



Transforming Lives

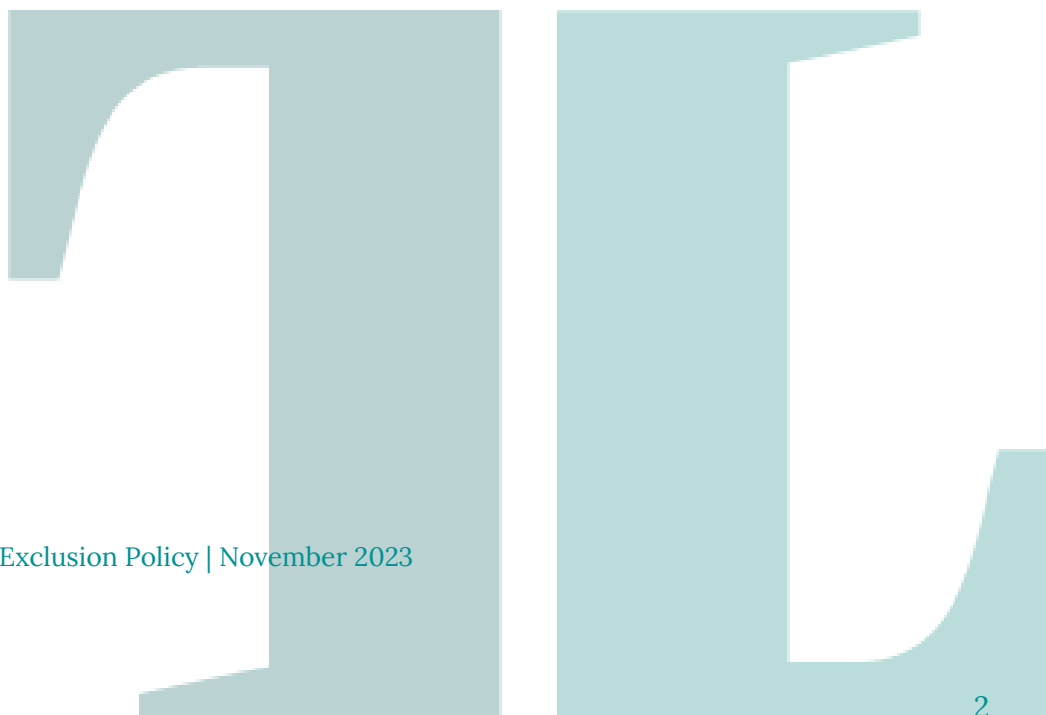
EDUCATIONAL TRUST

**Suspension and  
Permanent  
Exclusion Policy**

**November 2023**

## Version Control

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6-15 days in total

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## 1 Introduction

- 1.1 Transforming Lives Educational Trust's [TLET/the Trust] exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that its academies will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the academy gate.
- 1.2 Where the academy's approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.
- 1.3 The academy will always have regard to the Statutory Guidance on Suspensions and Exclusions (May 2023) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).
- 1.4 This policy should be read in conjunction with the behaviour policy and the SEND policy for the academy.

## 2 Application of policy

- 2.1 This policy applies to all members of the TLET community. Each academy within the Trust will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents and pupils.

## 3 Types of exclusion

Suspensions and permanent exclusions are different:

- 3.1 Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the academy for a fixed period. At the end of the period, they are expected to return to the academy following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.
- 3.2 Permanent exclusions are where, subject to a decision of the local governing board to reinstate the pupil to the academy, the pupil is prevented from attending the academy again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the academy's behaviour policy; and where allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others such as staff or pupils in the academy.

## 4 Roles and responsibilities

All members of the Trust community are expected to follow this policy. Roles, responsibilities, and expectations of each section of the Trust community are set out in detail below.

### The principal

- 4.1 All decisions to suspend or permanently exclude a pupil will be taken by the principal after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the academy's behaviour policy.

When considering to permanently exclude, the principal **must** discuss their decision-making process, and supporting evidence, with the Trust's CEO or Director of Education **before** making a final decision.

### The governors

- 4.2 The local governing board is responsible for forming committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the relevant committee formed by the local governing board will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the academy.

### Parents

- 4.3 Parents will be informed without delay of any suspension or exclusion and there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the principal.

### Pupils

- 4.4 All pupils of the academy are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in academy life effectively. Where those expectations are breached, the behaviour policy will apply.

Type of exclusion/suspension	Period of exclusion/suspension	Requirements	Timeframe
Permanent		Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the VSH for a LAC and in the case of a maintained school a representative of LA* (or PRU) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the exclusion
Suspension	Any – if exclusion results in pupil missing a public examination or national curriculum test	Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the VSH for a LAC and in the case of a maintained school a representative of LA* (or PRU) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the exclusion
Suspension	Brings total to 16 days or more in a single term	Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the VSH for a LAC and in the case of a maintained school a representative of LA* (or PRU) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the exclusion

Type of exclusion/suspension	Period of exclusion/suspension	Requirements	Timeframe
Suspension	Brings total to 6-15 days in a single term	<p>If requested to do so by parents, must convene a meeting to consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the VSH for a LAC and in the case of a maintained school a representative of LA* (or PRU) to a meeting and allow oral and written representations to be made.</p> <p>If parents do not request a governing board meeting, the board is not required to consider the suspension and does not have the power to consider the reinstatement of the pupil.</p>	Within 50 school days of receiving notice of the exclusion
Suspension	Brings total to 5 days or less in a single term	Must consider any written representation made by parents at a meeting but cannot direct reinstatement.	No deadline. Should happen within a reasonable amount of time.

\* For Academies an LA representative must be invited if requested by the parents. Their role is as an observer unless the Governing Board give permission to make representations

## 5 CCTV, witness evidence and pupil views

5.1 The Trust uses Close Circuit Television (CCTV) within its premises. This is to provide a safe and secure environment for pupils, staff, and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as



necessary) at any governor review meeting. Please see the Trust's CCTV policy and privacy notices for more information.

- 5.2 Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any governor review meeting. All statements will be signed and dated unless the principal has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 5.3 Before taking a decision to suspend or exclude and where appropriate, the principal will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. The principal will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

## **6 Reintegration strategy meetings following suspension or off-site direction**

- 6.1 Where a pupil is suspended or is directed to be educated off-site, upon return to the academy both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:
  - 6.1.1 offer the pupil a fresh start,
  - 6.1.2 help them understand the impact of their behaviour on themselves and others,
  - 6.1.3 teach them to how meet the high expectations of behaviour in line with the academy culture,
  - 6.1.4 foster a renewed sense of belonging within the academy community; and
  - 6.1.5 build engagement with learning so that further suspensions are not needed. Academy staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral or practical perspective that might reduce the chance of repeat behaviours. Previous behaviour is not seen as an obstacle to future success.
- 6.2 The academy used various measures to support a pupil's successful reintegration, such as:
  - 6.2.1 daily contact with a designated pastoral professional in the academy;
  - 6.2.2 use of a report card with personalised targets leading to personalised rewards;
  - 6.2.3 ensuring the pupil receives academic support upon return to catch up on any lost progress;
  - 6.2.4 planned pastoral interventions;
  - 6.2.5 mentoring by a trusted adult or a local mentoring charity;
  - 6.2.6 regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and
  - 6.2.7 informing the pupil, parents, and staff of potential external support.
- 6.3 Whilst reintegration meetings are highly encouraged by the Trust, pupils will not be prevented from being admitted to the Academy or being put in mainstream classes because parents have been unable or unwilling to attend a meeting.

## 7 Canceling a suspension or exclusion

- 7.1 A suspension or exclusion can be canceled by the principal as long as the suspension or exclusion has not been considered by the governors. In relation to an exclusion, it cannot be canceled if the total time the pupil was excluded or suspended that academic year would be over 45 days at the point of the decision to cancel the exclusion.
- 7.2 Where a suspension or exclusion is canceled, the relevant parties will be informed by the principal in accordance with the Statutory Guidance on Suspensions and Exclusions.

## 8 Suspensions before a permanent exclusion

- 8.1 In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the principal will send the relevant letter setting out the rights of parents. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light or where the incident was serious, and time is required to fully investigate the circumstances and consider alternatives.

## 9 Directing off-site and managed moves

- 9.1 Before taking any decision to permanently exclude a pupil, the principal will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.
- 9.2 In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the academy's behaviour management strategy to improve a pupil's behaviour where in-academy interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options.
- 9.3 For a managed move to take place there needs to be agreement between the academy, the parents and the new academy/school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new academy/school for a fixed period to ensure that the new academy/school would be suitable for them. We will share relevant information with the new academy/school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

## 10 Independent review panels (IRPs)

- 10.1 The academy arranges its own IRPs, and requests for an IRP where a permanent exclusion has been upheld should be made to the principal within 15 academy days.
- 10.2 Further details on the role and powers of IRPs can be found in Part Ten of the Statutory Guidance on Exclusions and Suspensions.

## 11 Reconsideration by the local governing board

Where an IRP either recommends reconsideration or quashes the initial decision of the local governing board, the decision will be considered within 10 academy days. This may involve a rehearing with oral evidence given by the academy and parents or may be a reconsideration with only the local governing board members and the clerk present.

## 12 Remote Meetings

- 12.1 Any governor meeting and/or an IRP meeting may be conducted remotely where the parents request for it to be conducted remotely and the meeting can be fairly held remotely, with all participants having access and are able to make representations. A meeting may also take place remotely where there is an extraordinary event or unforeseen circumstance that means it's not reasonably practicable to hold the meeting in person. Such events can include, but are not limited to, floods, fire, and an outbreak of an infectious disease.
- 12.2 In addition, where a child's social worker or the virtual academy head are due to attend a meeting, they may join an in-person meeting remotely as long as it can be fairly accessed, the technology is available, and everyone would be able to make representations.

## 13 Complaints

If parents have any concerns or complaints over the application or implementation of this policy or feels that they are being pressured into a managed move, they should raise their concerns with a staff member or the principal in accordance with the TLET complaints policy, available on the Trust website. If the concern relates to an exclusion, the statutory procedure set out in the Statutory Guidance on Exclusions and Suspensions will be followed.

## 14 Equality impact

The Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

## 15 Monitoring arrangements

The governors review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate. The following are monitored by the governors to ensure the processes and support for pupils are appropriate:

- 15.1.1 the interventions put in place for pupils at risk of suspension and permanent exclusion
- 15.1.2 the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- 15.1.3 full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:
- (a) any previous placements have been evaluated, including support for any applicable SEND
  - (b) there is a process in place to monitor the pupil's attendance and behaviour at the provision

- (c) the correct attendance code is being used
- (d) the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible

15.1.4 whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils

15.1.5 the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves

- (a) whether the academy register and absence codes have been recorded correctly
- (b) how the behaviour policy is applied and specifically its consistency
- (c) the circumstances in which pupils receive repeat suspensions
- (d) whether Personal Education Plans for looked after children have been reviewed on a termly basis

## 16 Links with other Policies

This exclusions policy is linked to our:

- (Academy) Behaviour policy
- SEND policy and (academy) information report

## 17 Procedural Template Forms

### Principal's checklist - Suspension

You must answer the applicable questions below to support your decision-making to suspend.

#### Section 1 - Sufficient evidence

*(This section helps you to determine if you have sufficient evidence to satisfy the tests for suspension)*

What evidence do you have to show a breach of the academy's behaviour policy?

Principal's response:

Have you taken the pupil's views into account, considering these in light of their age and understanding?

Principal's response: Yes / No

Do you have witness statements? Are they signed and dated? If not, what is the reason for this?

Principal's response: Yes/ No

Do your reasons for suspension accord with the potential grounds for suspension as set out in paragraph 16 of the statutory guidance or are they of similar severity?

Principal's response: Yes / No

#### Section 2 - Alternatives to suspension

*(This section helps you to determine if suspension is an appropriate sanction)*

What alternatives to suspension have been considered, including but not limited to off-site directions, managed moves, engagement with parents, provision of mentoring/coaching, use of pupil support units, assessment and support under the SEND framework, and multi-agency support under the "working together" framework?

Principal's response:

Have the circumstances of the pupil been considered and taken into account?

Principal's response: Yes / No
Are there any safeguarding concerns that require a multi-agency approach?
Principal's response:
Does the pupil have SEND? Is an assessment required? Have any reasonable adjustments to school practices and/or procedures been considered and implemented? If the pupil has an EHCP, have you called an interim/emergency annual review?
Principal's response:
If the child is looked after, has contact been made with the social worker or virtual school headteacher and has a PEP review been called?
Principal's response:
<b>Section 3 - Length of suspension</b>
What length of suspension is appropriate and proportionate in the circumstances and making reference to the academy's behaviour policy?
Principal's response:
What arrangements have been made for work to be provided on days 1 to 5? Or has alternative provision been arranged?
Principal's response:
Has a reintegration strategy been organised and communicated to the parents as set out in paragraphs 27 and 28 of the statutory guidance?
Principal's response: Yes / No
<b>If you need to extend the length of a suspension or issue a permanent exclusion following a period of suspension:</b>

Do you have new information to justify the new suspension (or permanent exclusion) and are you satisfied it is sufficient to justify the new decision on the balance of probabilities?

Principal's response:

Have you sent out a new decision letter to the parents and other relevant stakeholders?

Principal's response: Yes / No

#### Section 4 - Notification

Have parents been notified without delay?

Principal's response: Yes /No

Have you told parents that during the first 5 days of the suspension (or until any full-time alternative provision begins) the parent must ensure that the child is not in a public place during school hours?

Principal's response: Yes / No

Have parents been sent the formal written notification with reasons without delay?

Principal's response: Yes / No

Have other relevant stakeholders been notified, where appropriate – governors, local authority, social worker, virtual school headteacher?

Principal's response: Yes / No

## Principal's checklist - Permanent Exclusion

The Department for Education's statutory guidance on exclusions requires decisions to be **lawful, reasonable, fair and proportionate**. As such, taking the following matters into account and recording your position in relation to them will be important evidence in showing compliance with the legal framework on exclusions.

**You must answer the applicable questions** below to support your decision-making to exclude.

### Section 1 - Sufficient evidence

*(This section helps you to determine if you have sufficient evidence to satisfy the tests permanent exclusion)*

What evidence do you have to show a breach of the academy's behaviour policy?

Principal's response:

What evidence do you have to satisfy the test at paragraph 11 of the statutory guidance for permanent exclusion (i.e. serious breach or persistent breaches of the behaviour policy and where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil or others such as staff or pupils in the school)?

Principal's response:

Does the available evidence satisfy the tests on the balance of probabilities?

Principal's response: Yes / No

Have you taken the pupil's views into account, considering these in light of their age and understanding?

Principal's response: Yes / No

Do you have witness statements? Are they signed and dated? If not, what is the reason for this?

Principal's response: Yes / No

Do your reasons for permanent exclusion accord with the potential grounds for exclusion as set out in paragraph 16 of the statutory guidance or are they of similar severity?



Principal's response: Yes / No

## Section 2 - Alternatives to suspension or exclusion

*(This section helps you to determine if permanent exclusion is the last resort)*

What alternatives to permanent exclusion have been considered, including but not limited to off-site directions, managed moves, engagement with parents, provision of mentoring/coaching, use of pupil support units, assessment and support under the SEND framework, and multi-agency support under the "working together" framework?

Principal's response:

Have the circumstances of the pupil been considered and taken into account?

Principal's response: Yes / No

Are there any safeguarding concerns that require a multi-agency approach?

Principal's response:

Does the pupil have SEND? Is an assessment required? Have any reasonable adjustments to school practices and/or procedures been considered and implemented? If the pupil has an EHCP, have you called an interim/emergency annual review?

Principal's response:

If the child is looked after, has contact been made with the social worker or virtual school headteacher and has a PEP review been called?

Principal's response:

## Section 3 - Notification

Have parents been notified without delay?

Principal's response: Yes / No

Have you told parents that during the first 5 days of the suspension or exclusion (or until any full-time alternative provision begins) the parent must ensure that the child is not in a public place during school hours?

Principal's response: Yes / No

Have parents been sent the formal written notification with reasons without delay?

Principal's response: Yes / No

Have other relevant stakeholders been notified – governors, local authority, social worker, virtual school headteacher?

Principal's response: Yes / No

## Witness statement form

<b>Name:</b>	<b>Year:</b>
<b>Why statement is needed:</b>	
<b>Details:</b>	

**Details continued:**

**Signed:**

**Date:**

**Staff member/s present:**

## Letter suspending a pupil for 5 days or less

[NB: Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way, otherwise deliver directly in-hand or send by post. Send letter as soon as possible after the decision to suspend.]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

Re: Suspension of [name of pupil]

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration meeting has been arranged to take place on [date] at [time] to discuss with you and [name of pupil] how they return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, 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.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent OR If alternative provision is being arranged during the suspension, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the suspension; 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.]

You have the right to make written representations to the Local Governing Board. [[name of pupil] may also make written representations about their suspension]. The Local Governing Board must meet following receipt of any representations but does not have the power to reinstate [name of pupil].

If you and [name of pupil] wish to make written representations to the Local Governing Board please send these through to [name] at [email] as soon as possible. If you think this suspension relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Local Governing Board.

You may request a copy of [name of pupil]'s school record as a subject access request. Please send any request through in writing to [name] at [email]. [As [name of pupil] is over [13] years old please provide their written

consent to enable me to send their information through to you].

You may wish to contact the Exclusion Officer at Warwickshire Local Authority for further advice and guidance in relation to the exclusion. The Exclusion Officer can be contacted by telephone on [Number], or by email on [Email].

There are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions:

<https://www.gov.uk/government/publications/school-exclusion>

- Coram's Child Law Advice service can be accessed through their website

<https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.

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

- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

Yours sincerely

[name]

Principal

[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## Letter suspending a pupil where total number of suspensions is between 6-15 days in total

[NB: Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way, otherwise deliver directly in-hand or send by post. Send letter as soon as possible after the decision to suspend]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Suspension of [name of pupil]**

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration strategy meeting has been arranged to take place on [date] at [time] to discuss with you and [name of pupil] how they return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, 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.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent **OR** If alternative provision is being arranged during the suspension, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the suspension; 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.]

You have the right to make written representations to the Local Governing Board and ask it to reinstate your child in school. [[name of pupil] may also make written representations about their suspension and may attend the meeting]. The Local Governing Board must meet following receipt of any representations and has the power to reinstate [name of pupil] or, alternatively, it has the power to uphold the suspension.

If you wish to make representations to the Local Governing Board and attend the Local Governing Board meeting, please contact [name] on [number or email] as soon as possible. You have the right to request that this meeting takes place remotely and if you wish for the meeting to take place remotely, please let [name] know as soon as possible. You also have the right to be accompanied by a friend and/or representative and [[name of

pupil's [social worker][Virtual School Head] will be invited to attend].

You may request that a representative of the local authority attends the meeting, [together with a representative of your home local authority if different from the school's]. However, this will be as an observer only unless permission is granted by the Local Governing Board for representations to be made.

If you choose to make representations you will be notified of the time, date and location of the meeting. Please let me know if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral representations. Please let me know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [name] if it would be helpful for you to have an interpreter present at the meeting. If you think this suspension relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Local Governing Board.

You may request a copy of [name of pupil]'s school record as a subject access request. Please send any request through in writing to [name] at [email]. [As [name of pupil] is over [13] years old please provide their written consent to enable me to send their information through to you].

You may wish to contact the exclusion officer at Warwickshire Local Authority for further advice and guidance in relation to the exclusion. The exclusion officer can be contacted by telephone on [number], or by email on [email].

There are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions:  
<https://www.gov.uk/government/publications/school-exclusion>
- Coram's Child Law Advice service can be accessed through their website  
<https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

Yours sincerely

[name]

Principal

[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]



## Letter suspending a pupil where total number of suspensions is 16 days or more in total

[NB: Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way, otherwise deliver directly in-hand or send by post. Send as soon as possible after the decision to suspend]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Suspension of [name of pupil]**

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration strategy meeting has been arranged to take place on [date] at [time] to discuss how [name of pupil]'s return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, 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.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent]. [If alternative provision details are known from the sixth day provide: the start date for any provision of full-time education that has been arranged for the child during the suspension; 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.]

As [name of pupil] has been suspended for more than 15 days in a single term, the Local Governing Board must meet to consider whether to reinstate [name of pupil] within 15 school days. At the review meeting you may make representations to the Local Governing Board if you wish and ask them to reinstate your child. The Local Governing Board has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the suspension. The latest date by which the Local Governing Board must meet is [date - 15 school days after receiving notice of suspension].

If you wish to make representations to the Local Governing Board and wish to be accompanied by a friend and/or representative, please contact [name] on [number/email] as soon as possible. You have the right to request that this meeting takes place remotely and if you wish for the meeting to take place remotely, please let

[name] know as soon as possible. [[name of pupil]'s [social worker][Virtual School Head] will be invited to attend].

You may request that a representative of the local authority attends the meeting, [together with a representative of your home local authority if different from the school's]. However, this will be as an observer only, unless permission is granted by the Local Governing Board for representations to be made].

You will, whether you choose to make representations or not, be notified by the clerk to the Local Governing Board of the time, date and location of the meeting. Please let us know if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral representations. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [name] if it would be helpful for you to have an interpreter present at 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 board/discipline committee].

You may request a copy of [name of pupil]'s school record as a subject access request. Please send any request through in writing to [name] at [email]. [As [name of pupil] is over [13] years old please provide their written consent to enable me to send their information through to you].

You may wish to contact the exclusion officer at [local authority name] for further advice and guidance in relation to the exclusion. The exclusion officer can be contacted by telephone on [number], or by email on [email].

There are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions:  
<https://www.gov.uk/government/publications/school-exclusion>
- Coram's Child Law Advice service can be accessed through their website  
<https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

Yours sincerely

[name]

Principal

[cc. local authority, where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## Letter permanently excluding a pupil

[NB: Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way, otherwise deliver directly in-hand or send by post. Send letter as soon as possible after the decision to permanently exclude]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Permanent exclusion of [name of pupil]**

[I write further to my decision to suspend [name of pupil] on [date] for [number] days while an investigation [into the incident that took place on [date]] was carried out.]

[The investigation is now complete and ]I regret to inform you of my decision to permanently exclude [name of pupil] with effect from [date]. This means that [name of pupil] will not be allowed in this school unless they are reinstated by the Local Governing Board.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [name of pupil] has not been taken lightly. [name of pupil] has been excluded because [set out reasons and whether decision is for a single serious breach or persistent breaches of the behaviour policy].

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid permanent exclusion.]

You have a duty to ensure that your child is not present in a public place in school hours during the first five school days of this exclusion 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 days. It will be for you to show reasonable justification.

Alternative arrangements for [name of pupil]'s education will be made. For the first five school days of the exclusion we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent **OR** if alternative provision is being arranged during the first five days, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the exclusion; 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.] From the sixth school day of the exclusion onwards, the local authority will provide suitable full-time education. The arrangements for this will be set out in a further letter.

As this is a permanent exclusion the Local Governing Board must meet to consider it. At the review meeting you may make representations to the Local Governing Board if you wish and ask them to reinstate your child in school. The Local Governing Board has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the exclusion, in which case you may request that its decision be reviewed by an independent review panel. The latest date by which the Local Governing Board must meet is [date - 15 school days after receiving notice of exclusion].

If you wish to make representations to the Local Governing Board and wish to be accompanied by a friend and/or representative, please contact [name] on [number / email] as soon as possible. You will, whether you choose to make representations or not, be notified of the time, date and location of the meeting. Please let us know if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral

representations. You have the right to request that this meeting takes place remotely and if you wish for the meeting to take place remotely, please let [name] know as soon as possible.

[[name of pupil]'s [social worker][Virtual School Head] will be invited to attend]. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [name] if it would be helpful for you to have an interpreter present at 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 Local Governing Board.

You may request a copy of [name of pupil]'s school record as a subject access request. Please send any request through in writing to [name] at [email]. [As [name of pupil] is over [13] years old please provide their written consent to enable me to send their information through to you].

There are sources of free and impartial advice available on exclusions:

- Statutory guidance on suspensions and exclusions:  
<https://www.gov.uk/government/publications/school-exclusion>
- Coram's Child Law Advice service can be accessed through their website  
<https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

Yours sincerely

[name]

Principal

[cc. local authority, where applicable, home local authority, the pupil's social worker and the VSH if the pupil is a LAC]

## Letter setting out alternative provision from sixth school day of suspension

[NB: Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent in this way, otherwise deliver directly in-hand or send by post. Send as soon as possible after the decision to suspend]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Alternative provision for [Name of pupil]**

Further to my letter dated [date], I am writing to confirm the arrangements for [name of pupil] to commence alternative full-time education from the sixth school day of the suspension issued by me on [date].

Arrangements have been made for [name of pupil] to attend [venue] at [address] from Monday to Friday between the hours of [time] and [time] for the morning session and [time] and [time] for the afternoon session.

[name of pupil] must attend on [day of week], [date], at [time] and report to [contact name for first day], who will provide further information.

As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attends for all sessions each day to ensure that any disruption to their education is kept to a minimum.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

[name]

Principal

[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## Letter canceling a suspension or exclusion

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Cancellation of [Suspension OR Permanent exclusion] of [name of pupil] from [school]**

I write further to my letter dated [date] [and our subsequent discussions] regarding the [suspension OR permanent exclusion] of [name of child].

Having reviewed the situation and taken account of [set out the new evidence/change in circumstances], I am writing to confirm that I am canceling the [suspension/permanent exclusion].

If you wish to discuss the change of circumstances further, please let me know and we can arrange a mutually convenient time to discuss.

[In the meantime, [name of child] should return to school as soon as possible and [name of child] and you are invited to a re-integration meeting on [date]].

[As you have chosen to remove [name of child] from the school, I wish [name of child] all the best for the remainder of [his/her] education.]

Yours sincerely

[name]

Principal

[cc. local authority exclusions officer, clerk to the governing board, [social worker], [VSH]]

## Reintegration template

### Template guidance

Use this form to plan for and record reintegration meetings with pupils and parents/carers after a suspension, a period of off-site direction, a significant period of internal exclusion/isolation, a cancelled suspension, or an overturned exclusion.

Adapt it to suit your school's context, and the age and needs of the pupil. Delete **highlighted examples** and replace with your own.

Give the pupil and parents/carers their own, simplified copy of the reintegration strategy in Annex 1 and Annex 2. These are simplified versions, but make sure that the information is consistent for everyone.

If the pupil isn't returning to school on a reduced timetable, record 'no' in the appropriate box and delete the 'details of reduced timetable' section.

## Pupil details

Date of reintegration meeting:

People present:

Include names and roles e.g. parent, headteacher, SENCO

### Pupil details

Pupil's name:

Address:

Date of birth:

Year group/tutor:

Name of parent/guardian:

Contact details:



Is the pupil subject to a child protection plan?

If yes to any question, give details

Is the pupil a looked-after or previously looked-after child?

Is the pupil identified as having special educational needs (SEN) and/or a disability?

Does the pupil have an education, health and care (EHC) plan?

### Details of suspension

Date of suspension:

Date of return to school:

Number of days suspended:

Reason for suspension:

Details of any previous suspensions:

Total number of days suspended this term:

Provision during suspension:

Include details of any:

· Work provided and marked over suspension period

· Alternative provision

· Interventions from counselling or behaviour services, SEND support or local safeguarding partners

### Review of current attendance

Attendance this term

Number of days absent:

Attendance (%):

Attendance this year

Number of days absent:

Attendance (%):

### Review of academic progress

Subject:

Target grade:

Current grade:

Teacher comments:

If the pupil isn't graded in any/all subjects, ask teachers to briefly rate their progress – for example, out of 10 or with a RAG rating

## Parents/carers and professionals involved with the child

Name:	Role and organisation:	Attended reintegration meeting? (Y/N)	Contact details:	Have they been informed of the reduced timetable?
				<p>If the pupil isn't on a reduced timetable, delete the row or record N/A</p> <p>If they haven't been informed, record the reason why</p>

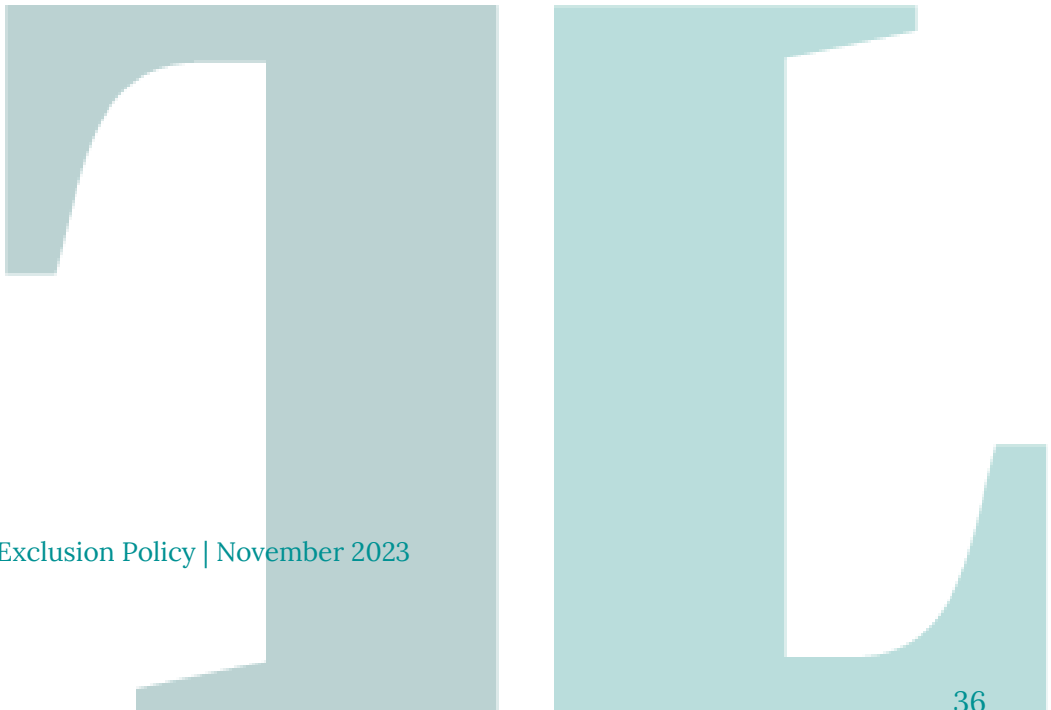
## Targets and provision

### Targets for behaviour and learning

Area for development	Current score (out of 10)  (Alternatively, use a RAG rating)	Target score (out of 10)	How will we achieve this?	Timescale/review date
e.g. Come prepared to work	3	5	<p>Arrive on time</p> <p>Bring pen and other equipment</p>	3 weeks from meeting

## Agreed support

Type of support	Support lead	Frequency
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible  If someone outside the school is providing the support (e.g. a mentoring charity that you are facilitating), name the member of school staff who is responsible for its oversight	1 hour a week
e.g. Check in on reintegration targets		
Is the pupil on a reduced timetable? (Y/N)		



## Details of reduced timetable arrangements

Delete this section if it doesn't apply

Why are we using a reduced timetable?

What risks are there of the reduced timetable on the pupil's needs?

If you have included an assessment of the reduced timetable in a broader risk assessment about the pupil's return to school, attach the document to the end of your reintegration plan.

What steps are we taking to mitigate these risks?

Week beginning:	Mon		Tues		Wed		Thurs		Fri		Total hours in lessons:
	am	pm	am	pm	am	pm	am	pm	am	pm	
Start date:						Planned end date:					
Review meeting details:											
Date, time and who will attend											
Review the reduced timetable arrangements frequently to decide if they're working and still necessary. You should use them for as short a time as possible.											

## Additional comments

**Pupil's comments**

**Parents'/carers' comments**

**School's comments**

Include comments from different staff members as appropriate

**Signed (pupil)**

**Signed (parent/carer)**

**Signed (academy)**

## Annex 1: Pupil copy of reintegration plan

Adapt the wording depending on the pupil's age/context and give it to them to keep. Try to keep it to a single page and use age-appropriate language

My name:	My class/form:
Date of suspension:	
Date of return to school:	
Number of days suspended:	
Why was I suspended?	

My targets	My current score (out of 10)	My target score (out of 10)	How will I achieve this?	When will we check on this?
e.g. Come prepared to work	3	5	Arrive on time and bring all my equipment	3 weeks from meeting

How will the school help me?	Who will help me?	How often will we do this?
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible	1 hour a week

My comments	My parents'/carers' comments	The school's comments

**Signed (pupil)**

## Annex 2: Parents'/carers' copy of reintegration plan

Try to keep to a single page

My name:	My child's name:
Date of suspension: Number of days suspended:	Date of return to school:
Why was my child suspended?	

[Name's] targets	Current score (out of 10)	Target score (out of 10)	How will they achieve this?	When will we check on this?
e.g. Come prepared to work	3	5	Arrive on time and bring all my equipment	3 weeks from meeting

What support will the school provide?	Staff member responsible	Frequency
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible	1 hour a week

My child's comments	My comments	The school's comments

**Signed (parent/carer):**



## Letter directing a pupil to be educated off-site to improve behaviour

[NB: This letter is compliant with The Education (Educational Provision for Improving Behaviour) Regulations 2010 (as amended), which only apply to maintained schools. Although these Regulations and the DfE's Alternative Provision guidance do not apply to academies, the statutory exclusions guidance encourages academies to follow the Alternative Provision guidance as an example of good practice. Maintained schools should ensure this letter is sent at least two days before the off-site educational provision is due to begin]

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

### Direction for off-site education for [name of pupil]

Further to [our conversation on [date] and/or my letter dated [date] and/or [details of recent behavioural incident(s)]], I am writing to confirm my decision to direct [name of pupil] to offsite education for a temporary period of time.

[Name of pupil] is directed to attend [name of provision] at [address] between the hours of [time] and [time] from [date] in order to help improve their behaviour following [details of incidents]. During this period [name of pupil] will remain on the roll of [name of current school] and will be dual registered. [Name of provision] is [an Ofsted registered provision and/or included within the local authority's directory of 'approved' provision], which meets clearly defined standards. I can confirm that appropriate safeguarding and other checks have been made to ensure the suitability and safety of the placement.

[Name of pupil] should report to [name], [role], at [name of provision] at [time] on their first day. Their attendance will be [full-time OR a combination of part-time at [name of provision] and a continuation at [current school] [set out timetable if a combination]]. As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attend all sessions every day to ensure that any disruption to their education is kept to a minimum.

The proposed maximum period for their attendance at [name of provision] is [set out time depending on what best supports the pupil's needs and potential improvement in behaviour e.g. two months/the remainder of term etc.]. This will be reviewed at regular intervals by the governing board, the headteacher of [current school], a representative from [name of provision], [the local authority (as [name of pupil] has an Education Health and Care Plan),] and yourself with input from [name of pupil]. The first review meeting[HOS1] will be held on [date - we suggest no more than 6 school weeks after the start of the provision] at [address]. You will be notified of any further review meetings in writing. You may also request a review by the governing board of the provision and the governing board will comply with the request as soon as reasonably practicable, unless there has already been a review in the previous ten weeks. Any requests for a review should be sent to [name and contact details].

Please note [name of pupil]'s time in attending [name of provision] is intended as an intervention to help improve their behaviour. [The main objective of this intervention is the successful reintegration of [name of pupil] back into [current school]]. During their time at [name of provision], [name of pupil] will continue to receive a broad and balanced education. In order to ensure the placement is successful, [name of pupil] has been set the following objectives:

- [Set out reasons for and objectives of the placement and any support put in place for the pupil while he attends the provision e.g. any specific pastoral care they will receive/details of any induction etc.
- For example, references to any academic attainment – particularly in English, maths and science (including IT)
- Any specific and identifiable personal, social and academic needs of the pupil and how they will be met in

order to help them to overcome any barriers to attainment

- Improved pupil motivation and self-confidence, attendance and engagement with education
- Successful reintegration back to current school]

Progress against these objectives will be frequently monitored.

During [name of pupil]'s attendance at [name of provision], the school will communicate regularly with you [set out details such as weekly phone calls, emails or reports] and your point of contact will be [name, role].

Finally, I wish to assure you that my decision to direct [name of pupil] to be educated offsite has been based on what I consider to be in the best interests of [name of pupil]. When [name of pupil] is ready to be reintegrated, a strategy meeting will take place with you and [name of pupil] and an appropriate package of support will be put in place.

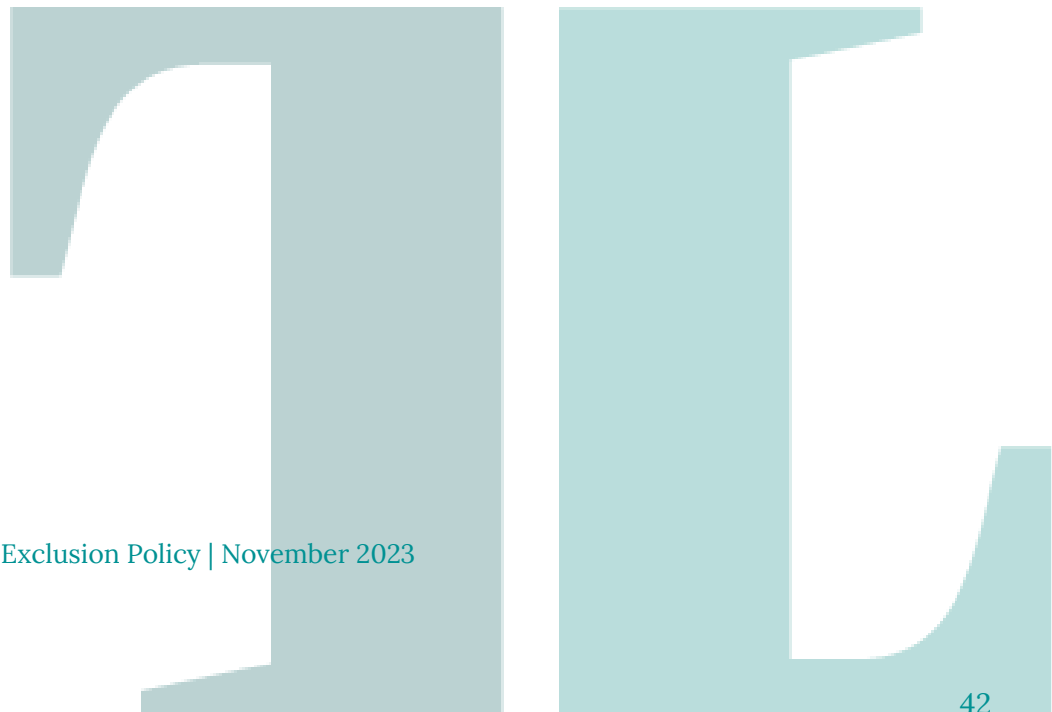
If you have any queries, please do not hesitate to contact me. If you wish to challenge my decision, you are able to do so via the school's complaints procedures which can be found on the school's website.

Yours sincerely

[Name]

Principal

[cc. Where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]



## Letter offering a managed move

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

### Offer of a Managed Move

Further to our meeting on [date], I am writing to confirm the offer to transfer [name of pupil] to another school via what is known as a 'managed move' process.

As discussed, [name of pupil] is at risk of receiving a permanent exclusion [due to their persistent breaches OR following the incident that occurred on [date] which is a serious breach] of the school's behaviour policy. I am of the view that allowing [name of pupil] to remain at [name of home school] would cause serious harm to the education or welfare of [name of pupil], staff or others at the school.

As discussed with you, a permanent exclusion should only be issued as a decision of last resort. I am therefore exploring preventative measures to exclusion, one of which is a managed move to another school. In my view, this would be in [name of pupil]'s best interests to give them a fresh start somewhere new, where I hope their behaviour will improve and they will thrive.

As part of the managed move process, relevant staff at [name of home school] would share information with the new school (including data on [name of pupil]'s prior and current attainment, academic potential, a risk assessment, and advice on effective risk management strategies). We will also make sure an effective integration strategy is in place with appropriate support to help [name of pupil] settle into their new school. [name of pupil] will remain on roll at both [name of home school] and their new school for a period of time, until the managed move process and integration strategy is complete. [name of pupil] will then come off our school roll and remain on the roll of the new school they attend.

To be clear, whether or not you wish to go ahead with the managed move is your decision. If [another school is not willing to offer [name of pupil] a place via the managed move process, or if] you decide not to go ahead with a managed move, then I will have to consider whether to proceed with a permanent exclusion.

Please let me know your thoughts on [a OR this] proposed managed move as soon as possible and, in any event, no later than [date].

Yours sincerely

[Name]

Principal

[cc Where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

### Meeting of the governors disciplinary committee

To consider the permanent exclusion of [name]

#### Paperwork pack contents

1. Principal report to governors
2. Appendix 1 Behaviour and Exclusion policies
3. Appendix 2 Relevant correspondence including permanent exclusion letter and relevant suspension letters
4. Appendix 3 Witness [and other] evidence re incident
5. Appendix 4 Behaviour logs
6. Appendix 5 Details of support [and reintegration strategy meeting records]
7. Appendix 6 Other relevant reports
8. Appendix 7 Other relevant policies
9. Appendix 8 [xx]

## Principal's report to the governors

Regarding the permanent exclusion (PEX) of [name]

### 1. Introduction

[Set out details re child – DOB, when joined school, year group, whether the pupil is in receipt of PP, FSM, is LAC, has SEND etc. as well as nature of review – PEX arising from serious breach or persistent breaches of behaviour policy. Refer to extracts of behaviour and exclusion policies. If relevant set out transition information from previous school]

### 2. Incident details

A chronology of suspensions is below:

- [Xxxx
- Xxxx
- Xxxx]

[Set out details of behaviour over school period and sanctions imposed – refer to behaviour log and any records of reintegration strategy meetings where behavioural expectations were reiterated.]

[If the exclusion is for a one-off serious incident, explain background to incident referring to witness and any other evidence in support. Explain how the pupil knew the behaviour exhibited was contrary to the behaviour policy and that it could result in exclusion e.g. how the behaviour policy's expectations are communicated to pupils etc.]

[Explain impact of behaviour on the pupil and others (staff and fellow pupils) in the school.]

[The most recent suspension has come at the point where all reasonable adjustments and possible avenues of support have been exhausted, hence a permanent exclusion has now been issued.]

Support for [name]

[Set out what has been put in place internally and externally to support the pupil in a clear timeline – provide details of all family and pupil support and interventions offered and comment on effectiveness/engagement etc. including any referrals e.g. for Early Help, CAMHS, EP etc. If the pupil has SEND, refer to the SEND policy and any evidence of the graduated approach of assess, plan, do, review. If the pupil has an EHCP explain whether a review of that plan was called. Explain level of communication/dialogue with parents.]

Alternatives to permanent exclusion

The following alternatives were considered:

[e.g. more lenient/different sanctions, direction to be educated off-site at an alternative provider, time spent in Pupil Support Unit, managed moves etc.]

## Conclusion

### Legality

The decision to exclude was made by the headteacher and has been made on disciplinary grounds. It is not due to academic ability or the actions of [name]'s family or failure to meet specific conditions. It is for [a serious breach] [persistent breaches] of the school's behaviour policy, and because allowing [name] to remain in school would seriously harm the education or welfare of others in the school. It is a decision of last resort [and an acknowledgment that the school has exhausted all available strategies to support [name] remaining in school]. Therefore, the decision is legal.

### Procedural impropriety

There is [a full and thorough documented timeline of persistent breaches of the school's behaviour policy] [full and thorough documented evidence of the serious one-off incident]. Review meetings took place with key staff. The decision was made within the statutory timeframes and all stakeholders were informed at all stages. The PEX is in line with school policies, all of which are well publicised to parents and students and letters of notification were sent out. Therefore, there is no procedural impropriety.

### Rationality

The decision to permanently exclude is based on fact and not assumption. It was not rushed. [name] was given an opportunity to provide a statement [for the latest incident] and a number of key staff have always been involved. Therefore, the decision is rational.

[Name]

Principal

[date]

# Letter to parents confirming date of local governing board review hearing

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Local Governing Board review meeting in respect of [name of pupil]'s [suspension OR exclusion] from [name of school]**

I am writing to inform you that the Local Governing Board meeting has been scheduled to take place [remotely via [Microsoft Teams/Zoom/Google Meet]] OR [at [insert address]] at [insert time] on [insert date]. At this meeting the Local Governing Board will consider whether to reinstate [name of pupil] following the headteacher's decision to [[issue a suspension from [date] to [date]][permanently exclude [name of pupil] on [date]].

Please confirm as soon as possible whether you wish to attend this meeting or, if you wish to attend but are unable to make this date, let me know at the earliest opportunity so that I can attempt to reschedule the meeting.

If you have any documents you wish to be circulated in advance of the meeting, please send them to 'The Clerk to the Governing Board' at the address shown at the top of this letter. Receipt (whether by post or email) must be no later than 12pm on [insert date]. Any such documents will be forwarded to the Local Governing Board and principal. Please note that if you introduce any new documents at the meeting which have not been circulated in advance, the meeting may be adjourned to a later date.

A copy of the documentation in preparation for the meeting will be posted to you at least five school days prior to the meeting.

At the meeting, you may make representations to the Local Governing Board if you wish and ask them to reinstate your child in school. The Local Governing Board has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the [suspension OR exclusion, in which case you may request that its decision be reviewed by an independent review panel].

[If you wish to make representations to the Local Governing Board and wish to be accompanied by a friend and/or representative, please contact [name] on [number/email] as soon as possible. Please let me know if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral representations. OR

I understand that you [and [name of pupil]] will be attending the meeting and that you will be accompanied by [name of friend and/or representative].

[name of pupil]'s [social worker][Virtual School Head] [will be OR has been] invited to the meeting].

You may request that a representative of the local authority attends the meeting (together with a representative of your home local authority if different from the school's). Any local authority representative will attend as an observer only, unless permission is granted by the Local Governing Board for representations to be made. Please confirm whether you would like a representative of the local authority (and your home local authority, if different) to attend the hearing.

Please let me know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform [name] if it would be helpful for you to have an interpreter present at 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 Local Governing Board.

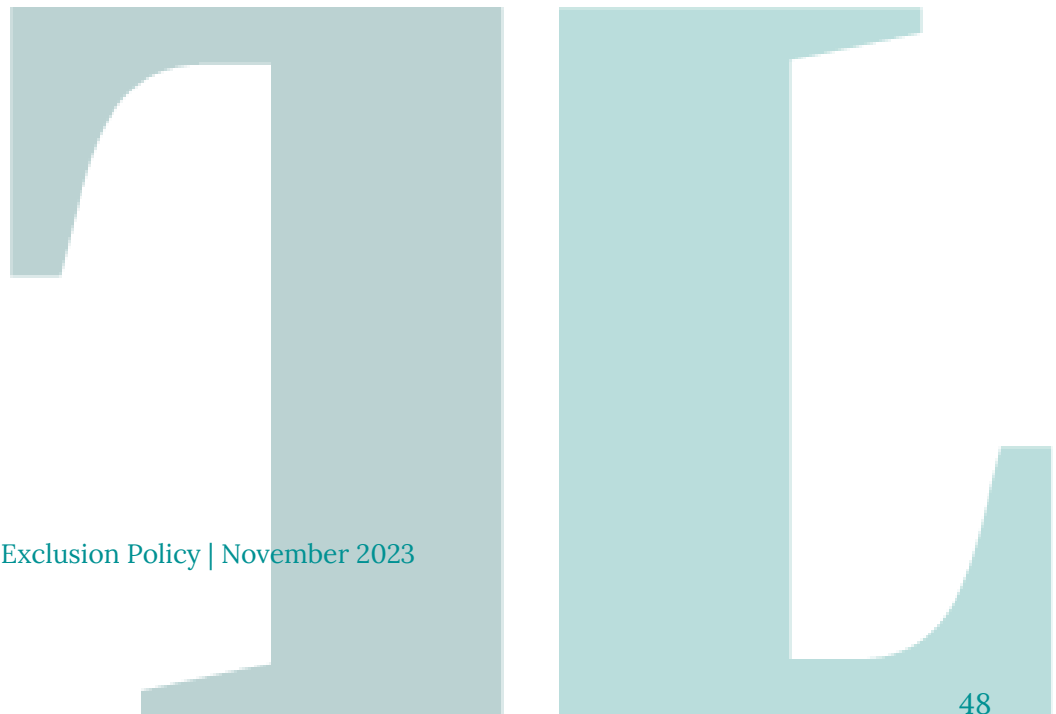
If you have any queries in relation to the arrangements or the documentation, please do not hesitate to contact

me at [email address].

Yours sincerely

[Name]

**Clerk to the Governing Board hearing panel**





## Letter to parents acknowledging request for IRP

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Request for independent review panel hearing in respect of [name of pupil]'s exclusion from [name of school]**

I write to acknowledge receipt of your request for an independent panel to review the decision of the governing board to uphold [pupil's name]'s permanent exclusion from [name of school] and to outline the next steps.

The academy trust must take reasonable steps to identify a date for the review that all parties are able to attend. However, this hearing must take place within 15 school days of the date on which your review request was received.

To comply with the statutory duty this must take place by no later than [date of 15th school day]. However, to ensure the academy trust is able to make all of the arrangements and collate and distribute any documentation prior to the review hearing, this may not take place before [date of 12th school day].

I should be grateful, therefore, if you could contact the school office by email at [email address] by 12pm on [date of 5th school day] to advise of your availability. Should I not hear from you by this time, I will have no alternative but to arrange the review on your behalf. [As set out in the governing board letter of [DATE], you are able to request that the Independent Review Panel meeting takes place remotely. Please let me know as soon as possible if you wish the meeting to take place remotely.]

Please let me know if you will be accompanied by a friend or representative. Please let me know if [insert pupil's name] will attend the hearing and whether they would like to make any written and/or oral representations. [[name of pupil]'s [social worker][Virtual School Head] will be invited to the hearing]. Please let me know if you have a disability or special needs which would affect your ability to attend the hearing. Also, please let me know if it would be helpful for you to have an interpreter present at the hearing. 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 independent review panel.

You may request the presence of a Special Educational Needs (SEN) expert, the cost of which shall be met by the school. The role of the SEN expert will be to provide impartial advice on how special educational needs may be relevant to the exclusion, and they should advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair manner with respect to any identification of SEN, and any contribution this could have made to the circumstances of the permanent exclusion. Please confirm whether you would like a SEN expert to attend the hearing.

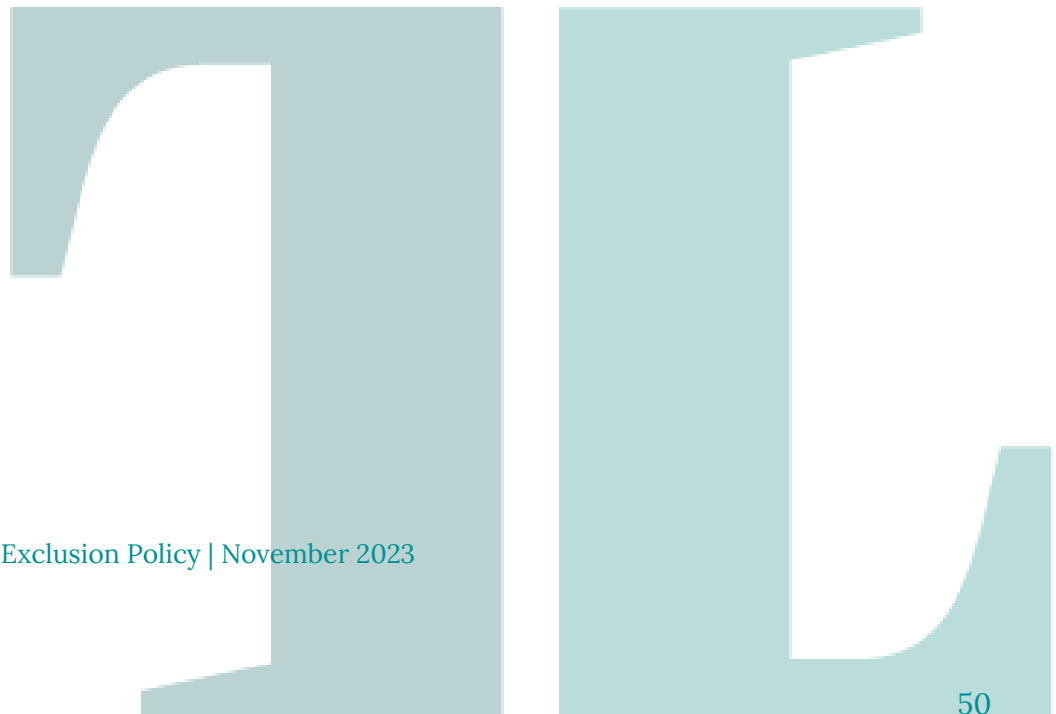
You may request that a representative of the local authority attends the meeting, together with a representative of your home local authority if different from the school's. Any local authority representative will attend as an observer only, unless permission is granted by the governing board for representations to be made. Please confirm whether you would like a representative of the local authority (and your home local authority, if different) to attend the hearing.

If you have any further documents you wish to be circulated in advance of the hearing, please send them to 'The Clerk to the Independent Review Panel' at the address shown at the top of this letter. Receipt (whether by post or email) must be no later than 12pm on [date of 5th school day]. Any such documents will be forwarded to the independent review panel, principal, governing board, independent review panel clerk and (SEN) expert (if requested). Please note that if you introduce new documents at the hearing which have not been circulated in advance, your review may be adjourned to a later date.

Yours sincerely

**[Name]**

**[Clerk to the Independent Review Panel]**



## Letters to parents confirming details of IRP

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Independent review panel hearing in respect of [name of pupil]'s exclusion from [name of school]**

I write further to my letter dated [date] acknowledging receipt of your request for an independent review panel hearing in relation to the governing board's decision to uphold [name of pupil]'s permanent exclusion from [name of school].

The academy trust must take reasonable steps to identify a date for the review that all parties are able to attend. However, this hearing must take place within 15 school days of the date on which your review request was received.

To comply with the statutory duty the independent review panel must therefore take place by no later than [date of 15th school day].

The independent review panel hearing has been scheduled to take place [remotely via [Microsoft Teams/Zoom/Google Meet]] OR at [insert address] at [insert time] on [insert date]. A copy of the documentation in preparation for the hearing will be posted to you at least five working days prior to the hearing. Please confirm as soon as possible whether you wish to attend this meeting or, if you wish to attend but are unable to make this date, let me know at the earliest opportunity so that I can reschedule the hearing. [[name of pupil]'s [social worker][Virtual School Head] will be invited to the hearing].

[You may request OR You have requested] the presence of a Special Educational Needs (SEN) expert, the cost of which shall be met by the school. The role of the SEN expert will be to provide impartial advice on how special educational needs may be relevant to the exclusion, and they should advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair manner with respect to any identification of SEN, and any contribution this could have made to the circumstances of the permanent exclusion. [The SEN expert at the hearing will be [Name], a [specialist SEN teacher OR SEN coordinator (SENCo) OR educational psychologist OR behaviour support teacher] who has not had any previous involvement in the assessment or support of SEN for your child OR Please confirm whether you would like a SEN expert to attend the hearing].

[You may request OR You have requested] that a representative of the local authority attends the meeting (together with a representative of your home local authority if different from the school's). Any local authority representative will attend as an observer only, unless permission is granted by the governing board for representations to be made.] [Please confirm whether you would like a representative of the local authority (and your home local authority, if different) to attend the hearing].

If you have any further documents you wish to be circulated in advance of the hearing, please send them to 'The Clerk to the Governing Board' at the address shown at the top of this letter. Receipt (whether by post or email) must be no later than 12pm on [date of 5th school day]. Any such documents will be forwarded to the independent review panel, headteacher, governing board, independent review panel clerk and SEN expert (if requested). Please note that if you introduce any new documents at the meeting which have not been circulated in advance, the meeting may be adjourned to a later date.

Please let me know if you will be accompanied by a friend or representative. Please let me know if [insert pupil's name] will attend the hearing and whether they would like to make any written and/or oral representations. Please let me know if you have a disability or special needs which would affect your ability to attend the hearing. Also, please let me know if it would be helpful for you to have an interpreter present at the hearing. 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 independent review panel.

If you have any queries in relation to the arrangements or the documentation, please do not hesitate to contact me at [email address].

Yours sincerely

[Name]

[Clerk to the Independent Review Panel]

# Letter to parents confirming details of reconsideration hearing following IRP recommendation to reconsider (review decision)

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Reconsideration of permanent exclusion of [name of pupil] by the governing board of [name of school]**

I write further to the decision of the independent review panel in respect of [name of pupil]'s permanent exclusion from [name of school] dated [date].

As a consequence of the independent review panel's decision to recommend that the governing board review its decision, the governing board must reconvene within 10 school days of the independent review panel's decision. This means that the governing board must meet to reconsider [name of pupil]'s permanent exclusion no later than [date].

The governing board will look afresh at the question of reinstating [name of pupil] in light of the findings of the independent review panel, without seeking further representations from any party. It will review the independent review panel's decision letter and all the papers prepared for the independent review panel hearing. If you have any further documents that you wish the governing board to consider, please send these to me as soon as possible.

The governing board's decision will be sent to you within five school days of its meeting.

Clear minutes will be taken of the meeting as a record of the evidence that was considered by the governing board. These minutes will be made available to all parties on request.

Yours sincerely

[Name]

**Clerk to the Governing Board**

## Letter to parents confirming details of reconsideration hearing following IRP recommendation to reconsider (decision quashed)

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

### Reconsideration of permanent exclusion of [name of pupil] by the governing board of [name of school]

I write further to the decision of the independent review panel in respect of [name of pupil]'s permanent exclusion from [name of school] dated [date].

As a consequence of the independent review panel's decision to quash the original governing board decision and direct reconsideration, the governing board must reconvene within 10 school days of the independent review panel's decision. This means that the governing board hearing must take place no later than [date].

*[NB There is no requirement for a full re-hearing or to seek additional representations from the parties. However, there may be some circumstances where it would be in the interests of natural justice to do so e.g. if the panel criticised the lack of key documents/evidence in the papers provided to the original LGB that they ought to have seen and have now requested from the school, then it would be appropriate for the school and parents to be invited to attend so that parents are able to review and challenge that new evidence].*

[The governing board will reconsider the permanent exclusion at [insert address] at [insert time] on [insert date]. You may attend the hearing and present your case for reinstatement. I would be grateful if you would let me know as soon as possible whether you will be in attendance and whether [name of pupil] will also be attending.]

The governing board will have access to the independent review panel's decision letter and all the papers prepared for the independent review panel hearing. Please bring these documents with you. If you have discarded these documents, please let me know and I will arrange for a fresh bundle of documents to be sent to you.

If you have any further documents that you wish the governing board to consider, please send these to me as soon as possible.

I look forward to hearing from you.]

**OR**

[The governing board will look afresh at the question of reinstating [name of pupil] in light of the findings of the independent review panel, without seeking further representations from any party. It will review the independent review panel's decision letter and all the papers prepared for the independent review panel hearing.]

If you have any further documents that you wish the governing board to consider, please send these to me as soon as possible.

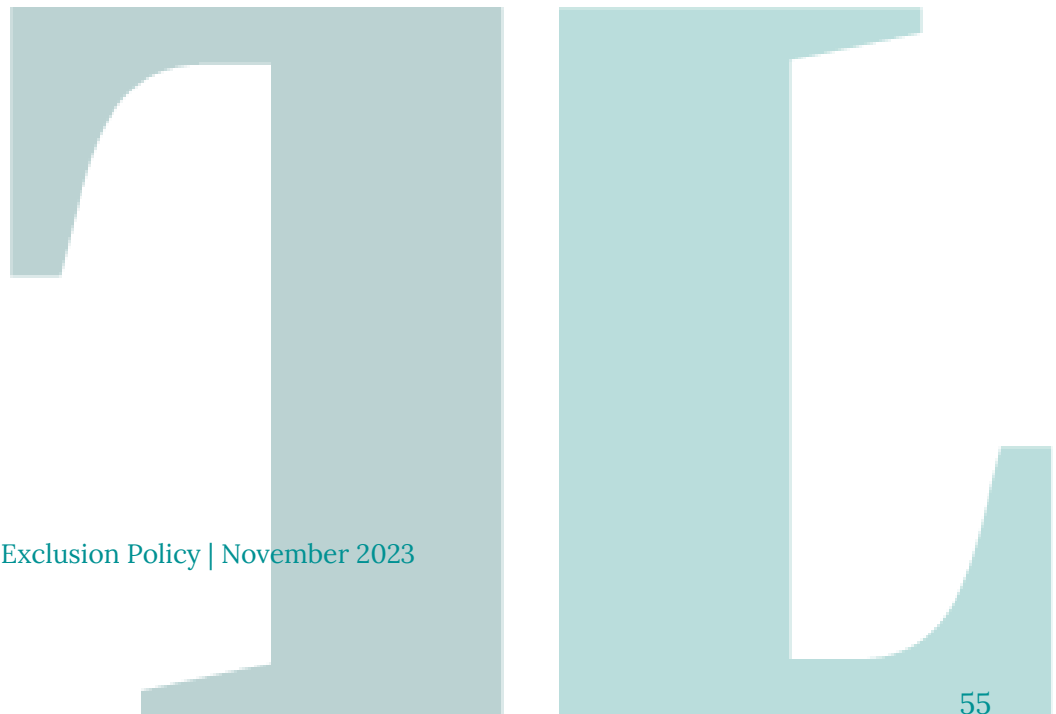
The governing board's decision will be sent to you within five school days of its meeting.

Clear minutes will be taken of the meeting as a record of the evidence that was considered by the governing board. These minutes will be made available to all parties on request.]

Yours sincerely

**[Name]**

Clerk to the Governing Board



## Governor checklist (including questions on suspension / exclusion)

What questions should the governing board ask and what documents should it see?

The governing board must consider “both the interests and circumstances of the suspended or permanently excluded pupil, and that of other pupils, staff, and school community as a whole.” (paragraph 114 DfE Guidance)

Furthermore, when reaching a decision on whether or not to reinstate a pupil, the governing board “should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair” and “should take into account...the headteacher’s legal duties.” (paragraph 124 DfE Guidance)

Key
Questions relating to lawfulness
Questions relating to procedural fairness
Questions relating to reasonableness

Questions to ask Headteacher (HT)	Evidence/Questions for Governing Board (GB)
<p>Did the HT take the decision to exclude in accordance with the two-stage test at paragraph 11 (serious breach or persistent breaches of school behaviour policy AND where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school)?</p> <p><b>OR</b></p> <p>Did the HT take the decision to suspend following a breach of the behaviour policy?</p>	<ul style="list-style-type: none"> <li>· Behaviour policy</li> <li>· Other relevant school policies (safeguarding, SEND, anti-bullying, drugs etc)</li> <li>· Evidence relating to the incident(s) – HT’s report, investigation report, witness statements from pupils, staff or other students, physical evidence</li> <li>· Relevant background information if persistent disruption – behaviour logs etc</li> </ul>
<p>Do the reasons for suspension or permanent exclusion align with the potential reasons for action under paragraph 16 DfE guidance?</p>	<ul style="list-style-type: none"> <li>· Paragraph 16 DfE guidance provides acceptable reasons for suspension or exclusion. The list is not exhaustive.</li> </ul>
<p>Did the HT make the decision on the balance of probabilities?</p>	
<p>Are the witness statements signed and dated? If not, what is the reason for this?</p>	



<p>If a further period of suspension or the imposition of a permanent exclusion is decided by the HT to be appropriate, what is the new evidence to support the decision and has new notification been given to the parents?</p>	<ul style="list-style-type: none"> <li>· Check for new evidence – dated/received after original exclusion</li> <li>· Check for notification of decision to parents</li> </ul>
<p>Has the HT given due consideration to the duties under the Equality Act 2010, in particular the Public Sector Equality Duty?</p>	<ul style="list-style-type: none"> <li>· HT's report into potential equality issues</li> <li>· Parental representations</li> <li>· Equal Opportunity/Equalities policy</li> </ul>
<p>Is suspension or permanent exclusion the last resort?</p> <p>Have other alternatives to exclusion been considered?</p> <p>If alternatives have not been considered, what is the reason for this?</p>	<ul style="list-style-type: none"> <li>· Look for evidence to remedy the behaviour and avoid suspension and/or permanent exclusion. Options could include off-site directions, managed moves, SEND support, support from other agencies, mentoring, coaching, internal support in pupil support units etc</li> </ul>
<p>Have the circumstances of the pupil been considered?</p> <p>Are there any mitigating factors?</p> <p>Was the pupil's version of events obtained and considered?</p> <p>If not, why not?</p>	<ul style="list-style-type: none"> <li>· Look for evidence in HT's report or exclusion pack</li> <li>· Evidence of support offered to pupil</li> <li>· Witness statements from pupil</li> <li>· Parental evidence</li> </ul>
<p>Does the pupil have SEND?</p> <p>If so, what support has been made available internally and externally?</p> <p>Have appropriate steps been taken, including requesting an emergency review where the pupil has an EHCP.</p>	<ul style="list-style-type: none"> <li>· Look for evidence in HT's report or exclusion pack</li> <li>· Evidence of support already offered to pupil and its impact</li> <li>· Where there is evidence of previous fixed-term exclusions, the support offered through the reintegration strategy</li> <li>· Evidence of consideration of other options e.g. managed move, AP placement</li> <li>· Behaviour log</li> </ul>

<p>Is the pupil looked after or is there involvement with social care?</p> <p>Has the social worker been informed?</p> <p>Has the VSH been informed?</p> <p>Has there been a PEP review?</p>	<ul style="list-style-type: none"> <li>· Look for evidence in HT's report or exclusion pack</li> <li>· Evidence of support offered to pupil and its impact</li> <li>· Evidence of steps taken to access other support</li> </ul>
<p>Were parent(s) and the pupil made aware of the school's behaviour policy and the likely consequences which might arise from the pupil's behaviour?</p>	<ul style="list-style-type: none"> <li>· HT's report on communication of behaviour policy to parents and pupils, assemblies, curriculum content</li> <li>· Any communication with parents about behavioural incidents/warning letters</li> <li>· Pupil's behavioural record if persistent disruptive behaviour</li> </ul>
<p>Had the pupil been treated fairly compared with other pupils involved in the other incident(s) or in terms of similar behaviour from pupils previously?</p>	<ul style="list-style-type: none"> <li>· HT's report</li> <li>· Behaviour policy</li> </ul>
<p>Was the HT's decision to suspend or permanently exclude reasonable?</p>	<ul style="list-style-type: none"> <li>· From the evidence presented can you understand why the decision to suspend/exclude was appropriate?</li> </ul>
<p>Did the HT ensure that a robust investigation was carried out? Were witness statements properly taken? Were they signed and dated?</p>	<ul style="list-style-type: none"> <li>· HT's report as to thoroughness of investigation</li> <li>· Witness statements</li> </ul>
<p>Did the HT inform parents immediately of exclusion and follow up with guidance-compliant letter?</p>	<ul style="list-style-type: none"> <li>· HT's report on incident and consequences</li> <li>· Letter to parents</li> </ul>
<p>Did the HT inform the GB, local authority, social worker and VSH without delay?</p>	<ul style="list-style-type: none"> <li>· Copy of letter to parents and others</li> <li>· Other contact with clerk to GB</li> </ul>
<p>Did the GB hold the meeting (where required) within relevant timescale for type of exclusion?</p>	<ul style="list-style-type: none"> <li>· Correspondence from clerk around arranging date</li> </ul>

# Script for Chair of governor exclusion/suspension review panel

Chair's opening remarks

Introductions

1. Welcome – my name is [xx]. I am the chair of this governors disciplinary committee. This is a committee made up of three governors. [This meeting is taking place remotely [as you requested it to be held remotely/duo to [give extraordinary event or unforeseen circumstances]]].

2. [xx] is instructed to clerk these proceedings

3. I will now ask each person present to introduce themselves.

[xx] is/are [xx's] parent(s)

[xx] is representing [xx's] parent(s)

[xx] is the academy's headteacher

[xx] is the social worker

[xx] is the virtual school head (VSH)

[xx] on behalf of the local authority [(For academies – this person only to be invited if requested by the parents. They may only make representations if the academy agrees, otherwise they may only observe.)]

Independence

4. The governing board committee will reach its decision based on the information presented at this hearing today, both written and spoken, and its decision will not be influenced by any other persons or bodies.

5. The clerk, is here only to advise on matters of procedure and law and not to influence our decision. We may ask the clerk some legal questions when we consider the information presented to us, and you can be assured that we will reach our decision independently.

Procedure

6. You will have received a copy of the procedure we intend to follow today. Can you confirm that you have received it? The procedure is as follows:

- The headteacher will present the case for [suspension OR exclusion]
- The parents/their representative, [social worker], [virtual school head] and the committee may ask questions
- The parents/their representative will present the case for reinstatement
- The headteacher and committee may ask questions
- [[The social worker] [The virtual school head] may make any comments about the suspension OR exclusion, and the parents/their representative, headteacher and the committee may ask questions]
- [The local authority representative may make any comments about the suspension OR exclusion, and the parents/their representative, headteacher and the committee may ask questions]
- The headteacher sums up their case and the parents/their representative will sum up their case. All parties other than the committee and clerk will then leave to allow the committee to make a decision.

7. If you forget to say anything or ask questions at the right point in the procedure, don't worry I'm happy to go back to cover anything you may have missed. I want you to feel that you have been given every opportunity to have your say.

#### Decision

8. The role of the committee is to review the headteacher's decision to [suspend OR permanently exclude] [xx]. At the end of the hearing we can either reinstate [xx] or decline to reinstate.

9. In reaching a decision on whether or not [xx] should be reinstated, the committee will consider whether the decision to [suspend or permanently exclude] [xx] was lawful, reasonable and procedurally fair. We will take into account the welfare and safeguarding of [xx] and their peers, the headteacher's legal duties and any evidence presented to us in relation to the decision to exclude. We will consider both the interests and circumstances of [xx], and those of other pupils, staff and the school community as a whole.

10. Clear minutes will be taken of this meeting as a record of the evidence that we considered. These minutes will be made available to all parties on request and the record of discussion will state clearly how our decision has been reached.

11. Once we have made our decision, we will inform the clerk, who will record it and then write to notify you of our decision. The Clerk will write to you as soon as possible after the conclusion of this hearing.

Does anyone have any questions?

We shall now begin.

## Governing Board suspension letter (reinstate)

Dear [parent name(s)]

### Governing board suspension review outcome

I write further to the suspension of [name of pupil] from [name of school] and the [governors/trustees] meeting [that you attended] that took place on [date].

[The governing board must consider whether or not to reinstate a pupil if they receive [a suspension that takes the number of suspensions in a term to over 15 days/a suspension that results in a pupil missing a public examination].]

### OR

[You asked the governing board to consider this suspension, which took [name]'s total days of suspension to [number up to fifteen].] OR [The governing board decided to review this suspension, even though you had not requested it.]

The governing board delegated this responsibility to a committee of [three] [governors]. [The [governors] thank you for your attendance and the points that were made in the meeting [, which took place remotely via Teams/Google Meet/Zoom].]

The [governors], after carefully considering the representations made and all the available evidence, have decided to [reinstate [name] to the school and overturn the suspension]. [As the suspension has already taken place and [name] is back in school,] [a/A] note to this effect will be placed on [name]'s education record.

The [governors]'s role is set out in the Department of Education exclusions statutory guidance (May 2023). The [governors] had to look at the circumstances of the exclusion, [name]'s interests and those of the school community and determine whether the headteacher's decision was lawful, reasonable and procedurally fair. The [governors] decided to approach the matter using the headings suggested in paragraph 124.

The [governors] reasons for the decision are as follows:

Was the decision to exclude the pupil lawful?

*[Give full reasons for the decision. Under lawfulness we would expect the following to be covered:*

- *Did the principal take the decision?*
- *Is there sufficient evidence on the balance of probabilities that the behaviour occurred as described by the principal?*
- *Were relevant school policies followed?*
- *If behaviour occurred outside of school time, was it reasonable for the school to sanction for this?*
- *Have SEN been identified – if so, did the school follow the SEND Code of Practice and use its best endeavours to provide support? Has the school's SEN policy been followed? What support was provided to the pupil?*
- *Does the excluded pupil have a disability? If so, have reasonable adjustments been made? Was suspension a proportionate decision?*

Was the exclusion reasonable?

*[Give reasons as to why it was a reasonable decision. Under reasonableness we would expect the following to be covered:*

- Was this a decision that was within the reasonable range of responses for a principal to make?
- Was the behaviour policy followed, particularly in respect of support and interventions?
- Were all relevant considerations taken into account by the principal before they made their decision? If not and they had been considered, might it have resulted in a different decision?
- Were irrelevant elements considered by the principal (e.g. behaviour of parents, inability to meet child's needs)?
- Was it a proportionate decision?

Were there any procedural flaws?

[We would expect the following to be covered under procedural fairness:

- Were the relevant letters sent without delay?
- Was the statutory guidance followed? If not, why not and what impact did this have?
- Was a proper investigation undertaken?

Make sure that the reasons cover the specific points, if any, that have been made by the parent(s). It may be that the parental representations focus on specific points that the governors will need to pay particular attention to].

Despite their decision, [governors] wished to recognise that their findings did not take away from the fact that [name] had breached the school's behaviour policy. The [governors] hope that this decision provides an opportunity for a fresh start between [name] and school.

Yours sincerely

[Clerk to the Governing Board][Chair of the Committee]

cc. Principal

[Virtual School Headteacher]

[[name], Social Worker]

## Governing Board suspension letter (uphold)

Dear [parent name(s)]

### Governing board suspension review outcome

I write further to the suspension of [name of pupil] from [name of school] and the [governors] meeting [that you attended] that took place on [date].

[The governing board must consider whether or not to reinstate a pupil if they receive [a suspension that takes the number of suspensions in a term to over 15 days/a suspension that results in a pupil missing a public examination].]

### OR

[You asked the governing board to consider this suspension, which took [name]'s total days of suspension to [number up to fifteen].] OR [The governing board decided to review this suspension, even though you had not requested it.]

The [governors], after carefully considering the representations made and all the available evidence, have decided to uphold [name]'s suspension.

The [governors]'s role is set out in the Department of Education exclusions statutory guidance (May 2023). The [governors] had to look at the circumstances of the exclusion, [name]'s interests and those of the school community and determine whether the headteacher's decision was lawful, reasonable and procedurally fair. The [governors] decided to approach the matter using the headings suggested in paragraph 124.

The [governors] reasons for the decision are as follows:

Was the decision to exclude the pupil lawful?

*[Give full reasons for the decision. Under lawfulness we would expect the following to be covered:*

- Did the principal take the decision?*
- Is there sufficient evidence on the balance of probabilities that the behaviour occurred as described by the principal?*
- Were relevant school policies followed?*
- If behaviour occurred outside of school time, was it reasonable for the school to sanction for this?*
- Have SEN been identified – if so, did the school follow the SEND Code of Practice and use its best endeavours to provide support? Has the school's SEN policy been followed? What support was provided to the pupil?*
- Does the excluded pupil have a disability? If so, have reasonable adjustments been made? Was suspension a proportionate decision?*

Was the exclusion reasonable?

*[Give reasons as to why it was a reasonable decision. Under reasonableness we would expect the following to be covered:*

- Was this a decision that was within the reasonable range of responses for a principal to make?*
- Was the behaviour policy followed, particularly in respect of support and interventions?*
- Were all relevant considerations taken into account by the principal before they made their decision? If not*

*and they had been considered, might it have resulted in a different decision?*

- *Were irrelevant elements considered by the principal (e.g. behaviour of parents, inability to meet child's needs)?*
- *Was it a proportionate decision?*

Were there any procedural flaws?

*[We would expect the following to be covered under procedural fairness:*

- *Were the relevant letters sent without delay?*
- *Was the statutory guidance followed? If not, why not and what impact did this have?*
- *Was a proper investigation undertaken?*

*Make sure that the reasons cover the specific points, if any, that have been made by the parent(s). It may be that the parental representations focus on specific points that the governors will need to pay particular attention to].*

The [governors] recognise that you will be disappointed by their decision, but they hope that [name] reflects on their behaviour moving forwards.

Yours sincerely

[Clerk to the Governing Board][Chair of the Committee]

cc. Principal

[Virtual School Headteacher]

[[name], Social Worker]



## Governing Board permanent exclusion letter (reinstate)

Dear [parent name(s)]

### Governing board exclusion outcome

I write further to the permanent exclusion of [name of pupil] from [name of school] and the [governors] meeting [that you attended] which took place on [date] [remotely via [Teams/Zoom/Google Meet]]. The governing board must consider a permanent exclusion and they delegate this responsibility to a committee of [three] [governors]. The [governors/trustees] thank you for your attendance and the points that were made in the meeting.]

The [governors], after carefully considering the representations made and all the available evidence, have decided to reinstate [name] to the school [with immediate effect/on [date]]. The headteacher will be in touch to discuss the practicalities of reinstatement.

The [governors]'s role is set out in the Department of Education exclusions statutory guidance (May 2023). The [governors] had to look at the circumstances of the exclusion, [name]'s interests and those of the school community and determine whether the headteacher's decision was lawful, reasonable and procedurally fair. The [governors] decided to approach the matter using the headings suggested in paragraph 124.

The [governors]'s reasons for the decision are as follows:

Was the decision to exclude the pupil lawful?

*[Give full reasons for the decision. Under lawfulness we would expect the following to be covered:*

- Did the principal take the decision?*
- Were there persistent breaches or a serious breach of the school's behaviour policy?*
- Is there sufficient evidence on the balance of probabilities that the behaviour occurred?*
- Would serious harm result to the pupil themselves or to others if the pupil were to be reinstated?*
- If the behaviour occurred outside of school time, was it reasonable for the school to sanction for this?*
- Were relevant school policies followed?*
- Have SEN been identified – if so, did the school follow the SEND Code of Practice and use its best endeavours to provide support? Has the school's SEN policy been followed? What support was provided to the pupil?*
- Does the pupil have a disability? If so, have reasonable adjustments been made? Was it a proportionate decision?*
- If the permanent exclusion was issued immediately after a suspension, were there exceptional circumstances to justify a new decision to exclude being made (e.g. further evidence or some other reason)?*

Was the exclusion reasonable?

*[Give reasons as to why it was a reasonable decision. Under reasonableness we would expect the following to be covered:*

- Was this a decision that was within the reasonable range of responses for a principal to take?*
- Was the behaviour policy followed, particularly in respect of support and interventions?*
- Were all relevant considerations taken into account by the principal before they made their decision? If not*

and they had been considered, might it have resulted in a different decision?

- Were irrelevant elements considered by the principal (e.g. behaviour of parents, inability to meet child's needs)?
- Was it a proportionate decision? (Was it a decision of last resort? Were alternatives considered?)

Were there any procedural flaws?

[We would expect the following to be covered under procedural fairness:

- Were the relevant letters sent without delay?
- Was the statutory guidance followed? If not, why not and what impact did this have?
- Was a proper investigation undertaken?

Make sure that the reasons cover the specific points, if any, that have been made by the parent(s). It may be that the parental representations focus on specific points that the governors will need to pay particular attention to].

The [governors] sincerely hope that this decision acts as a fresh start for all parties.

Yours sincerely

[Clerk to the Governing Board][Chair of the Committee]

cc. Principal

[Virtual School Headteacher]

[(name), Social Worker]

## Governing Board permanent exclusion letter (uphold)

Dear [parent name(s)]

### Governing board exclusion outcome

I write further to the permanent exclusion of [name of pupil] from [name of school] and the [governors] meeting [that you attended] which took place on [date] [remotely via [Teams/Zoom/Google Meet]]. The governing board must consider a permanent exclusion and they delegate this responsibility to a committee of [three] [governors]. The [governors] thank you for your attendance and the points that were made in the meeting.]

The [governors], after carefully considering the representations made and all the available evidence, have decided to uphold [name]'s permanent exclusion.

The [governors]'s role is set out in the Department of Education exclusions statutory guidance (May 2023). The [governors] had to look at the circumstances of the exclusion, [name]'s interests and those of the school community and determine whether the headteacher's decision was lawful, reasonable and procedurally fair. The [governors] decided to approach the matter using the headings suggested in paragraph 124.

The [governors]'s reasons for the decision are as follows:

Was the decision to exclude the pupil lawful?

*[Give full reasons for the decision. Under lawfulness we would expect the following to be covered:*

- *Did the principal take the decision?*
- *Were there persistent breaches or a serious breach of the school's behaviour policy?*
- *Is there sufficient evidence on the balance of probabilities that the behaviour occurred?*
- *Would serious harm result to the pupil themselves or to others if the pupil were to be reinstated?*
- *If the behaviour occurred outside of school time, was it reasonable for the school to sanction for this?*
- *Were relevant school policies followed?*
- *Have SEN been identified – if so, did the school follow the SEND Code of Practice and use its best endeavours to provide support? Has the school's SEN policy been followed? What support was provided to the pupil?*
- *Does the pupil have a disability? If so, have reasonable adjustments been made? Was it a proportionate decision?*
- *If the permanent exclusion was issued immediately after a suspension, were there exceptional circumstances to justify a new decision to exclude being made (e.g. further evidence or some other reason)?*

Was the exclusion reasonable?

*[Give reasons as to why it was a reasonable decision. Under reasonableness we would expect the following to be covered:*

- *Was this a decision that was within the reasonable range of responses for a principal to take?*
- *Was the behaviour policy followed, particularly in respect of support and interventions?*
- *Were all relevant considerations taken into account by the principal before they made their decision? If not and they had been considered, might it have resulted in a different decision?*

- Were irrelevant elements considered by the principal (e.g. behaviour of parents, inability to meet child's needs)?
- Was it a proportionate decision? (Was it a decision of last resort? Were alternatives considered?)

Were there any procedural flaws?

[We would expect the following to be covered under procedural fairness:

- Were the relevant letters sent without delay?
- Was the statutory guidance followed? If not, why not and what impact did this have?
- Was a proper investigation undertaken?

Make sure that the reasons cover the specific points, if any, that have been made by the parent(s). It may be that the parental representations focus on specific points that the governors will need to pay particular attention to].

You have the right to request a review of this decision by an independent review panel. If you wish to do so, please notify [name of contact] of your wishes. You must set out the reasons for your review in writing; if relevant, this should include a reference to how the pupil's special educational needs (SEN) are considered to be relevant to the exclusion and send this notice of review to [address/email] by no later than [specify the date - 15 days from the date the decision is deemed to have been received - nb notice is deemed to have been given on the same day if it is hand-delivered or on the second working day after posting if it is sent by first class mail]. If you have not lodged a review by [repeat date], you will lose your right to a review. Please advise if you have a disability or special needs which would affect your ability to attend the hearing. You may bring a friend to the review, or at your own expense appoint someone to make written and/or oral representations to the panel. Also, please inform [name of the clerk to the review panel] if it would be helpful for you to have an interpreter present at the hearing. [[name of pupil]'s [social worker][Virtual School Head] will be invited to the hearing].

Your review will be heard by an independent review panel. A three-member panel will comprise: one serving or recently retired (within the last five years) headteacher; one serving (or recently serving) experienced governor; and one lay member, who will be the chair.

You may request that the independent review panel takes place remotely. Please let [name] know if you do wish the hearing to take place remotely, as otherwise it will take place in-person.

You may also request the presence of a SEN expert, the costs of which shall be met by the school. The role of the SEN expert will be to provide impartial advice on how special educational needs may be relevant to the exclusion, and they should advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair manner with respect to any identification of SEN, and any contribution this could have made to the circumstances of the permanent exclusion.

The review panel will re-hear all the facts of the case – if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your request is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

In determining your review the panel can make one of three decisions: they may uphold your child's exclusion; they may recommend that the governing body reconsiders its decision to exclude your child; or they may quash the governing body's decision and direct that the governing body considers the exclusion again. If the review panel either recommends or directs that the governing body reconsider its decision, a further meeting must be convened at the school within 10 school days of the governors receiving the panel decision.

In addition to the right to apply for an independent review panel, if you believe that the exclusion has occurred as a result of discrimination relating to a disability, you may make a claim under the Equality Act 2010 (within six months of the incident) to the First Tier Tribunal (Special Educational Needs and Disability) [www.justice.gov.uk/tribunals/send/appeals](http://www.justice.gov.uk/tribunals/send/appeals). In the case of other forms of discrimination, a claim may be made to the County Court. A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place, e.g. the day on which your child was

excluded.

There are sources of free and impartial advice available on exclusions:

- Statutory guidance on suspensions and exclusions:  
<https://www.gov.uk/government/publications/school-exclusion>
- Coram's Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership)

The [governors] recognise that you will be disappointed by their decision. The [governors] sincerely believe that this is in the best long-term interests of [name] and wish you and [name] all the best in the future.

Yours sincerely

[Clerk to the Governing Board][Chair of the Committee]

cc. Principal

[Virtual School Headteacher]

[(name), Social Worker]

## Governing Board reconsideration letter

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

### Reconsideration of permanent exclusion of [name of pupil] by the governing board of [name of school]

I write further to the decision of the independent review panel in respect of [name of pupil]'s permanent exclusion from [name of school] dated [date] and the subsequent governing board [meeting OR hearing] held on [date].

The meeting was held pursuant to the decision of the independent review panel dated [date], which had [quashed the previous governing body decision dated [date] and directed reconsideration] or [recommended that the governing body reconsidered its decision dated [date]]. The meeting took place in accordance with the timescales and other requirements set out in the School Discipline Regulations 2012 and the Department for Education (DfE) guidance on exclusions (May 2023) with responsibility delegated to a committee of [three] [governors].

In approaching the reconsideration meeting the governing board reviewed the material presented at the original hearing and considered whether or not its previous findings and decision should be changed or upheld in light of the independent review panel's findings. The governing board also had regard to the DfE guidance on exclusions (as required by the School Discipline Regulations 2012). As the independent review panel had [quashed the previous governing body decision] [recommended the governing body reconsider the previous decision], the governors at this hearing approached the matter in accordance with the legal framework applicable to exclusions and the DfE guidance. This required the governing body to decide whether to reinstate [name of pupil] to the school.

In coming to this decision, the governing board had to consider both the interests and circumstances of the excluded pupil, and that of other pupils, staff, and school community as a whole. Furthermore, the DfE guidance indicates at paragraph 124 that the governing body should consider "whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair" and "should take into account...the headteacher's legal duties."

The governing board took account of all the written information provided for the hearing, including the decision letter from the independent review panel [, and also took account of your oral representations and those made by the principal]. The governing board also considered the written evidence and the DfE exclusions guidance and discussed the matter at length following the hearing. The [unanimous OR majority] decision of the governing board was that [name of pupil] should [not] be reinstated to the school. This means that [name of pupil] [can/cannot] return to the school [and their details will be deleted from the school roll with effect from the date of the decision].

The governing board's reasons for the decision are as follows:

*[Note: conscientiously address each of the independent review panel's points in detail, analyse the evidence, and make clear findings as well as taking a broader, overall view of the issues. Use the Governing Board Checklist as an aide to ensure you cover each issue identified by the independent review panel]*

Was the decision to exclude the pupil lawful?

[reasons]

Was the exclusion reasonable?

[reasons]

Were there any procedural flaws?

[reasons]

The governing board considered the interests and circumstances of [name of pupil], including the circumstances in which they were excluded, and had regard to the interests of other pupils and persons working in the school.

[reasons]

[The [principal] will be in touch to discuss the practicalities of reinstatement.]

This decision letter is the final stage of the exclusion process under section 51A Education Act 2002 and the School Discipline Regulations 2012. The letter is binding on the parents, local authority and [principal] and will be added to [name of pupil]'s school file.

Yours sincerely

[Chair of the Governing Board Committee]

# Script for Chair of IRP

Chair's opening remarks

Introductions

1. Welcome – my name is [xx]. I am the chair of this independent review panel. This is an independent review panel made up of three people who are not connected to the academy or the local authority. [This IRP is taking place remotely [as you requested it to be held remotely/due to [give extraordinary event or unforeseen circumstances]].

2. [xx] is instructed to clerk these proceedings

3. I will now ask each person present to introduce themselves.

[xx] is/are [xx's] parent(s)

[xx] is representing [xx's] parent(s)

[xx] is the academy's headteacher

[xx] is the social worker

[xx] is the virtual school head (VSH)

[xx] on behalf of the local authority [(For academies – this person only to be invited if requested by the parents. They may only make representations if the academy agrees, otherwise they may only observe.)]

Independence

4. The composition of independent review panels is laid down by law, and the law clearly states that they must be totally independent of the local authority and the academy. This means that this panel will reach its decision based on the written information presented in advance of this hearing and the spoken evidence at this hearing today, and its decision will not be influenced by any other persons or bodies.

5. Our decision is binding on the parents, the local authority and the academy.

6. [xx], the clerk, is here only to advise on matters of procedure and law and not to influence our decision. We may ask the clerk some legal questions when we consider the information presented to us, and you can be assured that we will reach our decision independently.

Procedure

7. You will have received a copy of the procedure we intend to follow today. Can you confirm that you have received it? The procedure is as follows:

- The school representative will present the case for exclusion on behalf of the headteacher/governing body
- The parents/their representative, [social worker], [virtual school head] and the panel may ask questions
- The parents/their representative will present the case for reinstatement
- The school representative and panel may ask questions
- [[The social worker] [The virtual school head] may make any comments about the exclusion, and the parents/their representative, school representatives and panel may ask questions]
- [The SEN expert will provide their impartial advice to the panel, and the parents/their representative, school



representatives and panel may ask questions]

– [The local authority representative may make any comments about the exclusion, and the parents/their representative, school representatives and panel may ask questions]

– The school representative sums up their case and the parents/their representative will sum up their case. All parties other than the panel and clerk will then leave to allow the panel to make a decision.

8. If you forget to say anything or ask questions at the right point in the procedure, don't worry I'm happy to go back to cover anything you may have missed. I want you to feel that you have been given every opportunity to have your say.

Decision

9. The role of the panel is to review the governing board's decision not to reinstate [xx]. The panel does not have the power to direct reinstatement. At the end of the hearing we can make one of three decisions.

a. We can quash the governing board's decision and direct that it review its decision to exclude. We can only make that decision if we consider that it was flawed when considered in the light of the principles applicable on an application for judicial review. This means we would have to find that the decision to exclude was either unlawful and/or irrational and/or procedurally unfair.

b. We can recommend that the governing board reconsiders its decision not to reinstate [xx]. This would be appropriate where evidence or procedural flaws have been identified that do not meet the criteria for quashing the decision, but which the panel believes justify a reconsideration of the governing board's decision.

c. We can uphold the governing board's decision.

10. Once we have made our decision, we will inform the clerk, who will record it and then write to notify you of our decision. The Clerk will write to you as soon as possible after the conclusion of this hearing.

Does anyone have any questions?

We shall now begin.

