

St Andrew's CE VC Primary School

A church school that learns, grows and achieves together

"Train up a child in the way he should go,
and when he is old he will not depart from it"

Proverbs 22:6

Exclusion Policy

Signed (Chair)	Name Tony Parker	Date October 2023
Signed (Head)	Name Graham Pike	Date October 2023
Ratified by Governing Body on 3rd October 2023		Next Review October 2024

Equality Impact Assessment (EqIA)

This policy has been assessed with regard to its impact on equalities issues. The equality impact assessment has been conducted by the relevant Governors' sub-committee and focused on race, gender, disability, age, sexual orientation, gender identity and religion/belief. Community Cohesion has also formed part of the impact assessment work in order to ensure respect for diversity, alongside a commitment to common and shared bonds.

EqIA outcomes

- ☐ *The assessment found no areas of potential negative impact and actions resulting in positive impact are in place.*

St Andrew's CE VC Primary School

Policy for Exclusion

Rationale:

High standards of behaviour are important to help children feel safe in school and to learn well. The government advises schools to focus on promoting positive behaviour, helping to build self-discipline and encouraging respect for others. Schools also need sanctions to deter pupils from misbehaving and to ensure expectations for inappropriate behaviour are clear.

The decision to exclude a pupil, either permanently or for a fixed period of time (known as a suspension) is only taken as a last resort and:

- In response to serious or persistent breaches of the school's Positive Behaviour Policy
- If allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.

This policy has been written following the 2023 guidelines outlined in the Department for Education 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.'

Decision Making:

The Headteacher is the only member of staff who can decide to exclude or suspend a pupil from the premises.

The head teacher will use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Deliberate damage to property
- Misuse (in the reasonable opinion of the Headteacher) of drugs and/or other substance
- Theft
- Possessing and/or supplying drugs and/or other substances
- Carrying an offensive weapon

- Arson
- Unacceptable behaviour which has previously been reported and for which the school sanctions and other interventions have not been successful in modifying the pupil's behaviour (e.g. persistent bullying, racism)

Before reaching a decision to exclude or suspend, the Headteacher will:

- Contact the LA Education Inclusion Officer (EIO) for primary schools and seek advice and support and consider whether this case meets the criteria to take to High Risk Group.
- Contact the Chair of the local SEND Cluster to consider if a request for additional funding for this pupil may be appropriate, using a costed provision map
- Consider all relevant facts and such evidence as may be available to support the allegations made, taking into account the school's Positive Behaviour and Equalities policies;
- Encourage the pupil to give their own version of events and listen to the views of parents;
- Check whether the incident may have been provoked for example, by racial or sexual harassment;
- take account of any contributing factors that are identified after an incident for example, if a pupil has been subject to bullying, suffered a bereavement or has mental health issues;
- Consider the impact of exclusion or suspension on certain vulnerable groups, including pupils with additional learning needs and 'Children in Care';
- Consult with others (whilst not using the pupil's name without consent), including a Local Authority Officer (if a permanent exclusion), being careful not to involve anyone who may have a role in any statutory review of his or her decision, for example, members of the Governing Body;
- Keep a written record of the actions taken, including any interview with the pupil. Witness statements must be dated and should be signed, wherever possible;
- Ensure that the decision to exclude or suspend is made in line with administrative law, i.e. that it is:
 - Lawful (with respect to the legislation relating directly to exclusions and the School's wider legal duties, including the European Convention of Human Rights);
 - Rational;
 - Reasonable;
 - Fair; and
 - Proportionate
- Establish the facts in relation to the exclusion or suspension, applying the civil standard of proof i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'

South Gloucestershire Council and this federation do not authorise the use of unlawful 'informal' or 'unofficial' exclusions or suspensions where pupils are sent home, even with the agreement of their parents/carers, for a 'cooling off' period. Any exclusion or suspension of a pupil will be formally recorded.

The Headteacher is responsible for the safeguarding of all pupils on roll during the school day. The only times they are not responsible are if the child is ill and has been kept at home or if they are formally excluded and the responsibility lies with the parents/carers. Elective Home Education (EHE) is never referred to or encouraged by any member of staff at the school as an alternative to exclusion or suspension.

Alternatives to Exclusions and Suspensions

St Andrew's School is committed to using exclusion and suspension only as a last resort and will endeavour to put constructive measures in place when concerns about a child's behaviour are raised. Alternatives will always be considered and may include:

- The use of the Early Help process, working with external agencies, including Compass, and parents/carers to provide support through an Early Help Assessment and Plan (EHAP) and person centred planning approach; seeking support, advice and resourcing from the local SEND cluster; restorative justice processes; the use of the 'alternatives to exclusion checklist' and support from the Education Inclusion Officer (via Pathways Learning Centre);
- Internal isolation (where appropriate, in line with school's Positive Behaviour Policy);
- a managed move, in line with the locally-agreed protocol (See Fair Access Protocol for more information) <http://www.southglos.gov.uk/documents/Fair-Access-Protocol-June-2018.pdf>

Suspensions

The Headteacher may suspend a pupil for up to 45 days in any one academic year. Generally, suspensions will be for one to three days. No suspension will be given for an unspecified period of time.

A suspension does not have to be for a continuous period. In exceptional circumstances, where further evidence has come to light, a suspension may be extended or converted to a permanent exclusion.

Procedures for review and appeal of suspensions

A suspension, which does not bring the pupil's total number of days of suspension to more than five in two short terms, will not usually be reviewed by the Governing Body Disciplinary Committee unless a written request is submitted by a parent/carers, within 50 school days of receiving the notice of the suspension, to review the decision; however, it cannot direct reinstatement.

If a pupil is suspended for more than five days (but not more than 15) in two short terms, the Governing Body Disciplinary Committee will consider the reinstatement of the pupil, if requested to do so by the parent/carers in writing, within 50 school days of receiving the notice of the suspension.

If a pupil is suspended for 15 days or more in two short terms, the Governing Body Disciplinary Committee will meet to consider the reinstatement of a pupil within 15 school days of receiving notice of the suspension.

If, as a result of a suspension, the pupil will miss a public examination or National Curriculum test, the Governing Body Discipline Committee will meet to consider the suspension before the date of the examination or test. If it is not possible for the Governing Body Disciplinary Committee to meet, the Chair of the Governing Body may consider the suspension independently and decide whether or not to reinstate the pupil.

A summary of the suspension process and the Governing Body's duties to review decisions is shown in the flowchart, Appendix A.

Where a pupil has received multiple suspensions or is approaching the legal limit of 45 days the Headteacher will consider whether suspension is providing an effective sanction.

When suspending a pupil who is a 'Child in Care', the Headteacher will ensure that the appropriate 'home' Local Authority Officer is informed.

Permanent exclusions

Permanent exclusions will be used only as a last resort when a range of other strategies have been exhausted.

In exceptional circumstances, where a serious breach of the School's Positive Behaviour Policy has occurred, the Headteacher might consider it appropriate, having consulted with the LA Officer, to permanently exclude a pupil for a first or one-off offence. Such circumstances might include:

- Where there has been serious actual or threatened violence against another pupil or member of staff;
- Sexual misconduct;
- Supplying an illegal drug;
- Carrying an offensive weapon;
- Any severe form of bullying including racist or homophobic bullying; and/or
- Any action resulting in a serious health and safety issue.

In cases where a criminal offence has taken place, the police and, where appropriate, the Youth Offending Team, Social Services or any other outside agency involved with the pupil may be informed.

The Headteacher should, as far as possible, avoid excluding permanently any pupil with a statement of SEN or a 'Child in Care'. Before making the decision to permanently exclude a pupil who is a 'Child in Care' the Headteacher will discuss with the appropriate 'home' Local Authority Officer the availability of a suitable, alternative appropriate school or provision elsewhere.

If the Headteacher decides to exclude a pupil permanently they will inform the Local Authority Exclusions Officer at the earliest possible opportunity. If the pupil lives outside the Local Authority area in which the School is located the Headteacher will also advise the pupil's 'home authority' of the exclusion without delay.

Following permanent exclusion, the Governing Body is required to review the Headteacher's decision. This review is to be carried out within 15 school days for the notice of exclusion.

The school must provide the governors (a panel of a minimum of three governors is required for this) with a full account of the reason(s) leading up to the permanent exclusion. The parent/carer and a Local Authority representative should also receive all this information. The governor review meeting is a formal meeting and must be taken seriously.

From day six of a permanent exclusion the Local Authority becomes responsible for the pupil's education. This will be organised through a Pupil Referral Unit (PRU). A placement in a Pupil Referral Unit is not supposed to be long term. An assessment will be carried out and the Local Authority will support the pupil to address the issues which lead to the permanent exclusion.

Process for notification of a suspension of more than five consecutive days

The Headteacher must, without delay, notify the Governing Body and the Local Authority of:

- a permanent exclusion.
- suspensions which would result in the pupil being suspended for more than five school days (or more than ten lunchtimes) in a term.
- suspensions which would result in the pupil missing a public examination or national curriculum test.

Procedures for review and appeal of permanent exclusions

The Governing Body Discipline Committee will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion, invite the following parties to attend and circulate to them any written evidence and information received, within five school days in advance of the meeting:

- Parents/Carers;
- the Headteacher; and
- a representative of the Local Authority

During the meeting, the Governing Body Discipline Committee will consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school.

The Governing Body Disciplinary Committee, when establishing the facts in relation to the exclusion, must apply the civil standard of proof i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'. In light of their consideration, the Governing Body Disciplinary Committee can either: Uphold the exclusion; or Direct reinstatement of the pupil immediately or on a particular date.

Governing body reinstatement meetings can be held via the use of remote access for suspension and permanent exclusions if requested by parents, provided certain criteria are satisfied. Meetings held via the use of remote access are not a default option and face to face is the preferred option.

The Governing Body Disciplinary Committee are legally required to notify the parents/carers, the Headteacher and the Local Authority of their decision, and the reasons for their decision, in writing and without delay. The local authority must be notified regardless of the length of suspension.

Additionally, if a pupil has a social worker or if a pupil is looked- after, the head teacher will, without delay after their decision, notify the social worker and/or VSH (Virtual School Head), as applicable.

The Governing Body Disciplinary Committee will notify the parents/carers of the date by which an application for an Independent Review Panel must be made, which is 15 days from the date of the notice in writing.

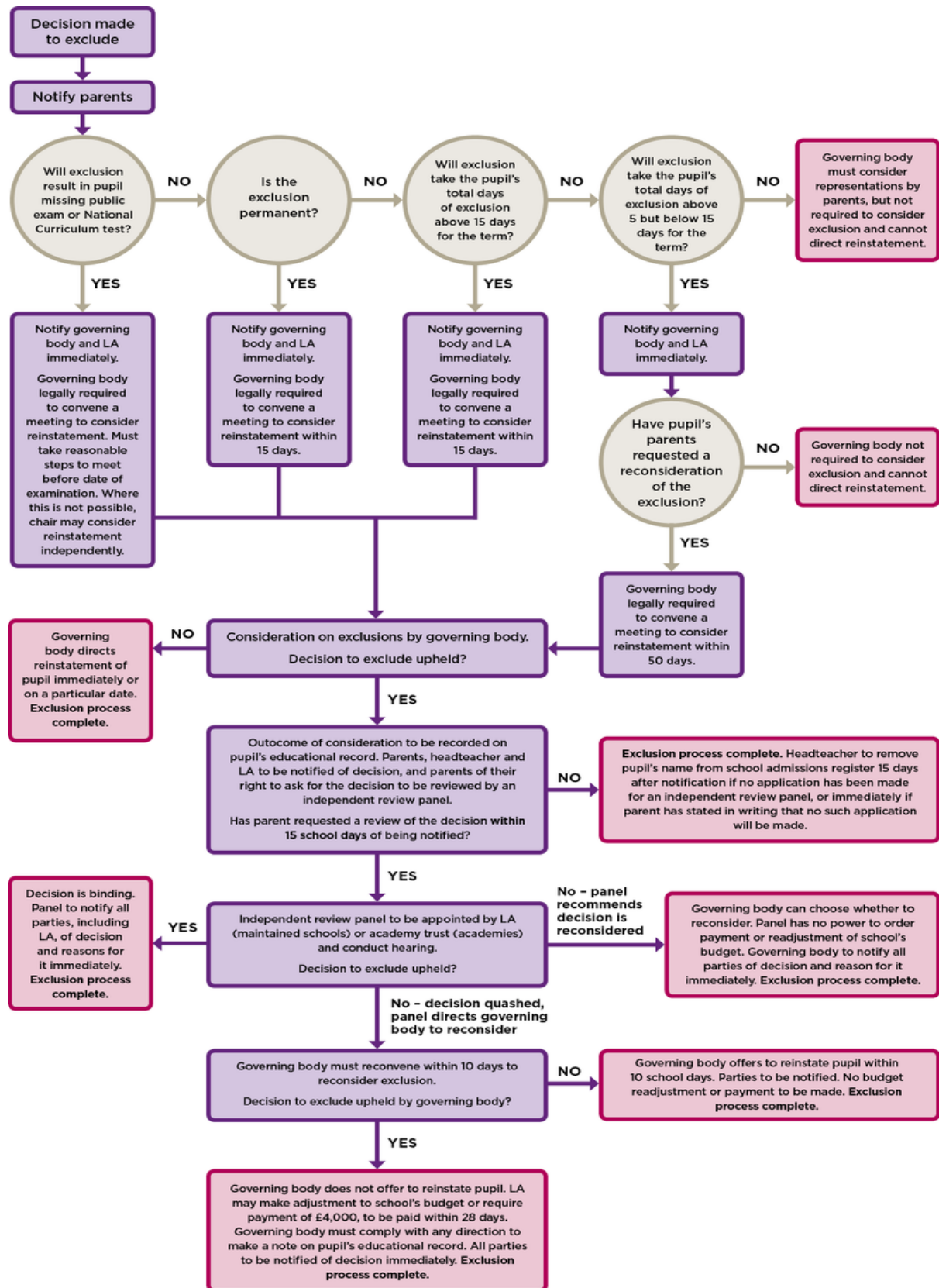
If parents/carers apply for an Independent Review Panel within the legal time frame, the Governing Body will arrange for a hearing to take place, within 15 days of the parental notification, to review the decision of the Governing Body not to reinstate a permanently excluded pupil.

Cancelling exclusions:

- The Headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:
- The Headteacher must notify the parents, the governing body, the LA and the pupil's social worker and VSH as applicable, without delay.
- Parents should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay.
- The pupil must be allowed back into school without delay and any days spent out of school As a result of any exclusion, prior to the cancellation will count towards the maximum of 45 days permitted in any school year.
- A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 schools days in a school year or if they will have been so by the time the cancellation takes effect.

Appendix A – Exclusions Flowchart

NB: Term refers to 2 small 'termlets'

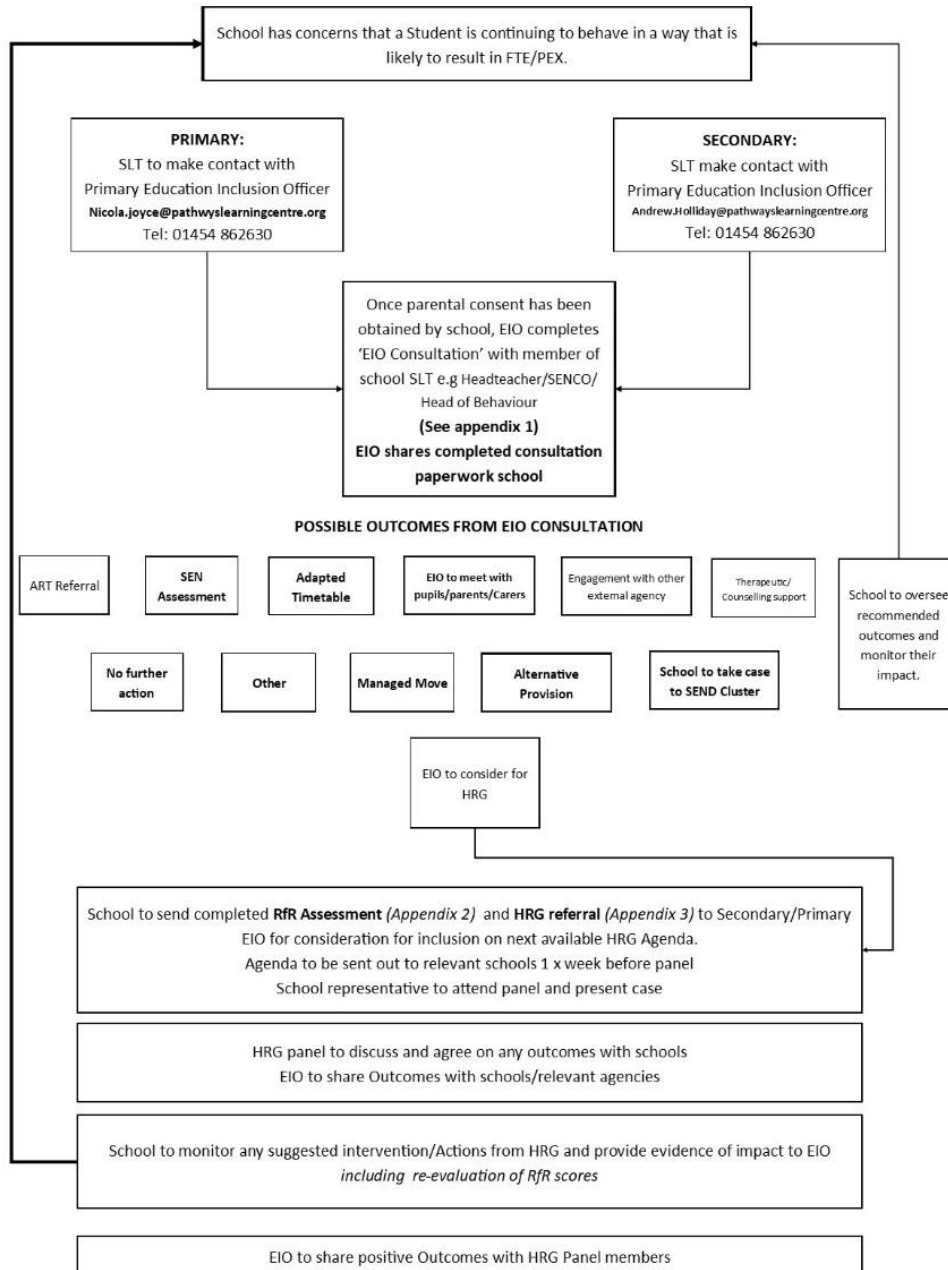


<p>STUDENT FOCUSED INTERVENTIONS</p> <p>Managing anger/emotions/conflict resolution Social Skills/peer relationships Mental Health Classroom behaviour skills Time out card Head of Year/House/TA/Class Teacher support</p>	<p>RELATIONSHIP BUILDING INTERVENTIONS</p> <p>Restorative mediation with key staff Micro-management daily check in/debrief Key adult support/mentoring Peer mentor schemes Student support/guild support services Circle of adults with teaching staff Counselling provision Circle of friends/social skills</p>
<p>LEARNING INTERVENTIONS</p> <p>Personalised learning/timetable change SMART targets/daily positive report card Literacy assessment Tutor change/house change/class swap Classroom observations (frequency/ABC charts Student passport/plan to share strategies of support Additional support in class (not related to SEN) Academic mentoring Wave 2 SEN assessment Additional literacy/maths intervention</p>	<p>ALTERNATIVE PROVISION</p> <p>In school inclusion facility Off-site provision (CLIC, Engage) Work experience Specialist mentoring (Breakthrough, Impact) Early intervention strategies (school swap/intervention moves) College course Work to Learn programme</p>
<p>SPECIALIST INTERVENTION</p> <p>Referral to EPS YOT Families Plus CAMHS ISS School nurse Social Care</p>	<p>ASSESSMENT AND PLANNING</p> <p>EHAP ISS/PSP/BSP with regular reviews Planning reviewed internally through 360* or similar Academic assessment review to check progress and access to learning EP assessment PASS/attitudinal assessment Speech and language assessment Medical needs assessment</p>
<p>BEHAVIOUR DATA INTERVENTION</p> <p>Patterns of negative incidents from Teachers have been addressed The data is analysed regularly</p>	<p>SEN STATUS</p> <p>EHCP SEN K</p> <p>SAFEGUARDING CONCERNS</p> <p>ART referral SERAF My concern</p> <p>PARENTAL ENGAGEMENT</p> <p>Regular contact/engagement with behaviour plan</p>
<p>RESPONSE TO ESCALATING BEHAVIOUR</p> <p>Different day intervention Fixed period exclusions Internal exclusion/seclusion</p>	

Appendix C – Headteacher’s Exclusion Checklist

	Yes	No
On the balance of probabilities, did the pupil do it?		
Does the incident represent a serious breach of the school behaviour policy / the final straw incident in a series of persistent breaches of the behaviour policy?		
Does the pupil’s presence seriously harm the education/welfare of the pupil or others in the school community?		
Is exclusion the appropriate response? Factors to Consider: <ul style="list-style-type: none"> • Decision to exclude not taken in the heat of the moment • A thorough investigation has been carried out • Evidence has been considered in the light of policies and discrimination • The pupil’s views have been encouraged, heard and recorded • Mitigating circumstances and provocation (bullying etc.) have been considered • Appropriate wider consultation has been considered 		
Has there been involvement from specialist teachers (SEND) or Behaviour/Inclusion Service or an Educational Psychologist?		
Has a pastoral support programme been tried?		
Has this case been brought to SEND cluster board or High Risk Group?		
Is there an Early Help strategy/EHAP in place?		
Have alternatives to exclusion been considered? See Appendix B – Alternatives to Exclusion Checklist (e.g. restorative justice, mediation, internal exclusion, school to school managed move)?		
Special Considerations		
Does this pupil have an Education Health Care Plan [EHCP] (statement of special educational needs)? If so: <ul style="list-style-type: none"> ➤ Have you contacted the special needs officer? ➤ Has an emergency annual review been called? 		
Is this pupil currently a child in the care of the Local Authority? If so: <ul style="list-style-type: none"> ➤ Have you contacted the Head of the Virtual School and Social Worker? 		
Is this pupil subject to Child Protection procedures or a Child In Need? If so: <ul style="list-style-type: none"> ➤ Have you spoken to the Social Worker? 		
Have issues of SEN, disability, race and care been fully considered? <i>See separate check list for considerations around the exclusion of children with SEN/disability</i>		
Has the appropriate length of exclusion been considered?		

Process for schools requesting EIO support (Draft)



Appendix E – Exclusions Guidelines linked to letters

FIXED TERM up to and including 5 days in one term (can be cumulative) Model Letter 1	FIXED TERM adding up to more than 5 days and up to 15 days in one term (can be cumulative) Model Letter 2	FIXED TERM adding up to MORE THAN 15 days in one term and no more than 45 days in school year (can be cumulative) Model Letter 3	PERMANENT Model Letter 4
<ol style="list-style-type: none"> 1. Immediately inform parents/carers of type and length of exclusion and reasons for exclusion. 2. Inform parents/carers of right to make representations to Gov. Body (model letter 1). 3. Inform LA and record on SIMs. 4. Make arrangements for setting and marking work. 5. Make arrangements for a re-integration meeting that plans how future behaviour will be managed (not compulsory but good practice). 6. Maintain school exclusions database in order to monitor an aggregate of fixed term exclusions. 7. Report exclusions termly to Gov Body. 8. 	<ol style="list-style-type: none"> 1. Immediately inform parents/carers of type and length of exclusion and reasons for exclusion. 2. Inform parents/carers of right to make representations to Gov. Body (model letter 2). 3. Inform Gov. Body to arrange meetings between 6th and 50th schools days following exclusion, if parent has requested a meeting. 4. Inform LA and record exclusion on SIMS within one school day. 5. Make arrangements for setting and marking work for the first 5 days. 6. Make arrangements for a re-integration meeting that plans how future behaviour will be managed (not compulsory but good practice). 7. Ensure all required documentation is made available to Gov. Body, Parent and LA when required. 8. Comply with Gov. Body's resolution to either decline to reinstate or to reinstate either immediately or by a specific, if Governors so resolve. 9. Start/Continue a SAFeH and engage with external agencies and parents/carers as a preventative approach to develop an action plan. Ensure parents/carers & pupil's views are included in action plans and reviews (not compulsory but good practice). 10. Contact h the Education Inclusion Officer (via Pathways Learning Centre) and possible referral to High Risk Group (HRG). <p>For all fixed term exclusion over 5 days</p> <ul style="list-style-type: none"> • Arrange suitable full time education from the 6th day • Inform parents/carers of arrangements for education during the exclusion 	<ol style="list-style-type: none"> 1. Immediately inform parents/carers of type and length of exclusion, and reasons for exclusion. 2. Inform parents/carers of right to make representations to Gov. Body (Model letter 3). 3. Inform Gov. Body to arrange meeting on or before 15th school day – statutory meeting. 4. Inform LA (and Home LA if not S. Glos) responsible officer for exclusions via email. 5. Make arrangements for setting and marking work for the first 5 days. 6. Make arrangements for a re-integration meeting that plans how future behaviour will be managed (not compulsory but good practice). 7. Ensure all required documentation is made available to Gov. Body, parent/carer and LA. 8. Comply with Gov. Body's resolution to either decline to reinstate or to reinstate either immediately or by a specific, if Governors so resolve. 9. Start/Continue a SAFeH and engage with external agencies as a preventative approach and parents/carers as a preventative approach to develop an action plan. Ensure parents/carers & pupil's views are included in action plans and reviews (not compulsory but good practice). 10. Continue working with the Education Inclusion Officer (via Pathways Learning Centre) and ENSURE there is a referral to High Risk Group (HRG). <p>For all fixed term exclusion over 5 days</p> <ul style="list-style-type: none"> • Arrange suitable full time education from the 6th day (this is the school's responsibility) • Inform parents/carers of arrangements for education during the exclusion 	<ol style="list-style-type: none"> 1. Immediately inform parents/carers of type of exclusion and reasons for exclusion. 2. Inform parents/carers of right to make representations to Governing Body (Model letter 4). 3. Inform Governing Body to arrange meeting on or before 15th school days. 4. Inform LA (and "Home" LA if not S Glos) responsible officer for exclusions via email and phone to inform LA of the PEX and that information has been uploaded via SOFIE. 5. Complete a referral to Pathways Learning Centre (if pupil lives in South Glos) without delay to make the appropriate provision from the 6th day. Information to be sent secure (e.g using SOFIE) and a copy to be sent to Exclusions and Licencing team (SOFIE/Local Authority/Ad Hoc/Exclusions and licensing) When notifying PLC, please check with them that the information has been received by telephone. 6. Make arrangements for setting and marking work for the first 5 days (If fixed term made permanent start counting again from the date the exclusion is made permanent). 7. Ensure all required documentation made available (5 school days before the hearing) to Governing Body, parent/carer and LA, using secure communication. 8. Comply with Gov. Body's resolution to either decline to reinstate or to reinstate either immediately or by a specific, if Governors so resolve. 9. Maintain the pupil on the school roll until the parental right to ask for the decision to be reviewed (para. 79 - 82) is exhausted.

Notes: Any reference to page numbers or paragraphs refers to **Exclusion from Maintained Schools, Academies and Pupil Referral Units in England – September 2017**

- Letters may need to be translated into other languages where the parents/carers first language is not English.
- For all exclusions – if the child loses the opportunity to take a public examination or National Curriculum Test the Governing Body MUST be informed.(Para's 40, 49, 55, 57 and 62 and **Annex A** Flowchart of DfE Exclusion Guidance Sept 2017 and **Annex B A non-statutory guide for head teachers**.)
- Lunchtime exclusion counts as half day.
- A child in the care of the LA (or in voluntary care) should not be excluded without considering alternative options for supporting the pupil and discussion with the LA to ensure suitable alternative full –time provision from Day 1. (summary and Para's 21, 23-25, 48, 50 and **Annex B A non-statutory guide for head teachers** DfE Exclusion Guidance Sept 2017).
- At all stages of the process, schools should consider the range of interventions available to meet the behavioural needs of the pupil e.g. SAFeH. Inclusion/Behaviour Support, EP.
- Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding.
- Pupils aged 18 or over have the right to represent themselves instead of parent/carer.
- Any decision to exclude must be made in line with the principles of administrative law i.e. that it is lawful, rational, reasonable, fair and proportionate.
- Governors should not interpret a parent's acceptance of full-time education off-site as signalling agreement with the Headteacher's decision to exclude.

Academies – a parent may invite an LA rep to attend a meeting of the Academy's governing body as an observer and he/she can only make representations with the governing body's consent.

Appendix F Model letter 1 – Suspensions (up to 5 days/lunchtime suspension)

From the headteacher of a school notifying a parent of:

- a single suspension of 5 school days or fewer and where a public examination is not missed
- a suspension which does not take the total of suspensions to more than 5 in one term;
- a lunchtime suspension. (Parts 4 - 6 DfE guidance 2017)

(Where a school's academic year consists of more than 3 terms, then a reference to 'term' means the period falling between: 31 December to Easter Monday; Easter Monday to 31 July; or 31 July to 31 December.)

Dear **[Parent's Name]**

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

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

You have the right to make representations about this decision to the governing body. **[Child's Name]** may also be involved in making representations **[Explain how this may happen]**. If you wish to make representations please contact **[Detail how parent needs to make representations – where and to whom e.g. letter, email or telephone contact to governors/clerk, giving number, email or postal address?]**. Whilst the governing body has no power to direct reinstatement and is not required to arrange a meeting with you, they must consider any representations you make and may place a note of their findings on your child's educational record.

[For pupils of compulsory school age only]

You are legally required to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may be given a penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates and you fail to provide reasonable justification for this.

[For pupils of compulsory school age only]

We will set work for **[Child's Name]** to be completed during the period of his/her suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. **[If alternative provision is being arranged during an exclusion of 5 days or less the letter should provide details – when/where it will take place and who to report to on the first day.]**

You should also be aware that if you think the suspension relates to discrimination you can make a claim, to the First Tier Tribunal for disability discrimination (<http://www.justice.gov.uk/tribunals/send/appeals>) or to a County Court for other forms of discrimination.

The following information may be helpful:

- Statutory guidance on suspension:
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- The Children's Legal Centre: they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- **Include other relevant links for example social care, Ethnic Minority & Traveller Achievement Service or the local parent partnership (www.parentpartnership.org.uk).**

[Child's Name]'s suspension expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**. [There is no requirement to hold a reintegration meeting but it would be good practice to do so – 'Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour.'; **detail the arrangements for the pupil's return to school**].

Yours sincerely

[Name]
Headteacher

Appendix G – Model Letter 2 – Suspension (6-15 days in one term)

From Headteacher notifying parent of a single suspension of between 6 and 15 days in length or one which would take the total of suspensions in one term to more than 5 and up to and including 15 school days (Parts 4 - 6 DfE guidance 2017)

(Where a school's academic year consists of more than 3 terms, then a reference to 'term' means the period falling between: 31 December to Easter Monday; Easter Monday to 31 July; or 31 July to 31 December.)

Dear **[Parent's Name]**

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

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

If requested to do so by parents, the governing body must consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the suspension if a pupil would be suspended from school for more than five school days, but not more than 15, in a single term.

[insert date here — no later than 15 school days from the date the governing body is notified].

[Maintained schools only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher and a representative of the local authority will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]**

[Academies only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]** You may invite a representative of the local authority to attend a meeting of an Academy's governing body as an observer; that representative may only make representations with the governing body's consent.

If you wish to request the governing body meet to consider this suspension please contact **[Detail how parent needs to make representations – where and to whom e.g. letter, email or telephone contact to governors/clerk, giving number, email or postal address?]**.

The governing body will make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limit of 50 school days from receiving notice of the suspension. The

governing body will circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting or to make representations. Also, please inform **[Clerk]** if it would be helpful for you to have an interpreter present at the meeting.

[For pupils of compulsory school age only]

You are legally required to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may be given a penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates and you fail to provide reasonable justification for this.

[For pupils of compulsory school age only]

We will set work for **[Child's Name]** during the **[first 5 or specify other number as appropriate]** school days of his/her suspension **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. *[If alternative provision is being arranged before day six the letter should provide details of this including when/where it will take place and who to report to on the first day.]*

[If the individual suspension is for more than 5 days - for pupils of compulsory school age only] *but provision does not have to be arranged by either the school or local authority for pupils in the final year of compulsory education who do not have any further public examinations to sit.*

If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale; if this information on alternative provision is not reasonably ascertainable by the end of the afternoon session it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start.

For a suspension of more than five school days, the governing body must arrange suitable full-time education for any pupil of compulsory school age. From the sixth school day of the suspension onwards — i.e. from **[specify the date]** until the expiry of the suspension **[INSERT NAME OF ALTERNATIVE PROVISION]** **(School must arrange this and meet costs)** will provide suitable full-time education. **[Detail the arrangements for this if known at the time of writing; if not known say that the arrangements will be notified shortly by a further letter (without delay and no later than 48 hours before the provision is due to start) - e.g. including the start date for any provision of full-time education that has been arranged for the pupil 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; and any information required by the pupil to identify the person he / she should report to on the first day.**

You should also be aware that if you think the exclusion relates to discrimination you can make a claim, to the First Tier Tribunal for disability discrimination

(<http://www.justice.gov.uk/tribunals/send/appeals>) or to a County Court for other forms of discrimination.

The following information may be helpful:

- Statutory guidance on suspension:
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- The Children's Legal Centre: they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- **Include other relevant links for example social care, Ethnic Minority & Traveller Achievement Service or the local parent partnership (www.parentpartnership.org.uk).**

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time]. *[There is no requirement to hold a reintegration meeting but it would be good practice to do so – 'Schools should have a strategy for reintegrating pupils that return to school following a suspension, and for managing their future behaviour.'; detail the arrangements for the pupil's return to school].*

Yours sincerely

[Name]
Headteacher

Appendix H – Model Letter 3 – Suspension (15 days or more in one term)

From Headteacher notifying parent of a suspension of more than 15 school days in total in one term (or which brings the pupil's total number of days of suspension to more than 15 in one term). (Parts 4 - 6 DfE guidance 2017)

(Where a school's academic year consists of more than 3 terms, then a reference to 'term' means the period falling between: 31 December to Easter Monday; Easter Monday to 31 July; or 31 July to 31 December.)

Dear **[Parent's Name]**

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

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

The governing body must consider the reinstatement of a suspended pupil within 15 school days of receiving notice of the suspension if it is a suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term. The latest date on which the governing body can meet is **[insert date here — no later than 15 school days from the date the governing body is notified]**.

[Maintained schools only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher and a representative of the local authority will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]**

[Academies only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]** You may invite a representative of the local authority to attend a meeting of an Academy's governing body as an observer; that representative may only make representations with the governing body's consent.

If you wish to make representations please contact **[Detail how parent needs to make representations – where and to whom e.g. letter, email or telephone contact to governors/clerk, giving number, email or postal address?]**.

The governing body will make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limit of 15 school days from receiving notice of the suspension. The governing body will circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting. You will, whether you choose to make representations or not, be notified

by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting or to make representations. Also, please inform **[Clerk]** if it would be helpful for you to have an interpreter present at the meeting.

[For pupils of compulsory school age only]

You are legally required to ensure that your child is not present in a public place in school hours during this suspension on **[specify dates]** unless there is reasonable justification for this. I must advise you that you may be given a penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates and you fail to provide reasonable justification for this.

[For pupils of compulsory school age only]

We will set work for **[Child's Name]** during the **[first 5 or specify other number as appropriate]** school days of his/her suspension **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. *[If alternative provision is being arranged before day six the letter should provide details of this including when/where it will take place and who to report to on the first day.]*

[If the individual exclusion is for more than 5 days - for pupils of compulsory school age only] *but provision does not have to be arranged by either the school or local authority for pupils in the final year of compulsory education who do not have any further public examinations to sit.*

If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale; if this information on alternative provision is not reasonably ascertainable by the end of the afternoon session it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start.

For a suspension of more than five school days, the governing body must arrange suitable full-time education for any pupil of compulsory school age. From the sixth school day of the exclusion onwards — i.e. from **[specify the date]** until the expiry of the suspension **[INSERT NAME OF ALTERNATIVE PROVISION]** **(School must arrange this and meet costs)** will provide suitable full-time education. **[Detail the arrangements for this if known at the time of writing; if not known say that the arrangements will be notified shortly by a further letter (without delay and no later than 48 hours before the provision is due to start) - e.g. including the start date for any provision of full-time education that has been arranged for the pupil 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; and any information required by the pupil to identify the person he / she should report to on the first day.**

You should also be aware that if you think the suspension relates to discrimination you can make a claim, to the First Tier Tribunal for disability discrimination (<http://www.justice.gov.uk/tribunals/send/appeals>) or to a County Court for other forms of discrimination.

The following information may be helpful:

- Statutory guidance on suspension:
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- The Children's Legal Centre: they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- **Include other relevant links for example social care, Ethnic Minority & Traveller Achievement Service or the local parent partnership (www.parentpartnership.org.uk).**

[Child's Name]'s suspension expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**. *[There is no requirement to hold a reintegration meeting but it would be good practice to do so – 'Schools should have a strategy for reintegrating pupils that return to school following a fixed period exclusion, and for managing their future behaviour.'; **detail the arrangements for the pupil's return to school**].*

Yours sincerely

[Name]
Headteacher

Appendix I – Model Letter 4 – Permanent Exclusion

From the Headteacher of a school notifying the parent(s) of a pupil's permanent exclusion. (Parts 4 - 6 DfE guidance 2017)

Dear **[Parent's Name]**

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

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

As this is a permanent exclusion the governing body has a legal requirement to consider the exclusion.

[Maintained schools only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher and a representative of the local authority will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]**

[Academies only]

You have the right to attend the meeting, be represented (at your own expense) and also to bring a friend. The head teacher will also be invited to attend and to make representations. **[Child's Name]** may also be involved in making representations. **[Explain how this may happen]** You may invite a representative of the local authority to attend a meeting of an Academy's governing body as an observer; that representative may only make representations with the governing body's consent.

If you wish to make representations please contact **[Detail how parent needs to make representations – where and to whom e.g. letter, email or telephone contact to governors/clerk, giving number, email or postal address?]**.

The governing body will circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting. You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting or to make representations. Also, please inform **[Clerk]** if it would be helpful for you to have an interpreter present at the meeting.

[For pupils of compulsory school age only]

You are legally required to ensure that your child is not present in a public place in school hours during this exclusion on **[specify dates]** unless there is reasonable

justification for this. I must advise you that you may be given a penalty notice or prosecuted if your child is present in a public place during school hours on the specified dates and you fail to provide reasonable justification for this.

[For pupils of compulsory school age only]

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

For the first five school days of the exclusion we will set work for **[Child's Name]** to be completed during the period of his/her exclusion. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking. *[If alternative provision is being arranged before day six the letter should provide details of this including when/where it will take place and who to report to on the first day.]*

[Where pupil lives in South Gloucestershire - for pupils of compulsory school age only] but provision does not have to be arranged by either the school or local authority for pupils in the final year of compulsory education who do not have any further public examinations to sit.

For a permanent exclusion, the Local Authority must arrange suitable full-time education for any pupil of compulsory school age from the sixth school day of the exclusion onwards — i.e. from **[specify the date]** until the expiry of the exclusion. South Gloucestershire Pupil Referral Unit (Pathways Learning Centre) will provide suitable full-time education. **[Detail the arrangements for this if known at the time of writing; if not known state that the arrangements will be notified by a further letter (without delay and no later than 48 hours before the provision is due to start) - e.g. the start date for any provision of full-time education that has been arranged for the pupil 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; and any information required by the pupil to identify the person he / she should report to on the first day.]** I have forwarded your details to the Pupil Referral Unit (Pathways Learning Centre) and they will be in touch shortly. They can be contacted on 01454 862630.

[Where pupil lives in a local authority other than the excluding school's local authority - For pupils of compulsory school age only]

For a permanent exclusion, the Local Authority must arrange suitable full-time education for any pupil of compulsory school age from the sixth school day of the exclusion onwards — i.e. from **[specify the date]** until the expiry of the exclusion. I have also today informed **[name of officer]** at **[name of local authority]** (e.g. Clare Dudley, Bristol LA) of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

You should also be aware that if you think the exclusion relates to discrimination you can make a claim, to the First Tier Tribunal for disability discrimination (<http://www.justice.gov.uk/tribunals/send/appeals>) or to a County Court for other forms of discrimination.

The following information may be helpful:

- Statutory guidance on exclusion:
<http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>
- The Children's Legal Centre: they aim to provide free legal advice and information to parents on state education matters. They can be contacted on 0808 802 0008 or on <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.
- **[Include other relevant links for example social care, Ethnic Minority & Traveller Achievement Service or the local parent partnership (www.parentpartnership.org.uk).]**

Yours sincerely

[Name]
Headteacher

Appendix J – Model Letter 5 - From the Governing Body of a school notifying a parent of its decision not to reinstate a pupil

From the Governing Body of a school notifying a parent of its decision not to reinstate a pupil (i.e. to uphold the head's decision to permanently exclude the pupil). (Part 6 DfE guidance 2017)

(Please forward a copy of this letter to the LA; and also to Neil Young (Democratic Services) for information)

Dear **[Parent's Name]**

The meeting of the Governing Body at **[Name of school]** on **[date]** considered the decision by **[Head's Name]** to permanently exclude your **[son/daughter Name]**. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold the permanent exclusion of **[Name of Pupil]**.

The reasons for the governing body's decision are **[Insert reasons in sufficient detail to enable all parties to understand why the decision was made]**.

.....

You have the right to ask for this decision to be reviewed by an independent review panel. If you wish to make an application for a review of the Governing Body's decision you will need to do so no later than **[day and date – i.e. 15 school days plus 2 school days from the date of the letter when posted by 1st class post; 'Notice is deemed to have been given on the same day if it is delivered directly, or on the second working day after posting if it is sent by first class mail'.]** If you make an application for a review after this date it will be rejected by the local authority.

The application should be made to
Neil Young, Principal Democratic Service Officer
South Gloucestershire Council
Chief Executive & Corporate Resources Department
PO Box 1953
Bristol
BS37 0DB

Please inform Neil Young if you have a disability or special needs which would affect your ability to attend the hearing or if it would be helpful for you to have an interpreter present at the hearing. ***[For an Academy that does not trade with Legal Services, details and address of own provider which the parent should contact if they wish to request an independent review, should be inserted in place of Neil Young.]***

The role of the independent review panel is to review the Governing Body's decision not to reinstate a permanently excluded pupil. The panel can decide to:

- Uphold the exclusion decision
- Recommend that the Governing Body reconsiders their decision; or

- Quash the decision and direct that the Governing Body considers the exclusion again

Any application should set out the grounds on which it is being made and that, where appropriate, this should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion. You have the right to require the Local Authority to appoint a SEN expert to attend the review regardless of whether your child has recognised special education needs; there would be no cost to you for this. The role of the SEN expert is to provide impartial advice to the independent review panel on how special educational needs might be relevant to the exclusion. You must make it clear in your application for a review whether you wish for a SEN expert to be appointed.

You may, at your own expense, appoint someone to make written and/or oral representations to the independent review panel. You may also bring a friend to the review.

In addition to your right to apply for an independent review panel, if you believe that the exclusion has occurred as result of discrimination then you may make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. A claim of discrimination should be lodged within six months of the date on which the alleged discrimination took place e.g. the day on which **[Name of Pupil]** was excluded.

The following sources of free and impartial information will allow you to make an informed decision on whether and how to seek a review of the Governing Body's decision:

- Department for Education guidance - Exclusion from maintained schools, academies and pupil referral units in England
[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630073/Exclusion from maintained schools academies and pupil referral units guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630073/Exclusion_from_maintained_schools_academies_and_pupil_referral_units_guidance.pdf)
- Guidance on making a claim of discrimination to the First-tier tribunal – <http://www.justice.gov.uk/tribunals/send/appeals>
- the Coram Children's Legal Centre – www.childrenslegalcentre.com , they can be contacted on 0808 802 0008
- [Also include where considered relevant by governing body – contact details for Traveller Education Services (EMTAS) or Supportive Parents for SEN pupils]

If you do not intend to make an application for a review of this decision you may confirm this in writing to me, but please note, once the Governing Body has received your decision **not** to apply for a review the head teacher will remove your child's name from the school register.

Yours sincerely

[Name]

Chair/Clerk to the Governing Body