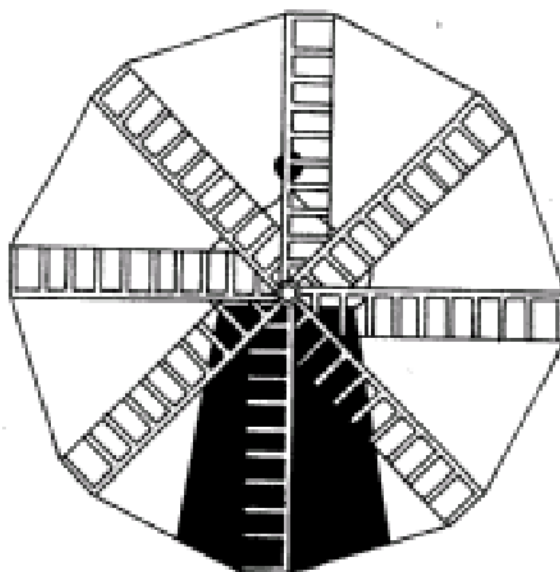


# Suspension and Permanent Exclusions Policy

## Heckington St. Andrew's Church of England Primary School

Respect + Responsibility + Relationships + Resilience + Reverence  
Five Rs = Ready for Life

"I have come that they may have life and have it to the full." John 10:10



**Approved by:** Staffing & Wellbeing Committee

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## Contents

1. Aims .....	3
2. Legislation and statutory guidance .....	3
3. Definitions .....	4
4. Roles and responsibilities .....	4
5. Considering the reinstatement of a pupil .....	8
6. Independent review .....	10
7. School registers .....	11
8. Returning from a suspension.....	12
9. Remote access to meetings .....	12
10. Monitoring arrangements.....	13
11. Links with other policies.....	13
Appendix 1: independent review panel training .....	14
Appendix 2: LCC Suspension and Exclusion Forms .....	15

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# 1. Aims

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 governors, 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, or
- › 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

If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

# 2. Legislation and 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](#).

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 sets out 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](#)

› 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’.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

### 4. Roles and responsibilities

#### 4.1 The headteacher

##### 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.

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**

If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers 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 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 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' right to make representations about the suspension or permanent exclusion to the governing board 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 governing board to hold a meeting to consider the reinstatement of a pupil, and that parents/carers have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- › That parents/carers 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 without delay, and provide a reason for the cancellation.

### **Informing the governing board**

The headteacher will, without delay, notify the governing board 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

### **Informing the local authority (LA)**

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.

### **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 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 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.

## **Cancelling suspensions and permanent exclusions**

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 governing board. Where there is a cancellation:

- › The parents/carers, governing board 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 governing board's duty to hold a meeting and consider reinstatement ceases
- › Parents/carers 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.

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

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 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.

## **4.2 The governing board**

### **Considering suspensions and permanent exclusions**

Responsibilities regarding suspensions and permanent exclusions are delegated to the staffing and wellbeing committee consisting of at least 3 governors.

The staffing and wellbeing committee has a duty to consider parents'/carers' 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.

The governing board has a duty to consider parents'/carers' 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 governing board will provide the secretary of state and the Local Authority with information about any suspensions or exclusions within the last 12 months.

For any 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.

### **Monitoring and analysing suspensions and exclusions data**

The governing board 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 governing board 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

### **4.3 The local authority (LA)**

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.

## **5. Considering the reinstatement of a pupil**

The staffing and wellbeing committee 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 staffing and wellbeing committee must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers 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 make representations to the board, the staffing and wellbeing committee 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 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 staffing and wellbeing committee 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 chair of the governing board (or the vice-chair, if necessary) 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 staffing and wellbeing committee and allowed to make representations or share information:

- › Parents/carers, (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
- › A representative of the local authority



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

The governing board 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 staffing and wellbeing committee 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 staffing and wellbeing committee 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 governing board

They will decide whether or not a fact is true 'on the balance of probabilities.

The clerk/governance professional 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 staffing and wellbeing committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- › The parents/carers
- › 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 staffing and wellbeing committee 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' 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 governing board's 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 have a right to require the Local Authority 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 for this appointment
- › That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- › That parents/carers 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 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

## 6. Independent review

If parents/carers apply for an independent review within the legal timeframe, the Local Authority will, at their own expense, 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/carers by the staffing and wellbeing committee 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. 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 governor 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
- Current or former 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/director of the Local Authority 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 Local Authority, 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 Local Authority, school, governing board, 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 governing board's decision

- › Recommend that the governing board reconsiders reinstatement
- › Quash the governing board's 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 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

## 7. School registers

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

- › 15 school days have passed since the parents/carers were notified of the staffing and wellbeing committee's decision to not reinstate the pupil, and no application has been made for an independent review panel, or
- › The parents/carers 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 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 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.

## **8. Returning from a suspension**

### **8.1 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:

- Welcoming the pupil back to school.
- Maintaining regular contact during the suspension or off-site direction.
- Regular reviews with the pupil and parents/carers
- Informing 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.

### **8.2 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.

## **9. Remote access to meetings**

Parents/carers can request that a governing board meeting, or independent review panel be held remotely. If the parents/carers 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 governing board and the Local Authority 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

## **10. Monitoring arrangements**

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, governors and other stakeholders on their perceptions and experiences

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 staffing and wellbeing committee every two years.

## **11. Links with other policies**

This exclusions policy is linked to our

- Behaviour policy
- SEN policy and information report

## **Appendix 1: Independent review panel training**

The Local Authority must make sure that all members of an independent review panel and clerks/governance professionals 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/governance professional 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

## Appendix 2: Lincolnshire County Council Exclusion Form

<b><u>EP/EXC1 CONFIDENTIAL</u></b>						
<b>NOTIFICATION OF A SUSPENSION</b>						
<p>Guidance on the procedure for excluding a pupil can be found in the DfE document 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement July 2022'. Schools are required to report details of <b>all</b> suspensions to the LA (including lunch-time suspensions).</p> <p><b>Please email this form to the Pupil Reintegration Team, without delay.</b></p>						
<b>SECTION A: SCHOOL, PUPIL AND PARENT/CARER DETAILS</b>						
<b>School Name</b>						
<b>School Type</b>						
<b>Pupil Full Name</b>				<b>DOB</b>		
<b>Known As</b>			<b>Gender</b>	Male	Female	
<b>UPN</b>			<b>Ethnic Group</b>			
<b>Suspension Date</b>						
<b>Is Pupil Child in Care? (CIC)</b>			<b>Does the Pupil have Social Care involvement?</b>			
<i>If yes to either CIC or Social Care, School must inform the Social Worker and/or Virtual School Head of any Suspensions <b>without delay</b></i>						
<b>Parents(s)/Guardian 1</b> (This should be the contact detail for student's primary carer/address)						
<b>Title</b>		<b>Full Name</b>				
<b>Relationship to Student</b>				<b>PR?</b>	Yes    No	
<b>Address</b>			<b>Parent/Carer's First Language</b>			
			<b>Telephone Number</b>			
			<b>Mobile Number</b>			
<b>Post Code</b>			<b>Email</b>			
<b>Parents(s)/Guardian 2</b> (This should be the contact detail for student's secondary carer/address)						
<b>Title</b>		<b>Full Name</b>				

<b>Relationship to Student</b>			<b>PR?</b> Yes    No
<b>Address</b>		<b>Parent/Carer's First Language</b>	
		<b>Telephone Number</b>	
		<b>Mobile Number</b>	
<b>Post Code</b>		<b>Email</b>	
<b>SEN Support</b>			
<b>Does the pupil have a statement or EHCP?</b>	Yes    No	<b>Is the student in receipt of SEN support?</b>	Yes    No
<b>Date of last annual review</b>		<b>Have you held an emergency review?</b>	Yes    No
<b>If not, why not?</b>			
<b>SECTION B</b> LUNCHTIME SUSPENSIONS ONLY			
<b>Start Date</b>		<b>End Date</b> <i>the school day before the pupil returns</i>	
<b>Number of Lunchtimes</b>		<b>Total Days Suspended</b> <i>1 lunchtime = 0.5 day</i>	
<b>SECTION C</b> SUSPENSIONS FROM SCHOOL SESSIONS			
<b>Start Date</b>		<b>End Date</b> <i>The school day before the pupil returns</i>	
<b>Number of Days Suspended</b>		<i>For a period of more than 5 school days the school must arrange suitable full time education for any pupil of compulsory school age. This provision must begin no later than the sixth day of the suspension.</i>	
<b>Details of sixth day provision</b> <i>If applicable</i>			
<b>SECTION D</b> TOTAL NUMBER OF DAYS SUSPENDED			
<b>Does this suspension take the students total of suspended days this term over 15 days?</b>		Yes	No
<b>If Yes Please Note:</b> Suspension exceeding 15 School Days in one term, either separately or in total, must be			



considered by the School/Academy governing body (Refer to Dfe guidance)					
<b>Does this suspension mean that the pupil will not be able to sit a public examination?</b>				Yes	No
<b>If Yes Please Note:</b> Suspensions resulting in a pupil missing an examination requires the Governing Board to meet, so far as is reasonably practicable, to consider and decide on the suspension before the date of the examination or test. (Refer to Dfe guidance)					
Total number of days this pupil has been suspended this Academic Year (excluding this current suspension)					
<b>Autumn Term</b>		<b>Spring Term</b>		<b>Summer Term</b>	
<b>Is this suspension in place while consideration is given whether to permanently exclude the pupil?</b>				Yes	No

<b>SECTION E</b>		
<b>REASON FOR SUSPENSION</b>		
<i>Please refer to sheet entitled 'National Standard List of Reasons for Suspension'.</i>		
<i>Where a single category provides a suitable description of the reason for the suspension, that should be selected e.g. Damage. However where appropriate, up to three categories may be recorded</i>		
<i>E.g. Bullying - Racist Abuse</i>		
<b>Physical assault against a pupil</b>		<b>Drugs and Alcohol Related</b> (please indicate which)  Drugs  Alcohol  Tobacco
<b>Physical assault against an adult</b>		
<b>Verbal abuse/threatening behaviour against a pupil</b>		
<b>Verbal abuse/threatening behaviour against an adult</b>		
<b>Bullying</b>		
<b>Racist Abuse</b>		
<b>Damage</b>		
<b>Theft</b>		<b>Use or threat of use of an Offensive Weapon or Prohibited item.</b> Indicate nature of item  Prohibited Item (e.g. Aerosol/Lighter/Laser pen)  Offensive item (e.g. Knife/BB gun/Weapon)  Object used Offensively (e.g. Classroom Object)
<b>Sexual Misconduct</b>		
<b>Inappropriate use of Social Media or Online Technology</b>		
<b>Persistent Disruptive Behaviour</b>		
<b>Abuse against Sexual Orientation and Gender Identity</b>		
<b>Abuse relating to Disability</b>		
<b>Willful and repeated transgression of protective measures in place to protect Public Health</b>		
<b>Please give details of the incident that has led to the decision to suspend.</b>		

<b>Parental views</b>	
<b>Student Views</b> <i>The DfE guidance states: "suspended pupils should be enabled and encouraged to participate at all stages of the suspension process taking into account their age and understanding"</i>	
<b>Signed</b> ..... (Headteacher/Acting Headteacher)	<b>Date</b> .....
This form should be completed as fully and accurately as possible and emailed without delay to: <a href="mailto:PRT@lincolnshire.gov.uk">PRT@lincolnshire.gov.uk</a> 01522 555816/01522 555798	

**EP/EXC3 CONFIDENTIAL**

**NOTIFICATION OF PERMANENT EXCLUSION**

This form should be completed as fully and accurately as possible and emailed to [PRT@lincolnshire.gov.uk](mailto:PRT@lincolnshire.gov.uk) without delay.

**Incomplete forms will not be accepted since the information is vital for the safe and efficient 6<sup>th</sup> day admission of pupils into Alternative Education Provision.**

In addition, members of the Independent Review Panel (IRP) will have regard to the Lincolnshire Ladder of Intervention when considering any application for review – as should school PDCs. If a school has failed to follow the Ladder, the IRP will question the schools reasons for considering the permanent exclusion a "last resort" (Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement)

**All sections of the form must be completed.**

**SECTION A: SCHOOL, PUPIL AND PARENT/CARER DETAILS**

<b>School Name</b>					
<b>Date of PX</b>		<b>6<sup>th</sup> day date</b>			
<b>School contact</b>					
<b>Pupil Full Name</b>		<b>DOB</b>		<b>Year group</b>	
<b>Known As</b>		<b>Gender</b>	Male	Female	
<b>UPN</b>		<b>Mosaic ID</b>			
<b>Ethnic Group</b>		<b>School Year</b>			
		<b>Pupil's First Language</b>			
<b>Parents(s)/Guardian 1</b> (This should be the contact detail for student's primary carer/address)					
<b>Title</b>		<b>Full Name</b>			
<b>Relationship to Pupil</b>			<b>PR?</b>	Yes	No
<b>Address</b>			<b>Parent/Carer's First Language</b>		
			<b>Telephone Number</b>		
			<b>Mobile Number</b>		
<b>Post Code</b>			<b>Email address</b>		

<b>Parents(s)/Guardian 2</b> (This should be the contact detail for student's secondary carer/address)					
<b>Title</b>		<b>Full Name</b>			
<b>Relationship to Pupil</b>			<b>PR?</b>	Yes	No
<b>Address</b>			<b>Parent/Carer's First Language</b>		
			<b>Telephone Number</b>		
			<b>Mobile Number</b>		
<b>Post Code</b>			<b>Email address</b>		
<b>SEN Support</b>					
<b><i>PLEASE NOTE: Pupils with EHCPs or Statements should not be permanently excluded without an emergency review having first been convened.</i></b>					
<b>Does the pupil have a statement or EHCP?</b>	Yes	No	<b>Is the student in receipt of SEN support?</b>	Yes	No
<b>Date of last annual review</b>			<b>Date of emergency review?</b>	Yes	No
<b>Has EHC referral been made?</b>	Yes	No	<b>Name of SENCO</b>		
Please detail the outcome of the most recent review here and attach a copy to this form.					
<b>PLEASE ATTACH A COPY OF THE STATEMENT/EHCP/IEP DETAILING ANY ADDITIONAL NEEDS AND ANY ADDITIONAL SUPPORT REQUIRED</b>					
<b>AGENCY INVOLVEMENT INCLUDING SOCIAL CARE</b>					
<i>PLEASE NOTE: Pupils who are looked after must not be permanently excluded without reference to the Virtual School and the Director of Children's Services</i>					
<b>Is the pupil subject of:</b>	Child in Care Status	Child Protection Plan	Child in Need	Team Around the Child	Receiving free school meals
<b>Date of last meeting/review</b>			<b>Date of next meeting/review</b>		
<b>Social Worker/Lead Professional Name</b>					
<b>Telephone Number</b>			<b>Agency</b>		
<b>Email Address</b>					
<b>Have you discussed this exclusion with the social worker/lead professional?</b>			Yes	No	
<b>Youth Offending Service / Police</b>			Yes	No	

	Description of involvement
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Please note any other agency involvement here;

Date of admission to school:	Previous schools attended
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**PASTORAL SUPPORT PLAN**  
*Please attach a copy of the child's most recent pastoral support plan (PSP)*

Date of implementation of first PSP		Date of most recent review meeting	
Have you held an emergency PSP review?			

If not, please state the reasons why;

**SECTION B: REASON FOR EXCLUSION**  
*Please refer to sheet entitled 'National Standard List of Reasons for Exclusions'*  
*Where a single category provides a suitable description of the reason for the exclusion, that should be selected e.g. Damage. However where appropriate, up to three categories may be recorded*  
*E.g. Bullying - Racist Abuse*

Physical assault against a pupil		<b>Drugs and Alcohol Related</b> (please indicate which)  Drugs  Alcohol	
Physical assault against an adult			
Verbal abuse/threatening behaviour against a pupil			
Verbal abuse/threatening behaviour against an adult			

<b>Bullying</b>		Tobacco	
<b>Racist Abuse</b>			
<b>Damage</b>		<b>Use or threat of use of an Offensive Weapon or Prohibited item.</b> Indicate nature of item  Prohibited Item (e.g. Aerosol/Lighter/Laser pen)  Offensive item (e.g. Knife/BB gun/Weapon)  Object used Offensively (e.g. Classroom Object)	
<b>Theft</b>			
<b>Sexual Misconduct</b>			
<b>Inappropriate use of Social Media or Online Technology</b>			
<b>Persistent Disruptive Behaviour</b>			
<b>Abuse against Sexual Orientation and Gender Identity</b>			
<b>Abuse relating to Disability</b>			
<b>Willful and repeated transgression of protective measures in place to protect public health</b>			
Please give a detailed description of the incident(s) which led to the decision to permanently exclude that <b>have not</b> been included in the letter of notification to parents			
<b>An account of the investigation of the incident (timeline and staff involved)</b>			
<b>Parental views</b>			
<b>Student Account of Incident and Views</b>			
<i>The DfE guidance states: "excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process taking into account their age and understanding"</i>			

<b>Would you have any concerns about a Pupil Reintegration Caseworker making a home visit?</b>	
<b>IS THE PERMANENT EXCLUSION IS RESPONSE TO A ONE-OFF INCIDENT OR PERSISTENT MISCONDUCT</b>	
<b>One-off Incident</b>	<b>Persistent Misconduct</b>
Complete section C	Complete section D
<b>SECTION C: PERMANENT EXCLUSION FOR A ONE-OFF INCIDENT</b>	
<p><i>The local authority endorses a restorative approach to behaviour whereby, if a pupil has damaged a relationship or breached the school's behaviour policy, they should be given the opportunity to repair harm, to renew their commitment to school ethos and to learn from the mistake.</i></p> <p><i>Schools are required to indicate what has prevented all of the following inclusive measures from either enabling the pupil to remain in school or undertaking a managed move.</i></p>	
<b>Inclusive Measure</b>	<b>School Action/Decision</b>
Provide opportunity for the pupil to repair the harm and embark on a period of close monitoring.	
<p>Refer to 2012 guidance on drugs misuse to avoid permanent exclusion for possession and LSCB model drugs policy</p> <p>For more serious incidents, consult the LCC Drugs and Substance Misuse Protocol.</p>	
Consider intent with possession of (potential) weapon. Carry out a risk assessment, using LSCB banned items model policy	
Consider mitigating circumstances, e.g. bullying or	

bereavement.			
If none are sufficient to allow the pupil to remain in the school then a managed move should be considered			
<b>SPECIAL CASES - The "Final Straw" Scenario</b>			
If the breach of policy justifies a permanent exclusion only because of previous violations, then it must be categorised as "Persistent Disruptive Behaviour" to accurately reflect this. The pupil will then, therefore, be expected to have been supported through the steps outlined in Section D.			
<b>SECTION D: PERMANENT EXCLUSION FOR PERSISTENT MISCONDUCT</b>			
<b>THE LINCOLNSHIRE LADDER OF BEHAVIOURAL INTERVENTION</b>			
<i>The following section refers to the Lincolnshire Guidance as underpinned by current statutory guidance</i>			
<b>Step One</b>			
<b>Has the pupil been screened for any unmet learning needs?</b>	Yes	No	<b>Date this was undertaken</b>
<b>What was identified?</b> <i>Were any unmet needs found?</i> <i>What were they?</i>			
<b>What action was taken?</b> <i>Detail school support, agency support, IEP, pen portrait etc</i>			
<b>Have you offered to complete an early help assessment with the pupil/family?</b>	Yes	No	<b>Date this was offered/completed</b>
<b>If not, please state the reasons why</b>			
<b>Step Two</b>			



<b>Have you made a referral to BOSS?</b>	Yes    No	<b>If not, why?</b>	
<b>Date of referral</b>		<b>Outcome of referral</b> <i>(accepted or rejected)</i>	
<b>Have you considered a managed move?</b>	Yes    No	<b>If not, why?</b> <i>If yes, please note which school was identified and list actions taken towards this</i>	
<b>Step Three</b>			
<i>PLEASE NOTE: prior to accessing a pre-exclusion placement BOSS support must have been accessed</i>			
<b>Have you applied for a pre-exclusion placement at the Springwell Lincoln City Academy ?</b>	Yes No	<b>Outcome of Application</b> <i>(accepted or rejected)</i>	
<b>If not, please state the reasons why;</b>			
<b>SECTION E: Key Educational Information</b>			
Pupil strengths			
Pupil needs			
Pupil wishes and feelings			
Examples of teaching strategies that generate positive outcomes, day to day			
Examples of strategies that are most effective when problems arise and challenging behaviour is presented			
Are there any attendance issues?	Detail of attendance issues / truancy episodes	Current % attendance	

### Achievement/Attainment

It is vital that sufficient information on the academic performance of the pupil is provided to enable suitable educational provision to be made available within the statutory time limits.

Subject	Teacher Assessment			GCSE/FS Information & Examination board	Current grades/levels	Expected grades/levels
	KS1	KS2	KS3			
English						
Maths						
Science						
ICT						
Technology						
Art						
Drama						
PSHE/CIT						
PE						
History						
Geography						
Languages						
Music						
RE						

**Additional Pupil Information (e.g. other achievements/areas of interest/skills)**

**Boxall Profile Attached Yes / No**

**Signed**

.....(Headteacher/Acting  
Headteacher)

**Date**

.....  
.....

<p>This form should be completed as fully and accurately as possible and emailed to: <a href="mailto:PRT@lincolnshire.gov.uk">PRT@lincolnshire.gov.uk</a>,  <b>without delay.</b></p> <p>Pupil Reintegration Team, Children's Services, County Offices, Newland, Lincoln, LN1 1YQ  01522 554525</p>	

**Checklist**

Please ensure that the following documents are included:

Risk assessment (below)		Statement / EHC plan	
PSP		School Attendance Record	
TAC/CIN/CP/LAC plan		A copy of head teacher's letter to parents/carers	
Medical information		Attainment information	

**INDIVIDUAL RISK ASSESSMENT**

<b>NAME:</b>		<b>YEAR:</b>	
EXCLUDING School:	Person Completing and Position:	DATE OF COMPLETION:	
<b>WHO MIGHT BE HARMED? Employees, students, work experience students, new &amp; expectant mothers and members of the public</b>			HOW MANY ARE AFFECTED?
<b>BRIEF HISTORY:</b>			
<b>HAZARDS</b>	✓ if applicable (any previous history?)	<b>CONTROL MEASURES/COMMENTS</b>	HIGH MEDIUM LOW Risk?
<b>RESIDUAL RISK OF HARM TO OTHERS etc.</b>			
• Bites / spits			
• Grapples / wrestles / inappropriately touches / pushes			
• Head butt			
• Kicks / stamps			
• Lies on floor / thrashes about on floor			
• Self harm			
• Shouts / screams			

• Slams door			
• Slaps / pinches / punches / scratches / pushes / pulls hair			
• Throw items / uses 'weapons'			
• Unpredictable behaviour			
• Verbal abuse / threats			
• Causes damage			
<b>HAZARDS</b>	✓ if applicable (any previous history?)	<b>CONTROL MEASURES/COMMENTS</b>	HIGH MEDIUM LOW Risk?
• Disruption to classes			
• Graffiti			
• 'Runner'?			
• Attachment to inappropriate persons			
• Targets other pupils / other individuals			
• Other 'high profile' pupils also PX from same school?			
• Implications with off site visits?			
• Arsonist?			
• Climber?			
• Carries Weapons?			
• Known to use legal or illegal 'highs' or other drugs?			

	✓ if applicable (any previous	COMMENTS	HIGH
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KNOWN 'TRIGGERS' FOR UNACCEPTABLE BEHAVIOUR	history?)		MEDIUM LOW Risk?
FOR EXAMPLE:			
• Inability to cope with group activities			
• Does not accept rules / instructions			

Are there any other foreseeable hazards associated with this pupil? Please circle YES/NO

List any additional control measures e.g. Must not be alone with pupil/High risk on trips or visits/climbs out of windows

LINE MANAGER'S COMMENT: (e.g. list any action required that has been referred to higher management, and state to whom it has been referred):