

Thinking Schools Academy Trust

*“Transforming Life Chances”*

Suspension and Permanent Exclusion

School Policy

**BRIXHAM COLLEGE**

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## 1 Introduction

- 1.1 This policy aims to set out the process that will be followed and the additional considerations around suspensions and Permanent Exclusions that the School will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.
- 1.2 Where Brixham College's approaches towards behaviour management have been exhausted, then suspensions and Permanent Exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.
- 1.3 The School will always have regard to the [Statutory Guidance on Suspensions and Exclusions \(July 2022\)](#) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).
- 1.4 This policy should be read in conjunction with the Behaviour Policy and the SEND policy for the School.

## 2 Application of policy

- 2.1 This policy applies to all members of the School community. Each school within the Thinking Schools Academy Trust will apply suspensions and Permanent Exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents and pupils.

## 3 Types of Suspension/Exclusion

Suspensions and Permanent Exclusions are different:

- 3.1 Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum 45 days of suspension in an academic year before being permanently excluded.
- 3.2 Permanent exclusions are where, subject to a decision of the governing board to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to Permanently Exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

## 4 Roles and responsibilities

All members of the School community are expected to follow this policy. Roles, responsibilities and expectations of each section of the School community are set out in detail below.

### The Principal

- 4.1 All decisions to suspend or Permanently Exclude a pupil will be taken by the Principal after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's behaviour policy
- 4.2 As the headteacher, you must inform parents/carers of their right to make a request for a remote meeting when notifying them of the exclusion.

### The Governors

- 4.3 The Governing Board is responsible for forming the Governors' Discipline Committee to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the Governors' Discipline Committee will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school in which case the suspension or exclusion will be removed from the student's record.

#### Parents

- 4.4 Parents will be informed without delay of any suspension or exclusion and have the right to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the Principal.

#### Pupils

- 4.5 All pupils of the school are expected to follow the expectations regarding their behaviour, as set out in the School's Behaviour Policy, to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the sanction set out in the Behaviour Policy will apply.

## 5 CCTV, witness evidence and pupil views

- 5.1 Applicable to School which have Close Circuit Television (**CCTV**) within its premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any Governors' Discipline Committee meeting. Please see the Trust's CCTV policy and privacy notices for more information.
- 5.2 Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any Governors' Discipline Committee meeting. All statements will be signed and dated unless the Principal has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 5.3 Before taking a decision to suspend or exclude and where appropriate, the [Principal will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. The Principal will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

## 6 Reintegration strategy meetings following suspension or off-site direction

- 6.1 Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:
- offer the pupil a fresh start,
  - help them understand the impact of their behaviour on themselves and others,
  - teach them to how meet the high expectations of behaviour in line with the school culture,
  - foster a renewed sense of belonging within the school community; and
  - build engagement with learning

so that further suspensions are not needed. School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral of practical perspective that might reduce the chance of repeat behaviours.

- 6.2 The school uses various measures to support a pupil's successful reintegration including:
- contact with a designated pastoral professional in-school;
  - ensuring the pupil receives academic support upon return to catch up on any lost progress;
  - planned pastoral interventions;
  - assistance to source additional Local Authority support;
  - regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and
  - informing the pupil, parents and staff of potential external support.]
- 6.3 Whilst reintegration meetings are highly encouraged by the School, pupils will not be prevented from being admitted to the School or being put in mainstream classes because a meeting has not taken place. The School shall make effort to ensure the attendance of a parent to the reintegration meeting, and record any reasons that the meeting was not held.

## 7 Suspensions before a permanent exclusion

- 7.1 In exceptional circumstances, pupils may receive a suspension as a sanction for an incident prior to a permanent exclusion. For each decision, the Principal will send the relevant letter setting out the rights of parents. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

## 8 Directing off-site and managed moves

- 8.1 Before taking any decision to permanently exclude a pupil, the Principal will consider whether a direction to attend alternative provision would be a reasonable alternative that should be considered.
- 8.2 In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to take into account their views about the options.
- 8.3 For a managed move to take place there needs to be agreement between the School, the parents and the new school that a managed move should occur. Where appropriate, the School will also liaise with the Local Authority. Before a managed move is agreed to, the pupil attend the new school for a trial period to ensure that the new school would be suitable for them. The School will share relevant information with the new school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

## 9 Requirements on a Governors' Discipline Committee to consider an exclusion/suspension

Type of exclusion/suspension	Period of exclusion/suspension	Requirements	Timeframe
Permanent		Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the Virtual School Headteacher for a Looked After Child and in the case of a maintained school a representative of LA* (or Pupil Referral Unit) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the exclusion
Suspension	Any – if suspension results in pupil missing a public examination or national curriculum test	Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the Virtual School Headteacher for a Looked After Child and in the case of a maintained school a representative of LA* (or Pupil Referral Unit) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the suspension
Suspension	Brings total to 16 days or more in a single term	Must consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, the Virtual School Headteacher for a Looked After Child and in the case of a maintained school a representative of LA* (or Pupil Referral Unit) to a meeting and allow oral and written representations to be made.	Within 15 school days of receiving notice of the suspension
Suspension	Brings total to 6-15 days in a single term	If requested to do so by parents, must convene a meeting to consider reinstatement. Must invite parents or pupil if over 18, headteacher, the pupil's social worker if the pupil has one, Virtual School Headteacher for a Looked After Child and in the case of a maintained school a representative of LA* (or Pupil Referral Unit) to a meeting and allow oral and written representations to be made.  If parents do not request a Governors' Discipline Committee meeting, the board is not required to consider the suspension but does have the power to consider the reinstatement of the pupil.	Within 50 school days of receiving notice of the suspension
Suspension	Brings total to 5 days or less in a single term	Must consider any written representation made by parents at a meeting but cannot direct reinstatement.	No deadline. Should happen within a reasonable amount of time.

\* For Academies an LA representative must be invited if requested by the parents. Their role is as an observer unless the Governing Board give permission to make representations

## 10 Independent review panels (IRPs)

- 10.1 Independent Review Panels (IRPs) contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable, and procedurally fair. The role of the IRP is to review the governing body's decision not to reinstate a permanently excluded pupil.
- 10.2 The Thinking Schools Academy Trust arranges its own IRPs. Requests for an IRP where a permanent exclusion has been upheld should be made to Mrs D Clarke-Basrai (Thinking Schools Academy Trust, c/o New Horizons Children's Academy, Park Crescent, Chatham, Kent ME4 6NR, or [debbie.clarkebasrai@tsatrust.org.uk](mailto:debbie.clarkebasrai@tsatrust.org.uk)) within 15 school days of notice being given to the parents by the governing board of its decision not to reinstate a permanently excluded pupil.
- 10.3 Further details on the role and powers of IRPs can be found in Part Ten of the [Statutory Guidance on Exclusions](#).

## 11 Reconsideration by the Governors' Discipline Committee

Where an IRP either recommends reconsideration or quashes the initial decision of the Governors' Discipline Committee, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the School and parents or may be a reconsideration with only the Governors' Discipline Committee and the clerk present.

## 12 Complaints

If parents have any concerns or complaints over the application or implementation of this policy, they should raise their concerns with a staff member or the Principal in accordance with the School's complaints policy. If the concern

relates to an exclusion, the statutory procedure set out in the [Suspension and Permanent Exclusion guidance](#) will be followed.

### 13 Equality impact

The School does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

### 14 Monitoring arrangements

The Governors review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate. The following are monitored by the Governors to ensure the processes and support for pupils are appropriate, and:

- the interventions put in place for pupils at risk of suspension and permanent exclusion
- the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to ensure that the education is achieving its objectives and that pupils are benefiting from it
- the full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:
  - any previous placements have been evaluated, including support for any applicable SEND;
  - there is a process in place to monitor the pupil's attendance and behaviour at the provision
  - the correct attendance code is being used
  - the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible
- whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils
- the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves
- whether the school register and absence codes have been recorded correctly
- how the Behaviour Policy is applied and specifically its consistency
- the circumstances in which pupils receive repeat suspensions
- whether Personal Education Plans for Looked After Children have been reviewed on a termly basis

## 15 Headteacher/Principal's Exclusion Checklist

[The Department for Education's Statutory Guidance on Suspension and Permanent Exclusions](#) requires decisions to be lawful, reasonable, fair and proportionate. As such, the following matters should be considered and evidenced.

### Do you have sufficient evidence to satisfy the tests for suspension or permanent exclusion?

- What evidence is there to show a breach of the school's Behaviour Policy?
- What evidence is there to satisfy the test at paragraph 11 of the Guidance for permanent exclusion (i.e. serious breach or persistent breaches of the Behaviour Policy and where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil or others such as staff or pupils in the school)?
- Does the available evidence satisfy the tests on the balance of probabilities?
- Have the pupil's views been captured and considered, in light of their age and understanding?
- Are there witness statements? Are they signed and dated? If not, what is the reason for this?
- Do the reasons for suspension or permanent exclusion accord with the potential grounds for suspension or exclusion as set out in paragraph 15 of the Guidance or are they of similar severity?

### For suspensions

- What length of suspension is appropriate and proportionate in the circumstances?
- What arrangements have been made for work to be provided on days 1 to 5? Or has alternative provision been arranged? (For suspensions longer than 5 days, provision should be in place from the 6<sup>th</sup> day. This should be arranged for the 1<sup>st</sup> day of suspension where possible for Looked After Children.)
- Has a reintegration strategy been organised and communicated to the parents as set out in paragraphs 26 and 27 of the Guidance?

### Extending the length of a suspension or issuing of a permanent exclusion following a period of suspension

- Is there new information to justify the new suspension or permanent exclusion and it is sufficient to justify the new decision on the balance of probabilities?
- Has the new decision letter been sent to the parents and other relevant stakeholders?

### Is suspension or permanent exclusion the last resort or an appropriate sanction?

- What alternatives to suspension or permanent exclusion have been considered, including but not limited to off-site directions, managed moves, engagement with parents, provision of mentoring/coaching, use of pupil support units, assessment and support under the SEND framework, and multi-agency support under the "working together" framework?
- Have the circumstances of the pupil been considered and taken into account?
- Are there any safeguarding concerns that require a multi-agency approach?
- Does the pupil have SEND? Is an assessment required? Have any reasonable adjustments to school practices and/or procedures been considered and implemented? If the pupil has an EHCP, have the school called an interim/emergency annual review?



- If the child is Looked After, has contact been made with the social worker or virtual school headteacher and has a PEP review been called?

### Notification

- Have parents been notified without delay?
- Have the school told parents that during the first 5 days of the suspension or permanent exclusion (or until any full-time alternative provision begins) the parent must ensure that the child is not in a public place during school hours?
- Have parents received the formal written notification with reasons within three school days?
- Have other relevant stakeholders been notified — governors, local authority, social worker, virtual school headteacher?

## 16 Template letter suspending a pupil for up to (and including) five days in a term

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Suspension of [name of pupil]**

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration meeting has been arranged to take place on [date] at [time] to discuss how [name of pupil]'s return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent OR If alternative provision is being arranged during the suspension, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the suspension; the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant; the address at which the provision will take place; any information required by the pupil to identify the person they should report to on the first day.]

The Governing Board is responsible for forming the Governors' Discipline Committee to review exclusions and suspensions when it is required to do so, or it is requested by parents. You have the right to make written representations to the Governors' Discipline Committee. [[name of pupil] may also make written representations about their suspension]. The Governors' Discipline Committee must meet following receipt of any representations but does not have the power to reinstate [name of pupil].

If you and [name of pupil] wish to make written representations to the Governors' Discipline Committee please send these through to the clerk of the Governors' Discipline Committee, Mrs D Clarke-Basrai at [debbie.clarkebasrai@tsatrust.org.uk](mailto:debbie.clarkebasrai@tsatrust.org.uk) as soon as possible. If you think this suspension relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Governor Discipline Committee.

You may wish to contact the Exclusion Officer at [Local Authority Name] for further advice and guidance in relation to the exclusion. The Exclusion Officer can be contacted by telephone on [Number], or by email on [Email].

Additionally, there are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions: <https://www.gov.uk/government/publications/school-exclusion>

- 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.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://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.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

[Name of child]'s suspension ends on [date] and we expect [name of child] to be back in school on [date] at [time].

Yours sincerely

[name]

[Headteacher/Principal]

[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## 17 Template letter suspending a pupil where number of suspensions is 6-15 days in a term

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Suspension of [name of pupil]**

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration strategy meeting has been arranged to take place on [date] at [time] to discuss how [name of pupil]'s return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent OR If alternative provision is being arranged during the suspension, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the suspension; the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant; the address at which the provision will take place; any information required by the pupil to identify the person they should report to on the first day.]

[If provision is being arranged from the sixth day] [As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attends for all sessions each day to ensure that any disruption to their education is kept to a minimum. Please note that failure to attend the provision could result in a referral to the Local Authority for consideration of a Fixed Penalty Notice or court action. Please refer to the school's Attendance Policy for further details.]

The Governing Board is responsible for forming the Governors' Discipline Committee to review exclusions and suspensions when it is required to do so, or it is requested by parents. You have the right to make written representations to the Governor Discipline Committee and ask it to reinstate your child in school. [[name of pupil] may also make written representations about their suspension and may attend the meeting]. The Governors' Discipline Committee must meet following receipt of any representations and has the power to reinstate [name of pupil] or, alternatively, it has the power to uphold the suspension.

If you wish to make representations to the Governors' Discipline Committee and attend the meeting, please contact the clerk of the Governors' Discipline Committee, Mrs D Clarke-Basrai at [d.clarkebasrai@tsatrust.org.uk](mailto:d.clarkebasrai@tsatrust.org.uk) as soon as possible. You have the right to be accompanied by a friend and/or representative and [[name of pupil]'s [social worker][Virtual School Head] will be invited to attend].

You may request that a representative of the local authority attends the meeting, **together with a representative of your home local authority if different from the school's**. However, this will be as an observer only unless permission is granted by the Governors' Discipline Committee for representations to be made.

If you choose to make representations you will be notified by the clerk to the Governors' Discipline Committee of the time, date and location of the meeting. Please advise the clerk if **[name of pupil]** will attend the meeting and whether they would like to make any written and/or oral representations. You may also advise the clerk if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform Mrs D Clarke-Basrai if it would be helpful for you to have an interpreter present at the meeting. If you think this suspension relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the Governors' Discipline Committee.

You may wish to contact the Exclusion Officer at **[local authority name]** for further advice and guidance in relation to the exclusion. The Exclusion Officer can be contacted by telephone on **[number]**, or by email on **[email]**.

Additionally, there are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions: <https://www.gov.uk/government/publications/school-exclusion>
- 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.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://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.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

**[Name of child]**'s suspension ends on **[date]** and we expect **[name of child]** to be back in school on **[date]** at **[time]**.

Yours sincerely

**[name]**

**[Headteacher/Principal]**

**[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]**

## 18 Template letter suspending a pupil where total number of suspensions is 16 days or more in a term

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Suspension of [name of pupil]**

I regret to inform you of my decision to suspend [name of pupil] for [number] days with effect from [date] [pending further investigation]. This means that [name of pupil] will be expected to return to school on [date]. [Please note that the outcome of my investigation may lead to a further decision of permanent exclusion.] [A reintegration strategy meeting has been arranged to take place on [date] at [time] to discuss how [name of pupil]'s return to school and future behaviour will be managed.]

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [name of pupil] has not been taken lightly. [name of pupil] has been suspended because [reasons for the suspension].

[If relevant confirm that the pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension]

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid a suspension, and what adjustment (if any) has been made to this suspension.]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension, i.e. on [specify the precise dates] unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for your child's education to continue will be made. During the suspension we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent]. [If alternative provision details are known from the sixth day provide: the start date for any provision of full-time education that has been arranged for the child during the suspension; the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant; the address at which the provision will take place; any information required by the pupil to identify the person they should report to on the first day.]

[If provision is being arranged from the sixth day] [As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attends for all sessions each day to ensure that any disruption to their education is kept to a minimum. Please note that failure to attend the provision could result in a referral to the Local Authority for consideration of a Fixed Penalty Notice or court action. Please refer to the school's Attendance Policy for further details.]

The Governing Board is responsible for forming the Governors' Discipline Committee to review exclusions and suspensions when it is required to do so, or it is requested by parents. As [name of pupil] has been suspended for more than 15 days in a single term, the Governors' Discipline Committee must meet to consider whether to reinstate [name of pupil] within 15 school days. At the review meeting you may make representations to Governors' Discipline Committee if you wish and ask them to reinstate your child. The Governors' Discipline Committee has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the suspension. The latest date by which the Governors' Discipline Committee should meet is [date – 15 school days after receiving notice of suspension].

If you wish to make representations to the Governors' Discipline Committee and wish to be accompanied by a friend and/or representative, please contact the clerk of the Governors' Discipline Committee, Mrs D Clarke-Basrai at

[debbie.clarkebasrai@tsatrust.org.uk](mailto:debbie.clarkebasrai@tsatrust.org.uk) as soon as possible. [[name of pupil]'s [social worker][Virtual School Head] will be invited to attend].

You may request that a representative of the local authority attends the meeting[, together with a representative of your home local authority if different from the school's]. However, this will be as an observer only, unless permission is granted by the Governors' Discipline Committee for representations to be made.

You will, whether you choose to make representations or not, be notified by the clerk to the Governors' Discipline Committee of the time, date and location of the meeting. Please advise the clerk if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral representations. Please also advise the clerk if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform Mrs Clarke-Basrai 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 Governors' Discipline Committee.

You may wish to contact the Exclusion Officer at [local authority name] for further advice and guidance in relation to the exclusion. The Exclusion Officer can be contacted by telephone on [number], or by email on [email].

Additionally, there are sources of free and impartial advice available on suspensions:

- Statutory guidance on suspensions and exclusions: <https://www.gov.uk/government/publications/school-exclusion>
- 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.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://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.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

[Name of child]'s suspension ends on [date] and we expect [name of child] to be back in school on [date] at [time].

Yours sincerely

[name]

[Headteacher/Principal]

[cc. local authority, where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## 19 Template permanently excluding a pupil

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Permanent exclusion of [name of pupil]**

[I write further to my decision to suspend [name of pupil] on [date] for [number] days while an investigation [into the incident that took place on [date]] was carried out.]

[The investigation is now complete and ] I regret to inform you of my decision to permanently exclude [name of pupil] with effect from [date]. This means that [name of pupil] will not be allowed in this school unless they are reinstated by the [Governing Board/ discipline committee].

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [name of pupil] has not been taken lightly. [name of pupil] has been excluded because [set out reasons and whether decision is for a single serious breach or persistent breaches of the Behaviour Policy. Where the investigation following a suspension has resulted in a permanent exclusion, set out the findings and new reason for the permanent exclusion].

[Where the pupil has a disability, or additional needs/special educational needs which may amount to a disability, confirm what adjustments have previously been made for the pupil to avoid permanent exclusion.]

You have a duty to ensure that your child is not present in a public place in school hours during the first five school days of this exclusion unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those days. It will be for you to show reasonable justification.

Alternative arrangements for [name of pupil]'s education will be made. For the first five school days of the exclusion we will set work for [name of pupil] and would ask you to ensure this work is completed and returned promptly to school for marking. [Set out how work will be set and whether it should be collected or will be sent to the parent **OR** if alternative provision is being arranged during the first five days, set out the following details if known at this stage: the start date for any provision of full-time education that has been arranged for the child during the 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 pupil to identify the person they should report to on the first day.] From the sixth school day of the exclusion onwards, the local authority will provide suitable full-time education. The arrangements for this will be set out in a further letter.

The Governing Board is responsible for forming the Governors' Discipline Committee to review exclusions and suspensions when it is required to do so, or it is requested by parents. As this is a permanent exclusion the Governors' Discipline Committee must meet to consider it. At the review meeting you may make representations to the Governors' Discipline Committee if you wish and ask them to reinstate your child in school. The Governors' Discipline Committee has the power to reinstate your child immediately or from a specified date, or, alternatively, it has the power to uphold the exclusion, in which case you may request that its decision be reviewed by an independent review panel. The latest date by which the Governors' Discipline Committee should meet is [date – 15 school days after receiving notice of exclusion].

If you wish to make representations to the Governors' Discipline Committee and wish to be accompanied by a friend and/or representative, please contact the clerk of the Governors' Discipline Committee, Mrs D Clarke-Basrai at [debbie.clarkebasrai@tsatrust.org.uk](mailto:debbie.clarkebasrai@tsatrust.org.uk) as soon as possible. You will, whether you choose to make representations or not, be notified by the clerk to the Governors' Discipline Committee of the time, date and location of the meeting. Please let us know if [name of pupil] will attend the meeting and whether they would like to make any written and/or oral representations.



**[[name of pupil]]'s [social worker][Virtual School Head] will be invited to attend**. Please advise the clerk if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform the clerk 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 Governors' Discipline Committee.

You may wish to contact the Exclusion Officer at **[local authority name]** for further advice and guidance in relation to the exclusion. The Exclusion Officer can be contacted by telephone on **[number]**, or by email on **[email]**.

Additionally, there are sources of free and impartial advice available on exclusions:

- Statutory guidance on suspensions and exclusions: <https://www.gov.uk/government/publications/school-exclusion>
- 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.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://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.
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

Yours sincerely

**[name]**

**[Headteacher/Principal]**

**[cc. local authority, where applicable, home local authority, the pupil's social worker and the VSH if the pupil is a LAC]**

## 20 Template letter setting out details of alternative provision from sixth school day of suspension

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

**Re: Alternative provision for [name of pupil]**

Further to my letter dated [date], I am writing to confirm the arrangements for [name of pupil] to commence alternative full-time education from the sixth school day of the suspension issued by me on [date].

Arrangements have been made for [name of pupil] to attend [venue] at [address] from Monday to Friday between the hours of [time] and [time] for the morning session and [time] and [time] for the afternoon session.

[name of pupil] must attend on [day of week], [date], at [time] and report to [contact name for first day], who will provide further information.

As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attends for all sessions each day to ensure that any disruption to their education is kept to a minimum. Please note that failure to attend the provision could result in a referral to the Local Authority for consideration of a Fixed Penalty Notice or court action. Please refer to the school's Attendance Policy for further details.

If you have any queries, please do not hesitate to contact me.

Yours sincerely

[name]

[Headteacher/Principal]

[cc. where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## 21 Template letter directing pupil to be educated offsite to improve behaviour

[Name of Parent(s)]

[Address]

[Date]

Dear [Name of Parent(s)]

### Direction for off-site education for [name of pupil]

Further to [our conversation on [date] and/or my letter dated [date] and/or [details of recent behavioural incident(s)]], I am writing to confirm my decision to direct [name of pupil] to offsite education for a temporary period of time.

[Name of pupil] is directed to attend [name of provision] at [address] between the hours of [time] and [time] from [date] in order to help improve their behaviour following [details of incidents]. During this period [name of pupil] will remain on the roll of [name of current school] and will be dual registered. [Name of provision] is [an Ofsted registered provision and/or included within the local authority's directory of 'approved' provision], which meets clearly defined standards. I can confirm that appropriate safeguarding and other checks have been made to ensure the suitability and safety of the placement.

[Name of pupil] should report to [name], [role], at [name of provision] at [time] on their first day. Their attendance will be [full-time OR a combination of part-time at [name of provision] and a continuation at [current school] [set out timetable if a combination]]. As [name of pupil] is of compulsory school age, you are legally required to ensure that [name of pupil] attend all sessions every day to ensure that any disruption to their education is kept to a minimum.

The proposed maximum period for their attendance at [name of provision] is [set out time depending on what best supports the pupil's needs and potential improvement in behaviour e.g. two months/the remainder of term etc.]. This will be reviewed at regular intervals by the Headteacher of [current school], a representative from [name of provision], [the local authority (as [name of pupil] has an Education Health and Care Plan)], and yourself with input from [name of pupil]. The first review meeting will be held on [date – we suggest no more than 6 school weeks after the start of the provision] at [address]. You will be notified of any further review meetings in writing. You may also request a review by the governing board of the provision and the governing board will comply with the request as soon as reasonably practicable, unless there has already been a review in the previous ten weeks. Any requests for a review should be sent to [name and contact details].

Please note [name of pupil]'s time in attending [name of provision] is intended as an intervention to help improve their behaviour. [The main objective of this intervention is the successful reintegration of [name of pupil] back into [current school]]. During their time at [name of provision], [name of pupil] will continue to receive a broad and balanced education. In order to ensure the placement is successful, [name of pupil] has been set the following objectives:

- [Set out reasons for and objectives of the placement and any support put in place for the pupil while he attends the provision e.g. any specific pastoral care they will receive/details of any induction etc.]
- For example, references to any academic attainment – particularly in English, maths and science (including IT)
- Any specific and identifiable personal, social and academic needs of the pupil and how they will be met in order to help them to overcome any barriers to attainment
- Improved pupil motivation and self-confidence, attendance and engagement with education
- Successful reintegration back to current school]

Progress against these objectives will be frequently monitored.

During [name of pupil]'s attendance at [name of provision], the school will communicate regularly with you [set out details such as weekly phone calls, emails or reports] and your point of contact will be [name, role].

Finally, I wish to assure you that my decision to direct [name of pupil] to be educated offsite has been based on what I consider to be in the best interests of [name of pupil]. When [name of pupil] is ready to be reintegrated, a strategy meeting will take place with you and [name of pupil] and an appropriate package of support will be put in place.

If you have any queries, please do not hesitate to contact me. If you wish to challenge my decision, you are able to do so via the school's complaints procedures which can be found on the school's website.

Yours sincerely

[Name]

[Headteacher/Principal]

[cc. Where applicable, the pupil's social worker, the VSH if the pupil is a LAC and/or the local authority if a pupil has an EHCP]

## 22 Example Headteacher/Principal Report to Governors

### **To be provided to all parties at least 5 school days prior to the meeting**

Meeting of the Governors' Discipline Committee

To consider the [suspension/permanent] exclusion of [name]

#### **Paperwork pack contents**

Checklist for Principals

Headteacher report to Governors

Appendix 1 Behaviour and Exclusion policies

Appendix 2 Relevant correspondence including permanent exclusion letter and relevant suspension letters

Appendix 3 Witness [and other] evidence re incident

Appendix 4 Behaviour logs

Appendix 5 Details of support [and reintegration strategy meeting records]

Appendix 6 SEN Report

Appendix 7 Attendance Certificate

Appendix 8 Other relevant reports

Appendix 9 Other relevant policies

Appendix 10 [xx]



## Suspension/Permanent Exclusion from School Checklist for Headteachers

Please complete this checklist and attach to the front of the Report to Governors

Pupil Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Type: SUS / PEX (please circle as applicable)

Date of SUS/PEX: \_\_\_\_\_

Length in days (for SUS): \_\_\_\_\_

Item	Completed by (initials)	Date completed
Verbal Notification to Parent/Carer		
Written notification to Parent/carers		
Notification to LA		
Notification to Chair of Governors		
Notification to Clerk		
Pack checked by Clerk		
Pack delivered to Parent/Carer		
Pack delivered to Governors		
Pack delivered to LA/Other parties		

## Headteacher report to Governors

### Introduction/Pen Picture

[Set out details re child — DOB, when joined school, year group, whether the pupil is in receipt of PP, FSM, is LAC, has SEND etc. as well as nature of review — PEX arising from serious breach or persistent breaches of Behaviour Policy. Refer to extracts of behaviour and exclusion policies. If relevant set out transition information from previous school]

### Incident details

A chronology of suspensions is below:

- [Xxxx
- Xxx
- Xxx]

[Set out details of behaviour over school period and sanctions imposed — refer to behaviour log and any records of reintegration strategy meetings where behavioural expectations were reiterated.

If the exclusion is for a one-off serious incident, explain background to incident referring to witness and any other evidence in support. Explain how the pupil knew the behaviour exhibited was contrary to the Behaviour Policy and that it could result in exclusion e.g. how the Behaviour Policy's expectations are communicated to pupils etc.

Explain impact of behaviour on the pupil and others (staff and fellow pupils) in the school.]

### Support for [name]

[Set out what has been put in place internally and externally to support the pupil in a clear timeline — provide details of all family and pupil support and interventions offered and comment on effectiveness/engagement etc. including any referrals e.g. for Early Help, CAMHS, EP etc. If the pupil has SEND, refer to the SEND policy and any evidence of the graduated approach of assess, plan, do, review. If the pupil has an EHCP explain whether a review of that plan was called. Explain level of communication/dialogue with parents.]

### Alternatives to permanent exclusion

The following alternatives were considered:

[e.g. more lenient/different sanctions, direction to be educated off-site at an alternative provider, time spent in Pupil Support Unit, managed moves etc.]

Intervention	Date(s)	Purpose	Outcome

### Conclusion

#### Legality

E.g. The decision to exclude was made by the headteacher and has been made on disciplinary grounds. It is not due to academic ability or the actions of [name]'s family or failure to meet specific conditions. It is for [a serious breach] [persistent breaches] of the school's Behaviour Policy, and because allowing [name] to remain in school would seriously harm the education or welfare of others in the school. It is a decision of last resort [and an acknowledgment that the school has exhausted all available strategies to support [name] remaining in school]. Therefore, the decision is legal.

**Procedural impropriety**

E.g. There is [a full and thorough documented timeline of persistent breaches of the school's Behaviour Policy] [full and thorough documented evidence of the serious one-off incident]. Review meetings took place with key staff. The decision was made within the statutory timeframes and all stakeholders were informed at all stages. The PEX is in line with school policies, all of which are well publicised to parents and students and letters of notification were sent out. Therefore, there is no procedural impropriety.

**Rationality**

E.g. The decision to permanently exclude is based on fact and not assumption. It was not rushed. [name] was given an opportunity to provide a statement [for the latest incident] and a number of key staff have always been involved. Therefore, the decision is rational.

[Name]

Headteacher

[date]



## 23 Student witness statement form

Name: Staff/Student (please circle as applicable)		Year:
Why statement is needed:		
Details:		
Signed:		Date:
Staff member(s) present:		