



# Exclusions Policy 2025-26

<b>Policy Type</b>	Statutory Trust Policy
<b>Author</b>	Governance and Compliance Manager
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<b>Version</b>	2
<b>Description of changes</b>	<ul style="list-style-type: none"> <li>- Section 4 – addition of section for preventative measures.</li> <li>- Section 5 – addition of wording stating work must be accessible and cover core subjects where possible.</li> <li>- Section 14 – addition of wording to confirm that Trustees monitor suspensions and exclusions data.</li> <li>- Appendix – rewording of guidance to parents around representations made for suspensions of five days or less.</li> </ul>

## 1. Introduction

- 1.1. SHINE Academies is passionate that suspensions and exclusions are a last resort, and all alternatives should be explored prior to making such a significant decision. SHINE Academies is committed to following all statutory suspensions and exclusions procedures to ensure every child receives an education in a safe and caring environment.
- 1.2. When a child is suspended or excluded, all schools in SHINE Academies must follow the DfE Exclusions Guidance - <https://www.gov.uk/government/publications/school-exclusion>. There is additional guidance for parents here: <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>
- 1.3. This policy outlines the process that should be followed for a suspension or exclusion. There is an FAQ section for parents in appendix 1.
- 1.4. This policy refers to suspension (known in legislation as fixed period exclusion) and permanent exclusions as set out in the exclusions guidance August 2024.
- 1.5. This policy complies with our funding agreement and articles of association.

## 2. 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 roll. This is sometimes referred to as an ‘exclusion’.

**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/academy permanently. All parties, including parents/carers and the admission authority for the new school/academy, should consent before a managed move occurs.

**Offsite Direction** – when a child is moved to another school on a temporary basis.

**Making representations** – the opportunity to provide views on a suspension or exclusion and provide any additional information that is thought to be relevant.

## 3. Considering a suspension or exclusion

- 3.1. In considering a suspension or exclusion, staff and governors will also take into account their statutory duties in relation to special educational needs and disabilities (SEND) including having regard to the SEND Code of Practice.
- 3.2. A decision to suspend a pupil for a fixed term may be used to provide a clear signal of what is unacceptable behaviour as part of the school’s behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.
- 3.3. A decision to permanently exclude a pupil will only be taken:
  - In response to serious and persistent breaches of the school’s behaviour policy; and

- Where allowing a pupil to remain in the school would seriously harm the learning or welfare of the pupil, other pupils, or staff in the school.
- 3.4. When considering if suspension/exclusion is the appropriate action, the Headteacher will consider if there are any contributing factors to be identified following an incident of poor behaviour.
  - 3.5. In cases involving SEND and Looked After Children (LAC) pupils, the Headteacher should also consider whether the appropriate provision is in place, with multi-agency involvement to support their needs.
  - 3.6. Parents should be made aware as early as possible when their child is at risk of suspension or exclusion, and a meeting arranged with the Headteacher, and, where possible, a governor from the Local Governing Body, to discuss any support that can be put in place.
  - 3.7. In the event of a serious incident a member of staff must endeavour to clarify the facts of the incident; this must so far as is reasonable include talking to the pupil in question, in a manner appropriate to their age. A written record of this meeting must be made. Where possible, pupils should be encouraged to provide a written statement of what happened and offered the opportunity to sign and date this as an authoritative record of events. If the nature of the incident is extremely serious the school should aim to have at least two staff members present to conduct the meeting. Pupils should be appropriately questioned and given an opportunity to explain their behaviour/actions. If the decision is then taken to suspend or exclude a pupil, a member of SLT will meet with the child and speak to the family to discuss the suspension/exclusion.

#### **4. Preventative Measures**

Off-site direction is when a school in the Trust requires a pupil to attend another education setting to improve their behaviour. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction may be used to arrange time limited placements at an alternative provision or another mainstream school. This may be another school within or outside the Trust.

This must be for a specified period, reviewed at least every 30 school days, and must be consistent with the Education Act 2002 requirements. Parents must be notified in writing and given the right to request that a direction be reviewed by Trustees. The pupil remains on roll at the home school during the period of direction.

Please see the SHINE Off-Site Direction protocol for more information.

#### **5. The decision to suspend/exclude**

- 5.1. Only the Headteacher alone (or the Acting Headteacher, if the Headteacher is absent) has the power to suspend or exclude pupils.
- 5.2. Where the Headteacher issues a suspension or permanent exclusion to a pupil, this must be notified to the SHINE Director of Primary Education without delay.
- 5.3. A pupil's behaviour outside school can be considered grounds for suspension or permanent exclusion. In such cases, the Headteacher must be satisfied that the behaviour is addressed within the school's published behaviour policy and that statutory duties, including those under the Equality Act 2010 and SEND Code of Practice, have been applied when making the decision.
- 5.4. Before deciding to suspend or exclude a pupil permanently the Headteacher will first try a range of strategies as outlined in the school's Behaviour Policy. Only when other strategies have been tried without success will the Headteacher consider permanent exclusion. Except, or notwithstanding where a one-off incident of sufficient gravity has taken place

- 5.5. The Headteacher may suspend a pupil for up to 45 school days in any academic year. Any exclusion beyond 45 school days will be permanent. However, before that point is reached the Headteacher will have held discussions with the Local Authority (LA) with a view to arranging an appropriate placement in another school or Pupil Referral Unit (PRU). From Day 6 of a permanent exclusion the local authority assumes full responsibility for the full-time education of the child.
- 5.6. Any looked after child (LAC) will receive alternative provision from day 1. A 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions.
- 5.7. The Headteacher will aim for the shortest possible period of suspension but however brief a suspension a plan will be made to:
- Enable the pupil to continue their learning
  - Use the time to address the pupil's problems
  - Examine the process of reintegration
- 5.8. The Headteacher must take account of their legal duty of care when sending a pupil home following a suspension or exclusion.
- 5.9. During the first five school days of a suspension/exclusion the school will take all reasonable steps to set and mark pupil work in line with any marking and feedback policies. Work must be accessible and cover core subjects where possible.

## 6. Duty to Inform

- 6.1. Whenever a Headteacher suspends or permanently excludes a child they must, without delay, notify relevant parties of the period of the suspension or permanent exclusion and the reason(s) for it. This should include the following:
- parents/carers (including all parents/carers even where at different addresses)
  - the local authority,
  - the child's home authority if it is different to the school's local authority,
  - social worker and/or virtual school head (VSH) where applicable.
- 6.2. They must also, without delay, after their decision, provide parties with the following information in writing:
- the reason(s) for the suspension or permanent exclusion.
  - the period of a suspension or, for a permanent exclusion, the fact that it is permanent.
  - parents' right to make representations about the suspension or permanent exclusion to Governors/Trustees and how the child may be involved in this.
  - how any representations should be made.
  - where there is a legal requirement for Governors/Trustees to consider the suspension or permanent exclusion, that parents or the child (if aged 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
  - Social workers and virtual school heads right to make representations about the suspension or permanent exclusion to Governors/Trustees.
- 6.3. Written notification of the information above can be provided by delivering it directly to the party, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parties have given written agreement for this kind of notice to be sent in this way.
- 6.4. Where a suspended or permanently excluded child is of compulsory school age, the Headteacher must also notify the child's parents of the days on which they must ensure that the child is not present in a public place at any time during school hours.

- 6.5. These days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification, commits an offence and may be given a fixed penalty notice or be prosecuted. The Headteacher must notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.
- 6.6. For a suspension of more than five school days, the school must arrange suitable full-time education for any child of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the child for the full period or multiple decisions to suspend the child for several periods in a row.
- 6.7. For permanent exclusions, the local authority must arrange suitable full-time education for the child to begin from the sixth school day after the first day the permanent exclusion took place. This will be the child's 'home authority' in cases where the school is in a different local authority area. The school should collaborate with the local authority when the child might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.
- 6.8. In addition, where a child has an EHCP, the local authority may need to review the plan or reassess the child's needs, in consultation with parents, with a view to identifying a new placement.
- 6.9. The local authority must have regard to the relevant statutory guidance when carrying out its duties in relation to the education of looked-after children, which can be found here: [Promoting the education of looked-after children and previously looked-after children](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/promoting-the-education-of-looked-after-children-and-previously-looked-after-children.pdf) (publishing.service.gov.uk). Where a looked-after child is excluded, the school should document the provision of immediate suitable education in the child's personal education plan (PEP).
- 6.10. If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale
- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion.
  - the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant.
  - the address at which the provision will take place.
  - any information required by the child to identify the person they should report to on the first day.
- 6.11. Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.
- 6.12. The virtual school head (VSH) must be invited to attend the pupil discipline committee meeting to share information where the child is a looked-after child. This should include helping Governors/Trustees to understand the child's background and circumstances. They should also be able to advise the committee on the possible contribution that the child's circumstances could have made to the suspension or permanent exclusion.

- 6.13. Where applicable, social workers must be invited to attend the pupil discipline committee meeting to share information. This should include helping to identify how the child's circumstances may have influenced the circumstances of the child's suspension or permanent exclusion and ensuring that safeguarding needs and risks and the child's welfare are taken into account.
- 6.14. For a permanent exclusion, if the child lives outside the local authority area in which the school is located, the Headteacher must also notify the child's 'home authority' of the permanent exclusion and the reason(s) for it without delay. The Headteacher must also inform the Local Governing Body once per term of any other suspensions or exclusions of which they have not previously been notified.
- 6.15. The failure of a Headteacher to give notice of the information outlined above in writing by the required time does not relieve the Headteacher of the duty to serve the notice. A notice is not made invalid solely because it has not been given by the required time.
- 6.16. If a child is suspended again following their original suspension, or is subsequently permanently excluded, the Headteacher must inform all parties without delay and issue a new exclusion notice to parents and the social worker.

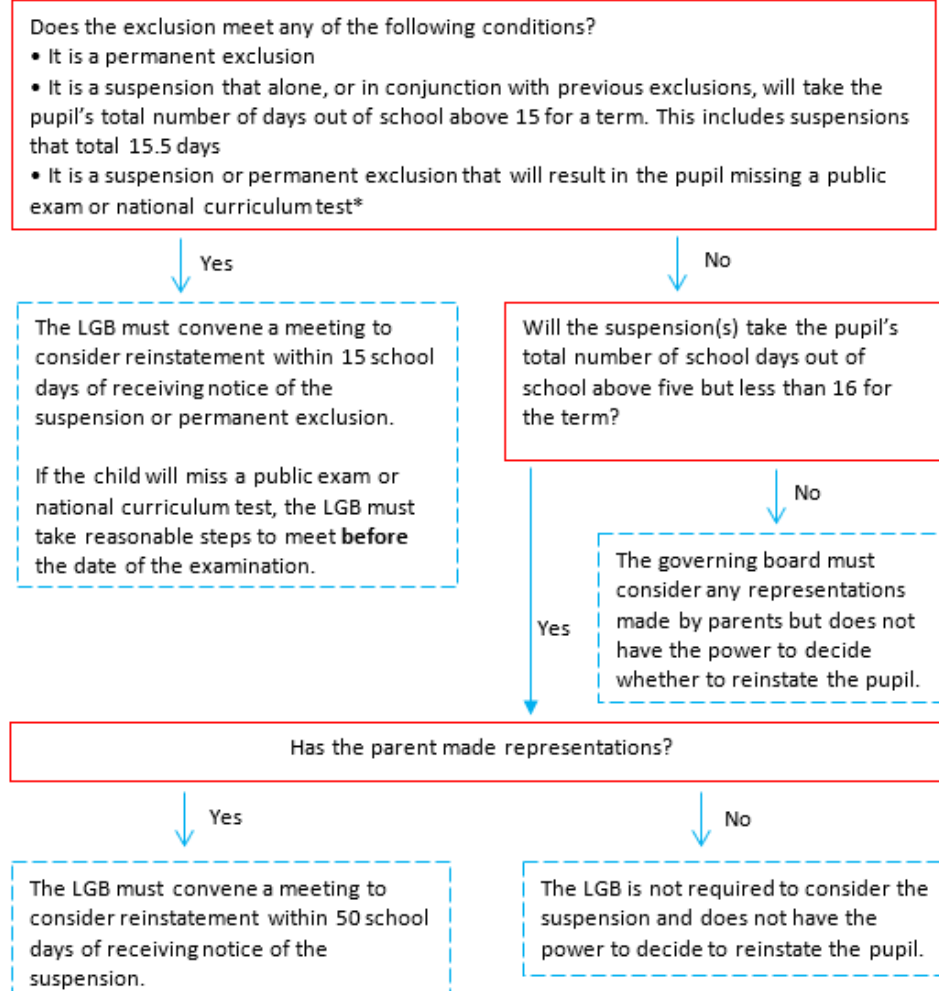
## 7. Informing Parents

- 7.1. For notifications of any suspension or exclusion, although this must not delay notification, notification should be in person or by telephone in the first instance as this allows parents to ask any initial questions or raise concerns directly with the Headteacher. Headteachers should consider the following:
- Has the school spoken to the parents (and when appropriate, the child's social worker/virtual school head) to ensure they fully understand the type/scale of the incident?
  - Has the school considered how to communicate accessibly and clearly, including whether parents may have particular communication needs relating to a disability or having English as an additional language (EAL)?
  - Has the school provided sufficient details in the suspension or permanent exclusion notice letter on the reasons for the suspension or permanent exclusion?
  - Has the school informed parents and local authority (and when appropriate, the child's social worker, virtual school head,) whether their child will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension or permanent exclusion?
  - Outlining the next steps in the process including the option to make representations and what a panel meeting may entail.
- 7.2. When notifying parents about a suspension or permanent exclusion, the Headteacher should set out what arrangements have been made to enable the child to continue their education prior to the start of any alternative provision or the child's return to the school, in line with legal requirements and guidance in Part 6 of the DfE guidance.
- 7.3. When notifying parents about a suspension or permanent exclusion, the Headteacher must draw attention to relevant sources of free and impartial information. This information must include:
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service.
  - Coram's Child Law Advice service can be accessed through their website or contacted on 0300 330 5485 from Monday to Friday, 8.00am – 6.00pm.

- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10.00am to 1.00pm during term time.
- Independent Provider of Special Education Advice (known as IPSEA) 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.

## **8. Informing the Local Governing Body**

- 8.1. Where the appropriate criteria are met, a pupil disciplinary committee comprising Governors and Trustees from SHINE Academies must be convened to hear the relevant case. The SHINE central governance team will support with sourcing committee members.
- 8.2. A pupil discipline committee will comprise one Trustee from the SHINE Academies Trust Board, and two serving Governors from the school in question. If a second or third member from the relevant school cannot be identified for valid reasons, SHINE Academies will appoint (a) Governor(s) from a different school in the Trust to join the panel. Any Governor with any prior knowledge of the pupil will not be permitted to sit on the committee.
- 8.3. The Headteacher must, without delay, notify the clerk to the Governor disciplinary committee who will in turn convene a committee of three Governors/Trustees to consider a suspension or exclusion. To ascertain whether the convening of a panel is required, please refer to the DfE's flowchart below:



- 8.4. Where the LGB 'must convene a meeting' a pupil discipline committee should be formed, and all parties invited. Any meeting, where parents are entitled to attend, must be convened by at least 3 governors.
- 8.5. For suspensions of 5 days or fewer, where the LGB must consider any written representations made by parents, at least two governors must convene to consider those written representations and write to the parents with their decision.
- 8.6. Where the governors are considering a suspension of over 15 days, the committee should consider only the 'trigger' exclusion that took the child over 15 days.
- 8.7. Where a child's case is due to be heard at a panel meeting to consider a suspension, and in the time between the suspension being issued and the date of the meeting, the child is permanently excluded, both suspension and exclusion can be considered by the same panel subject to the consent of the parent. The panel should make two separate decisions.
- 8.8. Where permanently excluded, the child should only be taken off-roll when the deadline for an IRP has passed, or the IRP process has been concluded.

## 9. Cancelling Suspensions and Permanent Exclusions



- 9.1. The Headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the pupil discipline committee.
- 9.2. Where there is a cancellation, the following must be informed in writing:
  - The parents/carers, and LGB (and LA for permanent exclusions) without delay
  - Where relevant, any social worker and VSH will be notified without delay
  - The notification must provide the reason for the cancellation
- 9.3. If a suspension/exclusion is lawfully cancelled, the duty to hold a meeting and consider reinstatement ceases.
- 9.4. Parents/carers will be offered the opportunity to meet with the Headteacher to discuss the cancellation, which will be arranged without delay.
- 9.5. The pupil will be allowed back in the school without delay.
- 9.6. Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any academic year.
- 9.7. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in an academic year or if they will have been so by the time the cancellation takes effect.

## 10. Independent Review Panels

- 10.1. Following a permanent exclusion, parents will be given the opportunity to request an independent review panel (IRP) who will consider the pupil discipline committee decision to decline reinstatement. The request must include the parents' grounds for the appeal.
- 10.2. If applied for by parents within the legal time frame (15 school days), the school is responsible for securing an independent external clerking service/clerk who will arrange for an IRP to review the decision of a governing body not to reinstate a permanently excluded pupil.
- 10.3. Any application made outside the legal time frame will be rejected by the school.
- 10.4. Parents may request an IRP even if they did not make representations against the exclusion or attend the meeting at which the governors made their decision.
- 10.5. The IRP will be comprised of people completely independent of the school.
- 10.6. The role of the IRP is to review the governing body's decision not to reinstate a permanently excluded pupil. In reviewing the decision, the IRP must consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded and have regard to the interests of other pupils and people working at the school. The IRP must also apply the civil standard of proof "on the balance of probabilities" rather than the criminal standard of "beyond reasonable doubt".
- 10.7. Following its review, the IRP can decide to:
  - Uphold the decision to permanently exclude
  - Recommend that the governing body reconsiders their decision or,
  - Quash the decision and direct the governing body to consider the exclusion again
- 10.8. The IRP cannot direct the school to reinstate a child.
- 10.9. The decision of the IRP is binding on the: pupil, parents, school, governing body, LA, and SHINE Academies.

- 10.10. New supporting evidence may be presented to the IRP, but the school may not introduce new reasons for the exclusion and the IRP will disregard any new reasons that are introduced.
- 10.11. Where present the IRP must seek and have regard to the SEND expert's view of how SEND might be relevant to the pupil's exclusion.
- 10.12. A member of the original pupil discipline committee and the Headteacher will be invited to attend the hearing to present their case to the IRP.
- 10.13. As with the original pupil discipline committee hearing, parents will be invited to attend and may bring a friend, if they are not present the case will be heard in their absence.
- 10.14. Following the independent review, the panel must issue written notification to all parties without delay. This notification must include:
- The IRP's decision and the reason for it
  - Where relevant, details of any financial payment to be made if the governing body subsequently decides not to offer to reinstate a pupil
  - Any information that must be recorded on the pupil's educational record to reflect the decision
- 10.15. If the IRP upholds the decision, the clerk to the IRP will immediately notify the LA and if the pupil lives out of the LA of the school, the pupil's 'home local authority' as well.
- 10.16. If the IRP quashes or recommends the reconsideration of the pupil discipline committee's decision, the pupil discipline committee must reconvene within ten school days of being given notice of the IRP's decision.

## **11. Responsibility of the School and the LGB**

- 11.1. Where the IRP directs or recommends that governors reconsider whether a child should be reinstated, the pupil discipline committee must reconvene to do so, within 10 school days of being given notice of the IRP's decision. Notice is deemed to have been given on the day of delivery if it is delivered directly, or on the second working day after posting if it is sent by first class mail.
- 11.2. The reconvened pupil discipline committee should consist of 3 governors. Where directed to reconsider, ideally the reconvened committee should consist of a majority (i.e. 2) of governors who are new to the matter.
- 11.3. It is important that the pupil discipline committee conscientiously reconsiders whether the child should be reinstated, whether the IRP has directed or merely recommended it to do so. Whilst the committee may still reach the same conclusion as it first did, it may face challenge in the courts if it refuses to reinstate the child, without strong justification.
- 11.4. Following a direction to reconsider, unless within 10 school days of receiving notice of the IRP's decision the pupil discipline committee decides to reinstate the child, SHINE Academies may be required to make a payment of £4,000 directly to the local authority in whose area the school is located. This payment will be in addition to any funding that would normally follow a permanently excluded child.
- 11.5. If the pupil discipline committee offers to reinstate the child within the specified timescale, but this is declined by the parents, no budget adjustment or payment can be made. The pupil discipline committee must comply with any direction of the IRP to place a note on the child's educational record.
- 11.6. The clerk must also note, where a child is reinstated following a direction or recommendation to reconsider, or would have been reinstated if it had been practical to do so, the permanent

exclusion does not count towards the rule that an admission authority may refuse to admit a child who has been permanently excluded twice; nor, in the case of a community or voluntary controlled school, does it count for the purposes of the rule that the pupil discipline committee may appeal against the decision of the local authority as the admission authority to admit the child.

11.7. In the case of either a recommended or directed reconsideration, the governor disciplinary committee must notify the following people of their reconsidered decision, and the reasons for it, in writing and without delay:

- the parents;
- the Headteacher;
- the local authority; and, where relevant, the 'home authority'
- social worker (where relevant)
- virtual school head (where relevant)

11.8. The reconsideration provides an opportunity for the pupil discipline committee to look afresh at the question of reinstating the child, in light of the findings of the IRP. There is no requirement to seek further representations from other parties or to invite them to the reconsideration meeting. The committee is not prevented from taking into account other matters that it considers relevant. It should, however, take care to ensure that any additional information does not make the decision unlawful. This could be the case, for example, where new evidence is presented, or information is considered that is irrelevant to the decision at hand.

11.9. The pupil discipline committee should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered by the committee. These minutes should be made available to all parties on request.

11.10. The pupil discipline committee should ask any parties in attendance to withdraw before making a decision. Where present, the clerk should stay to help the committee by reference to their notes of the meeting and with the wording of the decision letter.

11.11. The pupil discipline committee should note the outcome of its consideration on the child's educational record, and copies of relevant papers should be kept with the educational record.

11.12. The pupil discipline committee should base its reconsideration on the presumption that a child will return to the school if reinstated, regardless of any stated intentions by the parents or child. Any decision of the committee to offer reinstatement, which is subsequently turned down by the parents, should be recorded on the child's educational record. The decision should demonstrate how the pupil discipline committee has addressed the concerns raised by the IRP.

## 12. Reintegration Strategy

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

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

12.3. 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 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

12.4. 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.

### **13. Remote Access to Meetings**

13.1. Parents/carers can request that a meeting of the LGB panel or independent review panel be held remotely. If the parents/carers don't make this request, the meeting will be held in person.

13.2. 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 (with the agreement of the parents/carers)

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

13.4. The pupil discipline committee and SHINE Academies 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 within a private environment
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

13.5. With the agreement of the parents/carers, social workers and the VSH can join remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

13.6. 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

### **14. Monitoring of Suspensions and Exclusions**

The Trust Board retains ultimate accountability for ensuring that this policy and its implementation comply with all statutory requirements. The Performance and Standards Committee of SHINE Academies Trust Board will routinely monitor suspensions and exclusions data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used when necessary as a last resort. The Local Governing Body for all schools will also receive an update at each meeting noting the number of suspensions and exclusions which have been issued since the last meeting.

## Appendix 1 – Guidance for Parents and Carers

When a child is suspended or excluded, the school must follow the DfE Exclusions Guidance - <https://www.gov.uk/government/publications/school-exclusion>. There is additional guidance for parents here: <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

### **Q: My child has been suspended. What does this mean?**

A: Headteachers or Acting Headteachers have the right to suspend a pupil who has broken the school's rules (this is sometimes referred to as a breach of the behaviour policy). A pupil can be suspended for a specified length of time or permanently excluded which means that they will not be able to return to school, unless the pupil discipline panel directs their reinstatement. The suspension or exclusion issues will depend on the seriousness of the breaking of the school's rules.

### **Q: I disagree with the decision. What can I do?**

A: The letter you have received from the Headteacher of the school explains how you can challenge the decision (this is referred to as "making representations"). How you do this will depend on the total number of days of suspension your child has received this term.

- If your child has been suspended for 5 days or fewer in total this term, you can make representations to the governing body, but the governing body has no power to reinstate your child for suspensions totalling 5 days or fewer in a term. However, they **must still consider** any written representations you make, and may decide to place a note on your child's educational record.
- If your child has been suspended for more than 5 days and up to 15 days in total this term, you can make representations to the governing body. If you do this, then the governing body must meet to consider your representations within 50 school days, and the decision can be overturned – this would be termed 'reinstatement'.
- If your child has been suspended for more than 15 days in total this term, the governing body must meet to consider this decision within 15 school days, regardless of whether you ask for a meeting to happen. The Governing body has the power to overturn the principal's decision.

### **Q: My child has been permanently excluded. What does this mean?**

A: A Headteacher can permanently exclude a pupil from the school if they have broken one of the more serious rules in the school's behaviour policy. This is referred to as a **serious one-off incident**.

A pupil can also be permanently excluded if they repeatedly break some of the general rules of the policy over a period of time. This is referred to as **persistent breaches of the behaviour policy or persistent disruptive behaviour**.

It also means that the Headteacher has concluded that allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others within the school community.

### **Q: Why does my child have to be permanently excluded? Why can't they be disciplined in another way and remain at the academy?**

A: A Headteacher's duty is to ensure that pupils and staff are safe. If they believe that the actions of pupil breaking the rules – whether this is a serious one-off incident or persistent disruptive behaviour

– would potentially cause harm to the education or welfare of the pupil or of other pupils or staff, then they can permanently exclude a pupil.

The word “harm” does not only mean physical harm. It is possible for a pupil to harm other pupils’ education or welfare if they continually disrupt learning, or if pupils are scared or worried about coming to school because of what another pupil has done.

**Q: What happens about my child’s education now?**

A: The letter from the Headteacher explains the arrangements for your child’s education.

If your child has been suspended, the school will provide work during that time. This may be a hard copy pack, or it might be via online education.

If your child has been permanently excluded, then the school will provide work to your child for the first 5 school days. From the 6th school day, your local authority is responsible for providing your child with education. This can be in another school or another education environment, or it can be online education. Information is included in the Headteacher’s decision letter of who will provide education for your child from the 6th school day.

**Q: What is the purpose of the pupil discipline committee meeting?**

A: The meeting is to consider the Headteacher’s decision to suspend or permanently exclude your child. Three Governors – known as the pupil discipline committee – will review all the information about the decision to consider if it was made in accordance with the Department for Education’s guidance on suspensions and exclusions. This panel will meet for suspensions over 15 days in a term and for permanent exclusions. A panel may also be convened where parents want to make representations about a suspension over 5 days in a term. Once a governor has been involved in a panel for a child, they cannot be involved in a future panel for that child (unless selected to sit on or attend a reconsideration hearing following an Independent Review Panel Hearing).

**Q: What will the pupil discipline committee look at?**

The pupil discipline committee will meet to consider the decision of the Headteacher to suspend or permanently exclude your child. If they are meeting to consider a suspension, they will focus on the most recent suspension. This means the suspension that took the total number of days- suspended for the term to over 5 days or over 15 days – the pupil discipline committee will not make a decision about the other suspensions, though they will receive information about them as part of their discussions.

**Q: Who else attends the meeting?**

A: The Headteacher will attend the meeting, and will sometimes bring another member of the senior team or the SENCo if appropriate.

You are invited to the meeting to put forward your views. Your child is encouraged to attend so that they can offer their own view about the decision. You can choose not to attend the meeting, but it will still go ahead.

You can bring with you a friend or relative for support. The local authority will be informed about the decision and the meeting. You should confirm with them directly if you want them to attend.

The clerk to the pupil discipline committee will attend the meeting. The clerk is there to provide advice to the committee about the Department for Education guidance to help the committee make its decision. The clerk is also there to take notes of the meeting. They will usually be the person who will be in touch with you to organise the meeting and to inform you of the decision after the meeting. If your child has a social worker or virtual school head, they must also be invited to attend.

**Q: I would like to attend but am not available on the date given - what can I do?**

The Department for Education guidance states that the Governing Body must review the decision of the principal within 15 school days of the exclusion. However, in exceptional circumstances, it is possible for a meeting to happen after this deadline (but still within a reasonable timescale) if that ensures people are available. If you cannot make the suggested date, please contact the clerk as soon as possible.

**Q: I do not want to attend the meeting. Does this matter?**

The pupil discipline committee would always prefer parents and pupils to attend the meeting as it is important to ensure they have the chance to put forward their views. However, there is no obligation for you or your child to attend, nor is non-attendance considered in a negative light.

The key duty of the pupil discipline committee, as stated by the DfE Guidance, is to review and challenge the decision of the Headteacher. It is possible (but not preferable) to do this without the parent attending the meeting.

**Q: Will I receive any information about the reasons for the decision in advance of the meeting?**

A: The letter from the principal confirming the suspensions or permanent exclusion contains some information about the reasons. However, you will also receive the committee pack (or PEX pack for permanent exclusions) no less than 5 school days before the meeting. This Pack will include a statement from the Headteacher, along with other information such as accounts from witnesses, a statement or statements from your child, and notes of any meetings. The Pack will explain why the Headteacher believes your child broke the behaviour policy and should be suspended or permanently excluded.