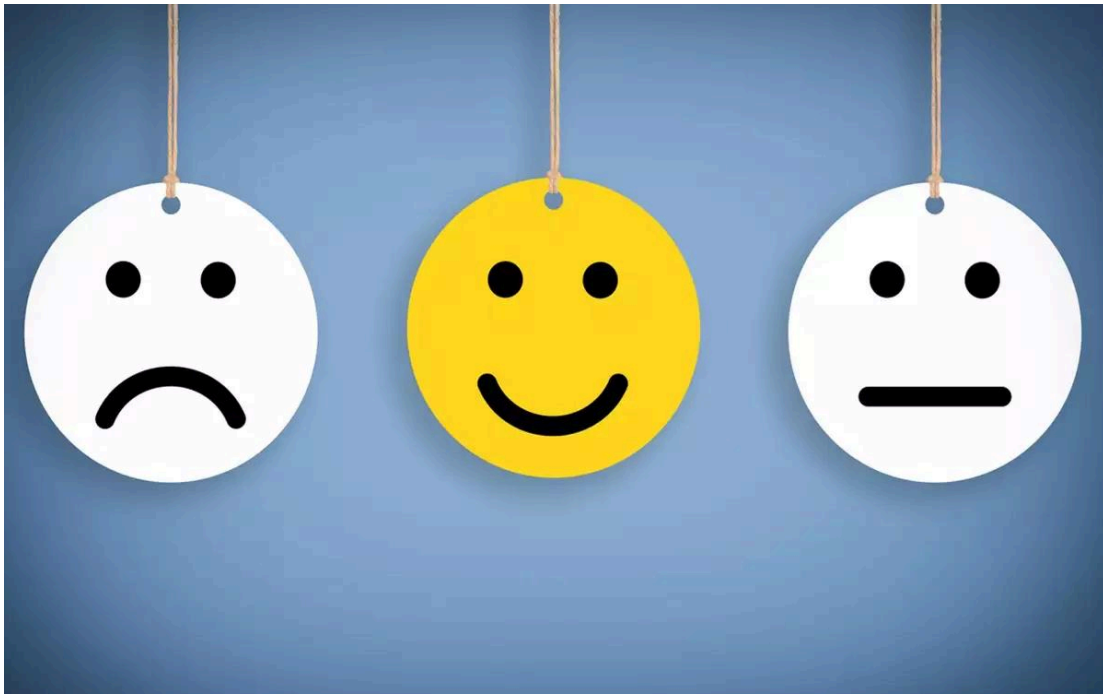




Suspension and Exclusion Policy



The Stour Federation

1. INTRODUCTION

This policy must be read alongside the following documents:

- [DfE Behaviour in Schools guidance.](#)
- [DfE School suspensions and permanent exclusions guidance.](#)
- Trust Safeguarding and Child Protection Policy.
- Trust Online Safety Policy.
- Trust Attendance Policy.
- Individual school Behaviour Policy.
- Individual school Anti-Bullying Policy.
- Individual school SEND Policy.

This policy has been updated in line with the [DfE 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'](#) guidance (August 2024) which reflects the government's ambition to create high standards of behaviour in schools so that children and young people are protected from disruption and can learn and thrive in a calm, safe, and supportive environment. This guidance provides schools and other bodies involved in this process with information so that they can continue to use suspensions and permanent exclusions appropriately. In addition, specific changes to the legislation governing the disciplinary school suspension and permanent exclusion process have been made and so changes have been made to the guidance to reflect this. Permanent exclusions will sometimes be necessary as a last resort to maintain this environment. This version incorporates the 2024 technical update reflecting the latest statutory attendance regulations.

Our vision is for all staff, children and families to learn, grow and succeed together.

Good discipline in schools is essential to ensure that all children can benefit from the opportunities provided by education. The Government supports headteachers in using suspension as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's Positive Behaviours, Relationships and Wellbeing Policy; and where allowing the child to remain in school would seriously harm the education or welfare of the child or others in school.

We believe that in order for our children to achieve their maximum potential, and to enable effective teaching and learning to take place, the highest standard of behaviour in all aspects of school life is essential. Each member of staff has responsibility for upholding standards of behaviour in our schools, both within their classroom, around our school sites and whilst supervising children outside of our academies, as well as implementing each school's individual positive behaviour and well being policy and procedure both fairly and consistently.

Our expected standards of behaviour are clearly communicated to children, staff and parents in the relevant sections of behaviour policies and home-school agreements for individual schools.

We always consider whether the behaviour under review gives cause to suspect that a child is suffering from, or is likely to suffer, significant harm. Where this may be the case, staff follow our safeguarding policy.

We take a graduated response to a child whose behaviour may be the result of educational, mental health or other needs or vulnerabilities. This response is individualised to meet the needs of the child and includes:

- An assessment to establish a clear analysis of the child's needs.
- A plan setting out how the child will be supported.
- The required action to provide the support.
- Regular reviews to assess the effectiveness of the provision and identify any necessary changes.

We consider a child's special educational needs when dealing with their behaviours and the need for multi-agency assessments will be considered where necessary.

2. USE OF SUSPENSION AND/OR PERMANENT EXCLUSION

Only the Head of School/Headteacher can suspend or permanently exclude a pupil on disciplinary grounds. In the Trust's academies, 'Headteacher' includes Acting Headteacher/Head of School by virtue of regulation 21 of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

The decision to suspend or exclude a child is a serious one and will only be taken in response to a serious breach or persistent breaches of the school's Behaviour Policy, and if allowing the child to remain in the school would seriously harm the education or welfare of the child or others in the school.

Early intervention to address underlying causes of disruptive behaviour should include an assessment of whether appropriate provision is in place to support any special educational need or disability that a pupil may have. The Head should also consider the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour. Such assessments may pick up unidentified SEND but the scope of the assessment could go further, for example, by seeking to identify mental health or family problems.

With regards to persistent breaches of this policy, any decision to exclude permanently will be the final step in a process where a wide range of other strategies have been tried, without success. It is an acknowledgement that we have exhausted all available strategies for dealing with the child and will only be used as a last resort.

Children can be suspended or permanently excluded, for behaviour outside of the school, where their behaviour brings a school in The Stour Federation Multi Academy Trust into disrepute or when there is a serious chance the incident may affect school order and discipline.

Before deciding whether to suspend or exclude a child, the Head will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked.
- Allow the child to give their version of events.
- Consider if the child has special educational needs (SEN).

A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded. A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a Headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to

suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

The Head of School/Headteacher may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the Local Academy Council (LAC) discipline committee. Where exclusions are cancelled, then:

- Parents, the LAC, and the LA should be notified without delay and, if relevant, the social worker and Virtual School Head (VSH).
 - Written notification of the cancellation and reason for the cancellation can be provided by delivering it directly to the recipient, leaving it at their usual or last known home address, or posting it to that address. A notification to a parent can only be given electronically (e.g. by text message or email) if it is sent to a number or address that the parent has agreed can be used for notifications of this kind.
- Parents should be offered the opportunity to meet with the Headteacher to discuss the circumstances that led to the exclusion being cancelled.
- Schools should report to the LAC once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling the LAC to have appropriate oversight.
- The pupil should be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.
- A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The Headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.

Heads of School/Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. Whilst an exclusion may still be an appropriate sanction, the Head of School/Headteacher should also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the DfE Behaviour in Schools Guidance.

3. SUSPENSION

A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.

A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension 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.

It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the Headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a LAC discipline committee meeting is triggered.

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

For a suspension of more than five school days, the LAC must arrange suitable full-time education for any pupil 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 pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

It is important for schools to help minimise the disruption that suspension or permanent exclusion can cause to a pupil's education. Whilst the statutory duty on schools is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit to the pupil in starting this provision as soon as possible. In the case of a looked-after child or child with a social worker, the school and the local authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion.

4. PERMANENT EXCLUSION

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should 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.

For any permanent exclusion, Heads of School/Headteachers should take reasonable steps to

ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

The local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place. This will be the pupil'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 pupil might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.

Where a looked-after child is excluded, the school should document the provision of immediate suitable education in the child's PEP.

With regards to persistent breaches of this policy, any decision to exclude permanently will be the final step in a process where a wide range of other strategies have been tried, without success. It is an acknowledgement that the school has exhausted all available strategies and is a last resort.

A pupil may be permanently excluded for committing a single serious breach of the academy's behaviour policy, even if they have never been in trouble before. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil.
- Physical assault against an adult.
- Verbal abuse or threatening behaviour against a pupil.
- Verbal abuse or threatening behaviour against an adult.
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy.
- Bullying.
- Racist abuse.
- Abuse against sexual orientation or gender reassignment.
- Abuse relating to disability.

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

Where a pupil is involved in breaking the law the Police will be informed.

We are aware that off-rolling is unlawful. Ofsted defines off-rolling as "the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil."

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

5. PREVENTATIVE MEASURES TO SCHOOL EXCLUSION

In addition to the strategies set out in initial intervention (see page 29 of the DfE Behaviour in Schools Guidance), Heads of School/Headteachers should also consider the following:

- An off-site direction (temporary measure that maintained schools and academies for

- similar purposes can use); or
- Managed moves (permanent measure) as preventative measures to exclusion.

Any use of alternative provision (AP) should be based on an understanding of the support a child needs in order to improve their behaviour, as well as any SEND or health needs. Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct. Off-site direction should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate and should only be used to arrange a temporary stay in AP.

The nature of the intervention, its objectives, and the timeline to achieve these objectives should be clearly defined and agreed with the provider upfront. The plan should then be frequently monitored and reviewed. Pupils must continue to receive a broad and balanced education, and this will support reintegration into mainstream schooling.

Heads of School/Headteachers must have due regard to the [Alternative Provision: Statutory guidance for local authorities, headteachers and governing bodies](#) of settings providing alternative provision

6. PUPILS WITH DISABILITIES AND SPECIAL EDUCATIONAL NEEDS (SEN) INCLUDING THOSE WITH EDUCATION, HEALTH AND CARE PLANS (EHC PLANS)

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards (Local Academy Councils) of relevant settings must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEND, which will include any support in relation to behaviour management that they need because of their SEND. Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs.

Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEND or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEND.

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

For those with SEND but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.

7. PUPILS WHO HAVE A SOCIAL WORKER, INCLUDING LOOKED-AFTER CHILDREN, AND PREVIOUSLY LOOKED-AFTER CHILDREN

For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect. For children with a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable

to harm. However, headteachers should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

Where a pupil has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.

8. COMMUNICATING A DECISION TO EXCLUDE

Whenever a Headteacher suspends or permanently excludes a pupil they must, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it. Notification should be in person or by telephone in the first instance as this would give the parents an opportunity to ask any initial questions or raise concerns directly with the Head of School/Headteacher.

Model letters have been provided in this document and must be used; they incorporate all the information the Head of School / Headteacher is required to provide to the parents and a list of people to send a copy of the letter to, to ensure that all relevant parties have been advised of the exclusion.

When notifying parents about an exclusion, the Head of School/Headteacher should set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school.

Effective methods for providing the information may include email or text message, giving the notice directly to the parents, and with the pupil, the Head of School/Headteacher must send a duplicate copy by an alternative method or confirming that the information has been received. The Head of School/Headteacher should ensure that information provided to parents is clear and easily understood, including for parents who may have particular communication needs relating to a disability or English as an additional language (EAL).

Heads of School/Headteachers must notify the CEO of The Stour Federation without delay.

The Local Academy Council must also be notified via the termly Headteacher's Report.

Informing Social Workers and Virtual School Heads About an Exclusion

Whenever a Headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a looked-after child, of the period of the suspension or permanent exclusion and the reason(s) for it. The information listed above and included in the model letters must be provided in writing to the local authority.

Both the social worker and/or VSH, must be informed when the Local Academy Council meeting is taking place, in order to share information. The social worker and/or the VSH can attend the meeting, should they wish to do so. Further guidance to social workers and VSHs on attending an LAC meeting can be found in paragraphs 128 to 130 of the [DfE Suspensions and Exclusions Guidance](#).

Informing the Local Academy Council (LAC) About an Exclusion

The Headteacher must, without delay, notify the LAC of:

- Any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil).
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term.
- Any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

When removing a pupil's name from the school admission register, the LAC must ensure this is done under the circumstances prescribed by the School Attendance (Pupil Registration) (England) Regulations 2024. If applicable, the pupil's name should be removed from the school roll at the appropriate time.

Informing the Local Authority About an Exclusion

The Local Authority must be informed without delay of all school exclusions regardless of the length of the exclusion.

For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the Headteacher must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay.

Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion, the fact that it is permanent.

9. REPRESENTATION FROM PARENTS AND THE LOCAL ACADEMY COUNCIL

Parents may make a representation to the Local Academy Council about a suspension or permanent exclusion. Details of how to make a representation are included in the model letters.

Local Academy Council reinstatement meetings and independent review panels can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged. Further information is set out in Part Eleven of the full guidance.

If parents have any disability, then adjustments must be made to assist their engagement in

the process. Relevant and reasonable adjustments can be made in the whole process to assist both parents and pupils who have a disability either physical or learning.

The LAC must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the Head of School/Headteacher if:

- It is a permanent exclusion.
- It is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term.
- It would result in the pupil missing a public examination or national curriculum test.

For all other exclusions, a panel is only convened if the exclusion will take the pupil's total days of exclusion above 15 for a term or the exclusion will take the pupil's total days of exclusion above five for the term AND the pupil's parents have requested a meeting with the LAC. In this instance the LAC must convene a meeting to consider reinstatement within 50 days of receiving notice of the exclusion. For representations on exclusions of fewer than 5 days, the LAC must consider the representation but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Where requested/required the Governance Professional to the LAC will convene a panel of LAC governors (minimum of 3) to consider the reinstatement of an excluded pupil. The panel may consist of any three LAC governors with the exception of the Head of School/Headteacher; however, it is best practice for the panel to exclude staff LAC governors and parent LAC governors, where they have a child in the same year as the pupil that has been excluded. Any LAC governors with a conflict of interest must not be included on the panel (e.g. if they have had any involvement in the exclusion or will benefit from the pupil being excluded).

The Governance Professional should notify the parents in writing 5 days in advance of the meeting (see Model Letter 5).

Local Academy Council Panel

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

LAC attendees will be as follows:

- Panel of LAC governors (minimum of 3).
- Governance Professional.

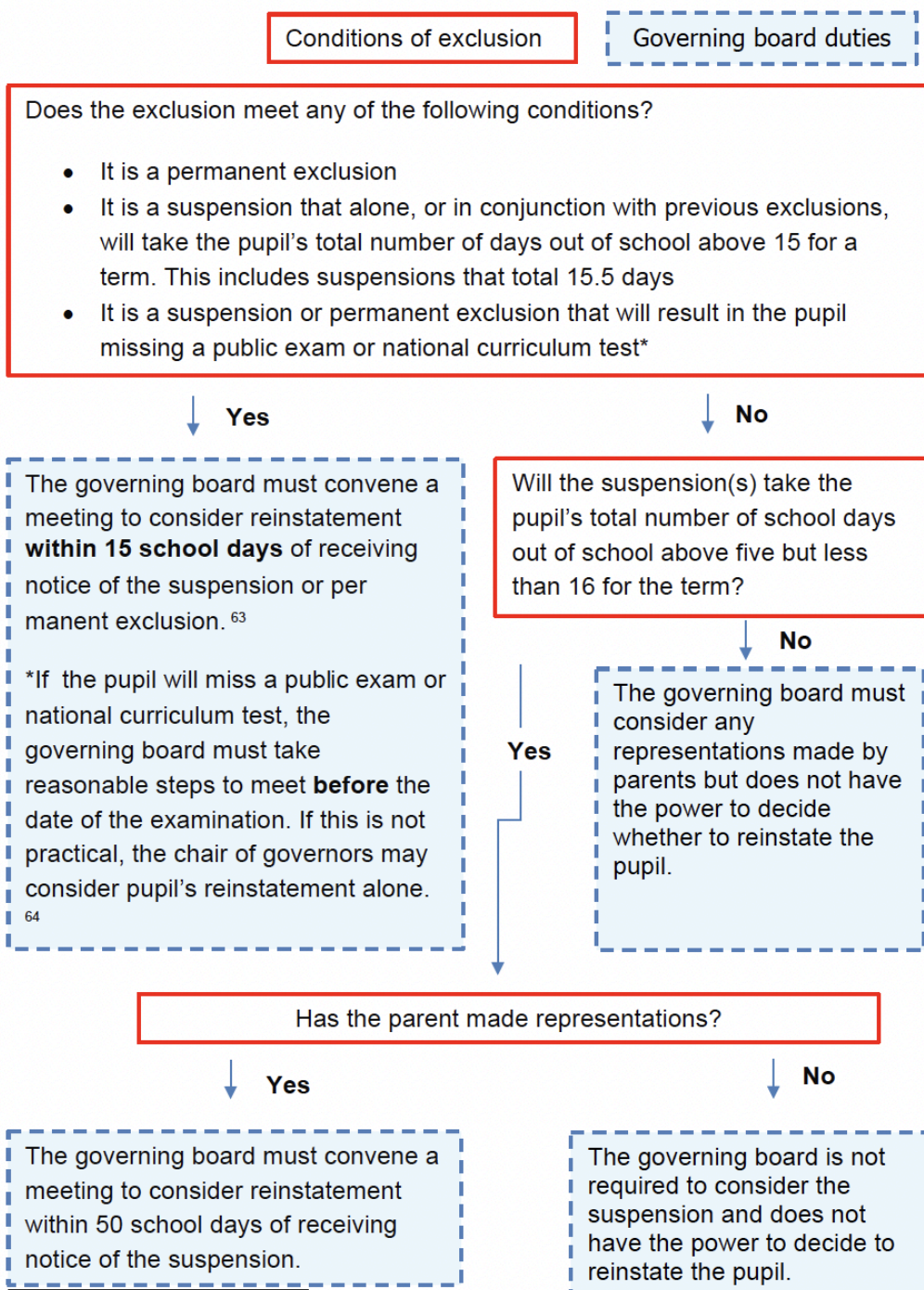
The following parties must be invited to the meeting and allowed to make representations or share information:

- Parents (and, where requested, a representative or friend).
- The Head of School/Headteacher.
- The child's social worker if the pupil has one.
- The Virtual School head if the child is looked-after.

The outcome of the panel meeting is either to decline to reinstate the pupil; or direct reinstatement of the pupil immediately or on a particular date. The Governance Professional will advise the parents in writing of the outcome.

A flow chart and sequences of steps for the above can be found on pages 39-41 of the [DfE](#)

A summary of the governing board's duties to consider reinstatement⁶²



⁶² Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

⁶³ The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

⁶⁴ The ability for a chair to review in the case of public exams refers only to maintained schools.

The outcome of the panel meeting is either to:

- Decline to reinstate the pupil; or
- Direct reinstatement of the pupil immediately or on a particular date.

Where legally required to consider reinstating a suspended or permanently excluded pupil, the LAC must notify parents, the Head of School/Headteacher, and where relevant, the Local Authority, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay. Where the pupil resides in a different local authority area from the one in which the school is located, the LAC must also inform the pupil's 'home authority'.

10. INDEPENDENT REVIEW PANEL

Parents have the right to ask that an Independent Review Panel be arranged to review the decision taken by the Local Academy Council not to reinstate their child, following their permanent exclusion.

The request must be made in writing within 15 academy days from the date on which notice in writing of the LAC's decision was given. Details of how to make a representation are included in the letter sent following the LAC meeting.

The role of the IRP is to review the LAC's decision not to reinstate the excluded pupil balancing the interests of the pupil against the interests of other pupils and people working within the academy.

The Governance Professional, with the support of the Head of Operations and Compliance will convene an independent Appeals Panel in accordance with statutory guidance and will ensure that parents are notified of the date, time and venue in writing 5 days in advance of the meeting.

LAC reinstatement meetings and IRPs can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face to face meetings should always be encouraged. Further information is set out in Part Eleven of the full guidance.

The panel must consist of either three or five members, representing each of the three categories below:

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer. Current or former school governors (of a maintained school, members of a PRU management committees and directors of academy trusts) who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or headteachers during that time.
- Headteachers or individuals who have been a headteacher within the last five years.

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

- Are a Director of The Stour Federation.
- Are the Headteacher of the school who has permanently excluded the pupil or anyone who has held this position in the last five years.
- Are an employee of the academy trust, or a member of the LAC, of the school who has permanently excluded the pupil (unless they are employed as a Headteacher at another school).
- Have, or at any time have had, any connection with the academy trust, school, LAC, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their impartiality (though an individual must not be taken to have such a connection simply because they are employed by the

- academy trust as a Headteacher at another school).
- Have not had the required training within the last two years (see paragraph 186 of the [DfE Suspensions and Exclusions guidance](#)).

The meeting will be clerked by an independent Clerk.

Parents have a right to request the attendance of an SEND expert at a review, regardless of whether the academy recognises that their child has SEND. If requested, the Trust must appoint an SEND expert to attend the panel and must cover the associated costs of this appointment. Individuals may not serve as a SEND expert if they have, or at any time have had, any connection with the local authority, academy trust, school, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their ability to act impartially. However, an individual should not be assumed to have such a connection simply because they are an employee of the academy trust.

The meeting may be attended by:

- Head of School/Headteacher of the school which excluded the pupil.
- Chair of the LAC (this may be delegated to another governor of the LAC).
- Excluded pupil (they may choose not to attend).
- Parents/carers (they may choose not to attend).
- SEND Expert (where required).
- Interpreter (where required).
- Companion to parents/carers and pupils (where requested – each parent/carer and pupil in attendance may be accompanied by a friend or representative).

Parents may request the attendance of a Local Authority or Home Local Authority representative at the meeting. Their representations are at the discretion of the Appeals panel.

The possible outcomes of the Independent Appeals Panel meeting are:

1. To uphold the LAC's decision.
2. To recommend that the LAC reconsiders reinstatement.
3. To quash the decision and direct that the LAC considers reinstatement.

The panel's decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The Clerk to the IRP will advise the parents, the academy and the Local Authority in writing of the outcome.

Reconsidering the Decision

Where the IRP directs or recommends that the LAC reconsider whether a pupil should be reinstated, the LAC must reconvene to do so within 10 school days of being given notice of the panel's decision. Reconsidering reinstatement provides an opportunity for the same LAC panel to look at its decision afresh, in light of the independent Appeals panel's findings. There is no requirement to seek further representations for either the school or the parents or to invite them to the reconsideration meeting. The LAC is not prevented from considering 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.

The LAC should ensure that clear minutes are taken of the meeting as a record of the evidence

that was considered by them. These minutes should be made available to all parties on request.

The LAC's decision should demonstrate how they have addressed the concerns raised by the Independent Review Panel and this should be communicated, in writing, to parents/carers, the Head of School/Headteacher and the local authority by letter without delay.

In the case of either a recommended or directed reconsideration, the LAC 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'.

11. REINTEGRATION AFTER A SUSPENSION OR OFF-SITE DIRECTION

Schools can consider a range of measures to enable the pupil's successful reintegration, not least maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school.

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction (see paragraphs 35 to 46 of the [suspensions and exclusions guidance](#)).

There should be a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised. The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success.

Where possible this meeting should include the pupil's parents. However, it is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.

To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

Warwickshire LA Model letter 1

From headteacher notifying parent of a suspension of 5 school days or fewer in one term, and where a public examination is not missed.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Notification of Suspension – [Child's Full Name]

I am writing to inform you that I have decided to suspend [Child's Name] from school for a fixed period of **[number of days]**. This means that [Child's Name] will not be allowed to attend school from **[start date]** to **[end date]**, returning on **[return date]**.

This decision has not been taken lightly. The suspension has been issued because of the following reason(s):

[Insert clear and specific explanation of the incident(s) and behaviour leading to the suspension]

Your Responsibilities During the Suspension

Under Section 103 of the Education and Inspections Act 2006, you have a legal duty to ensure that [Child's Name] is not present in any public place during school hours on the suspension dates, unless there is a reasonable justification. Failure to comply may result in a penalty notice or prosecution by the local authority.

Education During Suspension

We will provide work for [Child's Name] to complete during the suspension period. This will be sent via **[method – e.g. email, online platform, printed pack]** and should be returned to school for marking. Please support your child in completing this work to help minimise disruption to their learning.

Your Right to Make Representations

You have the right to make representations to the governing board about this decision. If you wish to do so, please contact **[Name of contact person]** at **[contact details – phone/email/postal address]** as soon as possible. While the governing board cannot overturn the suspension, they must consider any representations and may place a record of their findings on your child's school file.

If you believe this suspension relates to a disability and may involve discrimination, you have the right to make a claim to the **First-tier Tribunal (Special Educational Needs and Disability)**. More information is available at:

<https://www.justice.gov.uk/tribunals/send/appeals>

Notification to Relevant Parties

In line with statutory guidance, I have informed **[Name of Local Authority Officer]** at **[Local Authority Name]** of this suspension.

If [Child's Name] has a social worker or is looked after by the local authority, I have also notified **[Name of Social Worker or Virtual School Head]**.

Reintegration Interview

You and [Child's Name] are invited to attend a reintegration meeting on **[date]** at **[time]** at **[location]**. This meeting will help us plan for a successful return to school. If this time is not convenient, please contact us to arrange an alternative.

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's.**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 | <https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

We expect [Child's Name] to return to school on **[return date]** at **[time]**.

Yours sincerely,

[Headteacher's Name]

Headteacher

Warwickshire LA Model letter 2

From headteacher notifying parent(s) of a pupil of that pupil's suspension of more than 5 school days (up to and including 15 school days) in a term.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Notification of Suspension – [Child's Full Name]

I am writing to inform you that I have decided to suspend [Child's Name] from school for a fixed period of **[number of school days]**. This means that [Child's Name] will not be allowed to attend school from **[start date]** to **[end date]**, returning on **[return date]**.

This decision has not been taken lightly. The suspension has been issued because of the following reason(s):

[Insert clear and specific explanation of the incident(s) and behaviour leading to the suspension]

Your Responsibilities During the Suspension

Under Section 103 of the Education and Inspections Act 2006, you have a legal duty to ensure that [Child's Name] is not present in any public place during school hours for the first five school days of the suspension (**[insert relevant dates]**), unless there is a reasonable justification. Failure to comply may result in a penalty notice or prosecution by the local authority.

Education During Suspension

We will provide work for [Child's Name] to complete during the first five school days of the suspension. This will be delivered via **[method – e.g. email, online platform, printed pack]**. Please ensure the work is completed and returned for marking.

From the **sixth school day** of the suspension (**[insert date]**) until the end of the suspension period, [Child's Name] will be provided with suitable full-time education.

[Insert details of the alternative provision, including name, address, start time, staff contact, and transport arrangements if known. If not known, state that these details will be provided in a follow-up letter.]

Your Right to Request a Meeting

You have the right to request a meeting with the school's governing board to make representations about this decision. Because the suspension is for more than five school days in a term, the governing board must meet if you request it. The latest date this meeting can be held is **[insert date – no later than the 50th school day after notification]**.

If you wish to request a meeting or make representations, please contact **[Name of contact]** at **[contact details – phone/email/postal address]**. You may be accompanied by a friend or representative. Please let us know if you have any access needs or require an interpreter.

We also encourage [Child's Name] to attend the meeting and speak on their own behalf, where appropriate. If [Child's Name] wishes to attend or be represented, please let us know and

advise if they would like to bring a friend.

Disability Discrimination

If you believe this suspension relates to a disability and may involve discrimination, you have the right to make a claim to the **First-tier Tribunal (Special Educational Needs and Disability)**. This does not affect your right to make representations to the governing board.

More information is available at:

<https://www.justice.gov.uk/tribunals/send/appeals>

Notification to Relevant Parties

In line with statutory guidance, I have informed **[Name of Local Authority Officer]** at **[Local Authority Name]** of this suspension.

If **[Child's Name]** has a social worker or is looked after by the local authority, I have also notified **[Name of Social Worker or Virtual School Head]**.

Reintegration Interview

You and **[Child's Name]** are invited to attend a reintegration meeting on **[date]** at **[time]** at **[location]**. This meeting will help us plan for a successful return to school. If this time is not convenient, please contact us to arrange an alternative.

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 | <https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

We expect **[Child's Name]** to return to school on **[return date]** at **[time]**.

Yours sincerely,

[Headteacher's Name]

Headteacher

Warwickshire LA Model letter 3

From headteacher notifying parent of a suspension of more than 15 school days in total in one term or taking the total to more than 15 school days in one term.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Notification of Suspension – [Child's Full Name]

I am writing to inform you that I have decided to suspend [Child's Name] from school for a fixed period of **[number of school days]**. This means that [Child's Name] will not be allowed to attend school from **[start date]** to **[end date]**, returning on **[return date]**.

This decision has not been taken lightly. The suspension has been issued because of the following reason(s):

[Insert clear and specific explanation of the incident(s) and behaviour leading to the suspension]

Your Responsibilities During the Suspension

Under Section 103 of the Education and Inspections Act 2006, you have a legal duty to ensure that [Child's Name] is not present in any public place during school hours for the first five school days of the suspension (**[insert relevant dates]**), unless there is a reasonable justification. Failure to comply may result in a penalty notice or prosecution by the local authority.

Education During Suspension

We will provide work for [Child's Name] to complete during the first five school days of the suspension. This will be delivered via **[method – e.g. email, online platform, printed pack]**.

Please ensure the work is completed and returned for marking.

From the **sixth school day** of the suspension (**[insert date]**) until the end of the suspension period, [Child's Name] will be provided with suitable full-time education.

[Insert details of the alternative provision, including name, address, start time, staff contact, and transport arrangements if known. If not known, state that these details will be provided in a follow-up letter.]

Governing Board Review Meeting

Because this suspension exceeds 15 school days in one term (or takes the total number of suspended days to more than 15), the governing board must meet to review the suspension.

You have the right to attend this meeting and make representations. The latest date this meeting can be held is **[insert date – no later than 15 school days from notification]**.

You will be notified of the time, date, and location of the meeting by the Clerk to the governing board. If you wish to attend or make representations, please contact **[Name of contact]** at **[contact details – phone/email/postal address]**. You may be accompanied by a friend or representative. Please let us know if you have any access needs or require an interpreter.

We also encourage [Child's Name] to attend the meeting and speak on their own behalf, where appropriate. If [Child's Name] wishes to attend or be represented, please let us know and advise if they would like to bring a friend.

Disability Discrimination

If you believe this suspension relates to a disability and may involve discrimination, you have the right to make a claim to the **First-tier Tribunal (Special Educational Needs and Disability)**. This does not affect your right to make representations to the governing board.

More information is available at:

<https://www.justice.gov.uk/tribunals/send/appeals>

Notification to Relevant Parties

In line with statutory guidance, I have informed **[Name of Local Authority Officer]** at **[Local Authority Name]** of this suspension.

If [Child's Name] has a social worker or is looked after by the local authority, I have also notified **[Name of Social Worker or Virtual School Head]**.

Reintegration Interview

You and [Child's Name] are invited to attend a reintegration meeting on **[date]** at **[time]** at **[location]**. This meeting will help us plan for a successful return to school. If this time is not convenient, please contact us to arrange an alternative.

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 |
<https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

We expect [Child's Name] to return to school on **[return date]** at **[time]**.

Yours sincerely,

[Headteacher's Name]

Headteacher

Warwickshire LA Model letter 4

From the head teacher of a primary, secondary or special school notifying the parent(s) of that pupil's permanent exclusion.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Notification of Permanent Exclusion – [Child's Full Name]

I regret to inform you that I have made the decision to permanently exclude [Child's Name] from school, effective from **[date]**. This means that [Child's Name] will not be allowed to return to school unless reinstated by the governing board.

This decision has not been taken lightly. [Child's Name] has been permanently excluded because:

[Insert clear and specific explanation of the incident(s), behaviour, and any relevant previous history leading to the exclusion]

Your Responsibilities During the First Five School Days

If your child is of compulsory school age, you have a legal duty to ensure that [Child's Name] is not present in any public place during school hours for the first five school days of the exclusion (**[insert relevant dates]**), unless there is a reasonable justification. Failure to comply may result in a penalty notice or prosecution by the local authority.

Education Provision

During the first five school days, we will provide work for [Child's Name] to complete at home. Please ensure this work is completed and returned for marking.

From the **sixth school day** of the exclusion (**[insert date]**), the local authority will arrange suitable full-time education for [Child's Name].

[Insert details of the arrangements if known. If not known, state that the local authority will contact you shortly with further information.]

If [Child's Name] lives in a different local authority area than the school, I have informed **[Name of Officer]** at **[Local Authority Name]**, who will contact you about education arrangements from the sixth school day. You can reach them at **[contact details]**.

If [Child's Name] has a social worker or is looked after by the local authority, I have also informed **[Name of Social Worker or Virtual School Head]**.

Governing Board Review Meeting

The governing board must meet to review this decision. You have the right to attend this meeting and make representations. The latest date this meeting can be held is **[insert date – no later than the 15th school day after notification]**.

You will be notified of the time, date, and location of the meeting by the Clerk to the governing board. If you wish to attend or make representations, please contact **[Name of contact]** at **[contact details – phone/email/postal address]**. You may be accompanied by a friend or

representative. Please let us know if you have any access needs or require an interpreter. We also encourage [Child's Name] to attend the meeting and speak on their own behalf, where appropriate.

If the governing board decides not to reinstate your child, you have the right to request a review of the decision by an Independent Review Panel.

Disability Discrimination

If you believe this exclusion relates to a disability and may involve discrimination, you have the right to make a claim to the **First-tier Tribunal (Special Educational Needs and Disability)**.

This does not affect your right to make representations to the governing board.

More information is available at:

<https://www.justice.gov.uk/tribunals/send/appeals>

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 |
<https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

Yours sincerely,

[Headteacher's Name]

Headteacher

Warwickshire LA Model letter 5

From the clerk of the governing body to parent/carer upholding a permanent exclusion.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Outcome of Governing Body Meeting – Permanent Exclusion of [Child's Full Name]

The governing body met at [School Name] on [Date] to consider the decision made by [Headteacher's Name] to permanently exclude your child, [Child's Name].

After reviewing all available evidence and considering the representations made, the governing body has decided to **uphold the permanent exclusion**.

Reasons for the Decision

The governing body reached this decision for the following reasons:

[Insert clear and detailed explanation of the reasons for upholding the exclusion, including reference to evidence and rationale.]

Your Right to Request an Independent Review

You have the right to request a review of this decision by an **Independent Review Panel**. If you wish to do so, please write to:

Tania Martin

Senior School Appeals Officer

Legal Services

Warwickshire County Council

Shire Hall

Warwick

CV34 4RL

Your request must be submitted **no later than [insert date – 15 school days from receipt of this letter]**. Requests received after this date will not be accepted. Please include the grounds for your review and indicate if you require an interpreter or have any access needs.

Special Educational Needs (SEN)

If you believe your child's **Special Educational Needs (SEN)** are relevant to the exclusion, you may request the attendance of an **SEN Expert** at the review. This expert provides impartial advice to the panel and does not assess your child's needs. There is no cost for this service, but you must clearly state your request for an SEN Expert when submitting your review.

You may also appoint someone (at your own expense) to represent you in writing or in person, or bring a friend to the review.

Independent Review Panel Process

The panel will consist of:

- One serving or recently retired headteacher (within the last five years)

- One serving or recently served school governor (with at least 12 months' experience)
- One lay member (who will act as Chair)

The panel will consider whether the governing body's decision was lawful and proportionate. You may present new evidence at the review. The panel must meet within **15 school days** of receiving your request, although this may be extended in exceptional circumstances.

Following the review, the panel may:

- Uphold the exclusion
- Recommend that the governing body reconsider their decision
- Quash the decision and direct the governing body to reconsider

Disability Discrimination

If you believe the exclusion relates to a disability and constitutes discrimination, you may make a claim to the **First-tier Tribunal (Special Educational Needs and Disability)** or the **County Court**. Claims must be made within **six months** of the date of exclusion.

More information is available at:

<https://www.justice.gov.uk/tribunals/send/appeals>

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 |
<https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

The current arrangements for **[Child's Name]**'s education will continue.

Yours sincerely,

[Name]

Clerk to the Governing Body

Warwickshire LA Model letter 6

From the clerk of the governing body to parent/carer overturning a permanent exclusion.

[School Name]

[School Address]

[Date]

Private and Confidential

Dear [Parent/Carer's Name],

Outcome of Governing Body Meeting – Reinstatement of [Child's Full Name]

The governing body met at [School Name] on [Date] to consider the decision made by [Headteacher's Name] to permanently exclude your child, [Child's Name].

After reviewing all available evidence and considering the representations made, the governing body has decided to **overturn the permanent exclusion**. This means that [Child's Name] will be reinstated and is entitled to return to school.

Reasons for the Decision

The governing body reached this decision for the following reasons:

[Insert clear and detailed explanation of the reasons for overturning the exclusion, including reference to evidence and rationale.]

Next Steps

We understand that this process may have been difficult for you and your family. To support a successful return to school, the headteacher (or a designated senior member of staff) will arrange a **reintegration meeting** with you and [Child's Name]. This meeting will take place on **[insert date]** at **[insert time]** at **[insert location]**. If this time is not convenient, please contact the school to arrange an alternative.

The purpose of the meeting is to discuss how best to support [Child's Name]'s reintegration, including any pastoral or academic support that may be needed.

Support and Advice

You may find the following services helpful:

- **Warwickshire County Council Admissions Service**
Tel: 01926 738353 | Email: exclusions@warwickshire.gov.uk
www.warwickshire.gov.uk/exclusions
- **Special Educational Needs and Disabilities Information, Advice, and Support Service (SENDIAS) Warwickshire, provided by Barnardo's**
Tel: 01788 593159 | Email: warwickshiresendiass@barnardos.org.uk
www.warwickshiresendiass.org.uk
- **Coram Child Law Advice**
Tel: 0300 330 5485 | <https://childlawadvice.org.uk/information-pages/school-exclusion/>
- **IPSEA (Independent Provider of Special Education Advice)**
www.ipsea.org.uk
- **Department for Education Guidance**
www.gov.uk/government/publications/school-exclusion

If you have any questions about the decision or the reintegration process, please contact the school directly.

Yours sincerely,

The Stour Federation

Suspension and Exclusion Policy, 25

[Name]

Clerk to the Governing Body