DIOCESE OF CHICHESTER ACADEMY TRUST

Suspension & Permanent Exclusion Policy July 2026

SUSPENSION & PERMANENT EXCLUSION POLICY

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1. Introduction

Our **vision** for our Trust is we exist to:

Help every child achieve their God-given potential

Our **aims** are clear. We aim to be a Trust in which:

Developing the whole child means pupils achieve and maximise their potential
Continued development of staff is valued and improves education for young people
All schools are improving and perform above national expectations
The distinct Christian identity of each academy develops and is celebrated

Our work as a Trust is underpinned by shared **values**. They are taken from the Church of England's vision for Education and guide the work of Trust Centre team. They are:

Aspiration
I can do all things through Christ who strengthens me
(Philippians 4 vs 13).

Wisdom
Listen to advice and accept discipline, and at the end you will be counted among the wise
(Proverbs 19 vs 20)

Respect
So in everything do to others what you would have them do to you
(Matthew 7 vs 12)

Our vision of helping every child achieve their God-given potential is aligned with the Church of England's vision for education and is underpinned by the Bible verse from John: *I have come that they may have life, and have it to the full.*

This policy relates to all **DCAT Isle of Wight Academies**:

- St Francis Catholic and Church of England Primary Academy
- St Blasius Church of England Primary Academy
- Lanesend Primary School

2. Policy aims

We believe that children can achieve their full educational potential if they attend school regularly and behave well. However, we recognise that some just need support to do so.

The Trust and its **DCAT Isle of Wight Academies** aim to ensure that:

a) The suspensions & permanent exclusions process is applied fairly and consistently
b) The suspensions & permanent exclusions process is understood by all: Trustees, local governors, staff, parents and carers and pupils
c) Pupils in school are safe and happy
d) Pupils do not become NEET (not in education, employment or training)
e) Make sure all suspensions and permanent exclusions are carried out lawfully

3. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: 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 outline schools' powers to exclude pupils:

a) Section 51a of the Education Act 2002, as amended by the Education Act 2011
b) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
c) Sections 64-68 of the School Standards and Framework Act 1998

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/contentsThe Inspection 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 permanent exclusions and off-site direction.

Where the guidance references 'Governing Body' this refers to 'Local Governing Body' or 'Transition Board' within the DCAT governance structure.

4. Off-rolling and unlawful suspensions and permanent exclusions

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

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Retain a pupil on the school admission register but 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 permanently exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, 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 permanent 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 permanently excluded on the above grounds, this will also be considered as 'off-rolling'.

5. 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.

School day - any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

6. The decision 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 permanently exclude a pupil will be taken only:

a) In response to serious or persistent breaches of the school's behaviour policy, **and**
b) If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or permanently exclude a pupil, the Headteacher will consider the following:

a) Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the permanent exclusion were provoked.
b) Allow the pupil to give their version of events events considering these in light of their age and understanding, unless it would not be appropriate to do so.
c) Consider if the pupil has special educational needs (SEN). If the behaviour leading to the permanent exclusion arose from an underlying special educational need or disability, or mental health need, the permanent exclusion could be unlawful under the Equalities Act (2010). This applies to needs that have been identified or not.
d) Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC) or a previously looked-after child).
e) Consider whether all alternative solutions have been explored, such as:
    - For suspensions: detentions or other sanctions provided for in the behaviour policy

    For permanent exclusions: off-site direction (for temporary placements) or managed moves (which are permanent and not used as trial placements). The process for a managed move can be found in appendix 10.

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 permanent 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). Schools can also seek advice from the Trust Safeguarding Lead.

Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the Trust and Chair of LGB / Safeguarding Lead Governor 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

To support the decision making, both in substance and process, the Headteacher uses a check list (see appendix 2).

7. Cancelling Exclusions

The Headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not already begun, but this should only be done where:

- it has not yet been reviewed by the Local Governing Body or
- if the pupil has not 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).

Where an permanent exclusion is cancelled, then:

- Parents, the Trust, the Local Governing Body (LGB), and the LA should be notified without delay and, if relevant, the social worker and VSH. The notification should include the reason for the cancellation;
- The Local Governing Body's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- Parents should be offered the opportunity to meet with the Headteacher to discuss the circumstances that led to the permanent exclusion being cancelled, which should be arranged without delay.
- Schools should report to the Trust and LGB / TB once per term on the number of permanent exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling Trust and LGB / TB to have appropriate oversight and;
- The pupil should be allowed back into school without delay;
- Any days spent out of school as a result of any permanent exclusion, prior to the cancellation will

count towards the maximum of 45 school days permitted in any school year

8. Roles and responsibilities

8.1 The Headteacher

Informing parents

If a pupil is at risk of suspension or permanent 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 permanent exclusion and the reason(s) for it, without delay. The parents/carers will also be provided with the following information in writing, without delay:

a) The reason(s) for the suspension or permanent exclusion
b) The length of a suspension or, for a permanent exclusion, the fact that it is permanent
c) Information about parents' right to make representations about the permanent exclusion to the Local Governing Body and how the pupil may be involved in this
d) How any representations should be made
e) where there is a legal requirement for the Local Governing Body to consider the suspension or permanent exclusion, that parents or a pupil if they are 18 years old have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
f) That parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request
g) Links to sources of impartial advice for parents.

The Headteacher will also notify parents, without delay and by the end of the afternoon session on the day their child is suspended or permanently excluded that for the first 5 school days of an permanent exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an permanent exclusion:

a) The start date for any provision of full-time education that has been arranged.
b) The start and finish times of any such provision, including the times for morning and afternoon sessions and breaks, where relevant
c) The address at which the provision will take place
d) Any information required by the pupil to identify the person they should report to on the first day
e) The duration of the placement
f) The reasons for, and objectives of, the placement

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 an permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

The school can choose to use online pathways, such as Google Classroom and the Oak National Academy to provide, set and mark work for pupils in the first 5 days. For pupils who are Looked After Children or have a social worker, the school should work with the LA to arrange alternative provision (AP) from the

first day of suspension or permanent exclusion. Where that isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

Informing the Trust, Local Governing Body (LGB), Local Authority (LA) and Social Worker and Virtual School Head (VSH) where applicable.

The Headteacher will report without delay to the Trust, LGB / TB and LA:

a) A permanent exclusion, including when a suspension is made permanent, including all the reasons for the permanent exclusion
b) Suspensions which would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term.
c) Suspensions which would result in the pupil missing a public examination
d) Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

A copy of the letter should be emailed to contact@dcat.academy, the Chair and Clerk of the LGB / TB and to the LA. In addition, the following will be notified:

a) Looked After Children – the Virtual School Head (VSH) will be notified; and
b) Pupils with a Social Worker – the Social Worker will be notified. For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also immediately inform the pupil's 'home authority' of the permanent exclusion or suspension.

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.

8.2 The Local Governing Body (LGB) or Transition Board (TB)

Responsibilities regarding suspensions and permanent exclusions is delegated to the LGB / TB by the DCAT Trust Board. The LGB / TB has a duty to consider the reinstatement of an excluded pupil or a pupil who has been suspended for more than 16 days in a term if parents make representation (see section 7).

The LGB / TB will also consider any representations from parents for a pupil who has been suspended for 5 school days but less than 16 days in a term. However, the LGB / TB has no power to decide whether to reinstate the pupil.

For excluded pupils in secondary schools, provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

8.3 The Local Authority

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the permanent exclusion.

9. Considering the reinstatement of a pupil

An LGB exclusion panel will be convened from 3 LGB / TB governors who have no previous knowledge of the case. If it is not possible to convene an LGB / TB exclusion panel from within the school's LGB / TB, then local governors from other DCAT schools will be approached to sit on the panel.

The following parties must be invited to a meeting of the LGB / TB exclusion panel and allowed to make representations:

- parents (and, where requested, a representative or friend, and where appropriate, more than 1, subject to reasonable limits set by the LGB / TB);

- the Headteacher; and
- Parents may request that the Local Authority and/or the home Local Authority attend a meeting of the LGB / TB exclusion panel as an observer; that representative may only make representations with the LGB's / TB's consent.
- The pupil's social worker if the pupil has one
- The Virtual School Head if the pupil is a Looked After Child

The meeting will be held in person unless a request to hold the meeting via the use of remote access is made. This can be at the request of parents/carers, or the pupil (if they're aged 18 or above), or in the case of extraordinary, or unforeseen circumstances. The LGB / TB must assess whether the meeting can be held fairly and transparently via remote access with the facts of each case. If they are not satisfied that this is the case they should consult with the parent, or the pupil (if they're aged 18 or above), to discuss how a face-to-face meeting can be arranged that would be convenient for them. More information on how to hold a remote meeting can be found in appendix 4.

An LGB / TB exclusion panel will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the permanent exclusion if:

a) The exclusion is permanent
b) 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
c) It would result in a pupil missing a public examination. Where an permanent exclusion would result in a pupil missing a public examination, an LGB / TB exclusion panel will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the Chair of the LGB / TB will consider the permanent exclusion and decide whether or not to reinstate the pupil.

The LGB / TB 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.

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 LGB/ TB 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, 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.

An LGB / TB exclusion panel can either:

a) Decline to reinstate the pupil, or
b) Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the LGB / TB exclusion panel will consider whether

- the permanent exclusion was lawful, reasonable and procedurally fair;
- whether the Headteacher followed their legal duties;
- whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt';
- any evidence that was presented in relation to the decision to exclude;
- The welfare and safeguarding of the pupil and their peers

Notes will be taken of the meeting, and a record of evidence considered kept. The clerk will be present when the decision is made. The outcome will also be recorded on the pupil's educational record, along with copies of relevant papers.

The LGB / TB exclusion panel will notify, in writing, the Headteacher, parents/carers, the Trust, the pupil's social worker, if they have one, the VSH, if the pupil is looked after, the local authority and the pupil's home authority, if it differs from the school's, of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the LGB / TB exclusion panel decision will also include the following:

a) The fact that it is permanent
b) Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
    i. 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)
    ii. The name and address to whom an application for a review should be submitted
    iii. That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the permanent exclusion
    iv. That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require DCAT to appoint an SEN expert to attend the review
    v. Details of the role of the SEN expert and that there would be no cost to parents for this appointment
    vi. That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
    vii. That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review

c) That if parents believe that the permanent exclusion has occurred as a result of 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. A 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.

10. Remote 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.

DCAT and the LGB / TB 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

11. An independent review

If parents apply for an independent review, DCAT will arrange for an independent panel to review the decision of the LGB / TB exclusion panel not to reinstate a permanently excluded pupil. The role of the IRP is to assess whether a pupil's permanent exclusion has been lawful, reasonable, and procedurally fair and what further action might need to be taken.

Applications for an independent review must be made within 15 school days of notice being given to the parents by LGB / TB exclusion panel of its decision to not reinstate a 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 10 for more details on remote access to meetings.

A panel of 3 members will be constituted with representatives from each of the categories below:

a) 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
b) 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
c) 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:

a) Are a Member or Trustee of DCAT, or a member of the LGB / TB of the excluding school
b) Are the Headteacher of the excluding school, or have held this position in the last 5 years
c) Are an employee of DCAT, unless they are employed as a Headteacher at another school
d) Have, or at any time have had, any connection with DCAT, school, LGB, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their impartially
e) Have not had the required training within the last 2 years (see appendix 6 for what training must cover)

A suitably trained clerk will be appointed to the panel.

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 VSH 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.

Remit of the Independent Review Panel

The independent panel will decide one of the following:

a) Uphold the LGB's decision
b) Recommend that the LGB / TB reconsiders reinstatement
c) Quash the LGB's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed based on the relevant principles)

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

12. School registers

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

a) 15 school days[1] have passed since the parents/carers were notified of the exclusion panel's decision (date of the letter / email sent to the parents) to not reinstate the pupil and no application has been made for an independent review panel
b) The parents/carers have stated in writing that they will not be applying for an independent review panel
c) A managed move has been agreed (see appendix 10).

Where an application for an independent review has been made, the LGB / TB will wait until that review has concluded before removing a pupil's name from the register. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded pupils are not attending alternative provision, code E (absent) will be used.

[1] School days, not including any INSET days

Reason	Date they removed from the register	Codes to be used
Permanent exclusion, not appealed by parents	The following school day from the date parents have been notified of the outcome* **can only be applied after either 15 school days has lapsed, or the school received written notification that the parents/carers do not intend to appeal.*	E code to be used from the date they stop attending school. B code to be used if they are attending an alternative provision whilst waiting for the exclusion panel outcome and are not enrolled.
Permanent exclusion, appealed by parents	The following school day from the date parents have been notified of the independent review panel's outcome	E code to be used from the date they stop attending school.
Managed moved	Date they are enrolled at their new school.	E code to be used whilst they are not attending school and a managed move has not yet been agreed. E code to be used whilst they are not attending either school, but a managed move has been agreed. B code to be used whilst they are not enrolled at their new school and are attending the setting. D code to be used if the child is dually registered at both settings.

13. Returning from a suspension or cancelled permanent exclusion

Reintegration strategy

Following suspension, period of off-site direction, separation for safeguarding purposes, or cancelled suspension or permanent 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 a local mentoring charity
- Regular reviews with the pupil and parents/carers to praise 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.

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.

14. Monitoring arrangements

The Trust works with all its schools to consider data on suspensions and permanent exclusions and whether there are patterns across the schools within the Trust, recognising that numbers in any one school are often too low to allow for meaningful statistical analysis. The Trust Board and Local Governing Bodies / Transition Boards 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

When reviewing the information, the Trust Board, or where delegated the LGB, will consider the following:

- effectiveness and consistency in implementing the school's behaviour policy
- 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 ensure they are only used when necessary
- timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- understanding the characteristics of excluded pupils, and why this is taking place
- if used, whether the placements of pupils directed off-site into AP are reviewed at sufficient intervals to ensure 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:

Trustees and 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 permanent 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

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 data will be analysed every year by the Executive Principal, who will report back to the LGB / TB and DCAT.

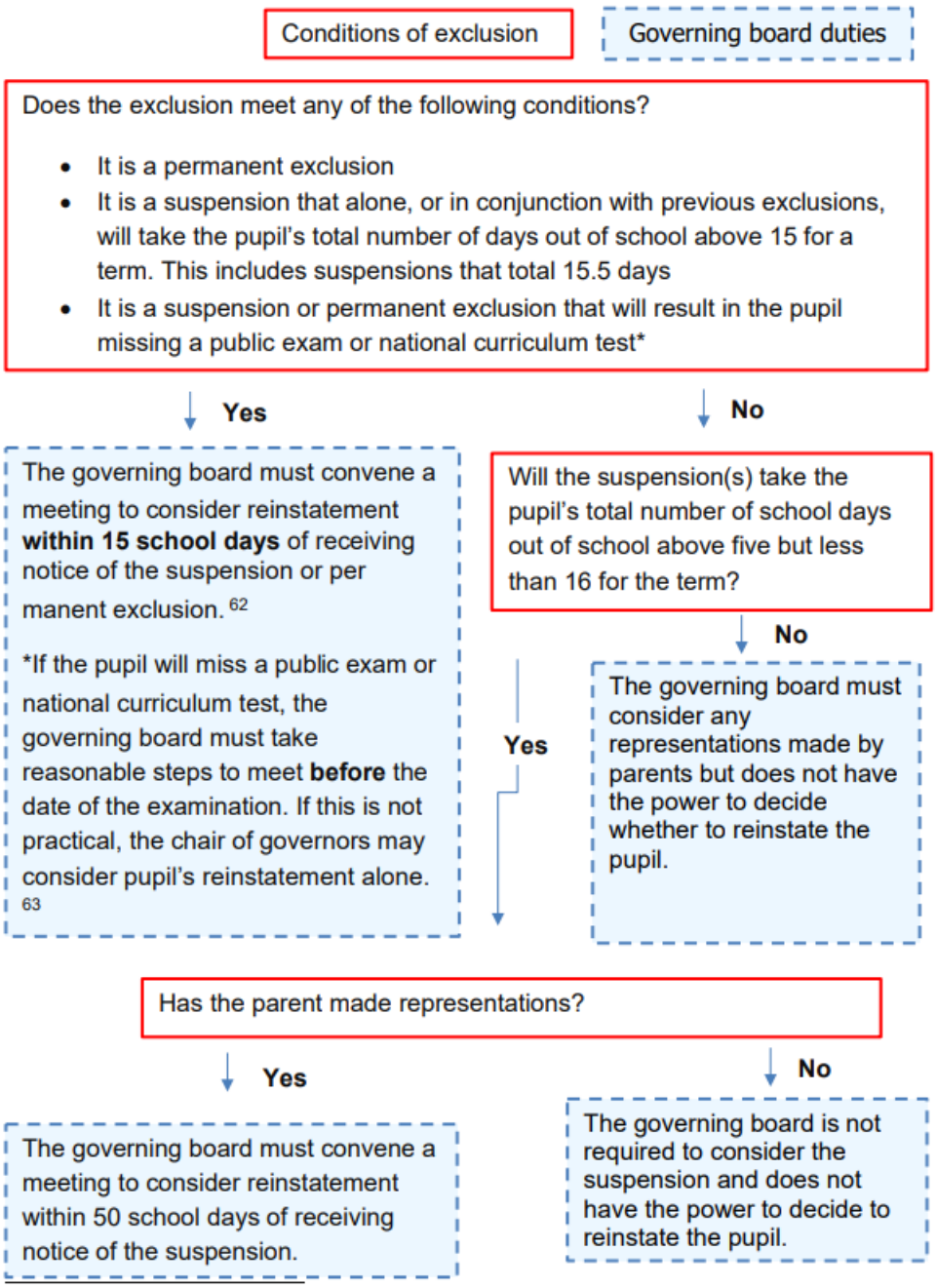
This policy will be reviewed by DCAT every two years.

15. Links with other policies

This permanent exclusions policy is linked to individual school policies:

a) Behaviour policies
b) SEN policies and information reports

Appendix 1: Permanent Exclusion Process - Overview



Appendix 2: Headteacher Exclusion Checklist

Consideration	Comment/Evidence
1. 'Informal' or 'unofficial' permanent exclusions, such as sending pupils home to 'cool off', are unlawful, regardless of whether they occur with the agreement of parents or carers. Any permanent exclusion of a pupil, even for short periods of time, must be formally recorded.	
2. Has a managed move or off-site direction been considered / explored?	
3. The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the fixed period.	
4. Where practical, Headteachers should give pupils an opportunity to present their case. Interview the pupil, in the presence of another adult, taking notes of questions asked and answers given, using the pupil's own words.	
5. If the pupil is able to do so, ask for a written account of the incident - if the pupil is too upset to do this at the time, ask for this as soon as possible after the incident - if the pupil refuses to give a written account, note the refusal.	
6. Get written statements from adults or any other pupils involved in, or witnesses to, the incident - ensure these are done as soon after the incident as possible and that they are attributed, signed and dated - anonymity should not be routine nor automatic.	
7. Take in to account any contributing factors that might be identified. For example, where the pupil has suffered bereavement, has mental health issues or has been subject to bullying. Is there any information from the DSL that could contribute towards the behaviour?	
8. Consider whether the pupil's behaviour was a serious or persistent breach of the school's discipline policies and (this is a two-part test which must be met for every permanent exclusion) whether allowing the pupil to remain in school would affect the education or welfare of the pupil or of others in the school.	
9. Consider whether the pupil has a Statement of SEN, is a looked- after child, is from an ethnic minority group, or has any other issues which may have affected his/her behaviour on this particular occasion;	
10. Consider whether there is any discrimination under the Equality Act 2010;	
11. Consider the support given to the pupil by the school to address any behavioural issues; Is there any information from the DSL that could contribute towards the behaviour?	
12. Consider whether all reasonable alternative strategies to permanent exclusion have been tried;	

13. If appropriate, consult with others (e.g. SENDAR, Specialist Teaching Service, Social Workers, Exclusions officers or any other relevant professionals) but not anyone, such as a member of the school's governing body, who may later take part in the statutory review of the decision.	
Does the pupil need to be temporarily removed from the school site for safeguarding reasons (see section 6)	Yes / No

Once the decision to exclude has been made the Headteacher:

a) must notify the parents, without delay and ideally by telephone, of the period of the permanent exclusion and the reasons for it
b) must provide information in writing to the parents, without delay, confirming the permanent exclusion and providing all necessary information, including reasons for the suspension/exclusion.
c) must, for all suspensions and permanent exclusion, tell the LA without delay, by completing the appropriate paperwork (including the requested supporting documentation). If the pupil has a social worker, they must be informed. If the pupil is a Looked After Child, then the Virtual School Head (VSH) must be informed.
d) must, for suspension and permanent exclusions, ensure the permanent exclusion is logged correctly on Arbor/ SIMS, giving details of start date, end date and reason
e) must inform the Trust and Local Governing Body of the permanent exclusion so that any necessary meeting can be arranged within the statutory time limits
f) should make arrangements for the pupil to receive work (and arrangements for marking) work during the permanent exclusion period and set these out in the permanent exclusion letter - it is good practice for there to be a named contact given in the permanent exclusion letter so that parents know who to talk to if there are any problems with these arrangements
g) should, if an Exclusion Panel meeting is necessary, prepare paperwork for the Clerk to circulate to all parties
h) should consider arrangements for reintegrating the pupil at the end of the permanent exclusion period, bearing in mind that conditions cannot be imposed on the return to school

Appendix 3: Headteacher / Clerk checklist: LGB / TB Exclusion Panel paperwork pack

It is important that the LGB / TB Exclusion Panel provides all parties with a fair hearing and that the rules of natural justice are adhered to. The case should be clearly presented, and evidence be produced.

The LGB / TB Exclusion Panel pack containing all written material from the school and parents MUST be distributed to the LGB / TB Exclusion Panel members (Governors, parents and any LA representation) 3-5 school days before the LGB / TB Exclusion Panel date to allow for preparation and the option to take legal advice if so desired. If the parents have been unable to meet this deadline and present evidence at the meeting, it is recommended that the information is admitted. The Panel could take a short recess to read the material before proceeding with the meeting.

Please note that the Exclusion Panel packs will be circulated electronically.

What evidence should be presented by the school?
The evidence that should be provided is different if the permanent exclusion is for a 'one-off' serious incident compared to cumulative reasons. The tables below show the evidence required for each.

Appendix 3.1 Exclusions for a 'one-off' serious incident

Type of evidence	☐ or x	Should this be provided?
Details of the incident in question		Must be provided
Witness statements, including the excluded pupil, signed and dated (these can be dictated and then signed by the young person)		Must be provided. Where a pupil has refused the opportunity to provide a statement, evidence of doing so should be provided to confirm the opportunity was given
Behaviour log and details of previous incidents		**Should not be provided, as this could influence the Panel. Please check whether this is in fact a one-off permanent exclusion.**
Attendance record		**Should not be included as it is not relevant**
Reports of professionals involved with the pupil		**Should not be included as it is not relevant for a one-off incident**
Details of any SEN the pupil may have		Must be provided
Details of any disability the pupil may have		Must be provided
Academic reports		**Should not be included as it is not relevant**
Early Help Plan		**Must NOT be included**

Appendix 3.2 Exclusions for cumulative reasons

Type of evidence	☐ or x	Should this be provided?
Details of the incidents in question		Must be provided
Statement from the excluded pupil, signed and dated (these can be dictated and then signed by the young person)		Must be provided for the final incident, should be provided for previous incidents. Where a pupil has refused the opportunity to provide a statement, evidence of doing so should be provided to confirm the opportunity was given
Witness statements, signed and dated (these can be dictated and then signed by the young person)		Must be provided for the final incident, should be provided for previous incidents
Behaviour log and details of previous incidents		Must be provided
Attendance record		**Should not be included as it is not relevant**
Details of support provided to the pupil (e.g. Additional Needs Plan, Provision map etc.). The impact of the support should have been evaluated		Must be provided
Reports of professionals involved with the pupil		Must be provided
Details of any SEN the pupil may have		Must be provided
Details of any disability the pupil may have		Must be provided
Academic reports		**Should not be included as it is not relevant**
Early Help Plan		**Must NOT be included**

Appendix 4: Suggested format for the LGB / TB Exclusion Panel

The LGB / TB Exclusion Panel should ensure that a proper agenda for its meetings is prepared. The agenda can be flexible to meet the needs of attendees, but it is important that the final three points occur in this order at the end of the agenda. **It is suggested that the agenda is included within the pack sent to governors, parents and the LA and a copy given to the Headteacher.**

The agenda should cover the following:

- The Chair welcomes and introduces all parties
- The Headteacher puts the case for permanent exclusion
- The parents, panel members and Social Worker, Virtual School Head (VSH), LA representative (when present) may question the Headteacher
- The parents (and/or excluded young person where age-appropriate) make their case for reinstatement
- The Headteacher, panel members and LA representative (when present) may question the parents
- The LA representative (when present) makes a statement.
- The parents, Headteacher and panel may question the LA representative (when present)
- The Headteacher makes his/her concluding remarks
- The parents (and/or excluded young person where age-appropriate) make their concluding remarks
- The Chair of the panel concludes this part of the meeting and advises the parents/child that they will receive the decision of the governors in writing within 24 hours.
- At the end of the LGB / TB Exclusion Panel, the panel members must ensure that all other parties have withdrawn before making a decision in private.
- **The panel can either decide to reinstate the pupil, immediately or on a given date, or decline to reinstate the pupil**

Where a LGB / TB Exclusion Panel has been held to consider a permanent exclusion, the school must advise the Local Authority within 24 hours of the decision taken by the LGB / TB Exclusion Panel whether to reinstate the pupil or not.

Following all LGB / TB Exclusion Panels, the school should inform the Local Authority of the decision, preferably with a copy of the letter that has been sent to parents. This letter should include the reasons for the decision, with enough detail to enable all parties to understand why the decision was made.

Meetings held remotely.

The use of remote access does not alter other procedural requirements that apply to Local Governing Bodies, arranging authorities or IRPs. For example, if a parent requests the appointment of a Special Educational Needs expert to advise a review panel, the arranging authority must appoint one and cover the cost as normal. Parents or excluded pupils (if they are 18 years old or older) may be joined by a friend as normal.

Part 11 of Suspension and permanent exclusion guidance (publishing.service.gov.uk) sets out the key principles when conducting meetings via the use of remote access. Please refer to this guidance for further information.

Appendix 5: LGB / TB Exclusion Panel Checklist

The panel may find it useful to use this checklist when considering the permanent exclusion.

Considerations	☐ or x	Comments
The quality of the evidence		
Have the facts been established? Was a full investigation, involving appropriate witnesses, carried out? Is the excluded pupil's voice present?		
How did the incident relate to the school's behaviour policy?		
Was the pupil responsible for the behaviour that led to the permanent exclusion? (Governors should consider matters on the 'balance of probability' and if there is serious doubt, a reinstatement should be directed).		
Was the permanent exclusion a proportionate response?		
Was the permanent exclusion a reasonable and proportionate response to the behaviour?		
Was it fair in respect of sanctions imposed on any other pupils involved?		
Were alternative strategies tried?		
If the permanent exclusion was a response to an ongoing pattern of deteriorating behaviour, was it used as a last resort after other strategies, including the involvement of outside agencies and support services had failed? (An Additional Needs Plan should be in place, clearly identifying and evaluating school strategies, internal and external support).		
Were there mitigating circumstances?		
Are there any factors arising from parental representation or other factors? (e.g. special/medical needs, domestic circumstances, genuine remorse, loss of external exam opportunity)		
Are there unmet Special Educational Needs or Mental Health needs that have contributed to the behaviour? (If there is doubt this permanent exclusion could be unlawful under the Equalities Act 2010).		
Is there evidence that this has been considered by the Headteacher?		
Could there be other needs that have not been identified? Could any other strategies/investigations be tried (e.g. strategies in school, involving outside agencies)?		

Appendix 6: Independent review panel training

DCAT must ensure 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:

a) The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making

b) The need for the panel to observe procedural fairness and the rules of natural justice

c) The role of the Chair and the Clerk of a review panel

d) The duties of Headteachers, governing bodies and the panel under the Equality Act 2010

e) 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

In addition, a Clerk must be appointed who should not have served as Clerk to the LGB / TB Exclusion meeting where the decision was made not to reinstate the pupil. He/she should have the training required by law and an up-to-date understanding of developments in case law, legislation and guidance which are relevant to exclusion. The Academy Trust should ensure that the clerk follows the advice in part 10 of the DfE guidance Suspension and Permanent Exclusion guidance July 2022 (publishing.service.gov.uk)

Appendix 7: Contact details for Local Authority:

Department: Education & Inclusion

Address: County Hall Newport Isle of Wight PO30 1UD

Phone: 01983 823151

Opening Times: Monday to Thursday 8.30am to 5.00pm Friday 8.30am to 4.30pm

Appendix 8: Model letters and reasons for using them

The letters can be used by schools to inform parents of decisions taken in respect of permanent exclusions:

Which circumstances?	Which model letter?	Who is the letter from?
A Suspension of 5 days or fewer in one term	1	Headteacher
A Suspension of more than 5 but not more than 15 days in one term	2	Headteacher
A Suspension of more than 15 days in one term OR if a public examination is missed due to the Suspension	3	Headteacher
Notification of a Permanent Exclusion	4	Headteacher
Invitation to a LGB Exclusion Panel for a Permanent Exclusion	5	Clerk to the LGB
Informing of the decision of the LGB Exclusion Panel for a Permanent Exclusion	6	Clerk to the LGB
Invitation to a LGB Exclusion Panel Committee for a Suspension	7	Clerk to the LGB
Informing of the decision of the Governors Discipline Committee for a Suspension	8	Clerk to the LGB
Lunchtime exclusions of up to 5 days in one term (Lunchtime exclusions count as 0.5 days)	9	Headteacher
Withdrawing/Rescinding either a suspension or a Permanent Exclusion	10	Headteacher

Appendix 8.1: Model Letter 1

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period between the dates **[specify period]** inclusive. This means that **[child's name]** will not be allowed in school during this period. The suspension begins/began on **[date]** and ends on **[date]**. **[child's name]** should return to school on **[first school day following the end of the suspension]**.

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

[For pupils of compulsory school age]
You have a duty to ensure that **[child's name]** is not present in a public place in school hours during the period of this suspension between **[specify period]** inclusive unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority or be prosecuted if **[child's name]** is present in a public place during school hours without reasonable justification on the specified dates. If so, it will be for you to demonstrate reasonable justification.

We will set work for **[child's name]** to complete on the days specified in the previous paragraph, i.e. the school days during the period of the suspension when you must ensure that he/she is not present in a public place without reasonable justification. **[Detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

You are requested to attend a reintegration meeting with **[child's name]** at the school on **[date]** at **[time]**. If that is not convenient, please contact **[enter name of person to be contacted]** as soon as possible to arrange a suitable alternative date and time. The reintegration meeting will be conducted by **[enter "me" or the name and position of the person who will conduct the reintegration meeting]**. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

You have the right to make representations about this decision to the governing board. [Pupil's name] also has the right be involved in this process. If you wish to make representations please contact **[name of contact]** on/at **[contact details – address, phone number, email],** 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. 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 me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this suspension, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). A 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. https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability. Making a claim would not affect your right to make representations to the governing board.

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

[Child's name]'s suspension expires on **[date]** and we expect **[him/her]** to return to school on **[date]** at **[time]**.

Yours sincerely,

[Name]
Headteacher

Appendix 8.2: Model Letter 2

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period between the dates **[specify period]** inclusive. This means that **[child's name]** will not be allowed in school during this period. The suspension begins/began on **[date]** and ends on **[date]**. **[child's name]** should return to school on **[first school day following the end of the** suspension**]**.

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

This means that **[Child's name]** has been suspended for a total of **X** days this term.

[For pupils of compulsory school age]
You have a duty to ensure that **[child's name]** is not present in a public place in school hours during the period of this suspension between **[specify period]** inclusive unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority or be prosecuted if **[child's name]** is present in a public place during school hours without reasonable justification on the specified dates. If so, it will be for you to demonstrate reasonable justification.

We will set work for **[child's name]** to complete on the days specified in the previous paragraph, i.e. the school days during the period of the suspension when you must ensure that he/she is not present in a public place without reasonable justification. **[Detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

From the **[6th school day of the pupil's** suspension - **specify date]** until the expiry of this suspension we will arrange suitable alternative full-time education for **[child's name]**. Between the dates of **[dates between which suitable alternative full-time education has been arranged] [child's name]** should attend **[name and address of the alternative provider if not the home school]** between the hours of **[specify the start and finish times of the alternative provision, including the times for morning and afternoon sessions where relevant (this may not be identical to the start time of the home school)]** and report to **[staff member's name]**. **[If applicable, include information about transport arrangements from home to the alternative provider. If arrangements for provision from the sixth school day cannot be finalised by the time this letter is sent, then say that the arrangements for suitable full-time education will be notified shortly in a further letter.]**

You are requested to attend a reintegration meeting with **[child's name]** at the school on **[date]** at **[time]**. If that is not convenient, please contact **[enter name of person to be contacted]** as soon as possible to arrange a suitable alternative date and time. The reintegration meeting will be conducted by **[enter "me" or the name and position of the person who will conduct the reintegration meeting]**. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

As this suspension brings **[child's name]**'s total number of days of suspensions to more than 5 days (but less than 16 days) in total in one term, you have the right to make representations about this suspension to the Local Governing Body. If you wish to make representations to the Local

Governing Body please contact **[name of contact]** at **[contact details – address, telephone number, e-mail]**, as soon as possible by **DATE [5 days from date of suspension].** 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.

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

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this suspension, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which claims for disability discrimination should be sent is SENDIST, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU (Tel: 01325 289350, Email address: sendist@hmcts.gsi.gov.uk Making a claim would not affect your right to make representations to the Local Governing Body Exclusion Panel

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 me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

[Child's name]'s suspension expires on **[date]** and we expect **[him/her]** to return to school on **[date]** at **[time]**.

Yours sincerely,

[Name]
Headteacher

Appendix 8.3: Model Letter 3

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period between the dates **[specify period]** inclusive. This means that **[child's name]** will not be allowed in school during this period. The suspension begins/began on **[date]** and ends on **[date]**. **[child's name]** should return to school on **[first school day following the end of the** suspension**]**.

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

This means that **[child's name]** has been suspended for a total of **X** days this term.

[For pupils of compulsory school age]
You have a duty to ensure that **[child's name]** is not present in a public place in school hours during the period of this suspension between **[specify period]** inclusive unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority or be prosecuted if **[child's name]** is present in a public place during school hours without reasonable justification on the specified dates. If so, it will be for you to demonstrate reasonable justification.

We will set work for **[child's name]** to complete on the days specified in the previous paragraph, i.e. the school days during the period of the suspension when you must ensure that he/she is not present in a public place without reasonable justification. **[Detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

From the **[6th school day of the pupil's** suspension - **specify date]** until the expiry of this suspension we will arrange suitable alternative full-time education for **[child's name]**. Between the dates of **[dates between which suitable alternative full-time education has been arranged] [child's name]** should attend **[name and address of the alternative provider if not the home school]** between the hours of **[specify the start and finish times of the alternative provision, including the times for morning and afternoon sessions where relevant (this may not be identical to the start time of the home school)]** and report to **[staff member's name]**. **[If applicable, include information about transport arrangements from home to the alternative provider. If arrangements for provision from the sixth school day cannot be finalised by the time this letter is sent, then say that the arrangements for suitable full-time education will be notified shortly in a further letter.]**

You are requested to attend a reintegration meeting with **[child's name]** at the school on **[date]** at **[time]**. If that is not convenient, please contact **[enter name of person to be contacted]** as soon as possible to arrange a suitable alternative date and time. The reintegration meeting will be conducted by **[enter "me" or the name and position of the person who will conduct the reintegration meeting]**. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

As this suspension brings **[child's name]**'s total number of days of suspensions to more than 16 days in total in one term, you have the right to make representations to a Local Governing Body Exclusion Panel if you wish. The latest date by which the Local Governing Body Exclusion Panel

must meet is **[specify date, which must be no later than 50 school days after the date on which the Local Governing Body Exclusion Panel was notified of the suspension to which this letter relates]**. Please contact **[name of contact]** at **[contact details – address, telephone number, e-mail]**, within 5 school days of this notice if this is the case. You will be notified by the Clerk to the Local Governing Body Exclusion Panel of the time, date and location of the meeting. The meeting will be held face to face unless you request a remote meeting or there are extraordinary or exceptional circumstances. You may be accompanied by a friend or representative, including a legal representative, if you wish. Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting. 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 me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You have the right to request to hold the meeting via the use of remote access. The Local Governing Board must be satisfied that the meeting is capable of being held fairly and transparently via remote access. Should you wish to request the meeting via remote access please contact [name of contact] as above.

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this suspension, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which claims for disability discrimination should be sent is SENDIST, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU (Tel: 01325 289350, Email address: sendist@hmcts.gsi.gov.uk Making a claim would not affect your right to make representations to the Local Governing Body Exclusion Panel

You are requested to attend a reintegration meeting with **[child's name]** at the school on **[date]** at **[time]**. If that is not convenient, please contact **[enter name of person to be contacted]** as soon as possible to arrange a suitable alternative date and time. The reintegration meeting will be conducted by **[enter "me" or the name and position of the person who will conduct the reintegration meeting]**. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed. Please note that failure to attend a reintegration meeting may be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

[Child's name]'s suspension expires on **[date]** and we expect **[him/her]** to return to school on **[date]** at **[time]**.

Yours sincerely,

[Name]
Headteacher

Appendix 8.4: Model Letter 4

Dear **[name(s) of parent(s)]**

I am writing 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 Local Governing Body Exclusion Panel.

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 permanently excluded because **[specify full reason(s) for exclusion. This can include sufficient, full and exacting detail on incident(s) that led to the decision to exclude including any other relevant previous history]**.

[For pupils of compulsory school age]
You have a duty to ensure that **[child's name]** is not present in a public place in school hours during the period of this suspension between **[specify period]** inclusive unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority or be prosecuted if **[child's name]** is present in a public place during school hours without reasonable justification on the specified dates. If so, it will be for you to demonstrate reasonable justification.

We will set work for **[child's name]** to complete on the days specified in the previous paragraph, i.e. the school days during the period of the suspension when you must ensure that he/she is not present in a public place without reasonable justification. **[Detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

From the **[6th school day of the pupil's** suspension - **specify date]** until the expiry of this suspension we will arrange suitable alternative full-time education for **[child's name]**. Between the dates of **[dates between which suitable alternative full-time education has been arranged] [child's name]** should attend **[name and address of the alternative provider if not the home school]** between the hours of **[specify the start and finish times of the alternative provision, including the times for morning and afternoon sessions where relevant (this may not be identical to the start time of the home school)]** and report to **[staff member's name]**. **[If applicable, include information about transport arrangements from home to the alternative provider. If arrangements for provision from the sixth school day cannot be finalised by the time this letter is sent, then say that the arrangements for suitable full-time education will be notified shortly in a further letter.]**

As this is a permanent exclusion the Local Governing Body Exclusion Panel must meet to consider **[child's name]**'s reinstatement. You may attend the review meeting and make representations to the Local Governing Body Exclusion Panel and ask the panel to reinstate your child if you wish. The Local Governing Body Exclusion Panel has the power to reinstate your child immediately or from a specified date, or, alternatively, they may decide not to reinstate **[child's name]** in which case you may ask for the Local Governing Body Exclusion Panel's decision to be reviewed by an Independent Review Panel. The latest date by which the Local Governing Body Exclusion Panel must meet is **[specify date, which must be no later than 15 school days after the date on which the Local Governing Body Exclusion Panel was notified of the exclusion to which this letter relates]**. You will be notified by the Clerk to the Local Governing Body Exclusion Panel of the

time, date and location of the meeting whether you choose to make representations or not. If you wish to make representations to the Local Governing Body Exclusion Panel please contact **[name of contact]** at **[contact details – address, telephone number, e-mail]**, as soon as possible after being notified of the date of the meeting. You may be accompanied by a friend or representative, including a legal representative, if you wish. **[Pupil's name]** also has the right be involved in this process. 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 me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You have the right to request to hold the meeting via the use of remote access. The Local Governing Board must be satisfied that the meeting is capable of being held fairly and transparently via remote access. Should you wish to request the meeting via remote access please contact **[name of contact]** as above.

Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Local Governing Board.

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this exclusion, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which claims for disability discrimination should be sent is SENDIST, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU (Tel: 01325 289350, Email address: sendist@hmcts.gsi.gov.uk . Making a claim would not affect your right to make representations to the Local Governing Body Exclusion Panel.

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

Yours sincerely,

[Name]
Headteacher

Appendix 8.5: Model Letter 5

Dear **[Name(s) of parent(s)]**

I am writing to advise you that the meeting of the Local Governing Body Exclusion Panel to consider reinstatement of **[child's name]** will take place at **[place]** on **[date]** at **[time]**. If you would like to attend the meeting of the Local Governing Body Exclusion Panel, please contact **[enter "me" or the name of contact]** at **[contact details – address, telephone number, e-mail]** as soon as possible. You have a right to request that the meeting is held remotely. If you would like the panel to consider this request, please contact **[enter "me" or the name of contact]** as soon as possible.

You will have the opportunity to make representations to the panel. **[Child's name]** may attend the hearing with you. You may also be accompanied by a friend or representative, including a legal representative, if you wish. If you intend to be accompanied, please let **[enter "me" or the name of contact]** know. Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[enter "me" or the name of contact]** if it would be helpful for you to have an interpreter present.

You have the right to request that a representative of the Local Authority be present at the Local Governing Body Exclusion Panel, in which case you should let **[enter "me" or the name of contact]** know so we can arrange this. The Local Authority representative would act as an observer at your request and therefore can only ask questions / makes comments if asked to do so by the Local Governing Board the academy**.**

At the meeting the Chair will explain the order of proceedings and a copy is enclosed with this letter for your information.

If you wish to make a written representation this should be forwarded to me at the above address at least five school days before the meeting, i.e. by **[insert date]** so that it may be circulated in advance to the members of the Committee and to all parties including the Headteacher.

The committee will consider the representations made by all parties and decide whether to uphold the exclusion or to direct **[child's name]**'s reinstatement, either immediately or by a particular date.

As stated above, I would be grateful if you would let me know if you will be attending the meeting and if so, whether you will be accompanied and if you would like a representative of the Local Authority to be present at the hearing.

Yours sincerely,

[Name]
Clerk to the Local Governing Body Exclusion Panel
Enc.

Appendix 8.6: Model Letter 6

Dear **[parent's name]**

I am writing to confirm the decision reached by the Local Governing Body Exclusion Panel at their meeting on **[date of Local Governing Body Exclusion Panel meeting]** to consider reinstatement of **[child's name]** to **[name of school]** School.

After careful consideration of all the evidence available and the representations made to the Local Governing Body Exclusion Panel, the committee has decided to

EITHER

not reinstate **[child's name]** for the following reason(s) **[insert reasons in as much detail as possible explaining how they were arrived at]**

OR

direct reinstatement from **[specify date]** for the following reason(s)
[insert reasons in as much detail as possible explaining how they were arrived at]

The Headteacher or a senior member of staff will contact you shortly to discuss the arrangements to be made for **[child's name]** to return to school.

You have the right to ask for this decision to be reviewed by an Independent Review Panel. If you wish the decision to be reviewed by the Independent Review Panel, please notify the Diocese of Chichester Academy Trust Director of Operations and Governance, Jo Saunders, in the first instance. You should then set out the reasons for requesting a review in writing and send this to: jsaunders@dcat.academy no later than **[specify the latest date by which a review may be requested, i.e. 15 school days from the date on which notice in writing of the Local Governing Body Exclusion Panel's decision not to reinstate was sent to the parents (notice is deemed to have been given on the same day if it is delivered directly, or the second working day after posting if it is sent by first class mail)]**. If you feel that your child has special educational needs relevant to this exclusion you should refer to this in your written statement. If you have not requested that a review is held by **[repeat latest date]** you will lose your right to have the decision of the Local Governing Body Exclusion Panel reviewed.

You have the right to request to hold the meeting via the use of remote access. The Independent Review Panel must be satisfied that the meeting is capable of being held fairly and transparently via remote access. Should you wish to request the meeting via remote access please state this in your application.

An Independent Review Panel comprises of one serving, or recently retired (within the last 5 years) Head Teacher, one serving, or recently serving, experienced governor and one lay member who will be the Chairman. The review panel will rehear all the facts of the case. If any party has fresh evidence to present to the panel they may do so.

If you ask for the Local Governing Body Exclusion Panel's decision to be reviewed by the Independent Review Panel you have the right to require that an expert in Special Educational

Needs (SEN) attends the review at no cost to you. You may require that an SEN expert attends the hearing irrespective of whether the school believes your child has special educational needs or not. The SEN expert's role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs may have been relevant to the exclusion. Should you request a review of the Local Governing Body Exclusion Panel's decision, and you wish an SEN expert to be appointed please let Jo Saunders know.

I should also inform you that if you request a review of the Local Governing Body Exclusion Panel's decision you may, at your own expense, appoint a representative, including a legal representative, to make written and/or oral representations to the Independent Review Panel and that you may also bring a friend or supporter to the review. If you intend to be accompanied, please let Jo Saunders know. Please also advise if you have a disability or any special needs which would affect your ability to attend the meeting and if it would be helpful for you to have an interpreter present.

Where a representative of the Local Authority attended the Local Governing Body Exclusion Panel meeting and made representation, he/she or another representative will also attend the review at your request and submit a statement in advance.

In determining the outcome of a review, the panel can make one of three decisions: they may uphold the decision not to reinstate your child; they may recommend that the Local Governing Body Exclusion Panel reconsiders its decision not to reinstate your child; or they may quash the decision and direct that the Local Governing Body Exclusion Panel considers reinstatement again. A panel should only quash a decision where it considers that it was flawed when considered in the light of the principles applicable on an application for judicial review.

You may wish to contact Local Authority Behaviour & Attendance Service, who can provide advice. They can be contacted **[enter relevant LA details].**

In addition to your right to make an application for an independent review, if you believe that the exclusion has occurred as a result of discrimination then you may make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability) in the case of disability discrimination, or the County Court in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place. https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

Yours sincerely,

[Name]
Clerk to the Local Governing Body Exclusion Panel

Appendix 8.7: Model Letter 7

Dear **[parent's name]**

I am writing to advise you that the meeting of the Local Governing Body Exclusion Panel to consider the reinstatement of **[child's name]** regarding their suspensions from school during the period **[start date and end date of the period of suspensions]** will take place at **[place]** on **[date]** at **[time]**.

If you would like to attend the meeting of the Local Governing Body Exclusion Panel, please contact **[enter "me" or the name of contact]** at **[contact details – address, telephone number, e-mail]** as soon as possible. You have a right to request that the meeting is held remotely. If you would like the panel to consider this request, please contact **[enter "me" or the name of contact]** as soon as possible.

You will have the opportunity to make representations to the panel. **[Child's name]** may attend the hearing with you. You may also be accompanied by a friend or representative, including a legal representative, if you wish. If you intend to be accompanied, please let **[enter "me" or the name of contact]** know. Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[enter "me" or the name of contact]** if it would be helpful for you to have an interpreter present.

At the meeting the Chair will explain the order of proceedings and a copy is enclosed with this letter for your information.

If you wish to make a written representation this should be forwarded to me at the above address at least five school days before the meeting, i.e. by **[insert date]** so that it may be circulated in advance to the members of the Committee and to all parties including the Head Teacher.

The committee will consider the representations made by all parties and decide whether to reinstate **[child's name]**, either immediately or by a particular date.

If the Local Governing Body Exclusion Panel cannot direct reinstatement due to the period of suspension having expired and your child having already returned to school, they will place a copy of their findings on the child's school record.

As stated above, I would be grateful if you would let me know if you will be attending the meeting and, if so, whether you will be accompanied.

Yours sincerely,

[Name]
Clerk to the Local Governing Body Exclusion Panel
Enc.

Appendix 8.8: Model Letter 8

Dear **[parent's name]**

I am writing to confirm the decision reached by the Local Governing Body Exclusion Panel at their meeting on **[date of Local Governing Body Exclusion Panel meeting]** to consider the reinstatement of **[child's name]** regarding their suspension from school during the period **[start date and end date of the period of suspension]**.

After careful consideration of all the evidence available and the representations made to the Local Governing Body Exclusion Panel, the committee has decided to

EITHER

not reinstate **[child's name]** for the following reason(s) **[inset reasons in as much detail as possible explaining how they were arrived at]**

OR

direct reinstatement from **[specify date]** for the following reason(s)
[insert reasons in as much detail as possible explaining how they were arrived at]

As the period of **[child's name]**'s suspension has expired the committee's findings will be placed on your child's school record.

I understand that a reintegration meeting with **[child's name] has been held and [child's name]** at the school has returned to school **OR** I understand there is a plan for a reintegration meeting to support **[Child's name]**'s return to school.

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this suspension, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). A 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. https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability.

The following are sources of free and impartial information that you may find useful.

- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am–6pm.
- Independent Provider of Special Education Advice (known as IPSEA) www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- **[LOCAL AUTHORITY]** SEND Information, Advice and Support Service (SENDIAS) **ADD PHONE / WEBSITE.**
- [Where considered relevant by the headteacher] **[LOCAL AUTHORITY]** Ethnic Minority and Traveller Achievement Service **ADD PHONE / WEBSITE**

You may also wish to refer to relevant sources of information about suspensions. The guidance from the Department for Education, entitled School suspensions and permanent exclusions - GOV.UK

Yours sincerely

[Name]
Clerk to the Local Governing Body Exclusion Panel

Appendix 8.9: Model Letter 9

Dear **[parent's name]**

I am writing to inform you of my decision to suspend **[child's name]** during lunchtimes for a fixed period of **[specify period]**. This means that **[child's name]** will not be allowed in school at lunchtimes for this period. The suspend begins on **[date]** and ends on **[date]**.

I realise that this suspend 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 because **[specify full reason(s) for suspension]**.

This suspension covers the lunchtime period only from **[time]** to **[time]** and you should ensure that arrangements are in place for **[child's name]**'s supervision away from school during this period. You should also ensure **[child's name]** returns to school in time for the start of the afternoon session at **[time]**.

As **[child's name]** is eligible to receive a free school meal, I have made arrangements for a packed lunch to be provided for the period of the lunchtime suspension.

You should also be aware that if you think that discrimination has occurred under the Equalities Act 2010 in relation to this suspension, you have the right to make a claim to the SENDIST, 1st Floor, Darlington Magistrates Court, Parkgate, Darlington, DL1 1RU (Tel: 01325 289350, Email address: sendist@hmcts.gsi.gov.uk**.** Making a claim would not affect your right to make representations to the Local Governing Body Exclusion Panel.

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 me in writing if you wish to be supplied with a copy of this. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (http://www.ace-ed.org.uk) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time). IPSEA - Independent Provider of Special Education Advice www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

You may also wish to refer to relevant sources of information about exclusions. The guidance from the Department for Education, Suspension and Permanent Exclusion guidance July 2022 (publishing.service.gov.uk)

[Child's name]'s lunchtime suspension expires on **[date of last day of lunchtime suspension]** and **[child's name]** can return for lunchtime in school as from **[date of first school day following the last day of lunchtime suspension]**.

Yours sincerely

[Name]
Headteacher

Appendix 8.7: Model Letter 7

Dear **[name(s) of parent(s)]**

I am writing 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 Local Governing Body Exclusion Panel.

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 permanently excluded because **[specify full reason(s) for exclusion]**.

You have a duty to ensure that **[child's name]** is not present in a public place in school hours during the first five days of this exclusion, in this case between **[specify period]** inclusive unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority or be prosecuted if **[child's name]** is present in a public place during school hours without reasonable justification on the specified dates. If so, it will be for you to demonstrate reasonable justification.

Alternative arrangements for **[child's name]**'s education to continue will be made. We will set work for **[child's name]** during the first 5 days of this exclusion. **[Detail the arrangements for this]**. Please ensure that the work set is completed and returned promptly to us for marking.

From the sixth school day of the exclusion onwards, i.e. from **[specify the date]** the Local Authority will provide suitable full-time education. I have informed the Local Authority of your child's exclusion, and you will shortly receive contact from them to let you know the arrangements for **[child's name]**'s education from the sixth school day of exclusion.

As this is a permanent exclusion, the Local Governing Body Exclusion Panel must meet to consider **[child's name]'s** reinstatement. You may attend the review meeting and make representations to the Local Governing Body Exclusion Panel and ask the panel to reinstate your child if you wish. The Local Governing Body Exclusion Panel has the power to reinstate your child immediately or from a specified date, or, alternatively, they may decide not to reinstate **[child's name]** in which case you may ask for the Local Governing Body Exclusion Panel's decision to be reviewed by an Independent Review Panel. The latest date by which the Local Governing Body Exclusion Panel must meet is **[specify date, which must be no later than 15 school days after the date on which the Local Governing Body Exclusion Panel was notified of the exclusion to which this letter relates]**. You will be notified by the Clerk to the Local Governing Body Exclusion Panel of the time, date and location of the meeting whether you choose to make representations or not. If you wish to make representations to the Local Governing Body Exclusion Panel please contact **[name of contact]** at **[contact details – address, telephone number, e-mail]**, as soon as possible after being notified of the date of the meeting. You may be accompanied by a friend or representative, including a legal representative, if you wish. Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[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 that discrimination has occurred under the Equalities Act 2010 in relation to this exclusion, you have the right to make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which claims for disability discrimination should be sent is SENDIST, 1st Floor, Darlington

Magistrates Court, Parkgate, Darlington, DL1 1RU (Tel: 01325 289350, Email address: sendist@hmcts.gsi.gov.uk . Making a claim would not affect your right to make representations to the Local Governing Body Exclusion Panel.

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

You may find it useful to contact the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (http://www.ace-ed.org.uk) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time). IPSEA - Independent Provider of Special Education Advice www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

You may also wish to refer to relevant sources of information about exclusions. The guidance from the Department for Education, Suspension and Permanent Exclusion guidance July 2022 (publishing.service.gov.uk)

Yours sincerely,

[Name]
Headteacher

Appendix 8.8: Model Letter 8

Dear **[Name(s) of parent(s)]**

I am writing to advise you that the meeting of the Local Governing Body Exclusion Panel to consider reinstatement of **[child's name]** will take place at **[place]** on **[date]** at **[time]**. If you would like to attend the meeting of the Local Governing Body Exclusion Panel, please contact **[enter "me" or the name of contact]** at **[contact details – address, telephone number, e-mail]** as soon as possible. You have a right to request that the meeting is held remotely. If you would like the panel to consider this request, please contact **[enter "me" or the name of contact]** as soon as possible.

You will have the opportunity to make representations to the panel. **[Child's name]** may attend the hearing with you. You may also be accompanied by a friend or representative, including a legal representative, if you wish. If you intend to be accompanied, please let **[enter "me" or the name of contact]** know. Please advise if you have a disability or any special needs which would affect your ability to attend a meeting at the school. Also, please inform **[enter "me" or the name of contact]** if it would be helpful for you to have an interpreter present.

You have the right to request that a representative of the Local Authority be present at the Local Governing Body Exclusion Panel, in which case you should let **[enter "me" or the name of contact]** know so we can arrange this. The Local Authority representative would act as an observer at your request and therefore can only ask questions / makes comments if asked to do so by the Local Governing Board the academy**.**

At the meeting the Chair will explain the order of proceedings and a copy is enclosed with this letter for your information.

If you wish to make a written representation this should be forwarded to me at the above address at least five school days before the meeting, i.e. by **[insert date]** so that it may be circulated in advance to the members of the Committee and to all parties including the Headteacher.

The committee will consider the representations made by all parties and decide whether to uphold the exclusion or to direct **[child's name]**'s reinstatement, either immediately or by a particular date.

As stated above, I would be grateful if you would let me know if you will be attending the meeting and, if so, whether you will be accompanied and if you would like a representative of the Local Authority to be present at the hearing.

Yours sincerely,

[Name]
Clerk to the Local Governing Body Exclusion Panel
Enc.

Appendix 8.9: Model Letter 9

Dear [**parent's name]**

I am writing to confirm the decision reached by the Local Governing Body Exclusion Panel at their meeting on **[date of Local Governing Body Exclusion Panel meeting]** to consider reinstatement of **[child's name]** to **[name of school]** School.

After careful consideration of all the evidence available and the representations made to the Local Governing Body Exclusion Panel, the committee has decided to

EITHER

not reinstate **[child's name]** for the following reason(s) **[inset reasons in as much detail as possible explaining how they were arrived at]**

OR

direct reinstatement from **[specify date]** for the following reason(s)
[insert reasons in as much detail as possible explaining how they were arrived at]

The Headteacher or a senior member of staff will contact you shortly to discuss the arrangements to be made for **[child's name]** to return to school

You have the right to ask for this decision to be reviewed by an Independent Review Panel. If you wish the decision to be reviewed by the Independent Review Panel, please notify the Diocese of Chichester Academy Trust Director of Operations and Governance, Jo Saunders, in the first instance. You should then set out the reasons for requesting a review in writing and send this to: jsaunders@dcat.academy no later than **[specify the latest date by which a review may be requested, i.e. 15 school days from the date on which notice in writing of the Local Governing Body Exclusion Panel's decision not to reinstate was sent to the parents (notice is deemed to have been given on the same day if it is delivered directly, or the second working day after posting if it is sent by first class mail)]**. If you feel that your child has special educational needs relevant to this exclusion you should refer to this in your written statement. If you have not requested that a review is held by **[repeat latest date]** you will lose your right to have the decision of the Local Governing Body Exclusion Panel reviewed.

An Independent Review Panel comprises of one serving, or recently retired (within the last 5 years) Head Teacher, one serving, or recently serving, experienced governor and one lay member who will be the Chairman. The review panel will rehear all the facts of the case. If any party has fresh evidence to present to the panel they may do so.

If you ask for the Local Governing Body Exclusion Panel's decision to be reviewed by the Independent Review Panel you have the right to require that an expert in Special Educational Needs (SEN) attends the review at no cost to you. You may require that an SEN expert attends the hearing irrespective of whether the school believes your child has special educational needs or not. The SEN expert's role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs may have been relevant to the exclusion. Should you

request a review of the Local Governing Body Exclusion Panel's decision and you wish an SEN expert to be appointed please let Jo Saunders know.

I should also inform you that if you request a review of the Local Governing Body Exclusion Panel's decision you may, at your own expense, appoint a representative, including a legal representative, to make written and/or oral representations to the Independent Review Panel and that you may also bring a friend or supporter to the review. If you intend to be accompanied, please let Jo Saunders know. Please also advise if you have a disability or any special needs which would affect your ability to attend the meeting and if it would be helpful for you to have an interpreter present.

Where a representative of the Local Authority attended the Local Governing Body Exclusion Panel meeting and made representation, he/she or another representative will also attend the review at your request and submit a statement in advance.

In determining the outcome of a review, the panel can make one of three decisions: they may uphold the decision not to reinstate your child; they may recommend that the Local Governing Body Exclusion Panel reconsiders its decision not to reinstate your child; or they may quash the decision and direct that the Local Governing Body Exclusion Panel considers reinstatement again. A panel should only quash a decision where it considers that it was flawed when considered in the light of the principles applicable on an application for judicial review.

You may wish to contact Local Authority Behaviour & Attendance Service, who can provide advice. They can be contacted **[enter relevant LA details].**

You may find it useful to contact the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (http://www.ace-ed.org.uk) and their advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time). IPSEA - Independent Provider of Special Education Advice www.ipsea.org.uk is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.

You may also wish to refer to relevant sources of information about exclusions. The guidance from the Department for Education, Suspension and Permanent Exclusion guidance July 2022 (publishing.service.gov.uk)

Yours sincerely,

[Name]
Clerk to the Local Governing Body Exclusion Panel

Appendix 8.10: Model Letter 10

From the Headteacher notifying the withdrawal of a suspension or permanent exclusion

Dear **[parent's name]**

Further to my letter of **[date of letter giving notification of suspension / exclusion]** I am writing to advise you that I am, on this occasion, cancelling my earlier decision to

EITHER

suspend **[child's name]** for a fixed period between **[insert dates of start and end of suspension]**

OR

permanently exclude **[child's name]** from the school

I have decided to withdraw the exclusion on this occasion for the following reasons.

[insert reasons]

Yours sincerely,

[Name]
Headteacher

Appendix 9: Process for a managed move

As managed moves are voluntary agreements, there is no statutory scheme governing their use and limited guidance on how the process should work. However, best practice suggests that there should be a number of clear stages as detailed below:

1. The school appoints a member of staff (e.g. SENCO, Deputy Headteacher, Assistant Headteacher) as a facilitator to oversee a managed move agreement.
2. The headteacher informs parents or carers in writing of the situation and proposal for a managed move.
3. The facilitator and headteacher discuss options and alternatives for the pupil involved.
4. The facilitator contacts other schools or Pupil Referral Units which might be suitable and parents can input into this process.
5. The facilitator holds a meeting with parents and carers to explain the situation and options.
6. The school hosts a managed move meeting. This should be attended by a representative of the proposed school for the managed move, the pupil and his or her family and the facilitator responsible for the move.
7. Once agreement is reached of the managed move and the start date, confirmation in writing is shared with all parties.
8. The pupil is removed / added to the school roll on the agreed date of the commencement of the managed move,