

# Suspensions and Exclusions Policy

TEAM Education Trust



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<b>Other Linked Policies:</b>	TEAM Admissions Policy TEAM Anti-Bullying Policy TEAM Behaviour Policy TEAM Child Protection Policy TEAM Equal Opportunities & Diversity Policy TEAM Exam Contingency Plan TEAM LAC Policy TEAM Pupil Attendance Policy TEAM SEND Policy TEAM Supporting Students with medical conditions Policy School's individual behaviour statement	

## Version History

Version	Date	Detail	Author
1	05.20	Original document	
2	12.05.21	Reviewed, no amendments – scheduled review of the Policy set for Autumn Term 2021 following anticipated Government guidance.	RWA
3	26.05.22	Renamed Suspensions and Exclusions Policy to bring in line with Government guidance. Changed fixed-term exclusion to suspension. Appendix A1 – addition of Trust Champion to governors meeting Appendix B, C, E – amended letters	MMO
4	18.05.23	Replaced section 3.1 with 'Reporting expectations', then added new content table based on the correct reporting mechanisms from DfE guidance. Moved 'Pupils returning from a suspension' to section 3.2.  Changed wording in section 5 to read, 'In the event of an exclusion, correspondence from school will inform parents/carers of their right to appeal to the Local Governing Body against the decision to permanently exclude.'  Section 6 added to include Local Authority contact details.  Appendix A, A1 changed wording to read, 'A representative of the trust may attend as a silent observer to QA the exclusion process.'  Appendix A, A2 changed wording to read, 'A member of the local governing body or a representative of the trust must chair the meeting. Any governor who chairs the meeting they do so providing that they have not discussed the matter before with anyone, especially the Principal but it can be one of the other governors.'  Appendix A, A5.6 changed wording to relace Trust champion to Trust representative.  Appendix A, A8 change wording from Independent Review Panel to read, 'Sarah Baker, CEO of Team Education Trust.'  Appendix A: A9 removed as no longer required.  Appendix B and C, updated to show current practice in line with DfE guidance and create one template letter to suit all schools within trust.  Additional Appendix added: over 15 day exclusion letter.  Appendix E now titled, Permanent Exclusion: Actions to take. Trust champion term changed to Trust representative and wording amended to reflect updates.  Additional Appendix added F and G, to reflect Derbyshire and Nottinghamshire's permanent exclusion LA content.	TEN
5	25.02.24	Minor amendment to section 2 - Principles	TEN/MMO
6	28.02.25	Significant re-write to the policy to address changes to national guidance, for the purpose of clarity, and to provide more detail to internal process and responsibility.	MMO

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# 1. Introduction

This policy aims to set out the process and timescales that Trust schools will follow in relation to both suspension and exclusions. On occasion, and once the school's approach to positive behaviour support has been exhausted, it may be necessary for a school to suspend or exclude a pupil. Any form of exclusion should be viewed as a last resort.

This policy should be used in conjunction with: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement: Guidance for maintained schools, academies, and pupil referral units in England \(August 2024\)](#), and outlines the Trust application of said guidance.

This policy should be used in conjunction with the Trust Behaviour Policy, individual school Behaviour Statements which set out local contexts, the Trust Safeguarding and Child Protection Policy and the SEND Policy.

The Trust seeks to reduce the number of incidents leading to suspensions and exclusions by promoting a positive atmosphere of mutual respect and discipline within each of our schools. Principals should, where possible, avoid suspending a pupil for a session (0.5 of a day) *ONLY* if the pupil can be suitably and safely monitored until the end of that session. Suspensions should only be used when other options have been exhausted, and in line with the behaviour and attitudes principles in the behaviour policy.

## 2. Types of Exclusion

Whilst the word exclusion, as used throughout this policy and national guidance, is an umbrella term that covers all suspensions and permanent exclusions, the types of exclusion are defined below.

### 2.1 Suspensions

Suspensions (previously referred to as fixed-term exclusions), are where a pupil is prevented from attending school for a specifically defined period of time. Pupils can be suspended for up to a maximum of 45 days in an academic year. It is expected that following a suspension, pupils return to school following a reintegration meeting. Suspensions can be for parts of the school day as set out in national guidance. The law does not allow for extending a suspension or converting a suspension into a permanent exclusion. In exceptional cases (often where additional evidence has come to light during a suspension), a further suspension or a permanent exclusion may be issued to begin immediately after the end of the first suspension.

### 2.2 Permanent Exclusions

Permanent Exclusions are where a pupil is permanently prevented from returning to the school, subject to review by the governing board. Such a decision will only be as a result of a serious or persistent breach of the Trust Behaviour Policy, and where allowing the pupil to remain in school was harm either the education or welfare of themselves, other pupils or staff.

For the full duration of suspensions and for the first 5 days of a permanent exclusion it is a requirement that education continues to be provided by the school.

## 3. Roles and Responsibilities

### 3.1 The Principal

All decisions to suspend or permanently exclude a pupil on behavioural grounds will be taken by the Principal, who will have considered all circumstances and will

be satisfied that other options have been exhausted. The Principal also has the power to cancel or rescind a suspension or permanent exclusion (see x.x below). As per national guidance, the decision to exclude may be delegated to anyone appointed to carry out the duties of the Principal, in the Principal's absence.

### 3.2 Positive Behaviour Lead

The Positive behaviour lead should be notified of all suspensions and permanent exclusions. Whilst issuing a suspension or permanent exclusion is the decision of the Principal, the positive behaviour lead should be consulted in the following circumstances:

- If a suspension or 3 days or more is to be considered
- If a pupil has previously received a suspension, or there have been repeated suspensions
- In the event of a potential permanent exclusion

### 3.3 The CEO

Ongoing data regarding suspensions and permanent exclusions will be provided to the Trust CEO. In the event of a potential permanent exclusion, the positive behaviour lead will discuss the matter with the CEO in advance of the permanent exclusion being issued.

### 3.4 The Governing Board

As set out in the national guidance for suspensions and exclusions, the Governing Board may refer to the governing body of a maintained school or the academy trust of an academy. It is the responsibility of the governing board to form review panels as required, to review individual exclusion decisions. In each case, the governing board should consider whether to uphold the decision to suspend or permanently exclude, or instead to reinstate the pupil.

At TEAM Education Trust, it is the responsibility of the Trust Board to establish a review panel, as set out in section 4.5.

## 4. General Principles Relating to Suspension and Exclusions

### 4.1 Notification of a suspension or permanent exclusion

Parents/carers will be notified as soon as possible of the decision to suspend or exclude a pupil and the reason for the exclusion.

The school will ensure that the appropriate professional bodies, as set out in national guidance, are made aware of any exclusion, as required and within a timely manner.

A pupil who has been suspended or excluded will have the reason for his/her exclusion explained to them by a senior staff member/Principal so that they understand the nature of their misbehaviour.

## 4.2 Reporting expectations

The following table gives an overview of who to report to and/or who to notify, when considering an exclusion.

Reporting to:	What to report:
Parents/carers	All suspensions and exclusions
The governing board	All permanent exclusions (including where a suspension is followed by a decision to permanently exclude the pupil). All suspensions which would result in the pupil being suspended for a total of more than 5 school days (or more than 10 lunchtimes) in a term. Any suspension or permanent exclusion which would result in the pupil missing a public examination or National Curriculum test. All cancelled suspensions and exclusions (also on a termly basis as part of your exclusions data).
The Positive Behaviour Lead	As set out in 3.2
The Local Authority	All suspensions and exclusions, regardless of length and include reasons. All cancelled suspensions and exclusions. For all permanent exclusions: if the pupil lives outside of the schools LA, also inform the pupil's home LA.
The pupil's social worker, if they have one	All suspensions and exclusions. Any cancelled suspensions and exclusions.
The virtual school head, if the child is LAC	All suspensions and exclusions. Any cancelled suspensions and exclusions.

## 4.3 Pupils Returning from a Suspension

All pupils returning from a suspension are required to attend a reintegration meeting, accompanied by a parent/carer. This meeting will seek to establish practical ways in which further suspensions can be avoided and behaviour modified to acceptable standards in partnership between the pupil, the parent/carer and the school.

The school will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the school, parents/carers if appropriate, and any other appropriate bodies. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency, for example where the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following suspension, the child will be able to return to school without the need for further exclusion.

## 4.4 Permanent Exclusions

A school will only permanently exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which a Principal may decide to permanently exclude a pupil because of ongoing issues or even for a 'one-off' incident.

If a child has been permanently excluded, be aware that:

- The governing body is required to review the Principal's decision
- If the governing body upholds the decision to exclude, parent(s) can appeal to an independent appeal panel organised by the Trust Board
- The school must clearly explain in exclusion correspondence to parents how to lodge an appeal
- The local authority must provide full-time education from the sixth day of a permanent exclusion. During the first five days, it is the responsibility of the school to provide education
- The excluded pupil remains on the school's roll until the review and appeals process has been exhausted (as set out in section 6)

#### 4.5 Requirement to Review Exclusions

The governing board has the responsibility to consider whether excluded pupils should be reinstated. As governing boards have a duty to consider parents' representations about a suspension or permanent exclusion, the governing board may be required to form a review panel for suspensions, as specifically set out in national guidance. For permanent exclusions, a review panel will always be required in order to consider reinstatement.

The process for the review of an exclusion is set out in Appendix A.

### 5. Cancellation of Exclusions

The Principal may rescind any exclusion that has already begun, up until the point where the governing board's review panel has met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The school must notify the parents, the governing board, the LA and all appropriate professional bodies working with the pupil, without delay
- There is no longer a requirement for the governing board's review panel to meet
- The pupil must be allowed back into school without delay

A permanent exclusion cannot be cancelled if a pupil has already been excluded for more than 45 school days in a school year.

### 6. Representation and Appeals

As set out in 4.5, governing boards are required to consider representations from parents regarding any form of exclusion. The process by which parents can notify the school of their intention to appeal a decision to suspend or permanently exclude will be clearly set out in the letter communicating the exclusion decision. The same letter will provide parents with the contact information of the LA, should they wish to seek advice and guidance. Additionally, should parents be of the view that the exclusion occurred as a result of discrimination, the appropriate information will be provided to make a discrimination claim.

Following a governing board review panel, should the decision to permanently exclude be upheld, parents have the right to request an independent review panel (IRP), as set out in national guidance.

### 7. Removal from roll

A pupil remains on the school's roll and will be coded under guidance provided by the LA until the review and appeals process has been exhausted. Following a governing board review panel, parents have 15 school days from the date of the outcome letter issued by the panel, to request an IRP. Should parents not choose to request an IRP, a pupil may be taken off the school roll on the 16 school day. In the event that an IRP is called, and the decision is upheld, a pupil may be immediately removed.



## 8. Contact Details for the Local Authorities

TEAM Education Trust covers a number of different local authorities. The following table should be used in communications with parents to ensure that they have the correct local information for support and guidance.

LA Contact Information	
Nottinghamshire	<p>Inclusion Team for advice and information: Tel: 0115 876 4700 or at Children and Families, Loxley House, Station Street, Nottingham, NG2 3NG.</p> <p>Parents who consider that their child may have special educational needs may wish to contact Parent Partnership for advice and support on Tel: 0115 948 2888 or 01623 422223.</p> <p>The Department for Education (DfE) have developed exclusion guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (<a href="https://www.gov.uk/school-discipline-exclusions/exclusions">https://www.gov.uk/school-discipline-exclusions/exclusions</a>) School suspensions and permanent exclusions (GOV.UK) (<a href="https://www.gov.uk/government/publications/school-exclusion">https://www.gov.uk/government/publications/school-exclusion</a>)</p> <p>You may also find it useful to contact the Children’s Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 8020008 or on <a href="http://www.childrenslegalcentre.com">www.childrenslegalcentre.com</a>. The advice line is open from 8.00 am to 8.000 pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.</p>
Derbyshire	<p>Sharon Neak, Inclusion Manager, County Hall, Smedley Street, Matlock DE4 3AG, on 01629 535802 or <a href="mailto:Sharon.Neak@derbyshire.gov.uk">Sharon.Neak@derbyshire.gov.uk</a></p> <p>The Department for Education (DfE) have developed guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (<a href="https://www.gov.uk/school-discipline-exclusions/exclusions">https://www.gov.uk/school-discipline-exclusions/exclusions</a>) School suspensions and permanent exclusions (GOV.UK) (<a href="https://www.gov.uk/government/publications/school-exclusion">https://www.gov.uk/government/publications/school-exclusion</a>)</p> <p>You may also find it useful to contact Derbyshire Information, Advice and Support Service for SEND (formerly Parent Partnership), a local organisation that can offer support. They can be contacted at <a href="mailto:ias.service@derbyshire.gov.uk">ias.service@derbyshire.gov.uk</a> or 01629 533668. Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include: · The Coram Children’s Legal Centre (<a href="https://www.childrenslegalcentre.com/">https://www.childrenslegalcentre.com/</a>) · ACE Education (<a href="http://www.ace-ed.org.uk/">http://www.ace-ed.org.uk/</a>) telephone 0300 011 5142 · Independent Parental Special Education Advice (<a href="https://www.ipsea.org.uk/">https://www.ipsea.org.uk/</a>) · The National Autistic Society (NAS) School Exclusion Service (England) (<a href="https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service">https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service</a>) – telephone 0808 800 4002</p>
Sheffield	Insert
Rotherham	Insert



## Appendix A – Governing Board Review Panel Meeting

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### The Local Governing Body Review Meeting to Consider Exclusions

This document is intended to provide the necessary information to aid the running of a Meeting of the Governing Body to consider exclusion. For schools in TEAM Education Trust, the Governing Board is the Trust Board, who review exclusions under the following guidelines.

It is important that the members of the panel understand that they 'own' the meeting and not the school or Principal. How the meeting is arranged and conducted, is a vital part of working with the parents/carers of the pupil involved to support the young person's future. The meeting should be mutually convenient to all parties including the parents/carer, the date and time of the meeting should be agreed with the parents/carers in the first instance.

#### A1. Membership of the panel

Membership will be between 3 and 5, including the chair, and must not be less than 3. An uneven number of members is strongly recommended. Members of the panel should, as far as possible, have no prior knowledge of the matter. To discuss the matter in advance will compromise the ability to reach a fair decision based on natural justice and could make the process invalid. Representatives of the trust may attend as a silent observers to QA the exclusion process.

The governing board panel **must** include:

- The chair, as set out in A2 below
- At least one governor from the excluding school

The governing board panel **may also** include:

- A full-time member of the Trust Central (as opposed to a member of school staff with a central team responsibility)
- A Principal of one of the other Trust Schools

Prospective panel members must not sit on the panel if any of the following apply:

- they know the pupil and/or his/her family
- they witnessed the incident that led to the exclusion
- they have a child in the same class as the pupil involved, or have a child who was a witness to the incident and has told them about it
- they have a spouse/partner who was involved in the incident
- they for any other reason may not be able to be impartial
- they are a member of the school staff
- they are the chair of governors and has discussed the pupil with the Principal

#### A2. Chairing the meeting

A representative of the trust must chair the meeting. In most cases, this will be the Trust's Positive Behaviour Lead, unless they have already had direct involvement in the exclusion.

#### A3. Clerking the meeting

The meeting will be clerked with a record kept of the discussion in line with the agenda. Documentation that is to be considered as part of the review should be sent to all parties at least 5 school days prior to the meeting (this includes parents/carers).

#### A4. Order of the meeting

##### A4.1 Noting attendance

The Clerk should take minutes and a list of the names of everyone who is present at the meeting. The clerk should also note if the parents/carers do not attend, stating when and how they were invited to attend, and how and whether or not they had

indicated that they would be present. Panel members also need to detail the pupil's views and how they were obtained if they or their parent/carer does not attend. Parent/carers may be delayed for whatever reason and it is at the chair's discretion whether the start of the meeting will be briefly postponed, but being mindful of natural justice it would be appropriate to allow parents/carers sufficient time to attend.

#### A4.2 Apologies

The clerk should note any apologies offered.

#### A4.3 Chair's welcome, introductions and opening remarks

The Chair of the panel should welcome everyone, and either perform introductions or ask people to introduce themselves. They should state the purpose of the meeting and outline its format. The purpose of the meeting is:

- to establish whether, based on the facts known at the time, the Principal took the right action in excluding the pupil;
- to consider whether the type of exclusion was appropriate;
- to ensure the exclusion was reasonable, fair and appropriate taking into account the Principal's legal duties;
- whilst the Governing Board is legally required to consider an exclusion, they must consider the interests and circumstances of the excluded pupil, including circumstances in which the pupil was excluded.

### A5. Considerations

The Governing Board Panel should have regard to the interests of other pupils and people working in the school; to establish that the Principal's decision warrants a permanent exclusion and is: in response to serious or persistent breaches of the school's behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

Based on the evidence presented to them the governors on the panel have two basic options:

- to reinstate the pupil immediately or a future date; or
- to decline to reinstate.

In order to help the Panel to reach their judgement the meeting should take the following pattern.

#### A5.1 Verbal statement from the Principal

This will be in support of any written evidence previously circulated.

The Principal must be able to make their case on the day – it is not sufficient to rely on information previously sent out. The Principal may invite other staff members to attend to offer supporting evidence, being careful not to be over represented.

Written evidence should be circulated in advance, it should be sent to all the parties involved at least 5 days prior to the meeting, this includes the parents/carers.

Witness statements should be signed and dated unless there is good reason not to.

In the case of a permanent exclusion, where the Principal may need to outline a series of events/poor behaviour, it is acceptable to provide a list of the pupil's transgressions and a report from the Principal giving evidence why they feel the exclusion is justified. This should include sufficient information to allow governors to have a full picture of the situation, i.e. Pastoral Support Plan, Individual Education Plan, Risk Assessment, details of intervention strategies and outcomes, whether a

Family Support Plan has been offered or provided, and details of special education needs/disability and how these have been supported.

#### A5.2 Questions to the Principal

Panel members and parents/carers may ask questions to clarify points after the Principal has presented their case.

#### A5.3 Verbal statement from the parent/carer (or pupil if appropriate)

This should support any written evidence that they asked to be circulated in advance. The parent/carer/pupil may ask that their friend or representative speak on their behalf.

There should also be the excluded pupil's views taking into account their age and understanding.

#### A5.4 Questions to parents/carers

Panel members and the principal may ask parents/carers questions. If the pupil is in attendance, they may also be questioned.

#### A5.5 Final clarification

The Chair of the panel should ensure that all parties, especially the parents/carers/pupil, have had an opportunity to say what they wish to and that all points are clear. Governing Board panel members should be confident that they have all the information they need to be able to reach a correct decision.

#### A5.6 Reaching a Decision

At this point everyone other than the Governing Board panel members and clerk should withdraw from the meeting, to allow the panel members to discuss the case/s under consideration and form a judgement.

Where parents make it clear they do not wish their child reinstated, the governing board must, in any event, consider whether the Principal's decision to exclude the child was justified based on the evidence. In this case a note should be attached to the child's school record, to clarify if the panel did not support the Principal's action

#### A5.7 The Decision

Where the panel judged that exclusion was not the correct course of action, it may reinstate the pupil. In these cases, some of the following might apply:

- the Principal did not provide relevant or sufficient evidence to support his/her case for an exclusion, or;
- the panel judged that insufficient strategies had been put in place to support the pupil prior to the incident that resulted in the exclusion (i.e. it could have been avoided if the school had given better support), or;
- the parent/carer has made an acceptable representation against the exclusion, e.g. provided evidence of mitigating circumstances, provided evidence to support their child's views with regard to their case; or,
- the child had not been given a voice at the meeting and their views captured by the school;
- strategies could include the use of a Pastoral Support Plan; a risk assessment of the potential hazard the pupil presents or faces; or in the case of Looked After Children, whether their Personal Education Plan has been reviewed;
- based on the balance of probabilities they felt the Principal's decision was not lawful, reasonable and procedurally fair.

There are times when pupils with Education, Health and Care Plans are exhibiting behaviour that might lead to their exclusion, or have been excluded.

In these cases, the school should have requested a review of their EHCP to establish that the child has the appropriate level of support in the school, or if it is even the appropriate school for the pupil to attend, however this may not always happen for a one off offence of physical violence etc.

An external review may also be requested where pupils and their behaviour has deteriorated.

Where a child with an Education, Health and Care Plan is excluded from school the panel should always ask what the school has done to support the pupil before exclusion is imposed and satisfy itself that the school has done all it can.

Schools should call a review if they feel the pupil's behaviour has deteriorated or the pupil is struggling to cope. Parents/carers of a pupil with an Education, Health and Care Plan must be informed of their right to appeal to First Tier Tribunal with regard to any exclusion.

If parents believe that the exclusion has occurred as a result of discrimination they may make a claim under the Equality Act 2010, so the panel need to consider whether the school has made reasonable adjustments with regard to the disability.

#### A6. Record Keeping

The Clerk will take minutes of:

- the evidence logged and questions asked by all parties
- the main points of the discussion by panel members;
- the decision reached,
- the supporting reasons, and;
- how the pupil's views were captured.

The panel may include comments or make recommendations but cannot put conditions on exclusion or the outcome.

#### A7. Communicating the outcome

A formal letter detailing the decision, and setting out the reasons why governors have reached their conclusion, should be sent to the parent/carer without delay, either hand delivered or posted by first class mail.

#### A8. Further Action following the Decision

In the case of a permanent exclusion, the parents/carers must be informed in the letter from the panel of how they can make an application to Sarah Baker, CEO of Team Education Trust.

Where parents make an application against a permanent exclusion to an Independent Review Panel after the governing board meeting they can only uphold the decision; recommend that the local governing body reconsider their decision; or quash the decision and direct the governing board to reconsider the exclusion again.

The Independent Review Panel cannot direct reinstatement, they can only ask the governing board through a recommendation to reconsider or the decision quashed and direction is given to the local governing body to reconsider: this has to take place 10 days from the date of receipt of the outcome of the Independent Review Panel.

It is then the decision of the governing board to review the decision not to reinstate and write to the parent and Principal of their decision without delay.

Minutes of the Meeting should be held on record in line with the TEAM Education Trust record retentions schedule. One copy of all paperwork needs to be kept as a parent can go the First Tier Tribunal re disability discrimination before and after an Independent Review. Claims can be up to 6 months after the review.

## Appendix B – Letter 1: Suspension up to 5 days

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This letter is issued by the Principal to notify the parent(s) of a suspension of five school days or fewer in one term and where a public examination is not missed.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I am writing to inform you of my decision to suspend [Child's Name] for [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]. [Child's Name] has been suspended for this fixed period because [reasons for the exclusion — as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

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

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

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

We will set work for [Child's Name] to be completed on the days specified in the previous paragraph as school days 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.

A meeting will be held on [day], [month], [year] at [time] with [Key Stage Lead], which you and [Child's name] should attend in order to discuss their behaviour in school. This exclusion may be extended or the possibility of permanent exclusion may be discussed.

You have the right to express your views and make representations about this decision to the governing board. Please note, the governing board must consider any representations you wish to make, however there is no duty on them to arrange a meeting with parents.

You have the right to make representations about this decision to the governing board. If you wish to make representations, please contact the Chair of Governors, [name and school] as soon as possible. Whilst the governing board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record. Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. You will be notified by the governing board the time, date and location of the meeting. Please let us know if suitable arrangements need to be made for you to attend the meeting at school. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

You also have the right to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify [school name] in writing if you wish to be supplied with a copy of [Child's Name]'s school record. There may be a charge for photocopying.

The Department for Education (DfE) have developed guidance for parents which can be accessed via the following web links: <http://www.gov.uk/school-discipline-exclusions/exclusions>  
<http://www.gov.uk/government/publications/school-exclusion>.

You may wish to contact for the Inclusion Team for advice and information:[insert all school LA information here, section 7 of the policy].

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

Yours sincerely,

<Name>  
**Principal**



## Appendix C - Letter 2: Suspension from 6 to 15 days

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From the Principal, notifying parent of a suspension of up to 15 school days in one term.  
School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that he/she 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]. [Child's Name] has been suspended for this fixed period because [specify reasons for suspension - as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

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

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

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

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

[NB – Only include the subsequent paragraph for suspensions of over five consecutive school days regardless of whether this is a result of one or more than one suspension]

From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows [state times.]. [NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].

A meeting will be held on [day], [month], [year] at [time] with [Key Stage Lead/add appropriate person], which you and [Child's name] should attend in order to discuss their behaviour in school. This exclusion may be extended or the possibility of permanent exclusion may be discussed.

You have the right to make representations about this decision to the governing board. If you wish to make representations, please contact the Chair of Governors, [name and school], as soon as possible. At this meeting of the governing board the decision to suspend can be reviewed. As the period of this suspension is more than 5 school days but less than 15 school days in a term the governing board will meet only if you request it to do so. If you request a meeting the governing board must take all reasonable steps to meet to discuss reinstatement within 50 school days of receiving the notice of suspension [specify the date — the 50th school day after the suspension decision date].

Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. You will be notified by the governing board the time, date and location of the meeting. Please let us know if suitable arrangements need to be made for you to attend the meeting at school. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

You have the right to see and have a copy of, your child's school record. Due to confidentiality restrictions, you must notify [insert school name] in writing if you wish to be supplied with a copy of your child's school record. There may be a charge for photocopying.

You may wish to contact the Inclusion Team for advice and information: [insert all school LA information here, section 7 of the policy].

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

Yours sincerely,

<Name>  
**Principal**

## Appendix D - Letter 3: Suspension over 15 days

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From the Principal, notifying parent of a suspension of over 15 school days in one term.  
School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that [Child's Name] will not be allowed in school for this period. The suspension begins/began on [date] and ends on [date]. [Child's Name] has been suspended for this fixed period because [reasons for the suspension — as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

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

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

You have a duty to ensure that your child is not present in a public place during school hours for the duration of [the first five school days of suspension or specify dates] unless there is reasonable justification for this. I must inform you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

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

[NB – Only include the subsequent paragraph for suspensions of over five consecutive school days regardless of whether this is a result of one or more than one suspension]

From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows [state times.]. [NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].

A meeting will be held on [day], [month], [year] at [time] with [Key Stage Lead/ appropriate person], which you and [Child's name] should attend in order to discuss their behaviour in school. This exclusion may be extended or the possibility of permanent exclusion may be discussed.

You have the right to attend a meeting of the governing board to whom you may present your views and make representations, please contact the Chair of Governors, [Name and school], as soon as possible. As the length of the suspension is more than 15 school days in total in one term the governing board must meet to consider the suspension. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of suspension [specify the date — the 15th school day after the suspension decision date].

Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. You will be notified by the governing board the time, date and location of the meeting. Please let us know if suitable arrangements need to be made for you to attend the meeting at school. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

You also have the right to see and have a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify [name of school] in writing if you wish to be supplied with a copy of [Child's Name]'s school record. There may be a charge for photocopying.

The Department for Education (DfE) have developed guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (<https://www.gov.uk/school-discipline-exclusions/exclusions>) School suspensions and permanent exclusions (GOV.UK) (<https://www.gov.uk/government/publications/school-exclusion>)

You may wish to contact the Inclusion Team for advice and information: [Insert all additional school LA information here, section 7 of the policy]

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

Yours sincerely,

<Name>  
**Principal**

## Appendix E - Permanent Exclusion: Actions to take

What to do after the decision to permanently exclude a pupil has been made.

	Action	By whom
1.	<p><b>Carry out a full investigation:</b></p> <ul style="list-style-type: none"> <li>• Make a list of everyone involved.</li> <li>• Complete a serious incident review (Appendix H)</li> <li>• Interview the pupil, other pupils (where appropriate) and staff.</li> <li>• Ask all involved to write a witness statement (where appropriate - if a pupil needs help, you must record who did this) and ensure all statements are signed and dated. (Appendix I)</li> </ul>	
2.	<p><b>Collect other evidence:</b></p> <ul style="list-style-type: none"> <li>• Photographic and/or video footage.</li> <li>• Any other evidence e.g. weapon or damage.</li> </ul>	
3.	<p><b>Collect together other information relative to the case:</b></p> <ul style="list-style-type: none"> <li>• Attendance and Exclusion policies</li> <li>• Attainment and progress data, Risk Assessment, pupil data tracking, Annual Report.</li> <li>• Behaviour and Rewards logs</li> <li>• Strategies for support including External Assessment and Agencies.</li> <li>• SEND Information.</li> <li>• Evidence of contact with parents (telephone log or copies of letters).</li> <li>• Barriers to learning.</li> <li>• Any Mitigating Factors.</li> </ul>	
4.	<p><b>Identify where the breach in the TEAM Behaviour Policy/individual school statement and TEAM Exclusion Policy</b> has occurred - the parents cannot then argue that they didn't think the behaviour was unacceptable.</p>	
5.	<p><b>Consider</b> whether this is one serious breach or persistent breaches of the policy:</p> <ul style="list-style-type: none"> <li>• For a single breach, the evidence should only relate to that incident.</li> <li>• For persistent breaches, you are building an escalating picture.</li> </ul>	
6.	Identify how 'where allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.	
7.	<b>Set work for the first five days</b> and ask parents to sign for this (school will need to offer to mark this).	
8.	<p><b>Inform the LA</b> so that they:</p> <ul style="list-style-type: none"> <li>• Take over the responsibility of educating the pupil after five days.</li> <li>• Can send a representative to the exclusion meeting.</li> <li>• Have all the information should the exclusion go to appeal.</li> </ul>	
9.	<p>Set the date and time of the meeting:</p> <ul style="list-style-type: none"> <li>• Your meeting must be held within 15 school days from the date of the letter notifying parents of the Permanent Exclusion – it cannot be held after this.</li> <li>• Agree a date and time with the Trust representative. A member of the governing body or Trust representative will chair the meeting and introduce those present. A Trust representative will be present as a silent observer to QA the exclusion process</li> <li>• 3 to 5 members of the Local Governing Body will form the panel – they cannot be a member of the school.</li> </ul>	
10.	When must the papers for the meeting be sent out ?:	

	<ul style="list-style-type: none"> <li>Count back five school days from the day of the meeting – this is the very last day the parents and panel should receive an Exclusion pack – failure to do this may be grounds for an appeal against exclusion.</li> </ul>	
11.	<p><b>The Principal's case:</b></p> <ul style="list-style-type: none"> <li>Complete the standard proforma.</li> <li>Annex all additional information.</li> <li>Include the redacted copies of statements, if relevant</li> </ul>	
12.	<p>You must <b>send out the Exclusion Packs</b> by the deadline.</p> <ul style="list-style-type: none"> <li>Send these by Recorded Delivery; or</li> <li>If handed to the parents in person, please ask them to sign for it.</li> <li>Include the standard letter about date, time and panel members.</li> <li>Include the meeting agenda.</li> <li>No additional information can be added unless agreed by both parties.</li> </ul>	
13.	<p><b>One the day of the meeting:</b></p> <ul style="list-style-type: none"> <li>Telephone the parent to make sure they have remembered about the meeting and ask if they are coming.</li> <li>If the parents have not arrived by the meeting start time, give them ten minutes grace; the clerk must minute this.</li> </ul>	
14.	<p>In the meeting:</p> <ul style="list-style-type: none"> <li>Follow the set agenda carefully.</li> <li>The clerk to the Local Governing Body will usually minute the meeting.</li> <li>After the presentations have been made, the panel members should remain in the room with the clerk to make the decision.</li> <li>Only the grounds for the decision need to be minuted.</li> <li>The standard letter informing the parents of the decision needs to be sent out the following day, stating the decision and the grounds.</li> </ul>	

## Appendix F - Letter 4: Permanent Exclusion

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From the Principal, notifying parent of a Permanent Exclusion.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

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 board. I realise that this exclusion may well be upsetting for [Child's Name], 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 — as a minimum should include a summary of the incident and behaviour which led to taking the decision to exclusion the pupil].

Both of the following two thresholds of permanent exclusion have been met:

- a serious breach or persistent breach of the school's behaviour policy has occurred; and
- where allowing the pupil to remain in school would seriously harm the education and welfare of the pupil or others in the school

[Include a summary of how the threshold has been met].

[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

Since your child is of compulsory school age you have a duty to ensure that your child is not present in a public place during school hours for the duration of the first 5 school days of this exclusion, i.e. on [specify the precise dates] unless there is reasonable justification for this. I must inform you that 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 that there is reasonable justification.

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] and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards — i.e. from [specify the date] the local authority [give the name of the authority in which the family reside] will provide a full time, interim blended programme, comprising face to face and online learning, leading to a permanent placement in an appropriate setting. Arrangements for full-time education will be organised by the Inclusion Pathways Team, see contact details below.

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. As this is a permanent exclusion the governing board must meet to consider the decision to exclude. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of exclusion [specify the date — the 15th school day after the exclusion decision date].



Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. You will be notified by the governing board the time, date and location of the meeting. Please let us know if suitable arrangements need to be made for you to attend the meeting at school. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion occurred as a result of discrimination, you can 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. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

You may wish to contact the Inclusion Team for advice and information: [Insert all additional school LA information here, section 7 of the policy]

The Department for Education (DfE) have developed guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (<https://www.gov.uk/school-discipline-exclusions/exclusions>) School suspensions and permanent exclusions (GOV.UK) (<https://www.gov.uk/government/publications/school-exclusion>)

Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include: · The Coram Children's Legal Centre (<https://www.childrenslegalcentre.com/>) · ACE Education (<http://www.ace-ed.org.uk/>) telephone 0300 011 5142 · Independent Parental Special Education Advice (<https://www.ipsea.org.uk/>) · The National Autistic Society (NAS) School Exclusion Service (England) (<https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service>) – telephone 0808 800 4002

Yours sincerely,

<Name>  
**Principal**



# Serious Incident Review

Incident date	
Student name:	
Summary of Incident	

**Background:**

**Incident:**

**Chronology:**

**Whole School Response:**

**Additional Contextual Information:**

**Historical Exclusion Information ( If applicable ) :-**

Start Date	End Date	Duration	Type	Primary Reason	Establishment

**Current Behaviour Log – Name of School**

*Review completed by:*



## Appendix H - Serious Incident Review, Witness Statement

### Incident Witness Statement (V1)

<b>Name of person completing :</b>		<b>Date of incident:</b>	
<b>Department:</b>		<b>Time of Incident:</b>	
<b>Job title:</b>			
<b>Details of those involved:</b>			
<b>Victim(s) Names:</b>		<b>Witnesses Names:</b>	
<b>Perpetrator(s) details if known:</b>			
<b>Incident Details:</b>			
<b>Date:</b>	<b>Time:</b>	<b>Location:</b>	
<b>What happened:</b> <i>This should include timelines, persons involved, locations, factual &amp; accurate account</i>			
<i>(please continue on a separate sheet if required)</i>			
<b>What action did you take:</b>			
Contact DSL <input type="checkbox"/>	Contact Principal <input type="checkbox"/>	Contact KSL <input type="checkbox"/>	Contact police <input type="checkbox"/>
Contact home <input type="checkbox"/>	Contact Social Worker <input type="checkbox"/>	Contact CAMHs <input type="checkbox"/>	
Other: <input type="checkbox"/>			
<b>Disclaimer:</b>			
<i>By signing this document you are agreeing that the facts you have outlined in this statement are true and factual to the best of your knowledge:</i>			
<b>Signature:</b> _____		<b>Date:</b> _____	