

Suspensions and Exclusions Policy

T.E.A.M. Education Trust



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

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

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1. Context

This policy is designed to briefly outline the approach of T.E.A.M. Education Trust to exclusions within the statutory framework as defined in The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012. It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

Following changes to government guidance, exclusion is now rarely used as a collective term; it is now associated with permanent exclusion. Sanctions which require the removal of a child from school on a fixed-term basis are referred to as suspensions. However, for the purposes of this document and to aid clarity, the term exclusion is used to refer to both suspension and permanent exclusion.

2. Principles

Suspensions and Exclusions are sanctions used by the Trust and its constituent schools only in cases deemed as serious breaches of the TEAM Behaviour Policy and a school's individual behaviour statement which is aligned to the TEAM Policy. A pupil may be at risk of suspension or exclusion from school for:

- Verbal or physical assault of a pupil or adult;
- Persistent and repetitive disruption of lessons and other pupils' learning;
- Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions.

A Suspension can only be authorised by a school Principal or the authorised Deputy Principal acting on their behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available.

In the case of a Permanent Exclusion this can only be authorised by the Principal and must only be done after consulting the Chief Executive Officer and the Chair of the Local Governing Body, alongside the Trust Champion (Education and Inclusion Manager) supporting the monitoring of behaviour, of the intention to impose this sanction, although the final decision rests with the Principal of the school.

The Trust seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within each of our schools.

The Trust regularly monitors the number of Suspensions to ensure that no group of pupils is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

3. Notification of a Suspension or Exclusion

[Refer to Appendices](#)

Parents/carers will be notified as soon as possible of the decision to suspend or exclude a pupil and the reason for the exclusion. This will be done on the day of the exclusion being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the exclusion will be sent to parents/carers the same day.

In the case of a Permanent Exclusion parents/carers will be notified by the Principal in a face-to-face meeting.

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

The Chair of the Local Governing Body, the Trust's Chief Executive Officer, the Education and Inclusion Manager, and relevant school staff will be notified of all suspensions the same day of the production of the suspension letter, which they will receive a copy of; it will clearly outline the reasons for the suspension.

3.1 Reporting expectations

When reporting to suspension and exclusions please use the following guidance:

Reporting to:	What to report:
Parents/carers	All suspensions and exclusions

The governing board	<p>All permanent exclusions (including where a suspension is followed by a decision to permanently exclude the pupil).</p> <p>All suspensions which would result in the pupil being suspended for a total of more than 5 school days (or more than 10 lunchtimes) in a term.</p> <p>Any suspension or permanent exclusion which would result in the pupil missing a public examination or National Curriculum test.</p> <p>All cancelled suspensions and exclusions (also on a termly basis as part of your exclusions data).</p>
The Trust	<p>All suspensions which would result in the pupil being suspended for a total of more than 3 school days. (Anything over this time frame needs to be ratified by Trust CEO or Director of Education).</p>
The Local Authority	<p>All suspensions and exclusions, regardless of length and include reasons.</p> <p>All cancelled suspensions and exclusions.</p> <p>For all permanent exclusions: if the pupil lives outside of the schools LA, also inform the pupil's home LA.</p>
The pupil's social worker, if they have one	<p>All suspensions and exclusions.</p> <p>Any cancelled suspensions and exclusions.</p>
The virtual school head, if the child is LAC	<p>All suspensions and exclusions.</p> <p>Any cancelled suspensions and exclusions.</p>

3.2 Pupils Returning from a Suspension

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

The school will also work to put in place a programme for the pupil on his/her return. This will include input from staff at the school, parents/carers if appropriate, and any other appropriate bodies. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency, for example where the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following suspension the child will be able to return to school and that further input will promote in him/her a more positive attitude and a subsequent improvement in behaviour.

4. Permanent Exclusions

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

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

- the school's local governing body is required to review the Principal's decision and the Principal may meet with them to explain their views on the exclusion
- if the governing body confirms the exclusion, parent(s) can appeal to an independent appeal panel organised by the Trust Board
- the school must explain in a letter how to lodge an appeal
- the local authority must provide full-time education from the sixth day of a permanent exclusion.
- documentation is available to Principals and the panel to ensure a consistent and **fair** approach.

5. Appeals

In the event of an exclusion, correspondence from school will inform parents/carers of their right to appeal to the Local Governing Body against the decision to permanently exclude. This procedure is clearly set out in the statutory guidance.

6. Contact Details for the Local Authorities

Additional LA Information	
Nottinghamshire	<p>Inclusion Team for advice and information: Tel: 0115 876 4700 or at Children and Families, Loxley House, Station Street, Nottingham, NG2 3NG.</p> <p>Parents who consider that their child may have special educational needs may wish to contact Parent Partnership for advice and support on Tel: 0115 948 2888 or 01623 422223.</p> <p>The Department for Education (DfE) have developed exclusion guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (https://www.gov.uk/school-discipline-exclusions/exclusions) School suspensions and permanent exclusions (GOV.UK) (https://www.gov.uk/government/publications/school-exclusion)</p> <p>You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 8020008 or on www.childrenslegalcentre.com. The advice line is open from 8.00 am to 8.000 pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.</p>
Derbyshire	<p>Sharon Neak, Inclusion Manager, County Hall, Smedley Street, Matlock DE4 3AG, on 01629 535802 or Sharon.Neak@derbyshire.gov.uk</p> <p>The Department for Education (DfE) have developed guidance for parents which can be accessed via the following web links: School discipline and exclusions (GOV.UK) (https://www.gov.uk/school-discipline-exclusions/exclusions) School suspensions and permanent exclusions (GOV.UK) (https://www.gov.uk/government/publications/school-exclusion)</p> <p>You may also find it useful to contact Derbyshire Information, Advice and Support Service for SEND (formerly Parent Partnership), a local</p>

	<p>organisation that can offer support. They can be contacted at ias.service@derbyshire.gov.uk or 01629 533668. Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include:</p> <ul style="list-style-type: none">· The Coram Children’s Legal Centre (https://www.childrenslegalcentre.com/)· ACE Education (http://www.ace-ed.org.uk/) telephone 0300 011 5142· Independent Parental Special Education Advice (https://www.ipsea.org.uk/)· The National Autistic Society (NAS) School Exclusion Service (England) (https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service) – telephone 0808 800 4002
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Appendix A – LGB Exclusion Panel Meeting

The Local Governing Body Meeting to Consider Exclusions

This document is intended to provide the Chair, Governors and Clerk with guidance for running a Meeting of the Local Governing Body to consider exclusion.

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

A1. Membership of the panel

This can be between 3 and 5 governors, but must not be less than 3. An uneven number of governors is strongly recommended. Governors should, as far as possible, have no prior knowledge of the matter. To discuss the matter in advance will compromise the ability of governors to reach a fair decision based on natural justice and could make the process invalid. A representative of the trust may attend as a silent observer to QA the exclusion process.

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

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

A2. Chairing the meeting

A member of the local governing body or a representative of the trust must chair the meeting. Any governor who chairs the meeting they do so providing that they have not discussed the matter before with anyone, especially the Principal but it can be one of the other governors.

A3. Clerking the meeting

The meeting will be clerked with a record kept of the discussion in line with the agenda. The Agenda and details of who will be present at the meeting should be sent to all parties at least 5 school days prior to the meeting (this includes parents/carers).

A4. Order of the meeting

4.1 Noting attendance

The Clerk should take minutes and a list of the names of everyone who is present at the meeting. The clerk should also note if the parents/carers do not attend, stating when and how they were invited to attend, and how and whether or not they had indicated that they would be present. Governors also need to detail the pupil's views and how they were obtained if they or their parent/carer does not attend. Parent/carers may be delayed for whatever reason and it is at the chair's discretion whether the start of the meeting will be briefly postponed, but being mindful of natural justice it would be appropriate to allow parents/carers sufficient time to attend.

4.2 Apologies

The clerk should note any apologies offered.

4.3 Chair's welcome, introductions and opening remarks

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

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

A5. Considerations

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

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

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

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

5.1 Verbal statement from the Principal

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

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

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

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

In the case of a permanent exclusion, where the Principal may need to outline a series of events/poor behaviour, it is acceptable to provide a list of the pupil's transgressions and a report from the Principal giving evidence why he/she feels the exclusion is justified. This should include sufficient information to allow governors to have a full picture of the situation i.e. Pastoral Support Plan, Individual Education Plan, Risk Assessment, details of intervention strategies and outcomes, whether a Family Support Plan has been offered or provided, and details of special education needs/disability and how these have been supported.

5.2 Questions to the Principal

Panel members (governors) may ask questions to clarify points after the Principal has presented his/her case as well as parents/carers.

5.3 Verbal statement from the parent/carer (or pupil if appropriate)

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

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

5.4 Questions to parents/carers

Panel members (governors) may ask questions as well as the Principal. If the pupil is in attendance, he/she may also be questioned.

5.5 Final clarification

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

5.6 Reaching a Decision

At this point everyone other than the governors, Trust representative and clerk should withdraw from the meeting, to allow the governors to discuss the case/s under consideration and form a judgement.

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

5.7 The Decision

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

- the Principal did not provide relevant or sufficient evidence to support his/her case for an exclusion, or;
- the panel judged that insufficient strategies had been put in place to support the pupil prior to the incident that resulted in the exclusion (i.e. it could have been avoided if the school had given better support), or;
- the parent/carer has made an acceptable representation against the exclusion, e.g. provided evidence of mitigating circumstances, provided evidence to support their child's views with regard to their case; or,

- the child had not been given a voice at the meeting and their views captured by the school;
- strategies could include the use of a Pastoral Support Plan; a risk assessment of the potential hazard the pupil presents or faces; or in the case of Looked After Children, whether their Personal Education Plan has been reviewed;
- based on the balance of probabilities they felt the Principal's decision was not lawful, reasonable and procedurally fair.

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

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

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

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

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

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

A6. Record Keeping

The Clerk will take minutes of:

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

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

A7. Communicating the outcome

Where all parties have chosen to stay to be told the decision they should be invited back into the meeting room to receive this. However, it is not an opportunity for further discussion of the case. In any event, a formal letter detailing the decision, and setting out the reasons why governors have reached their conclusion, should be sent to the parent/carer without delay, either hand delivered or posted by first class mail.

A8. Further Action following the Decision

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

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

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

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

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

Appendix B – Letter 1: Suspension up to 5 days

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

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

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

I realise that this suspension may well be upsetting for [Child's Name], you and your family, but the decision to suspend [Child's Name] has not been taken lightly.
[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

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

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

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

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

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

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

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

You may wish to contact for the Inclusion Team for advice and information:[insert all school LA information here, section 6, page 6-7].

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

Yours sincerely,

<Name>
Principal

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

From the Principal, notifying parent of a suspension of up to 15 school days in one term.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I am writing to inform you of my decision to suspend [Child's Name] for [specify period]. This means that he/she not be allowed in school for this period. The suspension start date is [date] and the end date is [date]. Your child should return to school on [date]. [Child's Name] has been suspended for this fixed period because [specify reasons for suspension - as a minimum should include a summary of the incident and behaviour which led to taking the decision to suspend the pupil].

I realise that this suspension may well be upsetting for [Child's Name], you and your family, but my decision to suspend [Child's Name] has not been taken lightly.
[NB The subsequent paragraph can be removed for reception pupils who are not yet of compulsory school age]

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

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

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

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

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

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

receiving the notice of suspension [specify the date — the 50th school day after the suspension decision date].

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

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

You may wish to contact the Inclusion Team for advice and information: [insert all school LA information here, section 6, pages 6 – 7].

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

Yours sincerely,

<Name>
Principal

Appendix D - Letter 3: Suspension over 15 days

From the Principal, notifying parent of a suspension of over 15 school days in one term.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

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

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

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

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

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

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

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

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

You have the right to attend a meeting of the governing board to whom you may present your views and make representations, please contact the Chair of Governors, [Name and school], as soon as

possible. As the length of the suspension is more than 15 school days in total in one term the governing board must meet to consider the suspension. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of suspension [specify the date — the 15th school day after the suspension decision date].

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

You should also be aware that if you think the suspension occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

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

You may wish to contact the Inclusion Team for advice and information: [Insert all additional school LA information here, section 6, page 6-7]

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

Yours sincerely,

<Name>
Principal

Appendix E - Permanent Exclusion: Actions to take

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

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

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

Appendix F - Letter 4: Permanent Exclusion Derbyshire

From the Principal, notifying parent of a Permanent Exclusion.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school unless he/she is reinstated by the governing board. I realise that this exclusion may well be upsetting for [Child's Name], you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because [reasons for the exclusion — as a minimum should include a summary of the incident and behaviour which led to taking the decision to exclusion the pupil].

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

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

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

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

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

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

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. As this is a permanent exclusion the governing board must meet to consider the decision to exclude. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power

to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of exclusion [specify the date — the 15th school day after the exclusion decision date].

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

You should also be aware that if you think the exclusion occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

You may wish to contact the Inclusion Team for advice and information: Sharon Neak, Inclusion Manager, County Hall, Smedley Street, Matlock DE4 3AG, on 01629 535802 or Sharon.Neak@derbyshire.gov.uk

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

You may also find it useful to contact Derbyshire Information, Advice and Support Service for SEND (formerly Parent Partnership), a local organisation that can offer support. They can be contacted at ias.service@derbyshire.gov.uk or 01629 533668. Alternatively, other useful contacts that provide impartial advice and information to parents on education matters include: · The Coram Children's Legal Centre (<https://www.childrenslegalcentre.com/>) · ACE Education (<http://www.ace-ed.org.uk/>) telephone 0300 011 5142 · Independent Parental Special Education Advice (<https://www.ipsea.org.uk/>) · The National Autistic Society (NAS) School Exclusion Service (England) (<https://www.autism.org.uk/what-we-do/help-and-support/school-exclusion-service>) – telephone 0808 800 4002

Yours sincerely,

<Name>
Principal

Appendix G - Letter 5: Permanent Exclusion Nottinghamshire

From the Principal, notifying parent of a Permanent Exclusion.

School letterhead should be used.

[Date]

[Parent name]

[Parent Address]

Dear [Parent's Name]

Re: Student name, class and DOB

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school unless he/she is reinstated by the governing board. I realise that this exclusion may well be upsetting for [Child's Name], you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because [reasons for the exclusion — as a minimum should include a summary of the incident and behaviour which led to taking the decision to exclusion the pupil].

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

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

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

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

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

Alternative arrangements for [Child's Name]'s education to continue will be made. For the first five school days of the exclusion we will set work for [Child's Name] and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards — i.e. from [specify the date] the Nottingham Local Authority will provide a full time education.

If pupil lives in Nottingham a representative from one of the Local Authority's Learning Centre's will invite you to a separate meeting to discuss educational provision that [Name of Child] will receive during the exclusion. This meeting may be before the governing body meeting has taken place. The purpose of this meeting is to ensure your child continues with their education whilst out of school and is not linked in any way to the outcome of the governors' meeting.

You have the right to attend a meeting of the governing board to whom you may present your views and make representations. As this is a permanent exclusion the governing board must meet to consider it. At the meeting you may make representations to the governing board if you wish and ask them to reinstate your child in school. The governing board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may have the decision reviewed by an Independent Review Panel. The

governing board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of exclusion [specify the date — the 15th school day after the exclusion decision date].

Your child may also be involved in this meeting to speak on his/her own behalf if it is appropriate, taking into account his/her age and level of understanding. You will, whether you choose to make representations or not, be notified by the clerk to the governing board of the time, date and location of the meeting. Please let us know if suitable arrangements need to be made for you to attend the meeting at school. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting. Also, please inform [specify contact] if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion occurred as a result of discrimination, you can make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. If you wish to make a claim of discrimination, please be aware that such a claim must be lodged within six months of the date in which the discrimination is alleged to have taken place. Information on disability discrimination (<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) and other forms of discrimination claims are available on the HM Courts and Tribunal Service website. Making a claim would not affect your right to make representations to the governing board.

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

You may wish to contact for the Inclusion Team for advice and information: Tel: 0115 876 4700 or at Children and Families, Loxley House, Station Street, Nottingham, NG2 3NG who can provide advice on the exclusion process. Parents who consider that their child may have special educational needs may wish to contact Parent Partnership for advice and support on Tel: 0115 948 2888 or 01623 422223.

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

You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on education matters. They can be contacted on 0808 8020008 or on www.childrenslegalcentre.com. The advice line is open from 8.00 am to 8.00 pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Yours sincerely,

<Name>

Principal



Serious Incident Review

Incident date	
Student name:	
Summary of Incident	

Background:

Incident:

Chronology:

Whole School Response:

Additional Contextual Information:

Historical Exclusion Information (If applicable) :-

Start Date	End Date	Duration	Type	Primary Reason	Establishment

Current Behaviour Log – Name of School

Review completed by:



Appendix I - Serious Incident Review, Witness Statement

Incident

Witness Statement (V1)

Name of person completing :		Date of incident:
Department:		Time of Incident:
Job title:		
Details of those involved:		
Victim(s) Names:	Witnesses Names:	
Perpetrator(s) details if known:		
Incident Details:		
Date:	Time:	Location:
What happened: <i>This should include timelines, persons involved, locations, factual & accurate account</i>		

(please continue on a separate sheet if required)

What action did you take:

Contact DSL Contact Principal Contact KSL Contact police
Contact home Contact Social Worker Contact CAMHs
Other:

Disclaimer:

By signing this document you are agreeing that the facts you have outlined in this statement are true and factual to the best of your knowledge:

Signature: _____ **Date:** _____