BORDEN GRAMMAR SCHOOL



Suspensions & Permanent Exclusions Policy

Review Responsibility:	Headteacher
Frequency of Review:	1 year
Date Approved:	Jun 26 (updated Nov 26)
Approved By:	Board of Trustees
Next Review Due By:	Jun 27

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1. Aims

At Borden Grammar School, exclusion is recognised as a serious sanction and will normally only be used after a range of supportive and disciplinary strategies have been implemented, or in response to serious breaches of behaviour expectations. The school is committed to ensuring that all exclusions are lawful, proportionate and in line with statutory guidance, while supporting pupils to reflect on their behaviour and successfully reintegrate into the school community.
We are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.
Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help trustees, staff, parents/carers and pupils understand the exclusions process
- Make sure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully

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

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school
- Encourage a sixth-form student not to continue with their course of study
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.
Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

Any pupil suspended or excluded on the above grounds will be considered as 'off-rolling'.

2. Legislation & Statutory Guidance

This policy is based on statutory guidance from the Department for Education (DfE):Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement. This policy should be read in conjunction with the school's policies, outlined in section 11. The school also complies with its funding agreement and articles of association where applicable.
It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a 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 suspended students.
- 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
- The School Inspection Handbook, which defines 'off-rolling'

3. Definitions

- Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.
- Permanent exclusion – when a pupil is removed from the school permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.
- Internal exclusion – where a pupil remains on site but is removed from lessons for a fixed period as a behaviour intervention.
- Off-site direction – when a board of trustees of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.
- Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.
- Reintegration meeting – a structured meeting held with a pupil, parents/carers and relevant staff following a suspension (or cancelled suspension or exclusion) to review the incident, reinforce expectations and agree support for the pupil's successful return to school.
- Parent/carer – any person who has parental responsibility and any person who has care of the child.

4. Overview

The following sections outline how this policy is applied in practice at Borden Grammar School. We aim to ensure that all pupils receive appropriate internal and external support to prevent the escalation of behaviour and minimise the need for the measures outlined below. Reasonable adjustments will be made where necessary to ensure an inclusive and equitable approach.

4.1 Internal Exclusions

Internal exclusion is where a student remains on the school premises but is removed from lessons for a fixed period (from part of a day up to a maximum of 5 days). This may also be referred to as 'reflection'. It is used for serious or repeated poor behaviour where the school is seeking to avoid suspension, such as persistent disruption to learning, defiance of staff, or less serious physical incidents. It is also used following a suspension to support a structured return, allowing behaviour to be reset and restorative work to take place.

Internal exclusion may operate with adjusted timings and clear expectations of conduct, which are communicated to students. Failure to meet these expectations is likely to result in escalation to a suspension. While staff will normally warn students where behaviour is falling short, this is not a prerequisite for escalation. Internal exclusions must be completed; where behaviour escalates to suspension, any remaining internal exclusion will be served on the pupil's return.

In line with attendance guidance, internal exclusion may also be used as an alternative to suspension where attendance or safeguarding considerations apply.

4.2 Fixed Term Suspensions

Fixed-term suspension is the result of behaviour so poor that a continuation may mean that a student's place at the school would be at risk. We use fixed-term suspension in accordance with statutory guidance. This says that a decision to suspend a student for a fixed period should be taken in response to breaches of the school's behaviour policy, including persistent disruptive behaviour, where these are not serious enough to warrant permanent exclusion and lesser sanctions such as detention or being placed in the reflection room are considered inappropriate. Further details of unacceptable behaviour can be found in the school's behaviour policy. Fixed term

suspensions may also be used where the students have already been placed in the reflection room but this has seemingly failed to rectify the misbehaviour or where they refuse to comply with the rules of the reflection space.
When establishing the facts in relation to an 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. Before deciding to suspend or permanently exclude, the Headteacher will consider the pupil's views in light of their age and understanding and, where appropriate, provide support to enable the pupil to express those views. The school will inform the pupil how their views informed the decision.
A Fixed Term Suspension will aim to be for the shortest period of time necessary (between one and five days), but may be up to a period of 15 days. The time given for a fixed term suspension will be decided based on the seriousness of the event and/or any previous exclusions for similar misbehaviour. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). Sometimes a child may be repeatedly suspended for an offence while still being supported to change his or her behaviour, in order to safeguard the integrity of the school community.
Any act of violence against another person where injury is caused (whether intended or unintended) is highly likely to result in suspension. The type and length of suspension will take into account the extent of the violence, the intent, the seriousness of the injury and the context, as well as the prior behaviour of the perpetrator. Borden has higher behaviour expectations for students in the 6th form than for the rest of the school. This is explained in the 6th form appendix contained in the school's behaviour policy.
Students on Fixed Term Suspension are forbidden from attending school or being in the vicinity of the school for the term of their exclusion. Parents are legally required to ensure that their child is not present in a public place during school hours. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

4.3 Permanent Exclusions

Permanent exclusion marks the end of a child's time at Borden. It is the final sanction and one which we do not use lightly. In the case of a permanent exclusion parents will be notified by the Headteacher, preferably in a face-to-face meeting.
We are prepared to take this step to protect our orderly, safe and secure community. A decision to exclude a child permanently is a serious one and should only be taken where the basic facts have been clearly established using the balance of probabilities. It will usually be the last resort in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success. There will, however, be exceptional circumstances where, in the headteacher's judgement, it is appropriate to permanently exclude a child for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or member of staff;
- Abuse or assault of a protected characteristic
- Supplying an illegal drug;
- Possession, use, or threat of use, of an offensive weapon.

These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.
We will consider whether or not to inform the police where a criminal offence may have taken place. We will also consider whether or not to inform other agencies such as youth offending teams or social workers. In cases where the headteacher has permanently excluded a pupil for one of the above offences; or persistent and defiant misbehaviour including bullying or repeated possession and/or use of an illegal drug on school premises and where the basic facts of the case have been clearly established on the balance of probabilities, the Secretary of State would not normally expect the Trustee Board or an Independent Appeal Panel (IAP) to reinstate the pupil.

4.4 Off Site Direction

The school works with the LA and other local schools via the "In year fair access panel" which supports both the managed move and off-site direction process.
The school recognises the impact that a permanent exclusion may have on a young person and will therefore consider the possibility of alternatives before taking this decision. Off-site direction is when a pupil is required to

attend another education setting to improve their behaviour and support successful reintegration. Off-site direction to another school or alternative provision may be used as a way to improve the future behaviour of a pupil, for a temporary period, where in-school interventions have proven unsuccessful. Prior to any off-site direction, the school will be able to demonstrate that appropriate initial intervention has taken place, including, where appropriate, pastoral support, multi-agency involvement and any relevant statutory assessments. The school will ensure that all relevant information is shared in advance with the receiving provider and, where appropriate, the local authority. This may include prior and current attainment information, behaviour history, safeguarding information, risk assessments, SEND information and strategies that support successful engagement.
The school will review any off-site direction placement at appropriate intervals, taking account of the pupil's needs and progress. Review meetings will be arranged, where reasonably practicable, at times suitable for parents/carers and will consider whether the placement remains appropriate or whether alternative arrangements should be considered.
Parent views will be considered throughout, and written notice will be issued by the school which includes:

- The address of the educational provision
- The person the pupil should report to when they first attend the provision
- The number of days the requirement is to be imposed
- The reasons for, and objectives of, imposing the requirement; and in relation to the educational provision:
    - Where 2 sessions per day are provided, what time the morning session starts, the afternoon session ends and the break between them starts and ends, or
    - Where a single session per day is provided, what time the session starts and ends

Where a pupil has SEND or an Education, Health and Care Plan (EHCP), the school will continue to fulfil its duties under the Equality Act 2010 and Children and Families Act 2014, including making reasonable adjustments and ensuring appropriate provision remains in place.

4.5 Managed Moves

The school works with the LA and other local schools via the "In year fair access panel" which supports both the managed move and off-site direction process.
A managed move is a voluntary process used as part of a planned intervention to transfer a pupil permanently to another mainstream school where this is considered to be in the pupil's best interests. Managed moves will only take place with agreement from all relevant parties, including parents/carers and the admission authority of the receiving school. A managed move will never be used as an alternative to a permanent exclusion where exclusion procedures should properly apply.
The school will ensure that managed moves are supported by appropriate information sharing between both schools and, where appropriate, the local authority. This will include attainment information, behaviour history, safeguarding information, risk assessments, SEND information and effective support strategies.
Prior to agreeing a managed move, the school will be able to evidence that reasonable interventions and support have already been implemented, including multi-agency involvement where appropriate. The school will not operate 'trial admissions' or 'trial managed moves'. Where a temporary move is required to improve behaviour, off-site direction arrangements will instead be considered.
Where a pupil has an EHCP, the school will work with the local authority and receiving school to ensure all statutory requirements relating to amendment and implementation of the plan are met before the move becomes permanent.
Once a managed move is completed, the pupil will be removed from the original school roll and added to the receiving school's register in accordance with statutory requirements.

4.6 Safeguarding

All decisions regarding the above will be made with regard to Keeping Children Safe in Education guidance. The school, and specifically the designated safeguarding lead (DSL), will fully engage with safeguarding partners where relevant, including children's social care and the police. Where a report of sexual violence has taken place, the DSL will make an immediate risk and needs assessment, keeping the best interests of the child and safeguarding principles at the centre of its decision making.

<u>Children in Care:</u>

When considering what additional assessment and support is needed, the guidance now notes that consideration

should be given to:

- How effectively the current personal education plan (PEP) is being implemented, and whether an interim PEP review needs to be called
- How the school is using Pupil Premium Plus

Temporary Removal from Site for Safeguarding Purposes

In rare circumstances, the school may temporarily prevent a pupil from attending the school site where this is necessary for safeguarding reasons and is not being used as a disciplinary sanction. This measure may be used where the school determines that separating two or more pupils is essential in order to protect pupils from harm and there is no practical alternative which would allow one or more pupils involved to remain safely on site. Examples may include situations where there has been an allegation of harm by one pupil against another and temporary physical separation is required while risks are assessed and support arrangements are established. This measure is not a suspension or permanent exclusion and will not be recorded as such.

Decisions to temporarily prevent attendance for safeguarding purposes will be made on a case-by-case basis and will involve the Designated Safeguarding Lead (DSL), who will use professional judgement informed by safeguarding principles and, where appropriate, advice from external agencies including Children's Social Care and the Police.

Where this arrangement is used, the school will:

- Inform parents/carers without delay, including the reason for the temporary restriction on attendance
- Notify the Trust Board without delay
- Work with the Local Authority regarding educational provision, unless alternative arrangements are agreed by the school or parents/carers
- Keep the arrangement under regular review to ensure it remains necessary and proportionate
- Support the pupil's reintegration into school life as soon as it is safe and appropriate to do so

The school will ensure that safeguarding actions remain focused on protecting all pupils involved and that decisions are lawful, proportionate and consistent with statutory guidance.

4.7 Police Involvement & Parallel Criminal Proceedings

The headteacher need not postpone taking a decision on a suspension and permanent exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. In such circumstances, the headteacher will need to take a decision on the evidence available to them at the time

Where the evidence is limited by a police investigation or criminal proceedings, the headteacher should consider any additional steps they may need to take to ensure that the decision to suspend or permanently exclude is fair. However, the final decision on whether to suspend or permanently exclude is for the headteacher to make. Where the Trustee board is required to consider a reinstatement in these circumstances, it cannot postpone its meeting and must decide whether or not to reinstate the pupil on the evidence available.

The fact that parallel criminal proceedings are in progress should also not directly determine whether an IRP should be adjourned. Relevant factors for the panel to consider will include:

- whether any charge has been brought against the pupil and, if so, what the charge is;
- whether relevant witnesses and documents are available;
- the likely length of delay if the hearing were adjourned and the effect it may have on the suspended or permanently excluded pupil, the parents, any victim, or the school;
- whether an adjournment or declining to adjourn might result in injustice.

Where a panel decides to adjourn, the clerk (or academy trust) should monitor the progress of any police investigation and/or criminal proceedings and reconvene the panel at the earliest opportunity. If necessary, the panel may adjourn more than once.

5. Roles & Responsibilities

5.1 The Headteacher

The headteacher, or a delegated senior leader in their absence, is responsible for making decisions regarding suspension and permanent exclusion. All decisions will be made in line with the principles of administrative law, ensuring they are lawful, reasonable, fair and proportionate. Decisions are based on the balance of probabilities,

taking into account all available evidence and the views of the pupil.

Before making a decision, the school will consider the context of the incident, the pupil's individual circumstances, including any safeguarding concerns or special educational needs, and whether alternative strategies have been explored.

The school makes use of internal exclusion as a key intervention, providing pupils with an opportunity to reflect on their behaviour and avoid escalation to suspension. Where internal exclusion or other interventions are unsuccessful, or where behaviour is sufficiently serious, suspension or permanent exclusion may be used.

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort. The school will consider whether unmet SEND needs, safeguarding concerns or contextual factors contributed to behaviour and whether reasonable adjustments and appropriate support have been implemented.

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a pupil will be taken only:

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

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as:
    - For suspensions: detentions or other sanctions provided for in the behaviour policy
    - For exclusions: off-site direction or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

Informing parents/carers (or the pupil where they are 18 or older)

If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers/pupil 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 exclude a pupil, the parents/carers/pupil will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/pupil 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 a permanent exclusion, the fact that it is permanent
- Information about the parents'/carers'/pupil's right to make representations about the suspension or permanent exclusion to the board of trustees and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made

- Where there is a legal requirement for the board of trustees to hold a meeting to consider the reinstatement of a pupil, and that parents/carers/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents/carers/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents/carers 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 the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers 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, if possible:

- 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 the pupil needs in order to identify the person they should report to on the first day

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information 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 school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers/pupil without delay, and provide a reason for the cancellation.

<u>Informing the board of trustees</u>

The headteacher will, without delay, notify the board of trustees of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

<u>Informing the local authority (LA)</u>

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 a 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, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

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

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the headteacher (or delegate) 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 (or delegate) will

inform the VSH as early as possible

This is so they can 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 pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the board of trustees 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.

<u>Cancelling suspensions and permanent exclusions</u>

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the board of trustees. Where there is a cancellation:

- The parents/carers (or the pupil if they are 18 or older), board of trustees and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The board of trustees' duty to hold a meeting and consider reinstatement ceases
- Parents/carers (or the pupil if they are 18 or older) will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school 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.

<u>Providing education during the first 5 days of a suspension or exclusion</u>

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 Google Classroom 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.

5.2 The Board of Trustees

<u>Considering suspensions and permanent exclusions</u>

Responsibilities regarding suspensions and permanent exclusions are delegated to a disciplinary committee consisting of at least 3 trustees.

The disciplinary committee has a duty to consider parents'/carers'/the pupil's (if they are 18 or older) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the board of trustees will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

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

The board of trustees does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

Monitoring and analysing suspensions and exclusions data

The board of trustees will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The board of trustees will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site
- The levels and characteristics of pupils leaving the school, whether through permanent exclusion, removal from the admission register, off-site direction, or any other form of pupil movement, to ensure that such actions are taken only as a last resort when necessary
- Reviewing data on the separation of pupils for safeguarding purposes, where this approach is used

5.3 The Local Authority

For permanent exclusions, the LA will arrange 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.

6. Considering the Reinstatement of a Pupil

The board of trustees will consider representations from parents/carers regarding suspensions and permanent exclusions in line with statutory guidance. Decisions will take into account whether the exclusion was lawful, reasonable and procedurally fair, alongside the welfare of the pupil and the wider school community.

Where appropriate, pupils returning from reinstatement will be supported through a structured reintegration process. This will typically include a reintegration meeting with parents/carers, a review of support strategies and behaviour expectations, and the setting of clear targets to support a successful return to school. The school strongly encourages parental attendance; however, the meeting may proceed in their absence to ensure timely reintegration.

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

- The exclusion is permanent
- It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam 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 board of trustees must consider any representations made by parents/carers/the pupil (if they are 18 or older). However, it is not required to arrange a meeting with parents/carers/the pupil and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single

term, and the parents/carers/pupil make representations to the board, the board of trustees will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers/pupil 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 exam or National Curriculum test, the board of trustees will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the disciplinary committee may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.
The following parties will be invited to a meeting of[the board of trustees and allowed to make representations or share information:

- Parents/carers, or the pupil if they are 18 or older (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers, or pupils if they are 18 or older. See section 9 for more details on remote access to meetings.
The board of trustees will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.
The board of trustees can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the board of trustees will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the board of trustees

They will decide whether or not a fact is true 'on the balance of probabilities'.
The clerk/trustees will be present when the decision is made.
Minutes will be taken of the meeting, and a record kept of the evidence that was 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 board of trustees will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers, or the pupil if they are 18 or older
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the board of trustees has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents'/carers'/the pupil's (if they are 18 or older) 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 (15 school days from the date on which notice in writing of the board of trustees' decision is given to parents/carers)

- The name and address to which 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, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers/the pupil have a right to require the academy trust to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents/carers/the pupil for this appointment
- That parents/carers/the pupil must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers/the pupil may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers/the pupil believe that the permanent 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. Also, that any 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

7. Independent Review

Where the board of trustees decides not to reinstate a permanently excluded pupil, parents/carers have the right to request an independent review panel. The school and academy trust will fulfil all statutory duties in arranging and supporting this process.

If a panel recommends or directs reconsideration, the board of trustees will reconvene and carefully review the decision, taking into account the panel's findings and ensuring that any decision is justified, fair and compliant with statutory guidance.

If parents/carers/the pupil (if they are 18 or older) apply for an independent review within the legal timeframe, the academy trust will, at their own expense, arrange for an independent panel to review the decision of the board of trustees 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/carers/pupil by the board of trustees of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers/the pupil. See section 9 for more details on remote access to meetings.

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 trustee 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 trustee or volunteer
- Current or former school trustees who have served as a trustee 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 director of the academy trust 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 academy trust, or the board of trustees, 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 academy trust, school, board of trustees, parents/carers 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 1 for what training must cover)

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

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

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

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

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

Following its review, the independent panel will decide to do 1 of the following:

- Uphold the board of trustees' decision
- Recommend that the board of trustees reconsiders reinstatement
- Quash the board of trustees' decision and direct that they reconsider reinstatement (only if it judges that the decision was 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 board of trustees at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the board of trustees 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 board of trustees 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 board of trustees 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 board of trustees does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the board of trustees to place on the pupil's educational record

8. School Registers

The school will maintain accurate records of all suspensions and permanent exclusions in line with statutory requirements. Where a pupil is permanently excluded, their name will be removed from the school roll in accordance with legal timescales and procedures.
Attendance during periods of exclusion and any alternative provision will be recorded appropriately, ensuring compliance with national guidance.
A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents/carers/pupil (if they are 18 or older) were notified of the board of trustees' decision to not reinstate the pupil, and no application has been made for an independent review panel, or
- The parents/carers/pupil 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 within 15 school days, the board of trustees 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 admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.
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/carer with whom the pupil normally resides
- At least 1 telephone number at which any parent/carer 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/carers 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/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers 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.

9. Returning from a Suspension

Following a suspension, pupils will be supported to reintegrate successfully into school. This will usually involve a formal reintegration meeting between the student, the parents/carers and relevant staff, where the reasons for the suspension are discussed and expectations for future behaviour are clarified. The school strongly encourages parental attendance; however, the meeting may proceed in their absence to ensure timely reintegration.
Pupils are likely to spend time in internal exclusion on their return to support a structured transition back into lessons. Restorative approaches may be used where appropriate, alongside updated behaviour plans or targeted support. The school will consider whether further interventions are required, particularly where a pupil has received multiple suspensions.

9.1 Reintegration Strategy

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

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

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- Maintaining contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents/carers and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers and other relevant parties.

9.2 Reintegration Meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

10. Remote Access to Meetings

Parents/carers, or pupils if they are 18 or older, can request that a board of trustees meeting, or independent review panel be held remotely. If the parents/carers/pupil don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

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

The board of trustees and the academy trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

11. Monitoring Arrangements

The school and governing board will regularly monitor and review the use of suspension and permanent exclusion to ensure they are applied fairly and proportionately. This includes consideration of patterns and trends, repeat suspensions, and the impact on different groups of pupils, including those with special educational needs, those who are looked after, or those with a social worker.

The school will work closely with the local authority and other agencies to ensure appropriate support and provision is in place for pupils at risk of exclusion.

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves
- Anonymous surveys of staff, pupils, trustees and other stakeholders on their perceptions and experiences

The data will be analysed every term by relevant members of the leadership team who will report back to the headteacher and trustees.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

This policy will be reviewed by the headteacher every 1 year. At every review, the policy will be approved by the board of trustees.

12. Links with Other Policies

This policy is linked to our:

- Behaviour Policy
- SEND Policy
- SEN Information Report
- Attendance Policy

Together, these policies support a consistent and inclusive approach to behaviour, discipline and pupil welfare.

Appendix 1 - Independent Review Panel Training

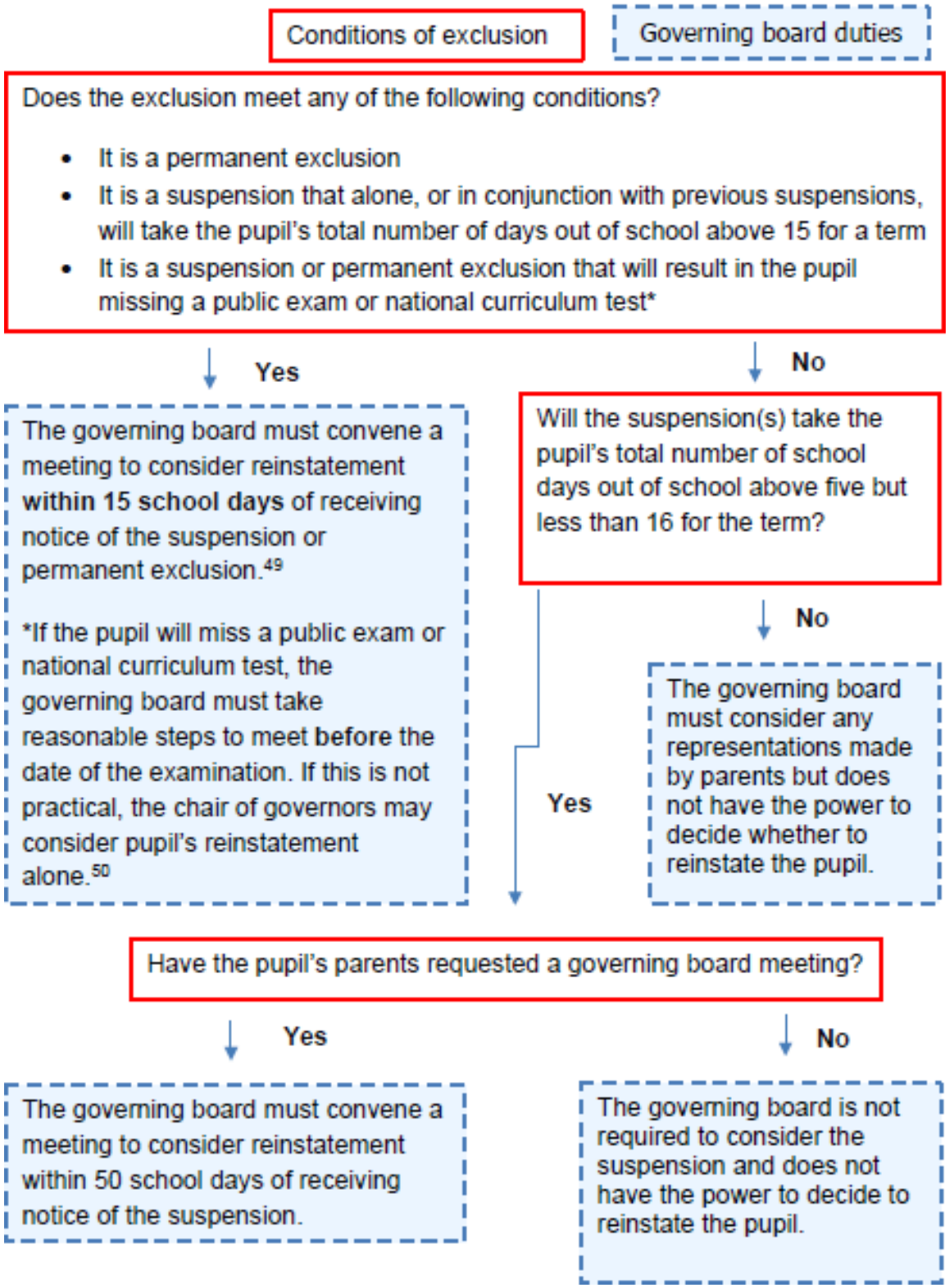
The Academy Trust must make sure that all members of an independent review panel and clerks/trustees have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, 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/trustees of a review panel
- The duties of headteachers, board of trustees 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

Appendix 2 - Duties to Review

A summary of the governing board's duties to review the headteacher's exclusion decision



Appendix 3 - Duties to Consider Reinstatement

A summary of the governing board's duties to consider reinstatement[64]

1. Is it a permanent exclusion?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the permanent exclusion.

If the answer is no, go to step 2.

2. Is it a suspension that alone, or in conjunction with previous suspensions / exclusions, will take the pupil's total number of days out of school above 15 for a term?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension. This includes suspensions that exceed 15 school days by less than a whole day, e.g. one that totals 15.5 days.

If the answer is no, go to step 3.

3. Is it a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion. The governing board must also take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.

If the answer is no, go to step 4.

4. Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

If the answer is yes, go to step 5.

If the answer is no, the governing board must consider any representations made by parents[65] but does not have the power to decide whether to reinstate the pupil.

5. Has the parent made representations?

If the answer is yes, the governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

If the answer is no, the governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

[64] The governing board may delegate its functions to consider an exclusion to a designated committee.
[65] Parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

Appendix 4 - Model Letters

Model Letter 1: 5 school days or fewer in one term (no public examination missed)

Date

Dear parental salutation

I am writing to inform you of my decision to suspend child's name for a fixed period of xx day/s and xx sessions. This means that he will not be allowed in school for this period. The suspension begins/began on date and expires on date. Child's name will also sit an internal exclusion on the reintegration day, date.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend child's name has not been taken lightly. He has been suspended for this fixed period for reason.

We will set work for child's name on Google Classroom to be completed on the days specified in the previous paragraph, as school days during the period of his suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have a duty to ensure that your child is not present in a public place in school hours during the period of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to make representations about this decision to the School Trust Board. If you wish to make representations please contact the clerk to the Board of Trustees as soon as possible, the clerk may be contacted via clerktothetrustees@bordengrammar.kent.sch.uk. Whilst the School Trust Board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

You and child's name are requested to attend a reintegration meeting with members of staff on date at time. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

If you require a copy of your child's school record, you will need to do this via a Subject Access Request (SAR) in writing setting out clearly what personal data you wish to access. This will normally be dealt with within one month of your request. Please direct your written request to the headteacher.

Relevant sources of free and impartial information about school suspension/exclusion are available, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found at The Council for Disabled Children's The Information, Advice and Support Services Network: IASK (Information, Advice and Support Kent) - 03000 41 3000, iask@kent.gov.uk, https://www.iask.org.uk.
- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- You may wish to contact **Michelle Slater**, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932**,** michelle.slater@kent.gov.uk who can provide advice.

The school's Behaviour Policy and Suspensions & Permanent Exclusions Policy can be found on our school website, under *Information / Policies* tab or you may wish to contact the school for a paper version.

Yours sincerely,
Headteacher's signature
Headteacher's name
Headteacher

Model Letter 1a: 5 school days or fewer but which takes the total days including other suspensions to over 5 in a term (no public examination missed)

Date

Dear parental salutation

I am writing to inform you of my decision to suspend child's name for a fixed period of xx day/s and xx sessions. This means that he will not be allowed in school for this period. The suspension begins/began on date and expires on date. Child's name will also sit an internal exclusion on the reintegration day, date.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend child's name has not been taken lightly. He has been suspended for this fixed period for reason.

We will set work for child's name on Google Classroom to be completed on the days specified in the previous paragraph, as school days during the period of his suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have a duty to ensure that your child is not present in a public place in school hours during the period of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You have the right to request a meeting with the School Trust Board to whom you may make representations, and my decision to suspend can be reviewed. As the period of this suspension is more than 5 school days in a term the School Trust Board must meet if you request it to do so. The latest date by which the School Trust Board must meet, if you request a meeting, is date(no later than 50 school days after the trust board were notified). If you do wish to make representations to the School Trust Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied by a friend or representative, please contact the clerk to the Board of Trustees at clerktothetrustees@bordengrammar.kent.sch.uk, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the clerk to trustees if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

You and child's name are requested to attend a reintegration meeting with members of staff on date at time. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

If you require a copy of your child's school record, you will need to do this via a Subject Access Request (SAR) in writing setting out clearly what personal data you wish to access. This will

normally be dealt with within one month of your request.
Please direct your written request to the headteacher.

Relevant sources of free and impartial information about school suspension/exclusion are available, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found at The Council for Disabled Children's The Information, Advice and Support Services Network: IASK (Information, Advice and Support Kent) - 03000 41 3000, iask@kent.gov.uk, https://www.iask.org.uk.
- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- You may wish to contact **Michelle Slater**, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932**,** michelle.slater@kent.gov.uk who can provide advice.

The school's Behaviour Policy and Suspensions & Permanent Exclusions Policy can be found on our school website, under *Information / Policies* tab or you may wish to contact the school for a paper version.

Yours sincerely,
Headteacher's signature
Headteacher's name
Headteacher

Model Letter 2: More than 5 school days (up to and including 15 days) in a term

Date

Dear parental salutation

I am writing to inform you of my decision to suspend child's name for a fixed period of xx day/s and xx sessions. This means that he will not be allowed in school for this period. The suspension begins/began on date and expires on date. Child's name will also sit an internal exclusion on the reintegration day, date.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend child's name has not been taken lightly. He has been suspended for this fixed period for reason.

We will set work for child's name on Google Classroom for the first five school days in this suspension period. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have a duty to ensure that your child is not present in a public place in school hours during the period of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

From the date (sixth school day of the suspension) until date (end of suspension), detail arrangements (if known)/arrangements will be notified shortly via further letter will provide suitable full-time education. On date he should attend at name of provider at time and report to staff members name + any other information such as start time, transport etc.

You have the right to request a meeting with the School Trust Board to whom you may make representations, and my decision to suspend can be reviewed. As the period of this suspension is more than 5 school days in a term the School Trust Board must meet if you request it to do so. The latest date by which the School Trust Board must meet, if you request a meeting, is date(no later than 50 school days after the trust board were notified). If you do wish to make representations to the School Trust Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied by a friend or representative, please contact the clerk to the Board of Trustees at clerktothetrustees@bordengrammar.kent.sch.uk, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the clerk to trustees if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

You and child's name are requested to attend a reintegration meeting with members of staff on date at time. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

If you require a copy of your child's school record, you will need to do this via a Subject Access Request (SAR) in writing setting out clearly what personal data you wish to access. This will normally be dealt with within one month of your request.
Please direct your written request to the headteacher.

Relevant sources of free and impartial information about school suspension/exclusion are available, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found at The Council for Disabled Children's The Information, Advice and Support Services Network: IASK (Information, Advice and Support Kent) - 03000 41 3000, iask@kent.gov.uk, https://www.iask.org.uk.
- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- You may wish to contact **Michelle Slater**, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932**,** michelle.slater@kent.gov.uk who can provide advice.

The school's Behaviour Policy and Suspensions & Permanent Exclusions Policy can be found on our school website, under *Information / Policies* tab or you may wish to contact the school for a paper version.

Yours sincerely,
Headteacher's signature
Headteacher's name
Headteacher

Model Letter 3: More than 15 school days in a term

Date

Dear parental salutation

I am writing to inform you of my decision to suspend child's name for a fixed period of xx day/s and xx sessions. This means that he will not be allowed in school for this period. The suspension begins/began on date and expires on date. Child's name will also sit an internal exclusion on the reintegration day, date.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend child's name has not been taken lightly. He has been suspended for this fixed period for reason.

We will set work for child's name on Google Classroom for the first five school days in this suspension period. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have a duty to ensure that your child is not present in a public place in school hours during the period of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

From the date (sixth school day of the suspension) until date (end of suspension), detail arrangements (if known)/arrangements will be notified shortly via further letter will provide suitable full-time education. On date he should attend at name of provider at time and report to staff members name + any other information such as start time, transport etc.

As the period of this suspension is more than 15 school days in a term the School Trust Board must meet. At the review meeting you may make representations to the School Trust Board if you wish. The latest date by which the School Trust Board must meet, if you request a meeting, is date(no later than 15 school days after the trust board were notified). If you do wish to make representations to the School Trust Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied by a friend or representative, please contact the clerk to the Board of Trustees at clerktothetrustees@bordengrammar.kent.sch.uk, as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the clerk to trustees if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

You and child's name are requested to attend a reintegration meeting with members of staff on date at time. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed.

If you require a copy of your child's school record, you will need to do this via a Subject Access Request (SAR) in writing setting out clearly what personal data you wish to access. This will normally be dealt with within one month of your request.
Please direct your written request to the headteacher.

Relevant sources of free and impartial information about school suspension/exclusion are available, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found at The Council for Disabled Children's The Information, Advice and Support Services Network: IASK (Information, Advice and Support Kent) - 03000 41 3000, iask@kent.gov.uk, https://www.iask.org.uk.
- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- You may wish to contact **Michelle Slater**, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932**,** michelle.slater@kent.gov.uk who can provide advice.

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Yours sincerely,
Headteacher's signature
Headteacher's name
Headteacher

Model Letter 4: Notification of Permanent Exclusion

Date

Dear parental salutation

I regret to inform you of my decision to permanently exclude name with effect from date. This means that name will not be allowed in school unless he is reinstated by the School Trust Board.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude child's name has not been taken lightly. He has been excluded for reason.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion ie on dates unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

Alternative arrangements for child's name education to continue will be made. For the first five school days of the exclusion we will set work for child's name and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards – ie from date the Local Authority Kent County Council, will provide suitable full-time education. Arrangements will be notified shortly in further communication.

As this is a permanent exclusion the School Trust Board must meet to consider it. At the review meeting you may make representations to the School Trust Board if you wish and ask them to reinstate your child. The School Trust Board has the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power not to reinstate your child back into school. In which case you may apply for the School Trust Board's decision to be review by an Independent Review Panel. The latest date by which the School Trust Board must meet, if you request a meeting, is date(no later than 15 school days after the trust board were notified). If you do wish to make representations to the School Trust Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied by a friend or representative, please contact the clerk to the Board of Trustees at clerktothetrustees@bordengrammar.kent.sch.uk, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the Trust Board, the time, date and location of the meeting. Please advise if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the clerk if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel. If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

If you require a copy of your child's school record, you will need to do this via a Subject Access Request (SAR) in writing setting out clearly what personal data you wish to access. This will normally be dealt with within one month of your request.
Please direct your written request to the headteacher.

Relevant sources of free and impartial information about school suspension/exclusion are available, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found at The Council for Disabled Children's The Information, Advice and Support Services Network: IASK (Information, Advice and Support Kent) - 03000 41 3000, iask@kent.gov.uk, https://www.iask.org.uk.
- Coram's Child Law Advice service can be accessed through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
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- You may wish to contact **Michelle Slater**, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932**,** michelle.slater@kent.gov.uk who can provide advice.

The school's Behaviour Policy and Suspensions & Permanent Exclusions Policy can be found on our school website, under *Information / Policies* tab or you may wish to contact the school for a paper version.

Yours sincerely,
Headteacher's signature
Headteacher's name
Headteacher