

WEXHAM COURT PRIMARY SCHOOL

Exclusion Policy

2022 - 2023



Date Approved:	Autumn 2022
Date for Review:	Autumn 2023
Approved By:	Full Governing Body & Head Teacher

WEXHAM COURT PRIMARY SCHOOL

EXCLUSION POLICY

1. <u>OUR VISION</u>	<u>3</u>
2. <u>AIMS</u>	<u>3</u>
3. <u>LEGISLATION AND STATUTORY GUIDANCE</u>	<u>3</u>
4. <u>THE DECISION TO EXCLUDE</u>	<u>4</u>
5. <u>DEFINITION</u>	<u>5</u>
6. <u>ROLES AND RESPONSIBILITIES</u>	<u>5</u>
6.1 <u>THE HEADTEACHER</u>	<u>5</u>
<u>INFORMING THE PARENTS</u>	<u>5</u>
<u>INFORMING THE GOVERNING BOARD AND LA</u>	<u>6</u>
6.2 <u>THE GOVERNING BOARD</u>	<u>6</u>
6.3 <u>THE LOCAL AUTHORITY</u>	<u>6</u>
7. <u>CONSIDERING THE REINSTATEMENT OF A PUPIL</u>	<u>7</u>
8. <u>AN INDEPENDENT REVIEW</u>	<u>8</u>
9. <u>SCHOOL REGISTERS</u>	<u>9</u>
10. <u>RETURNING FROM A FIXED-TERM EXCLUSION</u>	<u>9</u>
11. <u>FINANCIAL IMPLICATIONS OF EXCLUSIONS</u>	<u>9</u>
12. <u>PUPILS EXCLUDED FROM OTHER SCHOOLS</u>	<u>9</u>
13. <u>MONITORING ARRANGEMENTS</u>	<u>9</u>
<u>APPENDIX 1 SUMMARY OF GOVERNING BOARD'S DUTY TO REVIEW HEAD TEACHER'S EXCLUSION DECISION</u>	<u>10</u>
<u>APPENDIX 2 A GUIDE FOR PARENTS/CARERS ON EXCLUSION</u>	<u>11</u>
<u>APPENDIX 3 INDEPENDENT REVIEW PANEL TRAINING</u>	<u>11</u>
<u>APPENDIX 4 EXAMPLE FORM TO BE USED IN THE EVENT OF AN EXCLUSION</u>	<u>12</u>
<u>APPENDIX 5 EXAMPLE REINTEGRATION FORM</u>	<u>17</u>

WEXHAM COURT PRIMARY SCHOOL

EXCLUSION POLICY

Preparing every child to become a successful individual in an ever evolving world.

Build belonging, Strive for excellence and Do the right thing.

At Wexham Court Primary School we are proud of the diversity of our students and staff and are committed to promoting a positive and inclusive culture in which all are valued and supported to fulfil their potential irrespective of their age, disability, race, religion, beliefs, sex or sexual orientation. We acknowledge that we are all influenced by implicit bias, or the stereotypes that unconsciously affect our decisions and that this can negatively impact traditionally marginalised and disenfranchised students. In all areas of our school, we strive to understand and appreciate all aspects of diversity, equality and inclusion and proactively adapt our school policies and procedures accordingly.

This policy should be read in conjunction with the procedures adopted by the governing body for the management of pupil exclusion. It should also be read in conjunction with the following policies: SEND, Behaviour, Health and Safety, Safeguarding and Admissions. In all circumstances, we will follow the current DFE Statutory Guidance.

1. OUR VISION

Wexham Court Primary School is an inclusive school and we aim to meet the needs of all learners. We aim to prepare *every child to become a successful individual in an ever evolving world*, through our school principles: do the right thing, strive for excellence and build belonging.

We will do everything possible to avoid the need for suspension or permanent exclusion by:

- Carrying out early intervention strategies, especially in the case of a pupil with SEND needs in order to ascertain that the pupil is receiving the appropriate provision and support.
- Having a clear and consistent approach to behaviour.
- Building positive relationships between adults and children within the school.
- Consider the use of multi-agency assessment of pupils who demonstrate persistent disruptive behaviour.
- Ensure we have a full understanding of the child's background, barriers, health and educational needs.
- Requesting an early review of a pupil's education, health and care plan (EHCP); or we may ask for an interim/emergency review if appropriate.
- Checking for bias and ensuring that we follow the Equality Act.

2. AIMS

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently.
- The exclusions process is understood by governors, staff, parents and pupils.
- Pupils in school are safe and happy.
- Prevent pupils from becoming NEET (not in education, employment or training).
- Ensure all suspensions and permanent exclusions are carried out lawfully.

3. LEGISLATION AND STATUTORY GUIDANCE

This policy is based on statutory guidance from the Department for Education: [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England, including pupil movement](#).

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011.
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils.
- Section 579 of the [Education Act 1996](#) which defines 'school day'.
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#).
- The Equality Act 2010
- Children and Families Act 2014

4. DEFINITION

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 days in a single academic year). Suspension can be internal or external and can also be for parts of the school day.

Permanent Exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour. Full details regarding when this may be appropriate can be found at paragraphs 35-46 of the DFE Guidance on Suspensions and Exclusions.

Parent – any person who has parental responsibility and any person who has care of the child.

Managed Move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. Please see paragraphs 47-51 of the DFE Guidance.

Alternative Provision – Alternative Provision (AP) refers to suitable full time education that is arranged for a pupil from the sixth school day (or earlier) of a suspension, or the sixth school day (or earlier) after the first day of a permanent exclusion. AP may refer to education arranged for pupils who are unable to attend mainstream or special school and who are not educated at home, whether for behavioural, health, or other reasons.

5. THE DECISION TO SUSPEND OR PERMANENTLY EXCLUDE

Only the Headteacher or acting headteacher, can suspend or permanently exclude a pupil from school.

Our school is 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 exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to suspend or permanently exclude a pupil will be taken only:

- For a major first offence, such as serious actual or threatened violence, sexual abuse or assault, supplying banned substances or carrying an offensive weapon. We need not postpone deciding on suspension or permanent exclusion solely because a police investigation is underway.
- Where allowing a pupil to remain in school would be seriously detrimental to the education of other pupils, to the welfare of other pupils, staff or of the pupil themselves.
- On the grounds of Health and Safety where allowing the pupil to remain in school would be detrimental to the welfare of other pupils, staff or of the pupil themselves.
- For a series of breaches of the school's behaviour policy and after an exhaustive range of strategies to resolve the pupil's behaviour problems have been tried and have failed.
- When the behaviour of pupils outside school is such that it can be considered as grounds for suspension or permanent exclusion.
- Further details can be found at paragraphs 15-16 of the DFE Guidance.

Before deciding whether to suspend or permanently exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or permanent exclusion were provoked.
- Allow the pupil to give their version of events.
- Consider if the pupil is part of a particularly vulnerable group (for example pupils with special educational or disability (SEND) needs, free school meals (FSM) pupils, looked-after children, certain groups or a group with disproportionately high levels of exclusion such as traveller children) or other groups with protected characteristics.
- Consider whether a pupil has already had a number of suspensions which appear to have been ineffective.
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves.
- The headteacher may suspend a pupil for one or more fixed periods not exceeding a total of 45 days in any one school year. If a pupil is suspended for lunchtimes only, each lunchtime counts as half a day.
- The headteacher may need time to consider what the school's options are and there may be some delay in order for an adequate risk assessment to be carried out.
- The headteacher will, at all times, make arrangements for safeguarding and promoting the welfare of their pupils (see paragraphs 22-25 of the DFE Guidance).

The decision to suspend or permanently exclude a pupil will only ever be on behaviour grounds and not used informally or unofficially (see paragraphs 17-21 of the DFE Guidance for further clarification). This power may not be delegated to anyone else. The headteacher may withdraw a suspension or permanent exclusion that has not been reviewed by the governing board.

A suspension cannot be extended or converted to 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.

6. ROLES AND RESPONSIBILITIES

6.1 The Headteacher

Informing parents

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil, the parents will be informed of the period of the suspension or that the exclusion is permanent, and the reason(s) for it, without delay. Parents will also be provided with the following information, in writing, without delay: :

- The reason(s) for the suspension or permanent exclusion.
- The length of the suspension, or, for permanent exclusion, the fact that it is permanent.
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this.
- How any representations should be made.
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend.

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

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

- The start date for any provision of full-time education that has been arranged.
- 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.

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided at a later date, without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

The information will be put in writing and will be sent either by email, text, delivering a letter directly to the parents, leaving it at their last known address, or by posting it to this address. The information can also be legally sent home with the excluded pupil, but in this case, the school will also send a duplication copy by a reliable alternative method.

Further clarification can be found in Part Five of the DFE Guidance.

Informing the governing board and local authority

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil.
- Any suspension or permanent exclusions which would result in the pupil being suspended or permanently excluded for more than 5 school days (or more than 10 lunchtimes) in a term.
- Any suspension or permanent exclusions which would result in the pupil missing a National Curriculum test or public examination.

The headteacher will notify the governing board once a term of any other suspensions, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension. The notification will include:

- The reason(s) for the suspension or permanent exclusion.
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent.

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion and the reason(s) for it without delay.

6.2 The Governing Board

Responsibilities regarding suspensions and permanent exclusions are delegated to a discipline committee consisting of at least three governors. This committee has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see Section 7).

Within 14 days of receipt of a request, the governing board will provide the secretary of state and the LA with information about any suspensions and permanent exclusions in the last 12 months.

For a suspension of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Detailed guidance to the governing board is found in Part Six of the DFE Guidance.

6.3 The Local Authority

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth school day after the first day of the exclusion. For pupils who are looked after, or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupils ability to sit a National Curriculum test or public exam (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Further details can be found at paragraphs 57-61 of the DFE Guidance.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation
- As referred to above, the headteacher will report to the governing board once per term on the number of cancellations
- The pupil will be allowed back in school.

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Teams, RWI or Oak Academy may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

7. CONSIDERING THE REINSTATEMENT OF A PUPIL

The governing board will consider the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of suspension or exclusion if:

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

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the governing board must consider any representations made by

parents. However, it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.

If requested to do so by parents, the governing board will consider the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension if the pupil would be suspended from school for more than 5 days, but less than 15, in a single term. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public examination, the governing board will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where necessary), may consider the suspension or permanent exclusion independently and decide whether or not to reinstate the pupil.

The governing board can either:

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

In reaching a decision, the governing board will consider whether the decision to suspend or permanently exclude was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. The governing board will also consider the welfare and safeguarding of the pupil and their peers and any evidence that was presented to the board. They will decide whether or not a fact is true 'on the balance of probabilities'.

Minutes will be taken of the meeting, and a record kept of the evidence considered. The outcome will also be recorded on the pupil's educational record and copies of relevant papers will be kept with this record.

The governing board will notify, in writing, the following stakeholders of its decision, along with the reasons for its decision without delay:

- The parents
- The headteacher
- The pupil's social worker, if they have one
- The virtual school head, if the pupil is looked after
- The local authority
- The pupil's home authority, if this is different from the schools.

Where an exclusion is permanent, and the governing board decides not to reinstate the pupil, the notification of its decision will also include the following:

- The fact that it is permanent.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel.
- The date by which an application for an independent review must be made.
- The name and address to whom an application for a review and any written evidence should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEND is considered to be relevant to the permanent exclusion.
- That, regardless of whether the excluded pupil has recognised SEND, parents have a right to require the LA to appoint a SEND expert to attend the review.
- Details of the role of the SEND expert and that there would be no cost to parents for this appointment.

- That parents must make clear if they wish for a SEND expert to be appointed in any application for a review.
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That if parents believe that the exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

8. AN INDEPENDENT REVIEW

If parents apply for an independent review, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing board, of its decision to not reinstate a pupil. Or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5 member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category. At all times during the review process, there must be the required representation on the panel.

- 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.
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time.
- Headteachers or individuals who have been a headteacher within the last 5 years.

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

- Are a member of the LA, or governing board of the excluding school.
- Are the headteacher of the excluding school, or have held this position in the last 5 years.
- Are an employee of the LA, or the governing board, of the excluding school (unless they are employed as a headteacher at another school).
- Have, or at any time have had, any connection with the LA, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality.
- Have not had the required training within the last 2 years (see appendix 3 for what training must cover).

A clerk will be appointed to the panel.

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion. The independent panel will decide one of the following:

- Uphold the governing board's decision.
- Recommend that the governing board reconsiders the reinstatement.
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed).

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

9. SCHOOL REGISTERS

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

- 15 school days have passed since the parents were notified of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel.

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admissions register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

10. RETURNING FROM A SUSPENSION / OFF SITE DIRECTION

Following a suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate. Where necessary, the school will work with third party organisations to identify whether the pupil has any unmet SEND or health needs.

Appropriate measures will be implemented when a pupil returns from a suspension.

Full details can be found at paragraphs 26-30 of the DFE Guidance.

11. FINANCIAL IMPLICATIONS OF EXCLUSION

Should a pupil be permanently excluded, the appropriate sum allotted for that child's education will be deducted immediately from the school budget. The money will remain in the school budget for a little longer if the parent chooses to appeal to a governors committee and then an independent review panel.

An independent review panel does not have the power to direct a governing board to reinstate an excluded pupil. However, where a panel decides that the governing board's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing board to reconsider its decision. The panel will then be expected to order that the school must make an additional payment of £4,000 to the LA, if it does not offer to reinstate the pupil.

12. PUPILS EXCLUDED FROM OTHER SCHOOLS

Should the LA place a permanently excluded pupil with us, we will not refuse to take such a pupil unless we are full. However, if the child has already been permanently excluded from two or more schools, then our governing board may refuse to take him/her.

13. MONITORING ARRANGEMENTS

The headteacher monitors the number of suspensions and permanent exclusions every term and reports back to the governors. They also liaise with the LA to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the headteacher and governing board on an annual basis.

14. STORAGE OF SUSPENSIONS/PERMANENT EXCLUSIONS PAPERWORK

All paperwork relating to exclusions is stored on a secure Sharepoint site to which only the Head Teacher and HR Lead have access.

Mr J. Reekie, Chair of Governors

Signed:

Date:

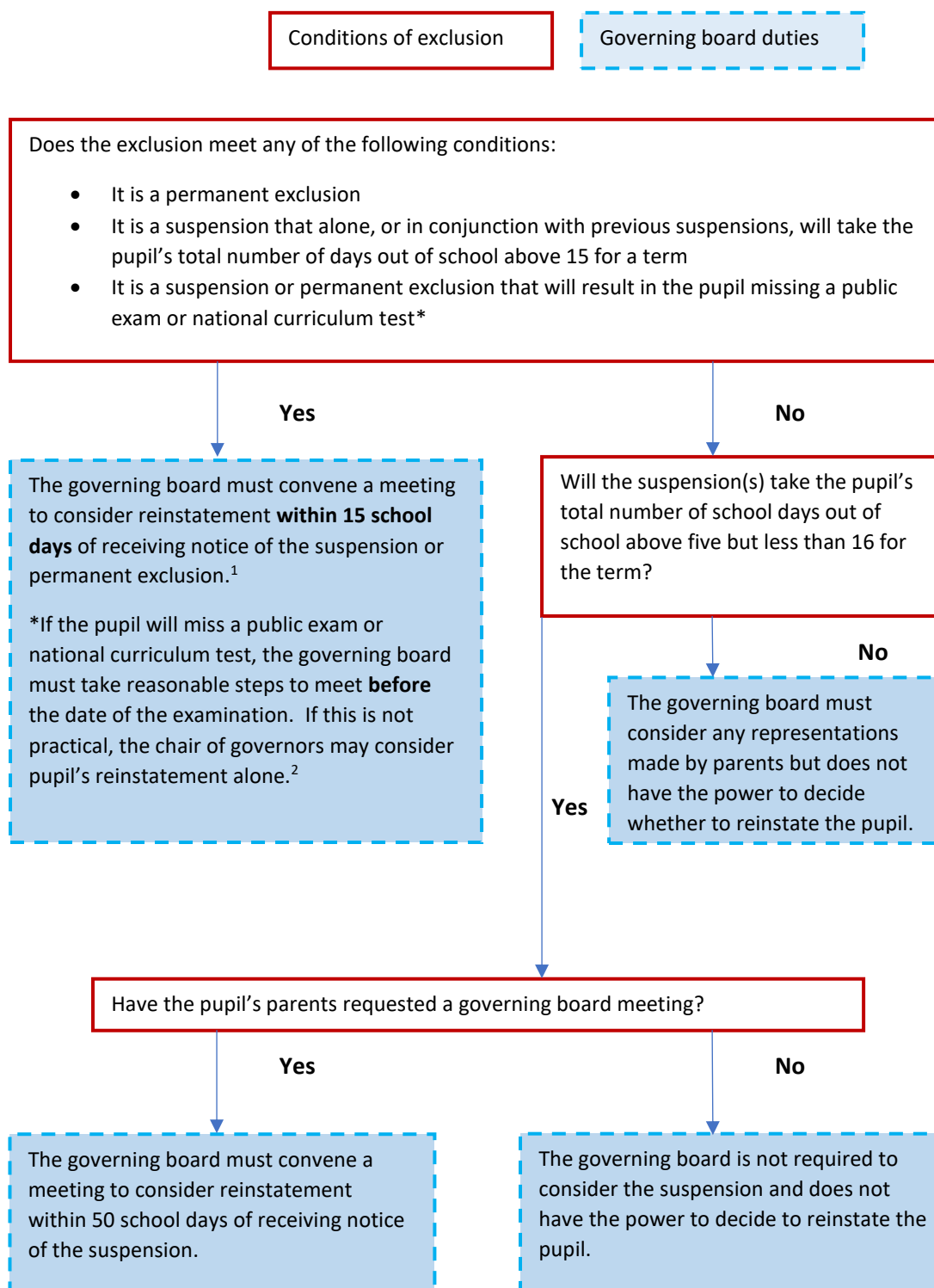
Miss N Mehat Headteacher

Signed:

Date:

Review date: Autumn 2023

15. APPENDIX 1 – A SUMMARY OF THE GOVERNING BOARD’S DUTIES TO REVIEW THE HEADTEACHER’S EXCLUSION DECISION



¹The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

²The ability for a chair to review in the case of public exams refers only to maintained schools.

16. APPENDIX 2 – A GUIDE FOR PARENTS/CARERS ON SUSPENSION & PERMANENT EXCLUSION

Please see [Annex A](#) of the DFE Guidance: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England.

17. APPENDIX 3 - INDEPENDENT REVIEW PANEL TRAINING

The LA must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing exclusions, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making.
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair and the clerk of a review panel.
- The duties of headteachers, governing boards and the panel under the Equality Act 2010.
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.

18. APPENDIX 4 – LOCAL AUTHORITY FORM TO BE USED IN THE EVENT OF A SUSPENSION

Explanatory Notes for Completion of Documentation for ALL Slough School Suspensions (fixed term exclusions)

Please find below explanatory notes on the paperwork required to be completed, and when, for ALL notifications of Slough Suspensions.

Suspensions – the Local Authority and Social Worker (if appropriate) MUST be notified without delay, regardless of the length of the suspension.

For a suspension of more than 15 school days in one term the governing body must convene a meeting to consider reinstatement within 15 school days of receiving notice of the suspension.

For a suspension of more than 5, but not more than 15 school days in one term (which does not bring the pupil's total number of days of exclusion to more than 15 in one term), the governing body must convene a meeting to consider reinstatement within 50 school days of receiving notice of the fixed period exclusion, to consider the exclusion, **but only if the parent requests such a meeting.**

The governing board must convene a meeting to discuss the exclusion within 50 school days but does not have the power to decide whether to reinstate the pupil, **but only if the parent requests such a meeting**

Please **fully** complete the Suspension Form (EX2) and forward to

Paula Doneghan, In-Year and Fair Access Team Leader

Paula.doneghan@slough.gov.uk and fairaccess@slough.gov.uk

SUSPENSION FORM – ALL SECTIONS MUST BE COMPLETED

SECTION A – SCHOOL AND STUDENT DETAILS:

EXCLUDING SCHOOL:	
FORENAME OF CHILD:	SURNAME OF CHILD:
DOB: DD/MM/YY	GENDER: MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
UPN:	YEAR GROUP:
ADDRESS:	
	POST CODE:
SLOUGH LA PUPIL: YES <input type="checkbox"/> NO <input type="checkbox"/>	OTHER LA: (PROVIDE DETAILS)
FREE SCHOOL MEALS (FSM) REQUIRED:	YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION B – SUSPENSION DETAILS

TYPE OF SUSPENSION: FIXED PERIOD: <input type="checkbox"/>	FIRST DAY OF SUSPENSION: DD/MM/YY
LUNCHTIME: <input type="checkbox"/>	
LAST DAY OF SUSPENSION: DD/MM/YY	NUMBER OF DAYS
DATE OF DISCIPLINE COMMITTEE / REINTEGRATION MEETING, IF REQUIRED DD/MM/YY	
IS THIS THE PUPIL'S FIRST SUSPENSION YES <input type="checkbox"/> NO <input type="checkbox"/>	
PRIMARY REASON FOR EXCLUSION (NATIONAL CATEGORY) – <u>PLEASE CROSS ONE REASON ONLY</u>	
USE OF THREAT OF AN OFFENSIVE WEAPON OR PROHIBITED ITEM <input type="checkbox"/>	ABUSE AGAINST SEXUAL ORIENTATION AND GENDER IDENTITY <input type="checkbox"/>
ABUSE RELATING TO DISABILITY <input type="checkbox"/>	INAPPROPRIATE USE OF SOCIAL MEDIA OR ONLINE TECHNOLOGY <input type="checkbox"/>
WILFUL AND REPEATED TRANSGRESSION OF PROTECTIVE MEASURES IN PLACE TO PROTECT PUBLIC HEALTH <input type="checkbox"/>	PHYSICAL ASSAULT AGAINST ADULT <input type="checkbox"/>
PHYSICAL ASSAULT AGAINST PUPIL <input type="checkbox"/>	PHYSICAL ASSAULT AGAINST ADULT <input type="checkbox"/> <input type="checkbox"/>
VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST PUPIL <input type="checkbox"/>	BULLYING <input type="checkbox"/> <input type="checkbox"/>

VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST ADULT <input type="checkbox"/>	RACIST ABUSE <input type="checkbox"/>
SEXUAL MISCONDUCT <input type="checkbox"/>	DRUG AND ALCOHOL RELATED <input type="checkbox"/> <input type="checkbox"/>
DAMAGE <input type="checkbox"/>	PERSISTENT OR GENERAL DISRUPTIVE BEHAVIOUR <input type="checkbox"/> <input type="checkbox"/>
THEFT <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
ADDITIONAL INFORMATION (MUST BE COMPLETED) :	

SECTION C – MONITORING INFORMATION:

ETHNICITY:	RELIGION:	HOME LANGUAGE:		
DOES THE PUPIL HAVE SPECIAL EDUCATIONAL NEEDS? <i>IF YES, PLEASE TICK SEN STAGE</i>	YES <input type="checkbox"/>	EHCP <input type="checkbox"/>	UNDER ASSESSMENT <input type="checkbox"/>	
	NO <input type="checkbox"/>			
IS THE PUPIL IN PUBLIC CARE? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Public Care means either: <ul style="list-style-type: none"> The child is accommodated by a Local Authority, and placed with a foster carer or in a children's home, or The child is subject of a care order (s. 31 Children Act 1989) 				
DOES THE PUPIL HAVE A PSP / IEP / PEP (PLEASE ATTACH)	PSP YES <input type="checkbox"/> NO <input type="checkbox"/>	IEP YES <input type="checkbox"/> NO <input type="checkbox"/>	PEP YES <input type="checkbox"/> NO <input type="checkbox"/>	

SECTION D – CONTACT DETAILS

SCHOOL CONTACT:	NAME:	TELEPHONE NUMBER:		
PARENT/CARER NAME:				
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:	
OTHER CONTACT DETAILS – NAME:				
ADDRESS:				
POST CODE:				
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:	

NAME OF PERSON COMPLETING FORM & DESIGNATED POST (BLOCK CAPITALS)	
SIGNATURE:	DATE:

HEADTEACHER	
SIGNATURE:	DATE:

Please note: This form must be signed by the Headteacher

Please send this form together with a copy of the letter sent to the pupil's parent/carer to:

Paula Doneghan, In-Year and Fair Access Team Leader

Email: paula.doneghan@slough.gov.uk and fairaccess@slough.gov.uk

19. APPENDIX 5 - LOCAL AUTHORITY FORM TO BE USED IN THE EVENT OF A PERMANENT EXCLUSION

Explanatory Notes for Completion of Documentation for ALL Slough Permanent Exclusions

Please find below explanatory notes on the paperwork required to be completed, and when, for ALL notifications of Slough Permanent Exclusions.

Permanent Exclusions – the Local Authority, Governing Board and Social Worker (where appropriate) MUST be notified without delay

For permanent exclusions the governing body must convene a meeting to consider reinstatement of the permanently excluded pupil within 15 school days of receiving notice of the permanent exclusion.

NB: If the pupil does not live within the Slough Local Authority, the Headteacher must also advise the 'home' Local Authority of the exclusion so that they can make arrangements for the pupil's full-time education from and including the sixth school day of the permanent exclusion.

Please **fully** complete the Exclusions Form (EX1) and forward **ON DAY 1** to

Paula Doneghan, In-Year and Fair Access Team Leader

Paula.doneghan@slough.gov.uk and fairaccess@slough.gov.uk

PERMANENT EXCLUSION FORM – ALL SECTIONS MUST BE COMPLETED

SECTION A – SCHOOL AND STUDENT DETAILS:

EXCLUDING SCHOOL:	
FORENAME OF CHILD:	SURNAME OF CHILD:
DOB: DD/MM/YY	GENDER: MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>
UPN:	YEAR GROUP:
ADDRESS:	
	POST CODE:
SLOUGH LA PUPIL: YES <input type="checkbox"/> NO <input type="checkbox"/>	OTHER LA: (PROVIDE DETAILS)
FREE SCHOOL MEALS (FSM) REQUIRED:	Yes <input type="checkbox"/> No <input type="checkbox"/>

SECTION B – EXCLUSION DETAILS

DATE OF PERMANENT EXCLUSION : _____	DATE OF DISCIPLINE COMMITTEE / REINTEGRATION MEETING _____
DATE 6TH DAY PROVISION IS REQUIRED: _____	
PRIMARY REASON FOR EXCLUSION (NATIONAL CATEGORY) – <u>PLEASE CROSS ONE REASON ONLY</u>	
USE OF THREAT OF AN OFFENSIVE WEAPON OR PROHIBITED ITEM <input type="checkbox"/>	ABUSE AGAINST SEXUAL ORIENTATION AND GENDER IDENTITY <input type="checkbox"/>
ABUSE RELATING TO DISABILITY <input type="checkbox"/>	INAPPROPRIATE USE OF SOCIAL MEDIA OR ONLINE TECHNOLOGY <input type="checkbox"/>
WILFUL AND REPEATED TRANSGRESSION OF PROTECTIVE MEASURES IN PLACE TO PROTECT PUBLIC HEALTH <input type="checkbox"/>	PHYSICAL ASSAULT AGAINST ADULT <input type="checkbox"/>
PHYSICAL ASSAULT AGAINST PUPIL <input type="checkbox"/>	PHYSICAL ASSAULT AGAINST ADULT <input type="checkbox"/> <input type="checkbox"/>
VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST PUPIL <input type="checkbox"/>	BULLYING <input type="checkbox"/> <input type="checkbox"/>

VERBAL ABUSE/THREATENING BEHAVIOUR AGAINST ADULT <input type="checkbox"/>	RACIST ABUSE <input type="checkbox"/>
SEXUAL MISCONDUCT <input type="checkbox"/>	DRUG AND ALCOHOL RELATED <input type="checkbox"/> <input type="checkbox"/>
DAMAGE <input type="checkbox"/>	PERSISTENT OR GENERAL DISRUPTIVE BEHAVIOUR <input type="checkbox"/> <input type="checkbox"/>
THEFT <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
ADDITIONAL INFORMATION (MUST BE COMPLETED) :	

SECTION C – MONITORING INFORMATION:

ETHNICITY:	RELIGION:	HOME LANGUAGE:	
DOES THE PUPIL HAVE SPECIAL EDUCATIONAL NEEDS? <i>IF YES, PLEASE TICK SEN STAGE</i>	YES <input type="checkbox"/>	EHCP <input type="checkbox"/>	UNDER ASSESSMENT <input type="checkbox"/>
	NO <input type="checkbox"/>		
IS THE PUPIL IN PUBLIC CARE? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Public Care means either: <ul style="list-style-type: none"> The child is accommodated by a Local Authority, and placed with a foster carer or in a children's home, or The child is subject of a care order (s. 31 Children Act 1989) 			
DOES THE PUPIL HAVE A PSP / IEP / PEP (PLEASE ATTACH)	PSP YES <input type="checkbox"/> NO <input type="checkbox"/>	IEP YES <input type="checkbox"/> NO <input type="checkbox"/>	PEP YES <input type="checkbox"/> NO <input type="checkbox"/>

SECTION D – CONTACT DETAILS:

SCHOOL CONTACT:	NAME:	TELEPHONE NUMBER:	
PARENT/CARER NAME:			
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:
OTHER CONTACT DETAILS – NAME:			
ADDRESS:			
POST CODE:			
CONTACT TELEPHONE:	HOME:	WORK:	MOBILE:

DOCTOR'S SURGERY AND TELEPHONE NUMBER	ANY KNOWN MEDICAL CONDITION:
ADDRESS:	
CONTACT TELEPHONE:	

SECTION E – INFORMATION FOR FAP MEETING:

PREVIOUS SCHOOL(S), WITH DATES:	
---------------------------------	--

PRIMARY:

ATTENDANCE	YEAR 1 %	YEAR 2 %	YEAR 3 %	YEAR 4 %	YEAR 5 %	YEAR 6 %
ATTAINMENT SUMMARY:	KEY STAGE 1:		EN LEVEL:		MA LEVEL:	
	KEY STAGE 2		EN LEVEL:	MA LEVEL:	SC LEVEL:	

SECONDARY:

ATTENDANCE	YEAR 7 %	YEAR 8 %	YEAR 9 %	YEAR 10 %	YEAR 11 %
ATTAINMENT SUMMARY:	KEY STAGE 3		EN LEVEL:	MA LEVEL:	SC LEVEL:
	KEY STAGE 4		EN LEVEL:	MA LEVEL:	SC LEVEL:
MIDYIS BAND:			YELLIS BAND:		
CURRENT PERFORMANCE:					

PREVIOUS EXCLUSION DETAILS:

SUMMARY OF PREVIOUS EXCLUSIONS (INCLUDING DATES AND REASONS:
--

AGENCY INVOLVEMENT:

EARLY INTERVENTION INVOLVEMENT:	DATES:	REASON:	OUTCOME:
BEHAVIOUR SUPPORT: <input type="checkbox"/>			

LEARNING SUPPORT: <input type="checkbox"/>			
CAMHS: <input type="checkbox"/>			
EPS: <input type="checkbox"/>			
EARLY HELP / EWO <input type="checkbox"/>			
FAMILY SUPPORT: <input type="checkbox"/>			

OTHER AGENCY INVOLVEMENT:	DATES:	REASON:	OUTCOME:
OUTREACH : <input type="checkbox"/>			
SOCIAL CARE: <input type="checkbox"/>			
YOT / POLICE: <input type="checkbox"/>			
OTHER: <input type="checkbox"/>			

SCHOOL SUPPORT STRATEGIES / INTERVENTION	DATES:	OUTCOME:

PARENTAL INVOLVEMENT:

CONCLUSION / HEADTEACHER GUIDANCE:

NAME OF PERSON COMPLETING FORM & DESIGNATED POST (BLOCK CAPITALS)	
--	--

SIGNATURE:	DATE:
------------	-------

HEADTEACHER	
SIGNATURE:	DATE:

Please note: This form must be signed by the Headteacher

Please send this form together with a copy of the letter sent to the pupil's parent/carer to:

Paula Doneghan, In-Year and Fair Access Team Leader

Email: paula.doneghan@slough.gov.uk and fairaccess@slough.gov.uk

20. APPENDIX 6 – EXAMPLE REINTEGRATION FORM



Reintegration form

Date of meeting:

People present:

PUPIL DETAILS

Pupil's name:

Address:

Date of birth:

Year group:

Name of parent/guardian:

Contact details:

Is the pupil in care? Yes/no

Is the pupil subject to a child protection plan? Yes/no

Is the pupil identified as having special educational needs (SEN)? Yes/no

If yes, please give details:

DETAILS OF SUSPENSION

Date of suspension: Date of return to school: Total number of days excluded:

Reason for suspension:

REVIEW OF ACADEMIC PROGRESS

Writing:	Maths:	Reading:	Comments:
-----------------	---------------	-----------------	------------------

TARGETS FOR BEHAVIOUR AND LEARNING

Area for development	Current score (0-10); 0=never, 10=always	Target score (0-10) 0=never, 10=always	How will we achieve this?	Timescale/review date
-----------------------------	---	---	----------------------------------	------------------------------

Other actions agreed

ADDITIONAL COMMENTS

Pupil's comments:

Parent/guardian's comments:

School's comments:

Signed _____
(pupil)

Signed _____
(parent/guardian)

Signed _____
(school)

