



White Woods
Primary Academy Trust

Suspension and Exclusions Policy

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1. Introduction/Aims

As an inclusive organisation White Woods Primary Academy Trust believes that:

- All schools should develop a supportive, relational culture where any exclusion or suspension is seen as a last resort, after exhausting all other options.

- Suspensions should be viewed not solely as a sanction, but as a mechanism to provide support and plan interventions to help pupils remain in school.

The aim of the Trust policy is to ensure:

- The suspension and exclusion process is applied fairly and consistently both within and across schools;
- the suspension and exclusion process is understood by trustees, governors, staff, parents and pupils;
- pupils in schools are safe and happy;
- pupils are not at risk of becoming NEET (not in education, employment, or training).

2. Legislation and statutory guidance

2.1 This policy is based on statutory guidance from the Department for Education: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement Guidance for maintained schools, academies, and pupil referral units in England July 2022

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

- Section 52 of the Education Act 2002, as amended by the Education Act 2011.
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

2.3 In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for excluded pupils.
- Section 579 of the Education Act 1996, which defines the '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

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

3. The decision to suspend or exclude

3.1 Only the headteacher, head of school or acting headteacher, can suspend or permanently exclude a pupil from school. A permanent exclusion will be taken as a last resort.

3.2 Our Trust/school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

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

3.4 A decision to suspend or permanently 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 the welfare of others.

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

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension/exclusion were provoked.
- Allow the pupil to give their version of events.
- Consider if the pupil has special educational needs (SEN)
- Consult with other people or agencies except where they may be involved in

any review of the exclusion. This consultation may include senior staff and a member of the Local Governing Body who will not sit on the exclusion panel.

- Check that time has been given to addressing and supporting the pupil's individual problems within the capabilities of the school, having due regard to the Equality Act 2010.

3.6 Before deciding to exclude a pupil permanently, the Headteacher will first try a range of strategies as outlined in the school's Behaviour Policy, including suspension. Only when other strategies have been tried without success will the Headteacher consider permanent exclusion. The exception to this will be where a one-off incident of sufficient gravity has taken place.

3.7 Prior to issuing a permanent exclusion, the Headteacher **must** consult the Trust CEO. If a permanent exclusion is issued, the CEO will not subsequently be involved in the panel convened to consider the permanent exclusion.

4 Roles and responsibilities

4.1 The headteacher will immediately provide the following information, in writing, to the parents of a suspended or excluded pupil:

- 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.
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this.
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.

The Headteacher informing parents

5.1.2 The headteacher will also notify parents by the end of the afternoon session on the day their child is suspended or excluded that for the first 5 school days of an exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

5.1.3 If an alternative provision is being arranged, the following information will be included when notifying parents of a suspension or exclusion:

- 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 required by the pupil to identify the person they should report to on the first day.

5.1.4 Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and local authority

5.1.5 The headteacher will immediately notify the Trust CEO, governing board and the local authority (LA) of:

- A permanent exclusion, including when a suspension is made a permanent exclusion.
- Suspensions which would result in the pupil being excluded for more than 5 school days (or more than 10 lunchtimes) in a term.
- Suspensions which would result in the pupil missing a public examination.

5.1.6 For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also immediately inform the pupil's 'home authority' of the

exclusion and the reason(s) for it without delay.

5.1.7 For all other suspensions, the headteacher will notify the governing board and Local Authority once a term.

5.2 The governing board

5.2.1 Responsibilities regarding suspensions and permanent exclusions is delegated to members of the LGB coordinated by the Chair of Governors who form part of the Student Disciplinary Committee (SDC).

5.2.2 The Student Disciplinary Committee (SDC) has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see section 6).

5.2.3 Within 14 days of receipt of a request, the governing board will provide the secretary of state with information about any suspensions and permanent exclusions in the last 12 months.

5.2.4 For a suspension of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

5.2.5 Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

5.3 The Local Authority

5.3.1 For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

6 Considering the reinstatement of a pupil

6.1 Student Disciplinary Committee (SDC) will consider 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 which would bring the pupil's total number of school days of exclusion to more than 15 in a term.
- It would result in a pupil missing a public examination.

6.2 If requested to do so by parents, the Student Disciplinary Committee (SDC) will consider the reinstatement of a suspended pupil within 50 school days of receiving notice of

the exclusion if the pupil would be suspended from school for more than 5 school days, but less than 15, in a single term.

6.3 Where a suspension or permanent exclusion would result in a pupil missing a public examination, the Student Disciplinary Committee (SDC) will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the Student Disciplinary Committee (SDC) will consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

6.4 Student Disciplinary Committee (SDC) can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately or on a particular date.

6.5 In reaching a decision, the Student Disciplinary Committee (SDC) will consider whether the suspension or permanent exclusion was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities, which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

6.6 Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

6.7 The LGB, via the Student Disciplinary Committee (SDC) will notify, in writing, the headteacher, parents and the LA of its decision, along with the reasons for its decision, without delay.

6.8 Where an exclusion is permanent, the decision of the Student Disciplinary Committee (SDC) decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and
- The date by which an application for an independent review must be made.
- The name and address to whom an application for a review should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion.

- That regardless of whether the excluded pupil has recognised SEN, parents have a right to require White Woods Primary Academy Trust to appoint an SEN expert to attend the review.
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment.
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That if parents believe that the exclusion has occurred as a result of 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. A 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 An independent review

7.1 If parents apply for an independent review, the Trust will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

7.2 Applications for an independent review must be made within 15 school days of notice being given to the parents by the Student Disciplinary Committee (SDC) of its decision to not reinstate a pupil.

7.3 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 governors category and 2 members will come from the headteacher category:

- 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.
- 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.

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

- Are a member or director of the Trust, or the governing board 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 Trust, or the governing board, of the excluding school (unless they are employed as a headteacher at another school).
- Have, or at any time have had, any connection with the Trust, school, governing board, parents 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).

7.5 A clerk will be appointed to the panel.

7.6 The independent panel will decide one of the following:

- Uphold the governing board's decision.
- Recommend that the governing board reconsiders reinstatement.
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed).

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

8 School registers

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

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

review panel.

8.2 Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

8.3 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.

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

9 Returning from a suspension

9.1 Following a suspension, a reintegration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

9.2 The following measures may be implemented when a pupil returns from a suspension:

- Agreeing on a behaviour contract or support plan
- Arranging staggered integration back into the classroom
- Restorative conversations as/if appropriate
- Arranging a risk assessment
- These will be recorded and shared with parents

10 Monitoring arrangements

10.1 The Headteacher/SLT member monitors the number of suspensions and permanent exclusions every term and reports these to the LGB and Trust Board. They also liaise with the local authority to ensure suitable full-time education for suspended and excluded pupils.

10.2 This policy will be reviewed every year. At every review, the policy will be shared with the trust board.

11 Links with other policies

11.1 This exclusions policy is linked to our:

- Behaviour policy
- SEN policy and information report

12. Equality Impact Statement

12.1 The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:

- eliminate discrimination and other conduct that is prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it
- foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

In the development of this policy due regard has been given to achieving these objectives, further to which we will champion equality in all its forms, in keeping with our values.

Appendix A: Template Letter up to 5 days Suspension

Date

Private and Confidential

Name

Address

Dear [Parent's Name]

Suspension for [Child's Name] (date of birth: xx/xx/xxxx)

I am writing to inform you of my decision to suspend [Child's Name] for a fixed period of [XX] days. This means that he/she will not be allowed in school for this period. The suspension begins/began on [date] and ends on [date]. Your child should return to school on [date].

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because [reason for suspension].

You have a duty to ensure that your child is not present in a public place during

school hours during this suspension on [specify dates] unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for [Child's Name] to be completed on the school days during the period of his/her suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations, please contact The Chair of Governors at the school as soon as possible. Whilst the governing body has no power to direct reinstatement; they must consider any representations you make and may place a copy of their findings on your child's school record.

You and [Child's name] are requested to at the end a reintegration interview with [Name and job title of member of staff]. The school will contact you to arrange a date and me. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [state time].

Yours sincerely

Name

Headteacher

Further information relating to suspensions:

- 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 and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-andtribunals/tribunals/send/index.htm>).
- You also have the right to see a copy of your child's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be

supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

- You may also find it useful to contact the Children's Legal Centre (<http://www.childrenslegalcentre.com/>). They aim to provide free legal advice and inform on to parents on state Education matters, or ACE Education (<http://www.aceed.org.uk>), and they can also be contacted on 03000 115 142. The ACE Education advice line is open from 10am to 1pm Monday to Wednesday during term time.

Other links to services are as follows:

- The Council for Disabled Children <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>;
- the National Autistic Society (NAS) School Exclusion Service England school exclusions@nas.org.uk or 0808 800 4002;
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>
- Information Advice & Support Services Network <http://cyp.iassnetwork.org.uk/>

Appendix B: Template Letter up to 5 days suspension, over 5 days in the term

Date

Private and Confidential

Name

Address

Dear [Parent's Name]

Suspension for [Child's Name] (date of birth: xx/xx/xxxx)

I am writing to inform you of my decision to suspend [Child's Name] for a fixed period of [XXX days]. This means that [Child's Name] will not be allowed in school for this period. The suspension start date is [date] and the end date is [date]. Your child

should return to school on [date].

I realise that this suspension may well be upsetting for you and your family, but my decision to exclude [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because [specify reasons for exclusion].

You have a duty to ensure that your child is not present in a public place during school hours during the first 5 school days [or specify dates if suspension is for fewer than 5 days] of this suspension, that is, on [specify dates]. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [Child's Name] during the [first 5 or specify other number as appropriate] school days of his/her suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to request a meeting of the school's discipline committee to whom you may make representations, and my decision to suspend can be reviewed. As the period of this suspension is more than 5 school days in a term, the discipline committee must meet if you request it to do so. The latest date by which the discipline committee must meet if you request a meeting, is [specify date — no later than the 50th school day after the date on which the discipline committee were notified of this exclusion]. If you do wish to make representations to the discipline committee and wish to be accompanied by a friend or representative, please contact the Clerk to the Governors' Disciplinary Committee as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school.

You, and [Child's name] are requested to attend a reintegration interview with [name and job title of member of staff]. Please contact the school before your child is due to return to arrange a suitable date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [me].

Yours sincerely

Name

Headteacher

Further information relating to suspensions:

- 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 and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-andtribunals/tribunals/send/index.htm>).
- You also have the right to see a copy of your child's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.
- You may also find it useful to contact the Children's Legal Centre (<http://www.childrenslegalcentre.com/>). They aim to provide free legal advice and inform on to parents on state Education matters, or ACE Education (<http://www.aceed.org.uk>), and they can also be contacted on 03000 115 142. The ACE Education advice line is open from 10am to 1pm Monday to Wednesday during term time.

Other links to services are as follows:

- The Council for Disabled Children
<https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>;
- the National Autistic Society (NAS) School Exclusion Service England school exclusions@nas.org.uk or 0808 800 4002;

- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>
- Information Advice & Support Services Network

<http://cyp.iassnetwork.org.uk/>

Appendix C: Template Letter over 5 days suspension and up to 15 days in a term

Date

Private and Confidential

Name

Address

Dear [Parent's Name]

Suspension for [Child's Name] (date of birth: xx/xx/xxxx)

I am writing to inform you of my decision to suspend [Child's Name] for a fixed period of [XXX days]. This means that [Child's Name] will not be allowed in school for this period. The suspension start date is [date] and the end date is [date]. Your child should return to school on [date].

I realise that this suspension may well be upsetting for you and your family, but my decision to suspend [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because [specify reasons for suspension].

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days [or specify dates if suspension is for fewer than 5 days] of this exclusion, that is on [specify dates]. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for [Child's Name] during the [first 5 or specify other number as appropriate] school days of his/her suspension [specify the arrangements for this]. Please ensure that work set by the school is completed and returned to us promptly for marking.

Please include the following if the individual suspension is for more than 5 days:

From the 6th school day of [Child's Name] suspension [specify date] until the expiry of his/her suspension we will provide suitable full- time Education. On [date] [Child's Name] should attend at [give name and address of the alternative provider] at [specify the time — this may not be identical to the start time of the home school] and report to [staff member's name]. [If applicable — say something about transport arrangements from home to the alternative provider. If not known, say that the arrangements for suitable full time education will be notified by a further letter].

You have the right to request a meeting of the school's discipline committee to whom you may make representations, and my decision to suspend can be reviewed. As the period of this suspension is more than 5 school days in a term the discipline committee must meet if you request it to do so. The latest date by which the discipline committee must meet, if you request a meeting, is [specify date — no later than the 50th school day after the date on which the discipline committee were notified of this suspension]. If you do wish to make representations to the discipline committee and wish to be accompanied by a friend or representative, please contact The Clerk to the Governors at the school, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform The Clerk to the Governors if it would be helpful for you to have an interpreter present at the meeting.

You and [Child's Name] are requested to attend a reintegration interview with [name and job title of 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 me. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time].

Yours sincerely

Name

Headteacher

Further information relating to suspensions:

- 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 and/or make a claim, to the First Tier Tribunal (<http://www.justice.gov.uk/guidance/courts-andtribunals/tribunals/send/index.htm>).
- You also have the right to see a copy of your child's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.
- You may also find it useful to contact the Children's Legal Centre (<http://www.childrenslegalcentre.com/>). They aim to provide free legal advice and inform on to parents on state Education matters, or ACE Education (<http://www.aceed.org.uk>), and they can also be contacted on 03000 115 142. The ACE Education advice line is open from 10am to 1pm Monday to Wednesday during term time.

Other links to services are as follows:

- The Council for Disabled Children <https://councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about>;
- the National Autistic Society (NAS) School Exclusion Service England school exclusions@nas.org.uk or 0808 800 4002;
- Independent Parental Special Education Advice <http://www.ipsea.org.uk/>
- Information Advice & Support Services Network <http://cyp.iassnetwork.org.uk/>

Appendix D: Template Letter for Permanent Exclusion

PROTECT Date

Private and Confidential
Name
Address

Dear [Parent's Name]
Suspension Exclusion for [Child's Name] (date of birth: xx/xx/xxxx)

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school unless he is reinstated by the governing body or by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded for a serious breach of school policy and this breach falls within conduct which can justify permanent exclusion: [detail reasons for permanent exclusion and include any other relevant previous history].

If not already excluded, please use this wording:

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

If already on an exclusion over 6 days please use this wording:

[Child's Name] will continue to attend Alternative Provision at [details of provision - please state name, address and transport arrangements for Alternative Provision]. We will set work for [Child's Name] to be completed on the school days whilst ending alternative provision. Please ensure that work set by the school is returned to us promptly for marking.

From the sixth school day of the permanent exclusion onwards — i.e. from [date] - the local authority, Sufolk County Council, will provide suitable full-time Education, the arrangements for this will be notified to you shortly.

As this is a permanent exclusion, the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Appeal Panel. The latest date by which the governing body must meet is [specify the date — the 15th school day after the date on which the governing body was notified of the exclusion]. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact [name of staff] as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the governing body.

You have the right to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of [Child's Name]'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact the Local Offer Broker, [Name], at the Local Authority, West Suffolk House, Western Way, Bury St Edmunds on 01284 758757 who will be able to provide guidance and advice. You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state Education matters. They can be contacted on 03000 115142 or on <http://www.childrenslegalcentre.com/>. The advice line is open Monday to Wednesday from 10am to 1pm during term time.

Yours sincerely

Name
Headteacher

Appendix E

Date of Meeting:	Present:
Pupil Details:	
Name: Address: DOB: Year Group: Parent/ Guardian: Contact details:	

Additional information:

Is the pupil in care? Yes/no	
Is the pupil subject to a child protection plan? Yes/no	
Is the pupil identified as having special educational needs (SEN)? Yes/no	
If yes, please give details:	

Details of Suspension/Exclusion:

Date of exclusion:

Date of return to school:

Total number of days excluded:

Reason for exclusion:

Attendance:

Attendance this term:

Number of days absent:

Attendance (%):

Academic Performance

Reading:

Writing:

Maths:

Targets for Behaviour and Learning

Area for development:	Current score (0-10); 0=never, 10=always	Target score (0- 10) 0=never, 10=always	How will we achieve this?	Timescale/review date:
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Other agreed actions:

Pupil's comments:	Parent/guardian's comments:	School's comments:
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Appendix F Reviewer's Exclusion Deliberation Checklist

The Facts	Please tick:
Has the school properly and fully presented a case for the exclusion?	
If the facts are disputed, on the balance of probabilities (i.e. more likely than not), did they occur as alleged by the school?	
Was the decision based on a breach of the behaviour policy? Are reviewers satisfied that the child knew, or ought reasonably to have known, that his/her behaviour breached the behaviour policy?	
The Process	
Have the pupil and his/her family been properly notified of the exclusion and the hearing and had an adequate opportunity to represent themselves?	
Did the school provide the pupil with an opportunity to provide a statement? If no statement was obtained, has the school satisfactorily explained why not?	
Has the school provided statements from witnesses, rather than relying on hear-say? Were the statements credible (i.e. taken in the proper way, signed, dated)?	
Have reviewers been given sufficient information and opportunity to make the right decision? Both written submissions and oral testimony made at the hearing constitute evidence and may be taken into consideration.	
Has the school provided work for the first five days of the exclusion and had it marked?	
Has the Local Authority been advised of the permanent exclusion and put in place educational provision from Day 6 of the exclusion?	

Discrimination and Intervention	
Are reviewers satisfied that the exclusion was not based on any element of discrimination? If pupil is from an at-risk ethnic or social background (e.g. Black Caribbean, Gypsy/Roma, Traveller, LAC), was this given additional scrutiny?	
Has the school properly considered whether the child has Special Educational Needs? Have they considered that disruptive or impulsive behaviour might constitute a social, emotional or mental health need under the SEN Code of Practice?	
If the pupil has an EHCP, did the school conduct an emergency annual review?	
If the pupil is a Looked-After Child, has the school accessed all the resources available from the council?	
In a case of persistent breaches, has the school attempted to identify underlying causes and address them through interventions and support? Have reviewers received sufficient evidence of this?	
The Headteacher's decision	
Is the decision lawful? <i>An example of an unlawful decision might be where the Principal has applied the wrong legal standard or has exceeded his/her powers.</i>	
Was the decision fair? <i>An example of unfair decision might be when one pupil is permanently excluded for the same offence as a pupil who was not, where no other differences between the pupils to explain this.</i>	
Is the sanction proportionate? <i>Proportionality means that it is the minimum sanction available effectively to achieve the ends required by the school.</i>	
Linked to the above, is the decision a last resort? Did the Headteacher consider alternatives (e.g. managed move) and if rejected, has this been explained? Has the school explained why no other sanction would suffice? Did the school do all it could to mitigate against exclusion or has it satisfactorily argued that the behaviour could not have been foreseen?	

<p>Is the decision rational and reasonable? <i>An irrational decision is one that no ordinary and objective person would reasonably make. An example of an unreasonable decision might be one that is unreasoned – for example, if the Headteacher could not give reasons for his/her decision.</i></p>	
<p>Considering reinstatement</p>	
<p>Would reinstatement seriously harm the education or wellbeing of the child or others in the school community? <i>'Would' requires a higher level of certainty than 'might', 'could', 'is likely to'. 'Serious harm' requires a higher level of impact than 'detriment' – the impact cannot merely be negative, it must be intolerable to reviewers.</i></p>	
<p>Having considered the child's or parents' evidence, are reviewers satisfied that any mitigating factors do not excuse/explain the behaviour? This includes bereavement, divorce, family discord, bullying at school, etc.? Did the Headteacher take these mitigating factors into account?</p>	
<p>How large a negative impact will the exclusion have on the pupil's education and wellbeing (e.g. Year 8 vs. Year 11)? Are reviewers satisfied that this negative impact is justified in the circumstances?</p>	

If any of these questions cannot be answered with a 'yes', reviewers must give serious consideration to reinstatement. If reviewers choose not to reinstate, they must clearly explain their decision despite the school's failure to meet these thresholds.