SUSPENSION AND PERMANENT EXCLUSION POLICY

Learning Academies Trust

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LEARNING ACADEMIES TRUST

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CHANGES

Policy date	Summary of change	Author	Version	Review date
20/07/23	Policy has been created.	LAT Safeguarding Lead	1.0	31/07/23
01/02/24	Exclusion letters from LA added as appendices	LAT Safeguarding Lead	1.1	31/01/25
26/09/25	Policy reviewed and amended to include off site direction. A reintegration plan included in the appendices	Bridget Shillaber LAT Safeguarding Team	1.2	25/09/26
07/08/26	Policy reviewed and amended with latest DfE guidelines from July 2026. Additional information in relation to seclusion added. Note- updated safety intervention record form added to appendices.	Cameron Lancaster- LAT Safeguarding Lead	1.3	31/07/27

1. AIMS

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

Our school aims to:

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

A note on off-rolling

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

- Remove a pupil from the school roll without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school roll, or
- Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension or
- Move a pupil to alternative provision (AP) where this is not in their best interests, or
- Send a pupil home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
- Place a pupil on a part-time timetable for behavioural reasons
- Remove a pupil from the school roll without following due process

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

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

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

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

2. LEGISLATION AND STATUTORY GUIDANCE

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

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

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

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

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014 and as modified and amended by The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.
- The Equality Act 2010
- Children and Families Act 2014
- https://www.legislation.gov.uk/ukpga/2014/6/contentsInspection information for state-funded schools, which defines 'off-rolling'

This policy complies with our funding agreement and articles of association, and with statutory regulations applying to academies in relation to exclusions and off-site direction.

3. DEFINITIONS

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

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school admission register.

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

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs. Managed moves cannot be used on a trial basis.

Cancelled exclusion – an exclusion that has been cancelled before the governing board has met to consider whether the pupil should be reinstated.

4. ROLES AND RESPONSIBILITIES

4.1 The headteacher

Deciding whether to suspend or exclude

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

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour

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

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

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or of others such as staff or pupils in the school

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC)
- Consider whether all alternative solutions have been explored, such as:
    - For suspensions, detentions or other sanctions provided for in the behaviour policy
    - For exclusions: off-site direction (for temporary placements) or managed moves (which are permanent and not used as trial placements)

When considering off-site direction, the school complies with the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, and has regard to the Arranging alternative provision: a guide for local authorities and schools.

Before directing a pupil off-site or agreeing a managed move, the school will:

- Ensure the pupil's views are sought and considered
- Be able to evidence that appropriate interventions have already been implemented
- Share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments and support strategies

Where a managed move is being considered for a pupil with a social worker, the school will inform, at the earliest opportunity:

- The social worker
- The DSL
- Parents/carers (unless this would create a safeguarding risk)
- For looked after children: the virtual school head (VSH)

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

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

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

If it is decided that a managed move is in the pupil's best interests, the original school and new school will work together to make sure that any personal education plan (PEP) that the pupil has is reviewed and amended to reflect the move.

Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan, the school will, in partnership with others (including where relevant, the LA), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the pupil's SEN or disability.

Where a pupil has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the pupil.

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil, or if a pupil has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

Deciding whether to temporarily remove a pupil from the school site for safeguarding reasons

In exceptional circumstances, the headteacher may decide to temporarily prevent a pupil from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.

This measure will only be used when:

- It is necessary to separate pupils to ensure safety, and
- There is no reasonable alternative that would allow all pupils to remain on site

Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate (e.g. children's social care or the police).

Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the governing board without delay
- Provide work for the pupil to complete at home, or work with the LA to ensure suitable education is arranged
- Support the pupil's reintegration, as soon as it is safe to do so

Informing parents/carers

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

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

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

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent

- Information about the parents'/carers' right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents/carers have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend (and, where appropriate, more than 1, subject to reasonable limits set by the governing board)
- That parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request

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

- For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged to improve behaviour, the written notification will include:

- The start date for any provision of full-time education that has been arranged
- The address at which the provision will take place
- The name of the person the pupil should report to on arrival
- The duration of the placement
- The reasons for, and objectives of, the placement
- The start and finish times of any such provision

Where 2 sessions per day are provided:

- What time the morning sessions starts
- What time the afternoon session ends
- What time the break between them starts and ends

Where a single session per day is provided:

- What time the session starts and ends

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

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

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

Informing the governing board

The headteacher will, without delay, inform the Deputy CEO and Governing Body of:

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

- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

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

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

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

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

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

If a:

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

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

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

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

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

Cancelling suspensions and permanent exclusions

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

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

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

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

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

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

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

Directing off site and managed moves

Before taking any decision to permanently exclude a pupil, the headteacher will consider whether off-site direction, direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

In the case of off-site direction, the aim is for these to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options available

A managed move is a process which leads to the transfer of a pupil to another mainstream school permanently. The Trust will consider a managed move for serious one-off incidents only and on completion of a risk assessment when the risks are deemed manageable by all parties. Managed moves should be voluntary and agreed with all parties involved, including the parents, student, the admission authority of the new school and with support from the Local Authority. Managed moves should only occur when it is in the pupil's best interests.

4.2 The governing board (LGB)

Considering suspensions and permanent exclusions

Responsibilities regarding exclusions are delegated to the appeals committee of the local governing board.

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

Within 14 days of receiving a request, the governing board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

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

Monitoring and analysing suspensions and exclusions data

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

- Closely scrutinise patterns of all pupil movement, including suspensions, permanent exclusions, off-site direction and managed moves
- Ensure these measures are only used as a last resort
- Review any use of separation from site for safeguarding purposes
- Challenge the school's leadership team to identify and address emerging trends

The governing board will consider:

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

Performance data and benchmarking:

Governors will hold leaders to account and make informed decisions. To enable them to do so, they'll make use of performance data in the following areas:

- Pupil numbers, attendance and exclusions

- Attainment and progress
- Curriculum planning and class sizes
- Financial management and governance
- Quality assurance
- Safeguarding and wellbeing
- The school community, including staff, pupils, parents/carers and the governing board

4.3 The local authority (LA)

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

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

5. CONSIDERING THE REINSTATEMENT OF A PUPIL

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

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

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

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

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

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

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

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

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

The LGB Appeals Committee can either:

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

In reaching a decision, the LGB Appeals Committee will consider:

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

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

The clerk will be present when the decision is made.

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

The LGB Appeals Committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

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

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

- The fact that it is a permanent exclusion
- Notice of parents/carers' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents/carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the academy trust to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment

- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. INDEPENDENT REVIEW

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This notification will include:

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

7. SCHOOL REGISTERS

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

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

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

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site)

will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.

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

A pupil will be registered at 1 school only. Where a managed move is agreed, the pupil's name will be removed from the admission register when the move becomes permanent. Where a pupil attends off-site provision, the original school retains responsibility for the pupil's registration unless and until a permanent move is agreed.

Making a return to the LA

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

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

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

8. RETURNING FROM A SUSPENSION

8.1 Reintegration strategy

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

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

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

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or local mentoring charity
- Regular reviews with the pupil and parents/carers to praise the progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents/carers and staff of potential external support

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

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

8.2 Reintegration meetings

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

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

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

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

8.3 Reintegration plan

A reintegration plan will be constructed during the reintegration meeting which indicates how the pupil will be supported back into school and what the first 5 days after returning from a suspension will look like. The reintegration plan found in Appendix 2 will be used to record this information.

9. REMOTE ACCESS TO MEETINGS

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

Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.

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

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

The governing board and the academy trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

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

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

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

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

10. MONITORING ARRANGEMENTS

The school will collect data on the following:

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

The data will be analysed every term by the Deputy CEO. The Deputy CEO will report back to the headteacher and Trust Board. The headteacher will report bac to the local governing body on a termly basis.

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

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

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

The multi-academy trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Deputy CEO every year. At every review, the policy will be shared with the Trust Board for approval.

11. LINKS WITH OTHER POLICIES

This policy is linked to our:

- School Behaviour policy
- LAT SEND policy
- School SEN information report

Appendix 1: Independent review panel training

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

Training must have covered:

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

Appendix 2: Reintegration Planning Template

School name School logo

Suspension Reintegration Plan (5-day plan)

Name of Pupil:		Year Group:		Date:		Completed by:	

Barriers to learning/engagement

Brief outline of barriers…

Agreed next steps

Actions	By who	By when

5-day plan

Day 1 Date:	Day 2 Date:	Day 3 Date:	Day 4 Date:	Day 5 Date:
Pastoral Link:				

Risk Assessment completed/reviewed:

Signed (SLT): Signed (Parent):

Date:

Appendix 3: Model Letters

Model Letter 1

FROM HEADTEACHER

Suspension of 5 days or less

Where a public examination will be missed, please insert the following text into the letter at **

'There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way.' Paragraph 111 DfE Guidance

Dear **[Parents Name]**

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

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

[Use this paragraph for pupils of compulsory school age]

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

We will set work for **[Name of child]** during the **[….. days]** of the suspension **[detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

You and **[Name of child]** have the right to make representations about this suspension to the **[Governing Body/Academy Trust]**. If you wish to do so please contact [**Name of Contact**] on/at [**Contact Details-Address, Phone Number, email**] as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any evidence presented by you and may place a copy of their findings on your child's school record.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
- Council for Disabled Children – SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

[**Name of Child**]'s suspension expires on [**Date**] and we expect [**Name of Child**] to be back in school on [**Date**] at [**Time**]. A reintegration meeting will take place for [**Name of child**] at the school on [**Date**] at [**Time**]. It is important that you attend this meeting with [**Name of child**].

Yours sincerely

[Name]

Head teacher

Model Letter 1a

FROM HEADTEACHER

Lunchtime half-day suspension (previously known as fixed term exclusion) of 5 days or less

*** Delete as appropriate

Dear **[Parents Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** during lunchtimes for **[number of days]** days from **[date]** to **[date]**. **[Child's Name]** can return for lunchtime as from **[date]**.

I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [**Child's Name**] has not been taken lightly. In making my decision I have considered any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has. [**Child's Name**] has been excluded for this fixed period because (**Reason for Exclusion**].

This exclusion covers the lunch period only from **[time]** to **[time]** and you are asked to make arrangements for your child's supervision away from school during this period.

***As **[Child's Name]** is eligible to receive a free school meal, I have made arrangements for **him/her** to be provided with a packed lunch for the period of the exclusion.

Each lunchtime exclusion will count as a half-day exclusion and will be added to your child's record of exclusions. The total number of days of exclusion from this period of lunchtime exclusion is **[number of days].**

[Use this paragraph for pupils of compulsory school age]

You have a duty 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 receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to challenge this decision before the **[Governing Body/Academy Trust]**. If you wish make representations please contact [**Name of Contact**] on/at [**Contact Details-Address, Phone Number, email**] as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any submissions you make and may place a copy of their findings on your child's school record.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
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- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
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Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

[**Name of Child**]'s exclusion expires on [**Date**] and we expect [**Name of Child**] to be back in school full time on [**Date**] at [**Time**]. A reintegration meeting will take place for [**Name of child**] at the school on [**Date**] at [**Time**]. It is important that you attend this meeting with [**Name of child**].

Yours sincerely

[Name]

Head teacher

Model Letter 2

FROM HEADTEACHER

Suspension of 6-14 days where cumulative number of suspensions in one (long) term fall total less than 15 days

Where a public examination will be missed, please insert the following text into the letter at **

'There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way.' Paragraph 111 DfE Guidance

Dear **[Parents Name}**

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

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

[Use this paragraph for pupils of compulsory school age]

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

We will set work for **[Name of Child]** during the **[first 5]** school days of the suspension **[specify the arrangements for this].** Please ensure that work set by the school is completed and returned to us promptly for marking.

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

You and **[Name of child]** have the right to make representations to the **[governing body/Academy Trust]** about this suspension either in writing or at a meeting. If you decide to make representations, the **[governing body/Academy Trust]** will meet to consider them by [**insert date – no later than 50 school days after the date on which the governing body were notified of this suspension**] at the latest. You may attend this meeting and, if you wish, be accompanied by a friend or representative. **[Name of child]** can also be involved in this process by **[explain how]**.

If you wish to make representations about this suspension, please contact [**Name of Contact**] on/at [**Contact Details – Address, Phone Number, email**], as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

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https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
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- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

[Where considered relevant by the head teacher include the following]

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

[**Name of Child**]'s suspension expires on [**Date**] and we expect [**Name of Child**] to be back in school on [**Date**] at [**Time**]. A reintegration meeting will take place for [**Name of child**] at the school on [**Date**] at [**Time**]. It is important that you attend this meeting with [**Name of child**].

Yours sincerely

[Name]

Head teacher

Model Letter 3

FROM HEADTEACHER

Suspension of 15 days or more, or where cumulative suspensions in one (long) term total 15 days or more

Where a public examination will be missed, please insert the following text into the letter at **

'There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way.' Paragraph 111 DfE Guidance

Dear **[Parents Name}**

I am writing to inform you of my decision to suspend [**Child's Name**] for a period of [**specify period of suspension**]. 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**].

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

[Use this paragraph for pupils of compulsory school age]

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

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

(Delete the following paragraph if this suspension is less than 6 days)

From the **[6th school day of the pupil's suspension - specify date]** until the expiry of this suspension we will provide suitable full-time education.

[The following information must be included with this notice where it can reasonably be found out within the timescale]

The arrangements for **[pupil name]**'s education are as follows:

- the start date for any provision of full-time education that has been arranged for the child during the suspension;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place; and
- any information required by the pupil to identify the person they should report to on the first day.

[Use if education arrangements are not available by the date of this letter]

The arrangements for **[pupil name]**'s education will be set out in writing shortly in a further letter.

As the length of the suspension is 15 school days or more in total in one term the governing body must meet to consider the suspension. At the meeting you may make representations to the governing body if you wish. The latest date on which the governing body can meet is [**date … no later than 15 school days after the date on which the [Governing Body/Academy Trust] was notified of this suspension**]. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact [**Name of contact**] on/at [**Contact Details - Address, Phone Number, email**], as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the **[governing body/Academy Trust]** of the time, date and location of the meeting. Please advise if you have a disability or special needs that would affect your ability to attend or take part in a meeting at the school. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

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You may also wish to contact the following agencies:

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educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.

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- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
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Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

[**Name of Child**]'s suspension expires on [**Date**] and we expect [**Name of Child**] to be back in school on [**Date**] at [**Time**]. A reintegration meeting will take place for [**Name of child**] at the school on [**Date**] at [**Time**]. It is important that you attend this meeting with [**Name of child**].

Yours sincerely

[Name]

Headteacher

Model Letter 4

FROM HEADTEACHER

For Permanent Exclusion

Where a public examination would be missed, please insert the following text into the letter at **

'There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way.' Paragraph 111 DfE guidance

Dear [**Parent's Name**]

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

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

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, that is on **[specify precise dates]** unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. 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 **[this may be different if supervised education is being provided earlier than the sixth day].** From the sixth school day of the exclusion onwards – i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that arrangements will be notified shortly by a further letter or by phone].**

[Add this paragraph where a pupil lives in a local authority other than the excluding school's local authority]

I have also today informed **[name of officer]** at **[name of local authority]** 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].**

As this is a permanent exclusion the governing body must meet to consider it. The meeting must consist of at least 3 Governors, unless the exclusion results in your child missing a public examination or national curriculum test. At the meeting, you may make representations to the governing body and you may wish and ask them to reinstate your child in school. The **[Governing Body/Academy Trust]** committee have the power to reinstate your child immediately or from a specified date; or, alternatively, they have the power to decline to reinstate your child, in which case you may request an independent review of their decision by requesting an independent review panel.

The latest date on which the governing body/academy trust must meet is [**date …….no later than 15 school days after the date on which the governing body were notified of this exclusion]**. We will endeavour to arrange the meeting at a date and time that is convenient for you to attend within this timeframe. If you wish to make representations to the **[governing body/academy trust]** and wish to be accompanied by a friend or representative please contact [**Name of Contact**] on/at [**Contact Details – Address, Phone Number, email**], as soon as possible. You will, whether you chose to make representations or not, be notified by the Clerk to the **[governing body/academy trust]** 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 or take part in the meeting. Also, please inform [**contact**] if it would be helpful for you to have an interpreter present at the meeting.

The governing body/academy trust will ask for written evidence from the school in advance of the meeting (including witness statements and other relevant information held by the school such as those relating to a pupil's SEN) and will endeavour to circulate this information to you and all those who will be present at the meeting at least five school days in advance of the meeting. If you have any written evidence that you would like to submit to the governing body/academy trust, please send this to the Clerk to the governing body/academy trust at the earliest opportunity.

You may request that the local authority and/or the home local authority attend the meeting of the academy's governing board as an observer; that representative may only make representations with the governing board's consent. Where possible, the representative will prepare a statement based on the evidence pack circulated by the Clerk. You may wish to contact the Local Authority's Inclusion, Attendance & Welfare Team to discuss this or if you have any questions about the exclusion procedures on 01752 307405 or by email attendancesupport@plymouth.gov.uk. Where possible, the local authority representative will prepare a statement based on the evidence pack circulated by the Clerk. The aim of this is to draw attention to issues where there is a lack of clarity, where more information may be needed or where it appears the DfE Exclusion Guidance has been ignored.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
- Council for Disabled Children – SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

Yours sincerely

[Name]

Head teacher

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Model Letter 5

FROM CLERK TO THE GOVERNING BODY/ACADEMY TRUST INVITING PARENTS TO THE GOVERNING BODY/ACADEMY TRUST SUSPENSION MEETING

Suspension (previously known as fixed term exclusion) up to 45 school days

**** Add a paragraph at this point to identify the steps you will take to enable and encourage the suspended pupils to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding, or how the excluded pupil may feed in his/her views by other means if attending the exclusion meeting is not possible.**

Dear **[Parent's Name]**

PUPIL NAME: [ENTER NAME] **D.O.B: 00.00.00**

I am writing to inform you that a meeting of the **[Governing body/Academy Trust]** will take place on **[date]** at **[time]** to consider the head teacher's decision to suspend **[pupil's name]** from school from **[start date]** to **[end date]**.

You and your child are encouraged to attend and contribute to the meeting. You are welcome to bring a friend, advocate or legal advisor with you should you wish. Please let me know if there is any support that we could offer to assist you and your child to attend and contribute to this meeting; for example, let me know if you need an interpreter, or any reasonable adjustments because of a disability.

If you are unable to attend on the date or at the time of this meeting, please contact me at the earliest opportunity.

The **[Governing body/Academy Trust]** committee has the power to reinstate your child immediately or from a specified date; or, alternatively, decline to reinstate your child.

The Department for Education exclusion guidance states:

> 'In reaching a decision on whether a pupil should be reinstated, the governing board should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair. This should consider the welfare and safeguarding of the pupil and their peers, the headteacher's legal duties, and any evidence that was presented to the governing board in relation to the decision to exclude.' (Paragraph 122)

The school will provide a pack of evidence about the suspension which is circulated to all parties invited to the meeting. You should receive the pack of evidence at least 5 school days in advance of this meeting. If you have written evidence that you would like to submit to the meeting, please send this to me at the earliest opportunity so it can be circulated to all parties.

The meeting must consist of at least 3 Governors, unless the exclusion results in your child missing a public examination or national curriculum test or in the case of an academy trust: the trust's articles of association allow them to do so. At this meeting the Chairperson will briefly explain the procedure the meeting will follow and the order in which each party will have the opportunity to put their case to the panel of governors and ask questions. The head teacher will present the reasons for the exclusion and witnesses may be called if appropriate. You and/or your legal representative/friend/advocate can present your case and/or give a written account. You will also have the opportunity to question the head teacher.

At the close of the meeting, the **[Governing body/Academy Trust]** will ask all parties to leave the room so they can discuss the evidence presented by all parties and any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has and make a decision on whether they will offer to reinstate your child immediately or on a particular date, or if they will not offer to reinstate your child.

Where offering to reinstate your child would make no practical difference because for example, your child has already returned to school following the expiry of a suspension, the governing board must still consider whether your child should be officially reinstated.

You may request that the local authority and/or the home local authority attend the meeting of the academy's governing board as an observer; that representative may only make representations with the governing board's consent. If you would like a Local Authority representative to attend, please inform the Clerk of this and contact the local authority's Inclusion, Attendance & Welfare Team on 01752 307405 or by email attendancesupport@plymouth.gov.uk . Where possible, the local authority representative will prepare a statement based on the evidence pack circulated by the Clerk. The aim of this is to draw attention to issues where there is a lack of clarity, where more information may be needed or where it appears the DfE Suspension and Permanent Exclusion Guidance (2022) has not been followed.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.

- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
- Council for Disabled Children – SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

Please contact me [**insert telephone, email and address details**] and let me know the following:

- if you will be attending this meeting
- if your child will be attending this meeting
- if you will be bringing a friend, representative or advocate
- if there is any support that we could offer to assist you or your child to attend and contribute to this meeting
- if you wish to call any witnesses – their name(s) and contact details
- if you have any written/documented evidence that you would like to provide ahead of the meeting
- if you would like a local authority representative to be invited to the meeting

Please find enclosed an order of proceedings for the meeting.

Yours sincerely

[Name]

Clerk to the [Governing Body/Academy Trust]

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Model Letter 6

FROM CLERK TO THE GOVERNING BODY/ACADEMY TRUST INVITING PARENTS TO THE GOVERNING BODY/ACADEMY TRUST EXCLUSION MEETING

Permanent Exclusion

**** Add a paragraph at this point to identify the steps you will take to enable and encourage the excluded pupils to attend the meeting and speak on his/her own behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding, or how the excluded pupil may feed in his/her views by other means if attending the exclusion meeting is not possible.**

Dear **[Parent's Name]**

PUPIL NAME: [ENTER NAME] **D.O.B: 00.00.00**

I am writing to inform you that a meeting of school **[Governing body/Academy Trust]** will take place on **[date]** at **[time]** to consider the head teacher's decision to exclude permanently **[pupil's name]** from school.

You and your child are encouraged to attend and contribute to the meeting. You have the right to be represented at the meeting (at your own expense) by a legal advisor or advocate, or you are welcome to bring a friend, should you wish. Please let me know if there is any support that we could offer to assist you and your child to attend and contribute to this meeting; for example, let me know if you need an interpreter, or any reasonable adjustments because of a disability.

If you are unable to attend on the date or at the time of this meeting, please contact me at the earliest opportunity.

The **[Governing body/Academy Trust]** committee has the power to reinstate your child immediately or from a specified date; or, alternatively, decline to reinstate your child in which case you may request a review of the decision by an independent review panel.

The Department for Education exclusion guidance states:

> 'In reaching a decision on whether a pupil should be reinstated, the governing board should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair. This should consider the welfare and safeguarding of the pupil and their peers, the headteacher's legal duties, and any evidence that was presented to the governing board in relation to the decision to exclude.' *(Paragraph 122)*.

The school will provide a pack of evidence about the exclusion which is circulated to all parties invited to the meeting. You should receive the pack of evidence at least 5 school days in advance of this meeting. If you have written evidence

that you would like to submit to the meeting, please send this to me at the earliest opportunity so it can be circulated to all parties.

The meeting must consist of at least 3 Governors, unless the exclusion results in your child missing a public examination or national curriculum test or in the case of an academy trust: the trust's articles of association allow them to do so. At this meeting the Chairperson will briefly explain the procedure the meeting will follow and the order in which each party will have the opportunity to put their case to the panel of governors and ask questions. The head teacher will present the reasons for the exclusion and witnesses may be called if appropriate. You and/or your legal representative/friend/advocate can present your case and/or give a written account. You will also have the opportunity to question the head teacher.

At the close of the meeting, the **[Governing body/Academy Trust]** will ask all parties to leave the room so they can discuss the evidence presented by all parties and any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has and make a decision on whether they will offer to reinstate your child immediately or on a particular date, or if they will not offer to reinstate your child.

Where reinstatement would make no practical difference because for example, you make clear you do not want your child reinstated, the governing board must still consider whether your child should be officially reinstated. If it decides against reinstatement of your child following the permanent exclusion, you can request an independent review.

You may request that the local authority and/or the home local authority attend the meeting of the academy's governing board as an observer; that representative may only make representations with the governing board's consent. If you would like a Local Authority representative to attend, please inform the Clerk of this and contact the local authority's Inclusion, Attendance & Welfare Team on 01752 307405 or by email attendancesupport@plymouth.gov.uk . Where possible, the local authority representative will prepare a statement based on the evidence pack circulated by the Clerk. The aim of this is to draw attention to issues where there is a lack of clarity, where more information may be needed or where it appears the DfE Exclusion Guidance has not been followed.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
- Council for Disabled Children – SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Where considered relevant by the head teacher include the following

- Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided

Please contact me [**insert telephone, email and address details**] and let me know the following:

- if you will be attending this meeting
- if your child will be attending this meeting
- if you will be bringing a friend, representative or advocate
- if there is any support that we could offer to assist you or your child to attend and contribute to this meeting
- if you wish to call any witnesses – their name and contact details
- if you have any written/documented evidence that you would like to provide ahead of the meeting
- if you would like a local authority representative to be invited to the meeting

Please find enclosed an order of proceedings for the meeting.

Yours sincerely

[Name]

Clerk to the [Governing Body/Academy Trust]

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Model Letter 7

LETTER FROM CLERK TO THE GOVERNING BODY/ACADEMY TRUST TO A PARENT OF A PUPIL SERVING SUSPENSION (PREVIOUSLY KNOWN AS FIXED TERM EXCLUSION)

Decision on Suspension (previously known as fixed term exclusion) of 6-45 school days

Dear **[Parent's Name]**

PUPIL NAME: [ENTER NAME] **D.O.B: 00.00.00**

Fixed Term Exclusion From [start date] To [end date]

I am writing to let you know of the decision reached by the school's **[governing body/Academy Trust]** at the meeting held to consider the actions of the head teacher, in relation to your child's exclusion from school. In making its decision, the governing board have considered any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has.

The **[governing body/Academy Trust]** decided to:

* Confirm the head teacher's action **[stating reasons]**
* Direct reinstatement **[stating reasons]**
* Place a note on **[Pupil's Name]** school file that even though the exclusion has been served the Governing Body felt that it was **[inappropriate / length was inappropriate]** and should have been [**stating reasons]**

You may wish to contact the local authority's Inclusion, Attendance & Welfare Team to discuss this or if you have any questions about the exclusion procedures on 01752 307405 or by email attendancesupport@plymouth.gov.uk

Yours sincerely

[Name]

Clerk to the [Governing Body/Academy Trust]

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Model Letter 8

FROM CLERK TO THE GOVERNING BODY/ACADEMY TRUST TO THE PARENT OF A PERMANENTLY EXCLUDED PUPIL OFFERING REINSTATEMENT OF A PERMANENTLY EXCLUDED PUPIL

Dear **[Parent's Name]**

PERMANENT EXCLUSION: [ENTER PUPIL NAME] [ENTER D.O.B 00.00.00]

The meeting of the governing body at [**school**] on [**date**] considered the decision by [**head teacher**] to exclude [**name of pupil**) permanently. The **[Governing Body/Academy Trust]**, after carefully considering the representations made and all the available evidence, including any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has have decided to reinstate [**name of pupil**].

The reasons for the **[Governing Body/Academy Trust]**'s decision are as follows: [**give the reasons in as much details as possible, explaining how they were arrived at**, **making reference to how the DfE exclusion guidance has been followed**].

You and **[your child or pupil's name]** will be invited to attend a reintegration meeting with **[Name of head teacher**] at the school on [**Date**] at [**Time**]. The purpose of the reintegration meeting is to discuss how we can best manage your child's return to school.

You may wish to contact the local authority's Inclusion, Attendance & Welfare Team to discuss this or if you have any questions about the exclusion procedures on 01752 307405 or by email attendancesupport@plymouth.gov.uk

Yours sincerely

[Name]

Clerk to the [Governing Body/Academy Trust]

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Model Letter 9

FROM HEADTEACHER

For Rescinded Permanent Exclusion

Dear [**Parent/Carer's name**]

Further to my decision to permanently exclude [**Child's name**] effective from [**date**]; I am writing to inform you of my decision to withdraw this permanent exclusion [**insert description of the reason**].

[If the pupil is reinstated use the following paragraph]
I would like to confirm that [**child's name**] is welcome to return to [**school's name**] and in order to facilitate [**child's name**]'s reintegration I have planned a reintegration meeting on [**date**] at [**time**] in school. It is important that you attend this meeting with [**child's name**].

[If the pupil is leaving the school use the following paragraph]
Once [**Child's name**] has started at [**receiving school's name**] his/her name will be removed from [**sending school's name**]'s roll. **[Enter details of any interim arrangements]**

As we notified the local authority of the permanent exclusion, a copy of this letter has been sent to the Inclusion, Attendance & Welfare Team for Plymouth County Council **[Include the details of the home authority if the pupil living in a different local authority]** to inform them that the permanent exclusion has been withdrawn.

You may wish to contact the local authority's Inclusion, Attendance & Welfare Team to discuss this or if you have any questions about the exclusion procedures on 01752 307405 or by email attendancesupport@plymouth.gov.uk

Yours sincerely

[Name]
Head teacher

Model Letter 10

Letter from clerk of Governing Body/Academy Trust

Permanent exclusion – governing board uphold decision letter.

Dear **[Parent's name]**

The meeting of the **[governing body/AcademyTrust]** at **[school's name]** on **[date]** considered the decision by **[head teacher]** to permanently exclude your **son/daughter [name of pupil]**. The **[governing body/AcademyTrust]**, after carefully considering both the oral and written representations made by you and the head teacher, and by considering any Special Educational Needs and Disabilities (delete as appropriate) that [child's name] has, has decided to uphold **[Child's Name]'s** exclusion.

The reasons for the **[governing body/AcademyTrust]** decision are as follows: [give the reasons in as much detail as possible, explaining how they were arrived at.]

You have the right to appeal against the decision. If you wish to appeal, please notify me of your wish to appeal. You must set out the reasons for your appeal in writing, along with any written evidence, and if appropriate, may also include reference to any disability discrimination claim you may wish to make. Send this notice of appeal to: [**Clerk name**] Clerk to Governors, [**School address**], no later than [**date**] (15 working days from the date of this letter).

If you have not lodged an appeal by this date then you will lose your right to appeal. Please advise if you have a disability or special need which would affect your ability to attend the hearing. You may, at your own expense, appoint someone to make written and/or oral representations to the panel.

Irrespective of whether the school regards your child as having special educational needs, you are entitled to have a Special Educational Needs (SEN) expert at the review hearing. The role of the SEN expert is to provide impartial specialist advice to the panel on how special educational needs might be relevant to the exclusion but does not include making an assessment of your child's special educational needs. The SEN expert's advice will focus on whether the school's policies which relate to SEN, or the application of these policies in relation to this case, were lawful, reasonable and procedurally fair. If you wish to have a SEN expert at the review hearing, please clearly indicate this on your application and be aware that the cost of appointment of the SEN expert will be met by the local authority (if maintained school) or Academy Trust (if academy) [amend as appropriate].

Your appeal will be heard by an Independent Review Panel. The panel will either be a three of five member panel and the size of panel will be decided by the Local Authority/Academy Trust. A three member panel will comprise of one serving or recently retired (within the last five years) Headteacher, one serving or recently serving (within the last five years) Governor/management committee member and one lay member who will be the Chairperson. A five member panel will comprise of two serving or recently retired (within the last five years) Headteachers, two serving or recently serving (within the last five years) Governors/management committee members and one lay member who will be the Chairperson.

The Review Panel will review the Governors' decision – if you have fresh evidence to present to the Panel you may do so. The Panel must meet no later than the 15th school day after the date on which your appeal is lodged. In exceptional circumstances Panels may adjourn the hearing until a later date. You have a right to request the attendance of a Special Educational Needs expert at the review, regardless of whether the school recognises that your child has special educational needs.

Following the review the Panel can decide to:

- Uphold the exclusion decision;
- Recommend that the Governing Body reconsiders reinstatement; or
- Quash the decision and direct that the Governing Body consider reinstatement.

Under the Equality Act 2010, schools must not discriminate against, harass or victimise pupils because of: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. If you believe that any aspect of this exclusion amounts to unlawful discrimination against your child, you can make a claim to the First-tier Tribunal (Special Educational Needs and Disability) in relation to disability, or the County Court for all other forms of discrimination. Claims can be made up to six months after the discrimination is alleged to have occurred. You can also raise your concerns directly with the governing body/academy trust.

If you have any questions about the suspension or exclusion procedure, you may wish to contact the local authority's Inclusion Attendance and Welfare team on 01752 307405 or by email attendancesupport@plymouth.gov.uk.

The Department for Education (DfE) has developed guidance for parents which can be accessed via the following web links:

http://www.gov.uk/school-discipline-exclusions/exclusions

https://www.gov.uk/government/publications/school-exclusions-guide-for-parents

The statutory exclusions guidance can be found at: School suspensions and permanent exclusions - GOV.UK (www.gov.uk)

You may also wish to contact the following agencies:

- PIAS (formerly parent partnership) http://www.plymouthias.org.uk/ offers impartial information, advice and support to parents of children and young people with special educational needs (SEN) and disabilities you can call 01752 258933 or 08009531131, or email pias@plymouth.gov.uk.
- The Children's Legal Centre - they can be contacted at http://www.childrenslegalcentre.com/. The advice line to contact about education law is 0300 330 5485, it's open from 8am – 6 pm Monday to Friday.
- Council for Disabled Children – SENDIAS The Information, Advice and Support Services Network (councilfordisabledchildren.org.uk)
- Coram's Child Law Advice Service (https://childlawadvice.org.uk/information-pages/school-exclusion/)
- ACE Education – (www.ace-ed.org.uk), telephone 0300 0115 142.
- Independent Provider of Special Education Advice – (www.ipsea.org.uk)

Where considered relevant by the head teacher include the following

Ethnic Minority Achievement Team Lucinda.ross@plymouth.gov.uk

Requesting personal information

Under the data protection legislation, an individual (the data subject) has a right to request to see their personal information as held by an organisation. In the education setting, an adult with parental responsibility may request the personal information of the child. Any such request will need to be accompanied by proof of identification and address for the adult and child, and of parental responsibility for the adult, and where the child is 13 or over their independent consent. Please be aware that only personal information relating to the individual can be provided.

The arrangements currently being made for [**Child's name**]'s education will continue.

The **[Governing body/Academy Trust]** and all at **[school]** wish **[child's name]** every success for the future.

Yours sincerely

[Name]

Clerk to the Governing Board

cc Inclusion, Attendance and Welfare Team (Plymouth City Council)

Appendix 4 LA Notification

EXC1 form link

https://www.plymouth.gov.uk/sites/default/files/2023-08/EXC1-Form_0.docx

Permanent exclusions

Following a permanent exclusion, the Inclusion, Attendance and Welfare Service must be contacted on 01752 307405 immediately.

https://www.plymouth.gov.uk/sites/default/files/2024-01/ACE-Referral-2023-24_0.docx

This ACE Referral form must be completed by the school within 24 hours of a decision to permanently exclude. The school does not need to have parental consent in the case of a permanent exclusion. As the commissioner of statutory provision from day six of a permanent exclusion, Plymouth City Council will complete the section of the referral relating to commissioning. Once completed, please ensure that the electronic referral form is emailed to educationwelfare@plymouth.gov.uk.