Exclusion and Suspension Policy

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"Learning together, to be the best we can be"

1. Context

1.1. This policy outlines the approach of Nexus Multi Academy Trust to exclusions within the statutory framework. It outlines only where the Trust applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

2. Principles

2.1. Suspension and exclusion are only used by the Trust and its constituent academies in cases deemed as serious breaches of an academy Behaviour Policy. A pupil may be at risk of suspension or exclusion from their academy for:

2.1.1. Verbal abuse, threatening behaviour or physical assault against a pupil or adult;
2.1.2. Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy;
2.1.3. Bullying;
2.1.4. Racist abuse;
2.1.5. Abuse against sexual orientation or gender reassignment;
2.1.6. Abuse relating to disability.

2.2. The government supports Headteachers in using suspension and exclusion as a sanction when warranted, however the decision to permanently exclude should only be taken:

2.2.1. in response to a serious breach or persistent breaches of behaviour policy; and/or
2.2.2. where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

2.3. The school behaviour policy should therefore be clearly articulated and well understood by all as the two reasons above are what will be challenged in panel hearings.

2.4. Exclusions must not be used for:

2.4.1. poor academic performance;
2.4.2. lateness or truancy;
2.4.3. one-off breaches of school uniform or rules on appearance;
2.4.4. behaviour of students' parents.

2.5. A suspension and proposed permanent exclusion can only be authorised by individual undertaking the duties of the school Headteacher. The decision made by the Headteacher must be reasonable, fair and proportionate and apply the civil standard of proof "on the balance of probabilities".

2.6. The Trust seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within each of our academies.

3. Legislation and Statutory Guidance

3.1. This policy is based on the Department for Education statutory guidance Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (effective from 26 July 2026) and any subsequent revisions.

3.2. This policy is based on current statutory guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.

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

3.3.1. Section 51A of the Education Act 2002, as amended by the Education Act 2011.
3.3.2. The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended.
3.3.3. The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.

3.4. In addition, the policy is based on:

3.4.1. Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils.
3.4.2. Section 579 of the Education Act 1996, which defines 'school day'.
3.4.3. The Education (Provision of Full-Time Education for Excluded pupil) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded pupil) (England) (Amendment) Regulations 2014.
3.4.4. The Equality Act 2010.
3.4.5. Children and Families Act 2014.
3.4.6. The School Attendance (Pupil Registration) (England) Regulations 2024.

3.5. Suspensions should be for the shortest time necessary. They can be 0.5 days. If the suspension starts at 11am, this is equitable to 1 day. A lunch time suspension counts as 0.5 days.

3.6. Sending a pupil home to cool off or have a reflection day - and not recording as an exclusion/suspension - is unlawful regardless of whether it occurs with the agreement of parents or carers.

3.7. If the pupil has been permanently excluded, the local authority must arrange suitable full-time education from the sixth school day following the exclusion.

3.8. Unlawful Exclusion and Off-Rolling

3.8.1. The Trust will not use informal, unofficial or unlawful exclusions. Any decision to remove a pupil from school for disciplinary reasons must be formally recorded as a suspension or permanent exclusion and carried out in accordance with statutory guidance.

3.8.2. The Trust will not pressure, encourage or influence parents/carers to remove a pupil from the school roll, electively home educate, accept a managed move, attend alternative provision or reduce attendance as an alternative to the school's legal duties relating to suspension or permanent exclusion.

3.8.3. The Trust will not use part-time timetables, off-site placements, alternative provision or managed moves as a means of avoiding formal exclusion processes. Any such arrangements will only be implemented where they are lawful, proportionate and demonstrably in the best interests of the pupil.

4. Definitions

4.1. **Suspension** – When a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

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

4.3. **Off-site direction** – When the leadership of a school requires a pupil to attend another education setting temporarily, to improve their behaviour.

4.4. **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.

4.4.1. **Reduced timetable** – An exceptional, temporary arrangement agreed with the parent/carer where it is in the pupil's best interests. It must be time limited, have a clear plan for returning to full-time education, be regularly reviewed and must not be used to manage behaviour or avoid suspension or permanent exclusion.

4.5. **Parent/Carer** – Any person who has parental responsibility and any person who has care of the child.

4.6. **Safeguarding-Related Separation** - In rare and exceptional circumstances, where it is essential for safeguarding and cannot practicably be managed while the pupil remains on site, it may be necessary to prevent a pupil from attending some or all parts of the school site. The Designated Safeguarding Lead will be involved in the decision and the Headteacher will ensure their line manager is notified without delay.

4.7. Safeguarding-related separation is distinct from a suspension or permanent exclusion and will not be used as a disciplinary sanction. Any decision to separate a pupil in this way will be lawful, proportionate, based on an appropriate assessment of risk, and reviewed regularly to ensure it remains necessary.

4.8. Parents/carers will be informed without delay of the reasons for the separation and the arrangements being put in place. The school will continue to consider its Culture is drip fed throughout safeguarding duties, the Equality Act 2010 and its duty to secure suitable education and support. Where neither the school nor the parent/carer arranges suitable education, the Local Authority may be responsible for doing so.

5. Management of Suspension and Permanent Exclusion

Before making a decision to suspend or permanently exclude, the Headteacher will seek and consider the pupil's views where it is appropriate and practicable to do so.

5.1. There can be up to 45 days of suspensions for a child in any academic year. No more. A permanent exclusion would then be required or no further suspensions. It is important to note that one doesn't trigger the other.

5.1.1. A Headteacher cannot extend a suspension or convert it into a permanent exclusion. A further suspension may be issued to begin immediately after the first. Where new evidence comes to light following the initial decision, the Headteacher may make a separate decision to permanently exclude, taking full account of that new evidence and the statutory guidance.

5.1.2. Where a suspension results in a pupil being suspended for more than five but no more than 15 school days in a term, parents/carers may make representations and request that the Governing Board considers reinstatement. If requested, the Governing BoardGoverning Board consideration meeting must meet within 50 school days of receiving notice of the suspension.

5.1.3. Where suspensions result in a pupil being suspended for more than 15 school days in a term, the Governing Board must meet to consider reinstatement within 15 school days of receiving notice.

5.1.4. Where a suspension results in a pupil being suspended for five school days or fewer in a term, parents/carers may make representations to the Governing Board. The Governing Board must consider any representations but is not required to arrange a meeting and cannot direct reinstatement.

5.2. Consideration of Vulnerability Factors

Before making a decision to suspend or permanently exclude, the Headteacher will consider whether the pupil has a social worker, is a Child in Care, was previously

looked after, has SEND, mental health needs or safeguarding vulnerabilities, and whether additional support could appropriately address the behaviour.

6. Notification of a Suspension or Permanent exclusion

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

6.2. Parents will be notified as soon as possible of the decision to suspend a pupil and the reason for the suspension. This will be done on the day of the suspension being authorised by either direct phone contact or a face-to-face meeting. A written confirmation of the reason(s) for the suspension will be sent to parents within 24 hours.

6.3. In the case of a proposed permanent exclusion, parents will be notified by the Headteacher in a face-to-face meeting wherever possible, unless in exceptional circumstances. A written confirmation of the reason(s) for the proposed exclusion will be sent to parents within 24 hours either by email or post.

6.4. To ensure the pupil understands the reasons for the suspension or proposed permanent exclusion, they will have the reason explained to them by a member of staff in a way in which they understand.

6.5. The Trust Chief Executive Officer, Headteacher's line manager, a child's responsible Local Authority and relevant school staff will be notified of all suspensions the same day of the production of the suspension / exclusion letter. The notification will include:

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

6.6. If a pupil has a social worker or is a Child in Care, the Headteacher must notify the relevant case worker as early as possible including informing them that:

6.6.1. They have decided to suspend or permanently exclude the pupil;
6.6.2. The reason(s) for the decision;
6.6.3. The length of the suspension or, for a permanent exclusion, the fact that it is permanent;
6.6.4. The suspension or permanent exclusion affects the pupil's ability to sit a public exam (where relevant).

6.6.5. The school will work to put in place a restorative programme for the pupil on their return. This will include input from staff at the school, parents/carers, if

appropriate, and any other appropriate agency. Should it be decided for whatever reason that the matter needs to be put in the hands of another agency i.e. the incident leads to the discovery that there is a child protection issue, the school will continue to monitor the situation and work closely with that agency. It is hoped that in most cases following suspension a pupil will be able to return to school and that further input will promote in them a more positive attitude and a subsequent improvement in behaviour.

7. Returning from a suspension

7.1. Following a suspension, the school will endeavour to arrange a reintegration meeting with the pupil and parent/carer. The purpose is to review support needs, identify strategies for a successful return and agree any necessary interventions. A pupil's return to school will not be delayed where a parent/carer is unable to attend.

7.2. Schools can consider a range of measures to enable successful reintegration but all decisions should be based on a strengths-based model enabling the student to reflect on their behaviour, create a sense of belonging and build engagement back into learning. To ensure a successful reintegration into school life, the following strategies may be applied:

7.2.1. Daily contact in school with a designated pastoral professional;
7.2.2. Mentoring by a trusted adult or a local provider;
7.2.3. Regular reviews with the pupil and parent/carers to praise progress being made;
7.2.4. Raise and address any further concerns at an early stage;
7.2.5. Informing the pupil (where appropriate), parent/carers and staff of potential external support;

7.3. Reduced timetables will be put in place for the minimum time necessary.

7.4. If a suspension brings the total number of days out of school to more than 15 days in a term, governors will consider any representation made by parents/carers within the reintegration process.

8. Permanent Exclusions

8.1. A Headteacher will only permanently exclude a pupil as a last resort, after considering all available support and intervention measures. However, there may be exceptional circumstances where a permanent exclusion is considered appropriate in response to a serious one-off incident or persistent breaches of the behaviour policy.

8.2. A decision to propose permanently excluding a pupil should only be taken:

8.2.1. In response to a serious breach or persistent breach of the school's behaviour policy; and/or
8.2.2. Where allowing the pupil to remain in school would seriously harm the education

or welfare of the pupil or others, such as staff or students within the school.

8.3. If it has been proposed for a child to be permanently excluded:

8.3.1. Governors are required to review the Headteacher's decision within 15 school days;
8.3.2. Parents/Carers, the pupil's Social Worker (where applicable) and the Virtual School Head (where applicable) will be invited to make representations to the Governing Board.
8.3.3. Where the Governing Board decides not to reinstate the pupil, parents/carers may request an Independent Review Panel in accordance with statutory guidance;
8.3.4. Information about the Independent Review Panel process and relevant timescales will be provided in writing following the Governing Boards decision.

8.4. The local authority must provide full-time education from the sixth day of a permanent exclusion.

9. Off-Site Direction

9.1. Off-site direction may be used as a preventative intervention where it is judged to be in the best interests of the pupil and the wider school community. The purpose of an off-site direction should be to improve behaviour, facilitate engagement in education and reduce the likelihood of suspension or permanent exclusion.

9.2. Before directing a pupil off site, the school will consider the pupil's individual needs, age, SEND, safeguarding needs and known vulnerabilities. Parents/carers will be given written notice of the placement, its reasons and objectives, the location, start date, expected duration, review arrangements and key contact details, and will be given an opportunity to make representations. The placement will be kept under regular review, including by the Governing Board where required.

9.3. The school will retain responsibility for the pupil's welfare, safeguarding, attendance and educational progress while attending an alternative setting. The placement will be monitored regularly and reviewed to determine whether the intended outcomes are being achieved and whether continued placement remains appropriate.

9.4. The Governing Board will receive appropriate information regarding the use of off-site direction in accordance with statutory guidance and governance responsibilities. Records of all off-site directions, review meetings and outcomes will be maintained by the school and made available for governance oversight where required. Parents/carers will receive written notification containing the reasons for the placement, objectives, duration, review arrangements and key contact details.

10. Managed Moves

10.1. A managed move is a voluntary arrangement which may be considered as an alternative to permanent exclusion where it is considered to be in the best interests of the pupil.

10.2. Managed moves will only take place following full discussion with all relevant parties. The informed agreement of the parent/carer, the pupil where appropriate, the receiving school and the Trust will be obtained before a managed move is implemented. A managed move should normally be supported by a written agreement which specifies intended outcomes, timescales, responsibilities and review arrangements.

10.3. Trial managed moves will not be used. Managed moves will comply with the School Admissions Code and all relevant statutory requirements

10.4. The school will ensure clear arrangements are in place for transition, monitoring and review. Records will be maintained regarding discussions, decisions and outcomes.

10.5. A managed move will not be used as a mechanism to avoid the legal requirements associated with suspension or permanent exclusion and parents/carers will be fully informed of their rights throughout the process.

10.6. **Managed moves are not applicable for a child with an EHCP.**

11. Supporting students with SEND

11.1. It would be unlawful to exclude a pupil simply because they have a Special Educational Need or Disability (SEND). Reasonable adjustments should be made and schools must use their 'best endeavour' to ensure that the appropriate provision is in place.

11.2. Following a suspension or permanent exclusion, there should be a review of all internal paperwork and amendments made accordingly, ensuring that there is evidence of the updates for any panel review after each suspension. Reference should be made as to what changes will be made in the graduated response and this should be communicated to parents/carers and any external agencies involved with the pupil.

11.3. When making a decision to suspend or exclude, consideration should be made as to how the school is meeting need through the review of the following documents:

11.3.1. Education, Health and Care Plan (EHCP)
11.3.2. Individual Education Plan (IEP)
11.3.3. Individual Behaviour Plan (IBP)
11.3.4. Provision tracker,
11.3.5. Pastoral Support Plan (PSP)

11.3.6. Positive Handling Plan
11.3.7. School Provision Map
11.3.8. Targeted Intervention
11.3.9. Sensory Questionnaires
11.3.10. SEMH Assessment (Boxhall/PIVATS),
11.3.11. Strength and Difficulties Questionnaire (SDQ)
11.3.12. Parental 3 houses
11.3.13. Assessments of Learning and/or Behaviour.

11.4. Where a pupil has an EHCP, a request for an early annual review can be made to the LA in writing, unless there has been a review in the previous 10 weeks. The statutory process should be followed if the plan is requiring amendment or change of provision is requested.

11.5. When considering suspension or permanent exclusion, the school will evidence how reasonable adjustments have been considered and implemented in accordance with the Equality Act 2010. Consideration will also be given to whether any additional assessment, intervention or support could reasonably reduce the risk of future incidents.

12. Independent Review

12.1. Applications for an independent review must be made within 15 school days of notice being given to the parent/carers by the exclusion panel hearing 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.

12.2. A panel of 3 or 5 individuals will be constituted with representatives from each of the categories below, who must declare any conflicts of interest prior to the start of the process. The panel will include:

12.2.1. 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.
12.2.2. Governors who have served for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteacher during this time.
12.2.3. Headteachers or individuals who have been a Headteacher within the last 5 years.

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

12.4. 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.

12.5. Where a Virtual School Head is present, the panel must have regard to any

representation made by the Virtual School Head of how any of the child's background, education and safeguarding needs were considered by the Headteacher in the lead up to the proposed permanent exclusion, or are relevant to the pupil's proposed permanent exclusion.

12.6. Following its review, the independent panel will decide to do one of the following:

12.6.1. Uphold the decision.
12.6.2. Recommend that the panel reconsider reinstatement.
12.6.3. Quash the decision and direct that the panel reconsider reinstatement (only if it judges that the decision was flawed).

12.7. 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 panel at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the committee 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 committee 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 they reconsider reinstatement.

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

12.9. Once the panel has reached its decision, the panel will notify all parties in writing without delay. This notification will include:

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

13. School Registers

13.1. Removal from the admission register must comply with the School Attendance (Pupil Registration) (England) Regulations 2024 and the statutory permanent-exclusion process. Following a permanent exclusion, a pupil's name may be removed only when:

13.1.1. 15 school days have passed since the parent/carers were notified of the panel decision to not reinstate the pupil and no application has been made for an independent review panel, or

13.1.2. The parent/carers have stated in writing that they will not be applying for an independent review panel.

13.2. The school cannot backdate the deletion of the pupil's name to when the exclusion began.

13.3. While the pupil name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, the appropriate code should be used on the attendance register.

13.4. The school will make all required returns to the Local Authority when a pupil is added to or removed from the admission register.

13.5. Monitoring and Oversight
The school will maintain records of suspensions, permanent exclusions, managed moves, off-site directions and reintegration arrangements. Data will be monitored by senior leaders, trustees and governors to identify trends, ensure equitable practice and support continuous improvement.

Appendix 1

Model Letters for Suspension/Permanent Exclusion

Appendix 1a
Suspension Letter – 5 days or less

Date:

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [x day(s)]. While this suspension is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].

The reason for my decision is (give a description of the incident, including date and time of incident, ensuring that the specific reason for suspension is understood).

(Delete as necessary) Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]

(Delete as necessary - if other incidents contribute to this decision) In making this decision, I am taking other previous incidents of misbehaviour into account.

School will set work for [Pupil's Name] to be completed during the suspension period (ensure the work is accessible and the arrangements for completion are clear). You are responsible for ensuring that the completed work is returned to school promptly for marking.

(Delete as necessary - if the pupil is eligible for FSM) As [Pupil's Name] is entitled to free school meals please contact [Staff Name and details] to discuss how this can be facilitated.

(Delete paragraph as necessary- if pupil has an allocated social worker). As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.

(Delete paragraph as necessary - if pupil is a Looked after Child) As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.

(Delete paragraph as necessary - if the pupil is not of compulsory school age) During a suspension, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.

You and [Pupil's Name] are requested to attend a reintegration meeting with *me [*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that 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 supported. Failure to attend a reintegration meeting could be a factor considered

by a magistrates' court, for instance in circumstances such as non-school attendance.

(Delete paragraph as necessary – SEN register) As [Pupil's Name] [is on the SEN register/has an Education, Health, and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health, and social care issues from [insert local support network incl contact details].

Your rights to make representations to the Governing Board

A. If the total number of days suspension in any one term are five or fewer you have the right to make representations to the Governing Board who will consider these, but the Governing Board does not have the authority to direct reinstatement and is not required to arrange a meeting with you. You should do this within 20 school days of this letter.

B. If the total number of days suspension in any one term is more than five but no more than 15

If this suspension means your child has been, or will be, out of school this term for a total of more than 5 school days but no more than 15 school days due to suspensions or cancelled permanent exclusions, you may make representations to the Governing Board if you wish to do so, within 20 school days of this letter. In which case the Governing Board must meet within 50 school days of being told about this suspension.

C. If the total number of days suspension in any one term are more than 15 the Governing Board must convene a statutory meeting to consider reinstatement. You must be invited to this meeting where you can make your representations.

D. If your child will miss a public exam because of this suspension the governing board must try to meet before the date of the exam and must meet within 15 school days of being told about the suspension.

Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.

If you wish to make representations, please contact [Name and contact details of Clerk to Academy Council]

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:

HM Courts & Tribunals Service

First-tier Tribunal (Special Educational Needs and Disability)

1st Floor, Darlington Magistrates Court

Parkgate

Darlington

DL1 1RU

Telephone: 0300 303 5857 Fax: 0870 739 4017

By Email: send@justice.gov.uk

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Website: First-tier Tribunal (Special Educational Needs and Disability) - GOV.UK (www.gov.uk)

Making a claim would not affect your right to make representations to the Governing Board

Other sources of support that can be accessed are:

ACE Education runs a limited advice line service on 0300 0115 142 on Monday to Tuesday from 10am to 1pm during term time. Information can be found on the website: http://www.ace-ed.org.uk.

The National Autistic Society Schools Exclusion Service (England) can be found at: Exclusion England (autism.org.uk)

Independent Parental Special Education Advice http://www.ipsea.org.uk/

The Department for Education statutory guidance on exclusions can be found at Suspension and permanent exclusion guidance (publishing.service.gov.uk) With additional information at: Pupil wellbeing, behaviour and attendance - GOV.UK (www.gov.uk)

A guide for parents on behaviour and school exclusion can be found at: School exclusions: guide for parents - GOV.UK (www.gov.uk)

Yours Sincerely

[Name]

Headteacher

Copies: Nexus MAT CEO

Local Authority Exclusion Team

[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]

Pupil's file

Appendix 1

Model Letters for Suspension/Permanent Exclusion

Appendix 1b

Suspension Letter – Between 5.5 days and 15 days

Date:

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [xx day(s)]. While this suspension is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].

The reason for my decision is (give a description of the incident, including date and time of incident, ensuring that the specific reason for suspension is understood).

(Delete as necessary) Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]

(Delete as necessary - if other incidents contribute to this decision) In making this decision, I am taking other previous incidents of misbehaviour into account.

School will set work for [Pupil's Name] to be completed during the first [X days] of this suspension (ensure the work is accessible and the arrangements for completion are clear). You are responsible for ensuring that the completed work is returned to school promptly for marking.

(Delete as necessary - if the pupil is eligible for FSM) As [Pupil's Name] is entitled to free school meals please contact [Staff Name and details] to discuss how this can be facilitated.

(Delete paragraph as necessary- if pupil has an allocated social worker). As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.

(Delete paragraph as necessary - if pupil is a Looked after Child) As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.

(Delete paragraph if the pupil is not of compulsory school age) During a suspension, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.

(Delete paragraph if pupil is NOT compulsory school age) From the 6th (or earlier if appropriate) school day of this suspension [specify date] until the expiry of the suspension [specify date] we will provide suitable full-time education. On [date] [Pupil's Name] should attend at [name and address of the alternative provider if not the home school] at [start time]

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and report to [staff member's name].

[If applicable specify [transport arrangements/responsibilities] from home to the alternative provider]

(If arrangements, for suitable full-time education are not available at time of writing the suspension letter, inform parent/carer that they will be notified by a further letter).

You and [Pupil's Name] are requested to attend a reintegration meeting with *me [*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that 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 supported. Failure to attend a reintegration meeting could be a factor considered by a magistrates' court, for instance in circumstances such as non-school attendance.

(Delete paragraph as necessary – SEN register) As [Pupil's Name] [is on the SEN register/has an Education, Health, and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health, and social care issues from [insert local support network incl contact details].

Your rights to make representations to the Governing Board

A. If the total number of days suspension in any one term are five or fewer you have the right to make representations to the Governing Board who will consider these, but the Governing Board does not have the authority to direct reinstatement and is not required to arrange a meeting with you.

B. If the total number of days suspension in any one term is more than five but no more than 15

If this suspension means your child has been, or will be, out of school this term for a total of more than 5 school days but no more than 15 school days due to suspensions or cancelled permanent exclusions, you may make representations to the Governing Board if you wish to do so. In which case the Governing Board must meet within 50 school days of being told about this suspension.

C. If the total number of days suspension in any one term are more than 15 the Governing Board must convene a statutory meeting to consider reinstatement. You must be invited to this meeting where you can make your representations.

D. If your child will miss a public exam because of this suspension the governing board must try to meet before the date of the exam and must meet within 15 school days of being told about the suspension.

Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.

If you wish to make representations, please contact [Name and contact details of Clerk to Academy Council]

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:

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Model Letters for Suspension/Permanent Exclusion

HM Courts & Tribunals Service

First-tier Tribunal (Special Educational Needs and Disability)

1st Floor, Darlington Magistrates Court

Parkgate

Darlington

DL1 1RU

Telephone: 0300 303 5857 Fax: 0870 739 4017

By Email: send@justice.gov.uk

Website: First-tier Tribunal (Special Educational Needs and Disability) - GOV.UK (www.gov.uk)

Making a claim would not affect your right to make representations to the Governing Board

Other sources of support that can be accessed are:

ACE Education runs a limited advice line service on 0300 0115 142 on Monday to Tuesday from 10am to 1pm during term time. Information can be found on the website: http://www.ace-ed.org.uk.

The National Autistic Society Schools Exclusion Service (England) can be found at: Exclusion England (autism.org.uk)

Independent Parental Special Education Advice http://www.ipsea.org.uk/

The Department for Education statutory guidance on exclusions can be found at Suspension and permanent exclusion guidance (publishing.service.gov.uk) With additional information at: Pupil wellbeing, behaviour and attendance - GOV.UK (www.gov.uk)

A guide for parents on behaviour and school exclusion can be found at: School exclusions: guide for parents - GOV.UK (www.gov.uk)

Yours Sincerely

[Name]

Head Teacher

Copies: Nexus MAT CEO

Local Authority Exclusion Team

[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]

Pupil's file

Appendix 1c
Suspension Letter – More than 15 days in 1 term

Date:

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to suspend [Pupil's Name] for a period of [xx day(s]. While this suspension is in force, I would inform you that you are responsible for ensuring that [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

The suspension [begins/began] at [time] on [date] and ends at [time] on [date]. [Pupil's Name] should return to school on [date & time].

The reason for my decision is (give a description of the incident, including date and time of incident, ensuring that the specific reason for suspension is understood).

(Delete as necessary) Due to the serious nature of the incident, I will continue to investigate and gather information during the suspension period to ensure the matter has been dealt with appropriately. Please note that should additional evidence/information come to light during the investigation, which I was not in possession of at the time of making the decision to suspend [Pupil's Name], I will be taking this new evidence/information into account. This may result in the permanent exclusion of [Pupil's Name]

(Delete as necessary - if other incidents contribute to this decision) In making this decision, I am taking other previous incidents of misbehaviour into account.

School will set work for [Pupil's Name] to be completed during the first [X days] of this suspension (ensure the work is accessible and the arrangements for completion are clear). You are responsible for ensuring that the completed work is returned to school promptly for marking.

(Delete as necessary - if the pupil is eligible for FSM) As [Pupil's Name] is entitled to free school meals please contact [Staff Name and details] to discuss how this can be facilitated.

(Delete paragraph as necessary- if pupil has an allocated social worker). As [Pupil Name] has an allocated social worker, I have also informed them of this suspension.

(Delete paragraph as necessary - if pupil is a Looked after Child) As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this suspension.

(Delete paragraph if the pupil is not of compulsory school age) During a suspension, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification; parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this suspension.

(Delete paragraph as necessary or if pupil is NOT compulsory school age) From the 6th school day of this suspension [specify date] until the expiry of the suspension [specify date] school will provide suitable full-time education. On [date] [Pupil's Name] should attend at [name and

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address of the alternative provider if not the home school] at [start time] and report to [staff member's name].

[If applicable — specify transport arrangements/responsibilities from home to the alternative provider]

(If arrangements, for suitable full-time education are not available at time of writing the suspension letter, inform parent/carer that they will be notified by a further letter).

You and [Pupil's Name] are requested to attend a reintegration meeting with *me [*alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that 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 supported. Failure to attend a reintegration meeting could be a factor considered by a magistrates' court, for instance in circumstances such as non-school attendance.

As this suspension brings the total number of suspension days this term to over 15, the Governing Board must meet to consider the suspension[s]. The latest date on which the Governing Board can meet is [date] (no later than 15 school days from the date the Governing Board is notified).

At the review meeting you may make representations to the Governing Board.

You will, whether you choose to make representations or not, be notified by the Clerk to the Governing Board of the time, date, and location of the meeting. Please inform [contact name and details] if you wish to be accompanied by a friend or representative. Also advise them if you have a disability or additional need which may affect your ability to attend or take part in a meeting at the school, reasonable adjustments will then be made. In addition, please advise if you require an interpreter to be present.

If you would prefer to attend the review meeting remotely, you can request this by contacting the clerk named above as soon as possible so that this request can be facilitated.

(Delete paragraph as necessary – SEN register) As [Pupil's Name] [is on the SEN register/has an Education, Health, and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health, and social care issues from [insert local support network incl contact details].

Your rights to make representations to the Governing Board

A. If the total number of days suspension in any one term are five or fewer you have the right to make representations to the Governing Board who will consider these, but the Governing Board does not have the authority to direct reinstatement and is not required to arrange a meeting with you.

B. If the total number of days suspension in any one term is more than five but no more than 15

If this suspension means your child has been, or will be, out of school this term for a total of more than 5 school days but no more than 15 school days due to suspensions or cancelled permanent exclusions, you may make representations to the Governing Board if you wish to do so. In which case the Governing Board must meet within 50 school days of being told about this suspension.

C. If the total number of days suspension in any one term are more than 15 the Governing Board must convene a statutory meeting to consider reinstatement. You must be

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Model Letters for Suspension/Permanent Exclusion

invited to this meeting where you can make your representations.

D. If your child will miss a public exam because of this suspension the governing board must try to meet before the date of the exam and must meet within 15 school days of being told about the suspension.

Number of days [Pupil's Name] has been suspended this (delete as necessary) Autumn/Spring/Summer term [year] is [?] days.

If you wish to make representations, please contact [Name and contact details of Clerk to Academy Council]

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal to the Special Educational Needs and Disability Tribunal. The address to which appeals should be sent is:

HM Courts & Tribunals Service

First-tier Tribunal (Special Educational Needs and Disability)

1st Floor, Darlington Magistrates Court

Parkgate

Darlington

DL1 1RU

Telephone: 0300 303 5857 Fax: 0870 739 4017

By Email: send@justice.gov.uk

Website: First-tier Tribunal (Special Educational Needs and Disability) - GOV.UK (www.gov.uk)

Making a claim would not affect your right to make representations to the Governing Board

Other sources of support that can be accessed are:

ACE Education runs a limited advice line service on 0300 0115 142 on Monday to Tuesday from 10am to 1pm during term time. Information can be found on the website: http://www.ace-ed.org.uk.

The National Autistic Society Schools Exclusion Service (England) can be found at: Exclusion England (autism.org.uk)

Independent Parental Special Education Advice http://www.ipsea.org.uk/

The Department for Education statutory guidance on exclusions can be found at Suspension and permanent exclusion guidance (publishing.service.gov.uk) With additional information at: Pupil wellbeing, behaviour and attendance - GOV.UK (www.gov.uk)

A guide for parents on behaviour and school exclusion can be found at: School exclusions: guide for parents - GOV.UK (www.gov.uk)

Yours Sincerely

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Model Letters for Suspension/Permanent Exclusion

[Name]

Head Teacher

Copies: Nexus MAT CEO

Local Authority Exclusion Team

[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]

Pupil's file

Appendix 1d

Permanent Exclusion

Date:

Dear [Parent/Carer]

[Pupil's Name, Date of Birth and Year Group]

I regret to inform you of my decision to exclude [Pupil's Name] permanently from attendance at this school with effect from [time and date]. This means that [Pupil's Name] will not be allowed in this school unless they are reinstated by the Governing Board.

While this exclusion is in force, I would inform you that you are responsible for ensuring [Pupil's Name] does not come on to school premises unless invited by me. Should this occur, I would view this as a serious breach of the legal process.

(Delete as necessary including if the pupil is not compulsory school age) From the 6th school day of this exclusion [specify date] the Local Authority will provide suitable education. The Local Authority (or representative) will contact you directly with details of these arrangements.

The reason for my decision is (give a clear and informative description of the incident, including date/time of incident, ensuring that the specific reason for exclusion is understood and that all relevant circumstances are made known).

(Delete as necessary) Due to the serious nature of the incident, I will continue to investigate and gather information. If evidence/information comes to my attention that I was not in possession of at the time of making the decision to permanently exclude [Pupil's Name] you will be notified.

(Delete as necessary) In making this decision, I am taking other previous incidents of misbehaviour into account.

Further details will be forwarded to you shortly in the evidence pack to review the permanent exclusion.

School will set work for [Pupil's Name] during the first [*specify the number as appropriate] school days of this exclusion (ensure the work is accessible and the arrangements for completion are clear). You are responsible for ensuring that the work is completed and returned to school promptly for marking.

(Delete as necessary - if the pupil is eligible for FSM) As [Pupil's Name] is entitled to free school meals please contact [Staff Name and details] to discuss how this can be facilitated.

(Delete paragraph as necessary- if pupil has an allocated social worker). As [Pupil Name] has an allocated social worker, I have also informed them of this exclusion.

(Delete paragraph as necessary - if pupil is a Looked after Child) As [Pupil Name] is a Looked after Child, I have also informed the virtual school of this exclusion.

Appendix 1

Model Letters for Suspension/Permanent Exclusion

(Delete as necessary – if the pupil is not of compulsory school age) During an exclusion, parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, or for the purposes of education as arranged by the school. Parents may be given a fixed penalty notice or prosecuted if they fail to comply. It is therefore your legal responsibility to ensure [Pupil's Name] is supervised appropriately during this exclusion.

As this is a permanent exclusion the Governing Board must meet to consider it no later than [specify date] (no later than 15 school days from the date the exclusion began)

At the review meeting you may make representations to the Governing Board.

You will, whether you choose to make representations or not, be notified by the Clerk to the Governing Board of the time, date, and location of the meeting. Please inform [contact name and contact details] of any disabilities or additional needs that may affect your ability to attend or take part in a meeting at the school, reasonable adjustments will then be made. In addition, please advise if you require an interpreter and if you wish to be accompanied by a friend or representative.

If you would prefer to attend the review meeting remotely, you can request this by contacting the clerk named above as soon as possible so that this request can be facilitated.

The Governing Board has the power to reinstate your child immediately or from a specified date, or alternatively it has the power to confirm the exclusion. If this is the case, you have a right to request a review by an Independent Review Panel.

Should you wish to discuss this matter with the Local Authority please contact [enter details of LA exclusion group.]

(Delete paragraph as necessary – SEN register) As [Pupil's Name] [is on the SEN register/has an Education, Health, and Care Plan], you can also obtain impartial information, advice and support about matters relating to special educational needs and disabilities including education, health, and social care issues from [insert local support network incl contact details].

You have the right to see your child's school record however, due to confidentiality restrictions, you must submit in writing a request to obtain copies of this file. There may be a charge for photocopying.

You should also be aware that if you think this permanent exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the Special Educational Needs and Disability First Tier Tribunal. The address to which appeals should be sent is:

HM Courts & Tribunals Service

First-tier Tribunal (Special Educational Needs and Disability)

1st Floor, Darlington Magistrates Court

Parkgate

Darlington

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DL1 1RU

Telephone: 0300 303 5857 Fax: 0870 739 4017

By Email: send@justice.gov.uk

Website: First-tier Tribunal (Special Educational Needs and Disability) - GOV.UK (www.gov.uk)

Making a claim would not affect your right to make representations to the Governing Board

Other sources of support that can be accessed are:

ACE Education runs a limited advice line service on 0300 0115 142 on Monday to Tuesday from 10am to 1pm during term time. Information can be found on the website: http://www.ace-ed.org.uk.

The National Autistic Society Schools Exclusion Service (England) can be found at: Exclusion England (autism.org.uk)

Independent Parental Special Education Advice http://www.ipsea.org.uk/

The Department for Education statutory guidance on exclusions can be found at Suspension and permanent exclusion guidance (publishing.service.gov.uk) With additional information at: Pupil wellbeing, behaviour and attendance - GOV.UK (www.gov.uk)

A guide for parents on behaviour and school exclusion can be found at: School exclusions: guide for parents - GOV.UK (www.gov.uk)

Yours Sincerely

[Name]

Head Teacher

Copies: Nexus MAT CEO

Local Authority Exclusion Team

[Insert as required: Pupil's social worker, Education Health and Care Assessment Team, Virtual School etc.]

Pupil's file

Appendix 2
Suspension and Exclusion Flow Charts

Appendix 2a
Suspension Flow Chart

Headteacher to Trust CEO on the same day of the reason for and the length of the suspension.

The information must also be sent to parents in writing on day 1 of the suspension.

For all suspensions → Headteacher to inform parents or those with parental responsibility, Local Authority and CEO/line manager without delay. Where applicable the headteacher must also inform the pupil's social worker.

Does this suspension mean the pupil will miss an exam or national test? → Governors must convene a panel to consider all suspensions(s) where the pupil would miss an exam or test.

Does this suspension take the pupil to more than 15 days suspension in a term? → Governors must consider all suspensions(s) where this would take the pupil to more than 15 school days suspension in a term. Parents, and where applicable the pupil's social worker and/or Virtual School should be invited to this meeting.

Governors must inform the Headteacher, Local Authority, and parents/carers of their decision.

Have parents/carers requested to make representations? → For pupils where this suspension(s) would take them to more than 5 but less than 15 school days in a term parents can request that governors review the suspension(s). This meeting must be held within 50 days of receiving the notice.
For pupils who have received less than 5 days, parents have the right to make representations to governor, but they do not have the power to overturn suspensions.

Note: A reintegration strategy should be implemented following a period of suspension from school, with the exception of a permanent exclusion being issued.
School may choose to hold a reintegration meeting to facilitate planning, this is always considered to be best practice. This should be strengths based meeting, encourage staff to complete a 3 houses evaluation, really listen to the views of the parents, carers and pupil.
If considered appropriate for the pupil to attend a reintegration meeting consideration should be made towards how this can be best managed to enable a fresh start.

Appendix 2
Suspension and Exclusion Flow Charts

Exclusion Flow Chart

Headteacher (HT) to inform parents immediately of the reason for exclusion- The written notification must be sent to parents on day 1 of the exclusion

HT to inform Local Authority (LA) & Nexus MAT CEO

Governors must hold an exclusion panel hearing to consider proposed PX of a pupil. The meeting must take place within 15 school days of parents receiving notification of the PX

HT to send required LA paperwork (evidence pack) to LA (Exclusion Team), governors, parents, social worker, virtual school, and other parties at least 5 school days in advance of the planned hearing.

The following people must be invited to the exclusion panel hearing:

- Parent/carer or those with parental responsibility
- Social Worker if the pupil has one allocated.
- Virtual School Head if the pupil is a Looked After Child
- Headteacher or representative who took the decision to permanently exclude.
- An interpreter if requested by family.

Letter sent by the clerk to parents and LA Exclusions Team and any other relevant parties, informing of the outcome from the hearing, outlining the reasons for the decision.

Parents do not request an independent review → 15 school days after receiving notice from governors, the HT can remove the pupil from roll. This can be done before, if the parents state in writing

Parents request an independent review (IR) of the decision → The IR Panel (IRP) must meet within 15 school days of receiving the request. Parents can ask, in their request, for a SEN expert to attend the IR, even if the child has no identified SEN

IRP to inform all parties of their decision

The IRP can decide on the following:

- To uphold the panel decision
- Recommend that the panel reconsider their decision
- Quash the decision and direct the panel to reconsider

If IRP uphold, the HT can remove pupil from roll from the date the IR outcome is received

If IRP recommends panel reconsider. If reinstatement is declined HT can then remove pupil from roll