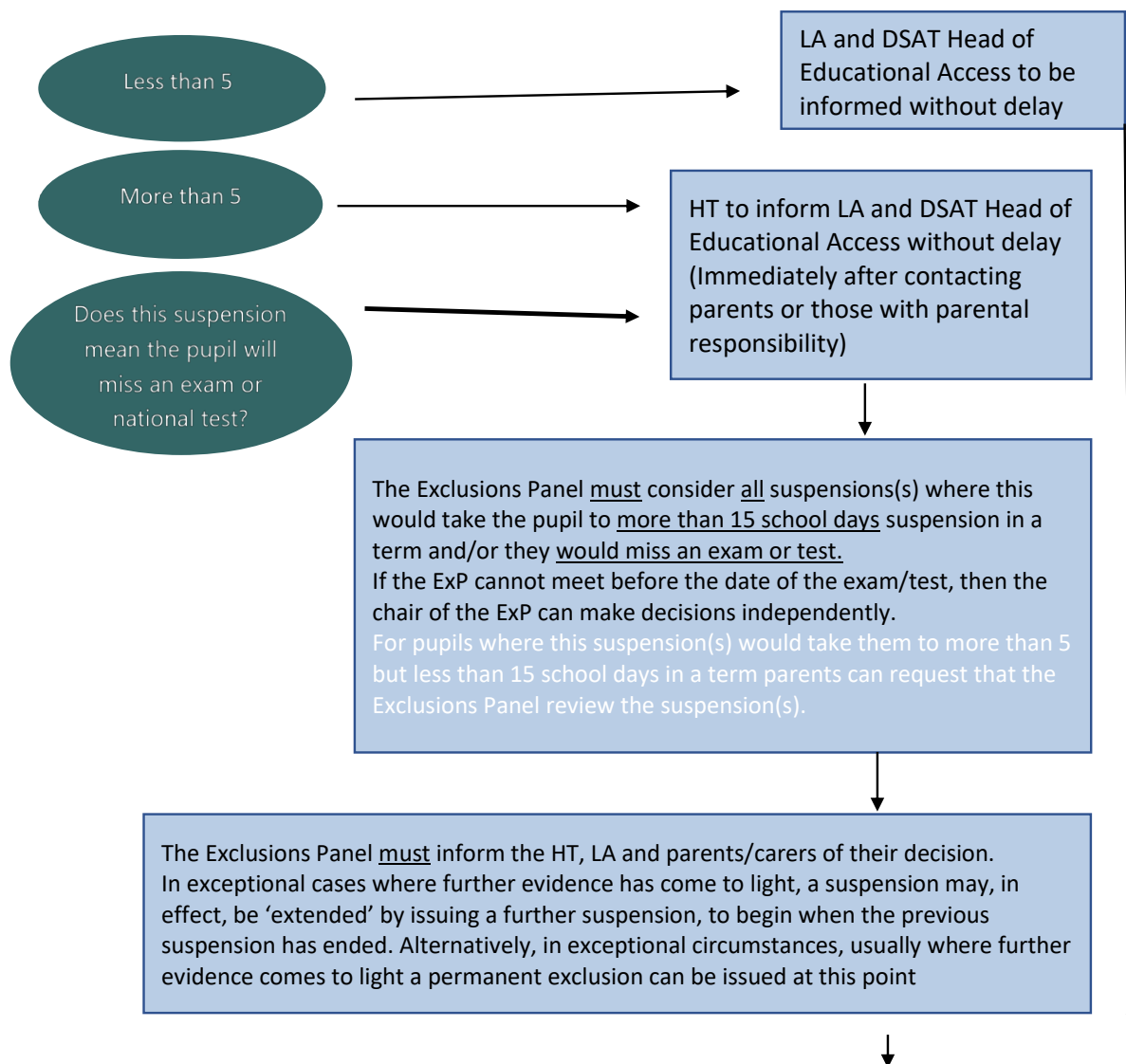
## Appendix 5:

### Flow charts - suspensions

#### SUSPENSION FROM SCHOOL DSAT GUIDANCE

Head Teacher (HT) to inform parents immediately of the reason and the length of the suspension  
The information must be sent to parents in writing on day 1 of the suspension

#### LENGTH OF SUSPENSION



Note: A reintegration strategy should be implemented following a period of suspension from school, with the exception of a permanent exclusion being issued. School may choose to hold a reintegration meeting to facilitate planning, this is always considered to be best practice.

If considered appropriate for the pupil to attend a reintegration meeting consideration should be made towards how this can be best managed to enable a fresh start.

## Appendix 6:

### Flowchart exclusions

#### PERMANENT EXCLUSION (PX) GUIDANCE

**Head Teacher (HT) to inform parents immediately of the reason for exclusion  
The written notification must be sent to parents on day 1 of the exclusion**

HT to inform local authority (LA) Local School Board (LSB) and DSAT Head of Educational Access without delay

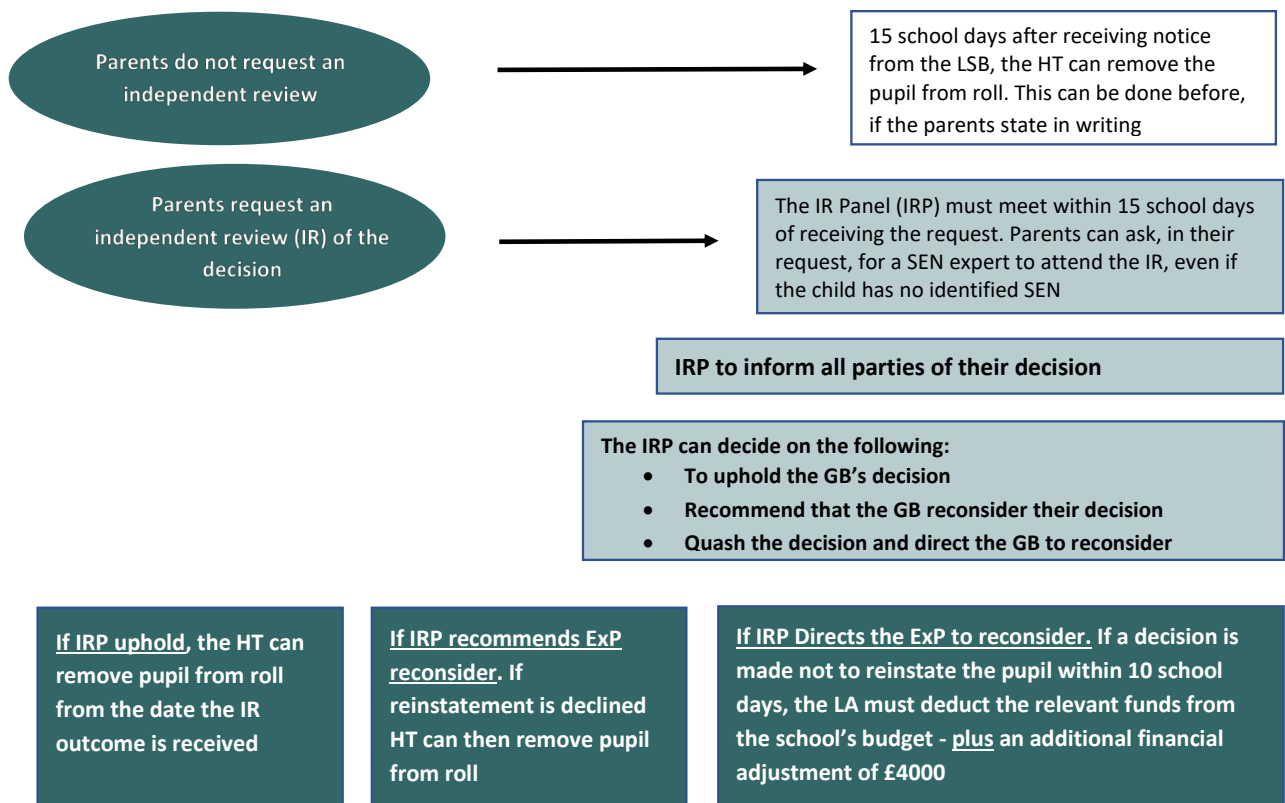
The LSB must hold a Disciplinary Hearing which is delegated to the Exclusions Panel (ExP) to consider the reinstatement of all PX pupils  
The meeting must take place within 15 school days of the LSB receiving notification of the PX

HT to send EP1 (evidence pack) to LA (Exclusion Team), ExP, parents, social worker, virtual school, and other parties at least 5 school days in advance of the planned Exclusions Panel Hearing.

The following people must be invited to the Exclusions Panel Disciplinary Hearing:

- Parent/carer or those with parental responsibility
- Social Worker if the pupil has one allocated
- Virtual School Head if the pupil is a Looked After Child.
- Headteacher or representative who took the decision to permanently exclude
- LA representative - maintained school/PRU. **Note:** If a school is an academy, an LA rep will attend the meeting, unless informed otherwise. Parents can also request an LA representative to attend as an observer without the consent of the ExP

Letter sent by the clerk to LSB to parents and LA Exclusions Team (and the LA where the pupil resides if a different authority) and any other relevant parties, informing of the outcome from the Exclusions Panel Hearing, outlining the reasons for their decision



## What could be in Exclusion panel packs (if appropriate)

- Attendance sheet (current academic year)
- Suspension letters plus evidence relating to them
- Behaviour log/chronology including:
  - ✓ description of incidents of poor behaviour
  - ✓ sanctions/actions taken and by whom
  - ✓ support strategies
  
- Evidence of incidents including:
  - ✓ witness accounts from adults and students
  - ✓ the account of the excluded student If appropriate:
    - ✓ summary of incidents
    - ✓ photographic evidence
    - ✓ accident/incident reports
  
- Examples of parental involvement e.g., letters, logged telephone calls, minuted meetings.
- Most recent academic report
- Additional evidence of support strategies:
  - ✓ AP consultation sheets/placement report
  - ✓ Reports from outside agencies
  - ✓ Educational psychologist's report
  - ✓ Social care and health
  - ✓ CAMHS referral
  - ✓ Behaviour contracts
  - ✓ Mentoring progress reports
  
- For students on the SEND register:
  - ✓ EHCP (if relevant)
  - ✓ Latest individual support plan and review (if applicable)

**Appendix 7:**

**Agenda for exclusion panel**

**TABLE OF CONTENTS**

**EXAMPLE**

<b>DOCUMENT TITLE</b>	<b>Page No</b>
<b>Cover sheet-overview of the student during their time at the school</b>	
<b>Incidents, serious incidents related to breaches of school policy – a chronology</b>	
<b>Incident Details [this is usually the incident directly leading to the PEX]</b>	
<b>PEX documentation including letter to parent advising of the PEX</b>	
<b>Interventions / support put in place</b>	
<b>Support plans with review dates/targets</b>	
<b>Communication with parent/guardian, letters home etc.</b>	
<b>Minutes of formal behaviour meetings</b>	
<b>Safeguarding information</b>	

## Appendix 8:

### Headteacher Letter for over-turning a decision

RESCIND LETTER TO BE SENT IF THE HEAD TEACHER MAKES THE DECISION TO WITHDRAW A PERMANENT EXCLUSION BEFORE IT HAS BEEN REVIEWED BY THE EXCLUSIONS PANEL

Dear [Parent/Carer]

Rescinding of Permanent Exclusion of [Pupil's Name, Date of Birth and Year Group]

As you are aware, I made the decision to permanently exclude [Pupil's Name] with effect from [date of exclusion]. My decision was subject to a review by the Exclusions Panel who make the overall decision on whether pupils are reinstated back into school following permanent exclusion.

Whilst I considered permanent exclusion to be an appropriate response at the time of my original decision, an alternative has now been agreed. Therefore, in light of your cooperation, and as the Exclusions Panel has not yet met to review the permanent exclusion, I am able to rescind my decision.

I therefore confirm rescission of the permanent exclusion with effect from [date] (which should be the date of the letter; or the date that the alternative plan can be implemented or the date that the pupil is to be readmitted)

You and [Pupil's Name] will be invited to a meeting in order to develop a reintegration plan.

Whilst a Exclusions Panel Hearing will no longer need to take place to consider the re-instatement of [Pupil's Name], you are still entitled, if you wish, to make representations about the exclusion. If you wish to discuss my decision further, a meeting can be arranged. Please submit any request in writing to school for my attention.

Yours sincerely

[Name]

Head Teacher/HoS

Copies: Chair of the Local School Board  
Clerk to the Local School Board  
DSAT Head of Educational Access  
[Insert as required: Pupil's social worker, Virtual School, Education, Health and Care Assessment Team etc.]  
Local Authority Exclusion Team  
Pupil's file

- ***Additional template letters are available by request from DSAT Head of Educational Access***

Appendix 9:



**THE DIOCESE OF SHEFFIELD**  
ACADEMIES TRUST

**School Name**

School Logo

**Reintegration Meeting following Suspension**

<b>Name of Child</b>	
<b>Year/Class Group</b>	
<b>Dates of Suspension</b>	
<b>Reason for Suspension</b>	Use wording from Arbor
<b>Who attending meeting?</b>	

**THE 5 Ws TO SUPPORT REINTEGRATION**

<b>Why</b> did the Suspension occur?	
<b>What</b> behaviours could have been changed to avoid the incident/s happening?	
<b>What</b> is now expected of you?	
<b>What</b> can school do to support you to show good behaviour and be successful?	
<b>What</b> can your carers do to support?	
<b>Agreed Actions</b>	

Signed: \_\_\_\_\_ Parent  
 \_\_\_\_\_ School Staff

Signed:

Signed: \_\_\_\_\_ Child (if appropriate)      Date: \_\_\_\_\_

