



Suspension and Exclusion Policy

Updated: Feb 2025

To be reviewed: Feb 2027

Author: Andy Walker

**EQUALITY SCHEME
EQUALITY IMPACT ASSESSMENT FOR
SUSPENSION AND EXCLUSION POLICY**

| | | |
|--|---|---|
| Staff / Committee involved in development: | L + M Committee; Headteacher | |
| For use by: | Staff, Governors and Parent/Carers | |
| This policy relates to statutory guidance: | The Education Act 2002 The School Discipline Regulations 2012 Education Inspections Act 2006 DFE Guidance 2022 | |
| Key related Farndon Policies: | Safeguarding Policy Behaviour Policy Attendance Policy | SEN Policy Inclusion Policy Anti Bullying |
| DFE Guidance 2022: Exclusion DFE guidance.pdf | | |
| Equality Impact Assessment: Does this document impact on any of the following groups? If YES, state positive or negative impact, and complete an Equality Impact Assessment Form or action plan, and attach. | | |
| Groups: | Yes/ No | Positive/Negative impact |
| Disability | No | |
| Race | No | |
| Gender | No | |
| Age | No | |
| Sexual Orientation | No | |
| Religious and Belief | No | |
| Gender Reassignment | No | |
| Marriage & Civil Partnership | No | |
| Pregnancy & Maternity | No | |
| Other | No | |
| Reviewed by | Leadership and Management | |
| Agreed by | Full Governors | |
| Next Policy review date | Feb 2027 | |
| A copy of this form, and any related impact assessment form or action plan must be sent to the school office | | |

Aims

It is the policy of Farndon Primary School to try to deal with all behavioural issues in an active, positive way, employing a wide range of strategies, including those specifically designed to avoid such issues reaching the point of exclusion. (See Behaviour Policy).

Good behaviour in our school is essential to ensure that all pupils benefit from the opportunities provided by education. Therefore, we recognise that exclusions, managed moves and off-site direction are essential behaviour management tools that can be used to establish high standards of behaviour and maintain the safety of our school community.

For the vast majority of pupils, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.

Purpose of this policy

This policy is designed to briefly outline the school's approach to exclusions within the statutory framework as defined in the **DFE Guidance 2022: *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement***.

This guidance has been updated to be a companion piece to the Behaviour in Schools guidance, which provides advice to headteachers, Governors and school staff on implementing a behaviour policy which creates a school culture with high expectations of behaviour. Therefore, this guidance should only be necessary when strategies, practices and interventions set out within the Behaviour in Schools guidance have not been successful in improving a pupil's behaviour or the use of more significant interventions or sanctions are required. This document provides a guide to the legislation that governs the suspension and permanent exclusion of pupils from all maintained schools.

The document also provides statutory guidance to which we as a school and Governing Body must have regard when carrying out our functions in relation to suspension and permanent exclusions.

Headteacher's Power to Use Exclusion

Only the headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

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

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

Suspension

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

A pupil may be suspended for one or more fixed periods¹⁴ (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are

becoming a regular occurrence for a pupil, we would consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

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

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension. A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered. The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Permanent Exclusion

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

- In response to a serious breach or persistent breaches of the school's behaviour policy;
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.

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

Cancelling Exclusions

We may cancel any exclusion that has already begun, but this would only be done where it has not yet been reviewed by the governing board. Where an exclusion is cancelled, then:

- Parents, the governing board, and the LA will be notified without delay and, if relevant, the social worker and VSH;
- Parents will be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- We will report to the governing board once per term on the number of exclusions which have been cancelled. This will include the circumstances and reasons for the cancellation enabling governing boards to have appropriate oversight;
- The pupil should be allowed back into school.

Possible Reasons for an Exclusion

The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion.

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse (where it is done knowingly and understood)
- Abuse against sexual orientation or gender reassignment • Abuse relating to disability

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

Off-Rolling and Unlawful Exclusions

Telling or forcing a pupil to leave school, or not allowing them to attend school, is a suspension (if temporary) or permanent exclusion (if permanent). Whenever a pupil is made to leave school, or forbidden from attending school, on disciplinary grounds, this will be done in accordance with the School Discipline Regulations 2012 and with regard to relevant parts of this guidance.

Suspending a pupil for a short period of time, such as half a day, is permissible, however, the formal suspension process must be followed. Each disciplinary suspension and permanent exclusion will be confirmed to the parents in writing with notice of the reasons for the suspension or permanent exclusion. Any exclusion of a pupil, even for short periods, will be formally recorded.

As a school, we are fully aware that it is unlawful to exclude a pupil simply because they have SEN or a disability, or for a reason such as: academic attainment/ability; or the failure of a pupil to meet specific conditions before they are reinstated, such as to attend a reintegration meeting.

If any of these unlawful exclusions are carried out and lead to the deletion of a pupil's name from the register, this is known as 'off-rolling'. An informal or unofficial exclusion, such as sending a pupil home 'to cool off', is unlawful when it does not follow the formal school exclusion process and regardless of whether it occurs with the agreement of parents.

A further example of off-rolling is when there is undue influence over a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education or to find another school place.

If a parent feels pressured into electively home educating their child or that the suspension or permanent exclusion procedures have not been followed, they can follow the school's complaints procedure with the governing board and in the case of a maintained school, the local authority.

Re-integration After a Suspension

We will support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction. Our reintegration strategy offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with our school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

The reintegration strategy is clearly communicated at the reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, we communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting includes the pupil's parents. However, it is important to note that a pupil will not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. To ensure ongoing progress,

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

Where necessary, senior leaders will work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safer schools team, to identify if the pupil has any SEND and/or health needs.

A part-time timetable will not be used to manage a pupil's behaviour and will only be in place for the shortest time necessary. Any pastoral support programme or other agreement will have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There will also be formal arrangements in place for regularly reviewing it with the pupil and their parents.

We can consider a range of measures to enable the pupil's successful reintegration which can include, but are not limited to:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;
- Daily contact with a designated pastoral professional in-school;
- Use of a report card with personalised targets leading to personalised rewards;
- Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress;
- Planned pastoral interventions;
- Mentoring by a trusted adult or a local mentoring charity;
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support.

Off-Site Direction

Off-site direction is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time-limited placements at an AP or another mainstream school. During the off-site direction to another school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school. (See DFE guidance for further detail).

Managed Moves

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction should be used. Managed moves will only occur when it is in the pupil's best interests.

Managed moves will be offered as part of a planned intervention. The original school should evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move. The managed move will be preceded by information sharing between the original school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.

Headteacher's duty to inform all parties about an exclusion

To ensure that a child receives the correct support and protection during a suspension or permanent exclusion, we acknowledge that it is important that those responsible for their care are promptly informed when exclusions occur or there is a risk of them occurring.

Duty to inform parents

Whenever a decision is made to suspend or permanently exclude a pupil we will notify parents of the period of the suspension or permanent exclusion and the reason(s) for it.

After our decision, we will provide parents with the following information in writing:

- the reason(s) for the suspension or permanent exclusion;
- the period of a suspension or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this;
- how any representations should be made;
- where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or a pupil if they are 18 years

old have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

Written notification of the information above will be provided by delivering it directly to the parents or posting it to their address. Notices may be given electronically if the parents have given written agreement for this kind of notice to be sent in this way.

Where a suspended or permanently excluded pupil is of compulsory school age we will also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours.

These days are the first five school days of a suspension or permanent exclusion (or until the start date of any full-time alternative provision or the end of the suspension where this is earlier). Any parent who fails to comply with this duty without reasonable justification commits an offence and may be given a fixed penalty notice or be prosecuted.

We will notify the parents of the days on which their duty applies without delay and, at the latest, by the end of the afternoon session on the first day of the suspension or permanent exclusion.

If alternative provision is being arranged, then the following information will be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion;
- the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;
- the address at which the provision will take place;
- any information required by the pupil to identify the person they should report to on the first day.

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

Informing Parents about and exclusion

Notification should be in person or by telephone in the first instance as this would allow parents to ask any initial questions or raise concerns directly with the headteacher. As a school, we will consider the following:

- Has the school spoken to the parents (and when appropriate, the child's social worker) to ensure they fully understand the type/scale of the incident?

- Has the school considered how to communicate accessibly and clearly, including whether parents may have particular communication needs relating to a disability or having English as an additional language (EAL)?
- Has the school provided sufficient details in the suspension or permanent exclusion notice letter on the reasons for the suspension or permanent exclusion?
- Does the notice contain all the required information as set out in part six of the suspension and permanent exclusion guidance?
- Has the school informed parents (and when appropriate, the pupil's social worker or the local authority if a pupil has an EHCP) whether their pupil will be able to sit any national curriculum test(s) or public examination(s) occurring during the suspension or permanent exclusion?
- When several suspensions have been issued in a term, has the school informed parents of their right of representation to the governing board?
- Letter templates might be available from the local authority.

When notifying parents about a suspension or permanent exclusion, we will set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school, in line with legal requirements.

Informing the Governing Body

Without delay, senior leaders will notify the governing board of:

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

When removing a pupil from the school roll, the governing board will ensure this is done under the circumstances prescribed by the Education (Pupil Registration) (England) Regulations 2006, as amended. If applicable, the pupil's name should be removed from the school roll at the appropriate time.

Informing the Local Authority

The local authority will be informed without delay of all our school exclusions regardless of the length of the exclusion. For a permanent exclusion, if the pupil lives outside the local authority area in which our is located, we will also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay. Notifications will include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion the fact

that it is permanent. 40 The local authority may reasonably wish to request this information in a standardised format. In doing so, they should take care to minimise the administrative burden this places on schools.

Monitoring and Review

- 1) The impact of this policy will be reviewed by the governors' Leadership and Management Committee
- 2) The Headteacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 3) The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.

Headteacher

Signed: 

Date: November 2023

Appendix 1 Letter for fixed term suspension

From Headteacher notifying parent/carer of a suspension of 5 school days or less in one term, and where a public examination is not missed.

Dear [Parent/Carer's Name]

[Child's Name] [Date of Birth]

I am writing to inform you of my decision to suspend [Child's Name] for a fixed period of [specify period]. This means that he/she will not be allowed in school for this period. The suspension begins/began on [date] and ends on [date].

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

[for pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during this suspension on [specify dates] unless you can show reasonable justification for this. If you ignore this I must advise you that you may receive a penalty notice from the local authority.

We will set work for [Child's Name] to be completed on the days specified in the previous paragraph. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing board/management committee. [DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can support you with this. A copy of this letter and future correspondence about this suspension will be sent to them for their information.] If you wish to make representations please contact [Name of Contact] on/at [contact details — address, phone number, email], as soon as possible. Whilst the governing board/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the suspension has occurred as a result of discrimination then you may make a claim 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. Such a claim must be lodged within 6 months of the date [Child's Name] was suspended. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

[PLEASE NOTE: The paragraph below is optional and should only be inserted if included in your school behaviour policy. Pupils must be allowed to return to school at the end of the suspension period. It cannot be extended if parent/carer is unable to attend a meeting].

[You and [child's name] are requested to attend a readmission meeting with me at [time] on [date] at [place]. The purpose of the meeting is to discuss how best your child's return to school can be managed]

You also have the right to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with

a copy of [Child's Name]'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting

Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (publishing.service.gov.uk)

Information Advice and Support Service: <http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letter please contact: Mrs Wendy Williams Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time].

Copies to: Child's school file

CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk

Child's Social Worker [DELETE if the child does not have a Social Worker]

Acting Virtual School Headteacher – Alison Ismail [DELETE if not a looked after child]
Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 2 Letter to Parents saying extension

From Headteacher

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

This letter is notifying parent/carer when the above circumstances apply and where the further issued fixed period suspension brings the total suspension period to more than 5 school days (up to and including 15 school days) in a term.

Dear **[Parent/Carer's name]**
[Child's name] [Date of Birth]

I am writing to inform you of my decision to extend the suspension of **[Child's Name]**. The DfE statutory guidance Suspensions and Permanent Exclusions from maintained schools, academies and pupil referral units in England July 2022, allows, in exceptional cases, for a fixed-period suspension to be extended when new evidence has come to light. The further fixed-period suspension may be issued to begin immediately after the first period ends.

I confirm that I have received new information **[if deemed appropriate, provide further detail]** following my previous letter of **[insert date]**. As such, I will be extending the current fixed period suspension. The current fixed period suspension ends on **[insert date]**, the extension will begin immediately after on **[insert date]**. This means that **[Child's Name]** will not be allowed in school for this period. The suspension begins/began on **[date]** and ends on **[date]**. Your child should return to school on **[date]**. The suspension has been extended for the following reason **[add reason]**.

From the 6th school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter]**. On **[date]** he/she should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable — provide information regarding transport arrangements from home to the alternative provider.]**

You have the right to request a meeting of the school's governing board. As the number of school days **[child's name]** has been suspended for accumulates to more than 5 school days in a term, the governing board must meet if you request it to do so. The latest date by which the governing board must meet, if you request a

meeting, is **[specify date – no later than the 50th school day after the date on which the governing board were notified of this suspension]**.

You have the right to make representations about this decision to the governing board/management committee and be accompanied by a friend or representative. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this suspension will be sent to them for their information.]** If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing body/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record. Please advise if you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension has occurred as a result of discrimination then you may make a claim 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. Such a claim must be lodged within 6 months of the date **[Child's Name]** was suspended. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

[PLEASE NOTE: the paragraph below is optional and should only be inserted if included in your school behaviour policy. Pupils must be allowed to return to school at the end of the suspension period. It cannot be extended if parent/carer is unable to attend a meeting].

[You and [child's name] are requested to attend a readmission meeting with me at [time] on [date] at [place]. The purpose of the meeting is to discuss how best your child's return to school can be managed.]

You have the right to see and have a copy of, your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

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Information Advice and Support Service:

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact: Mrs Wendy Williams Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA.

Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

[Child's Name]'s suspension expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Headteacher

Copies to: Child's school file
CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk
Child's Social Worker [DELETE if the child does not have a Social Worker]
Acting Virtual School Headteacher – Alison Ismail [DELETE if not a looked after child]
Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 3: From Headteacher notifying parent/carer(s) of a pupil's fixed period suspension, when the suspension will take the total number of suspended days to more than 5 school days (up to and including 15 school days) in a term.

Dear **[Parent/Carer's name]**

[Child's name] [Date of Birth]

I am writing to inform you of my decision to suspend **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The suspension start date is **[date]** and the end date is **[date]**. Your child should return to school on **[date]**.

I realise that this suspension may well be upsetting for you and your family, but my decision to suspend **[Child's Name]** has not been taken lightly. **[Child's Name]** has been suspended for this fixed period because **[specify reasons for suspension]**.

[for pupils of compulsory school age - next 3 paragraphs]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days **[or specify dates if suspension is for fewer than 5 days]** of this suspension, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[Child's Name]** during the **[first 5 or specify other number as appropriate]** school days of his **[or her]** suspension **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[if the individual suspension is for more than 5 days]

From the 6th school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter]**. On **[date]** he/she should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable — provide information regarding transport arrangements from home to the alternative provider.]**

You have the right to request a meeting of the school's governing board. As the number of school days **[child's name]** has been suspended for accumulates to more than 5 school days in a term, the governing board must meet if you request it to do so. The latest date by which the governing board must meet, if you request a meeting, is **[specify date – no later than the 50th school day after the date on which the governing board were notified of this suspension]**.

You have the right to make representations about this decision to the governing board/management committee and be accompanied by a friend or representative. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this suspension will be sent to them for their information.]** If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing body/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record. Please advise if you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension has occurred as a result of discrimination then you may make a claim 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. Such a claim must be lodged within 6 months of the date **[Child's Name]** was suspended. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

[PLEASE NOTE: the paragraph below is optional and should only be inserted if included in your school behaviour policy. Pupils must be allowed to return to school at the end of the suspension period. It cannot be extended if parent/carer is unable to attend a meeting].

[You and **[child's name]** are requested to attend a readmission meeting with me at **[time]** on **[date]** at **[place]**. The purpose of the meeting is to discuss how best your child's return to school can be managed.]

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting

[Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/suspension-and-permanent-exclusion-from-maintained-schools-academies-and-pupil-referral-units-in-england-including-pupil-movement.pdf)

Information Advice and Support Service:

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact: Mrs Wendy Williams at Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

[Child's Name]'s suspension expires on **[date]** and we expect **[Child's Name]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Headteacher

Copies to: Child's school file

CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk

Child's Social Worker **[DELETE if the child does not have a Social Worker]**

Acting Virtual School Headteacher – Alison Ismail **[DELETE if not a looked after child]**
Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 4: Extension to Appendix 3

From Headteacher

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

This letter is notifying parent/carer when the above circumstances apply and where the further issued fixed period suspension brings the total suspension period to more than 15 school days in a term.

Dear **[Parent/Carer's name]**

[Child's name] [date of birth]

I am writing to inform you of my decision to extend the suspension of **[Child's Name]**. The DfE statutory guidance Suspensions and Permanent Exclusions from maintained schools, academies and pupil referral units in England July 2022, allows, in exceptional cases, for a fixed-period suspension to be extended when new evidence has come to light. The further fixed-period suspension may be issued to begin immediately after the first period ends.

I confirm that I have received new information **[if deemed appropriate, provide further detail]** following my previous letter of **[insert date]**. As such, I will be extending the current fixed period suspension. The current fixed period suspension ends on **[insert date]**, the extension will begin immediately after on **[insert date]**. This means that **[Child's Name]** will not be allowed in school for this period. The suspension begins/began on **[date]** and ends on **[date]**. Your child should return to school on **[date]**. The suspension has been extended for the following reason **[add reason]**.

From the 6th school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter]**. On **[date]** he/she should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable — provide information regarding transport arrangements from home to the alternative provider.]** As the length of the suspension is more than 15 school days in total in one term the governing board/management committee must meet to consider the suspension. You have the right to make representations at this meeting and be accompanied by a friend or representative. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this suspension will be sent to them for their information.]** The latest date on which the governing board/management committee can meet is **[date here — no later than 15 school days from the date the governing board is notified]**. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing board/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record. Please advise if

you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing board/management committee of the time, date and location of the meeting. Please advise if you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension has occurred as a result of discrimination then you may make a claim 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. Such a claim must be lodged within 6 months of the date

[Child's Name] was suspended. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

[PLEASE NOTE: The paragraph below is optional and should only be inserted if included in your school behaviour policy. Pupils must be allowed to return to school at the end of the suspension period. It cannot be extended if parent/carer is unable to attend a meeting].

You and **[child's name]** are requested to attend a readmission meeting with me at **[time]** on **[date]** at **[place]**. The purpose of the meeting is to discuss how best your child's return to school can be managed.

You also have the right to see and have a copy of **[Child's Name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's Name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted **on** 0300 3305485 **or on** <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting

[Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](http://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/424222/Suspension_and_Permanent_Exclusion_from_maintained_schools_academies_and_pupil_referral_units_in_England_including_pupil_movement.pdf)

Information Advice and Support Service:

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact:
Mrs Wendy Williams Education Access Team, Cheshire West and Chester Council,
Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244
972825 or email Exclusions@cheshirewestandchester.gov.uk

[Name of Child]'s suspension expires on **[date]** and we expect **[Name of Child]** to be back
in school on **[date]** at **[time]**.

Yours sincerely

[Name]
Headteacher

Copies to: Child's school file

CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk

Child's Social Worker **[DELETE if the child does not have a Social Worker]**

Acting Virtual School Headteacher – Alison Ismail **[DELETE if not a looked after
child]**

Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 5: From Headteacher notifying parent/carer of a fixed period suspension of more than 15 school days or more in total in one term.

Dear **[Parent/Carer's Name]**

[Child's name] [Date of Birth]

I am writing to inform you of my decision to suspend **[Child's Name]** for a fixed period of **[specify period]**. This means that **[Child's Name]** will not be allowed in school for this period. The suspension begins/began on **[date]** and ends on **[date]**.

I realise that this suspension may well be upsetting for you and your family, but the decision to exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been suspended for this fixed period because **[reason for suspension]**.

[for pupils of compulsory school age — next 3 paragraphs]

You have a duty to ensure that your child is not present in a public place in school hours during **[the first five school days of suspension or specify dates]**, unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates. It will be for you to show that there is reasonable justification.

We will set work for **[Child's Name]** during the **[first five school days or specify dates]** of his/her suspension **[specify the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[if the individual suspension is for more than 5 days]

From the 6th school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we will provide suitable full-time education **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter]**. On **[date]** he/she should attend at **[give name and address of the alternative provider if not the home school]** at **[specify the time — this may not be identical to the start time of the home school]** and report to **[staff member's name]**. **[If applicable — provide information regarding transport arrangements from home to the alternative provider.]**

As the length of the suspension is more than 15 school days in total in one term the governing board/management committee must meet to consider the suspension. You have the right to make representations at this meeting and be accompanied by a friend or representative. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this suspension will be sent to them for their information.]** The latest date on which the governing board/management committee can meet is **[date here — no later than 15 school days from the date the governing board is notified]**. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible. Whilst the governing board/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record. Please advise if you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing board/management committee of the time, date and location of the meeting.

Please advise if you have a disability or special need which would affect your ability to attend or take part in a meeting at the school. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the suspension has occurred as a result of discrimination then you may make a claim 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. Such a claim must be lodged within 6 months of the date **[Child's Name]** was suspended. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

[PLEASE NOTE: The paragraph below is optional and should only be inserted if included in your school behaviour policy. Pupils must be allowed to return to school at the end of the suspension period. It cannot be extended if parent/carer is unable to attend a meeting].

You and **[child's name]** are requested to attend a readmission meeting with me at **[time]** on **[date]** at **[place]**. The purpose of the meeting is to discuss how best your child's return to school can be managed.

You also have the right to see and have a copy of **[Child's Name]**'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of **[Child's Name]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting:

[Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/suspension-and-permanent-exclusion-from-maintained-schools-academies-and-pupil-referral-units-in-england-including-pupil-movement.pdf)

Information Advice and Support Service:

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact: Mrs Wendy Williams at Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA.

Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

[Name of Child]'s suspension expires on **[date]** and we expect **[Name of Child]** to be back in school on **[date]** at **[time]**.

Yours sincerely

[Name]

Head teacher

Copies to: Child's school file

CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk

Child's Social Worker [DELETE if the child does not have a Social Worker]

Acting Virtual School Headteacher – Alison Ismail [DELETE if not a looked after child]

Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 6: From the Headteacher of a maintained school, academy and pupil referral unit notifying the parent/carer of a pupil's permanent exclusion.

Dear **[Parent/Carer's Name]**

[Child's name] [Date of Birth]

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[date]**. This means that **[Child's Name]** will not be allowed in this school unless he/she is reinstated by the governing board/management committee.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **[Child's Name]** has not been taken lightly. **[Child's Name]** has been excluded because **[reasons for the exclusion — include any other relevant previous history]**.

[For pupils of compulsory school age]

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e. on **[specify the precise dates]** unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

[For pupils of compulsory school age]

Alternative arrangements for **[Child's Name]**'s education to continue will be made. For the first five school days of the exclusion we will set work for **[Child's Name]** and would ask you to ensure this work is completed and returned promptly to school for marking **[this may be different if supervised education is being provided earlier than the sixth day]**. From the sixth school day of the exclusion onwards — i.e. from **[specify the date]** the local authority **[give the name of the authority]** will provide suitable full-time education. **[set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.]**

[For pupils of compulsory school age]

[Where pupil lives in a local authority other than the excluding school's local authority] I have also today informed **[name of officer]** at **[name of local authority]** of your child's exclusion and they will be in touch with you about arrangements for **[his/her]** education from the sixth school day of exclusion. You can contact them at **[give contact details]**.

As this is a permanent exclusion the governing board/management committee must meet to consider it. You have the right to make representations at this meeting and be accompanied by a friend or representative. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this permanent exclusion will be sent to them for their information.]** The latest date on which the governing board/management committee can meet is **[date here — no later than 15 school days from the date the governing board is notified]**. If you wish to make representations please contact **[Name of Contact]** on/at **[contact details — address, phone number, email]**, as soon as possible.

The governing board/management committee have the power to:

- i. reinstate your child immediately or from a specified date, or

- ii. they have the power to uphold the exclusion – which decision you may request is reviewed by an independent review panel.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing board/management committee of the time, date and location of the meeting. Please let us know if you have a disability or special need which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the governing board.

You may also make a claim 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. Such a claim must be lodged within 6 months of the date **[Child's Name]** was suspended/permanently excluded <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>.

You have the right to see a copy of **[Name of Child]**'s school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of **[Name of Child]**'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting:

[Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/61222/suspension-and-permanent-exclusion-from-maintained-schools-academies-and-pupil-referral-units-in-england-including-pupil-movement)

Information Advice and Support Service:

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact:

Mrs Wendy Williams at Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

Yours sincerely

[Name]

Headteacher

Copies to: Child's school file
CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk
Child's Social Worker [DELETE if the child does not have a Social Worker]
Acting Virtual School Headteacher – Alison Ismail [DELETE if not a looked after
child
Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 7: From Clerk for the Governing Board notifying parent/carer of the date of the governing board meeting.

Dear [parent/carer name]

[Child's Name] [Date of Birth]

I would like to inform you that the [governing board/management committee] will meet to review the decision of the Headteacher to permanently exclude [child's name] on [time and date] at [location].

You are invited to attend this meeting and you may bring a friend or representative with you. Taking into account your child's age and understanding, [he/she] may also attend the meeting to speak on [his/her] own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate [his/her] views by other means. [DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher can attend the meeting, should they wish to do so. A copy of this letter and future correspondence about this permanent exclusion will be sent to them for their information.]

If you wish to make representations to the governing board/management committee it is preferable although not essential to inform the school of your attendance. If you wish to do this please contact [name of contact] on/at [contact details] using the form below. If you are unable to attend on this date and time but do wish to make your representations please contact {name of contact} to re-arrange the meeting.

You may also find it useful to contact the Coram Children's Legal Centre. They aim to provide free legal advice and information to parent/carers on state education matters. They can be contacted on 0300 3305485 or on <http://www.childlawadvice.org.uk/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

Other alternative links to relevant services which you may find useful are:

Statutory guidance on suspensions and permanent exclusions can found by visiting:

[Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](http://publishing.service.gov.uk)

Information Advice and Support Service:

(formerly known as the Parent Partnership Service)

<http://www.westcheshirelocaloffer.co.uk/>

Telephone: 0300 1237001

Email: iasservice@cheshirewestandchester.gov.uk

Traveller Education service

Telephone: 01606 271540

Email: Antoinette.vanommen@cheshirewestandchester.gov.uk

If you require further guidance on any of the advice mentioned in our letters please contact: Mrs Wendy Williams at Education Access Team, Cheshire West and

Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

Yours sincerely

[name]

Clerk to the Governing Board

Copies to: Child's school file
CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk
Child's Social Worker [DELETE if the child does not have a Social Worker]
Acting Virtual School Headteacher – Alison Ismail [DELETE if not a looked after child] Alison.Ismail@cheshirewestandchester.gov.uk

.....

To Clerk to the Governing Board [name and address of school]

[Child's Name] [Date of Birth]

Meeting of governing board/management committee on **[insert time and date]** to review Headteacher's decision to exclude **[child's name]** from school.

I wish/do not wish* to attend the meeting to review my child's permanent exclusion.

I will/will not be* attending (if applicable)

My child will/will not be* attending (if applicable)

My child will/will not be* accompanied by a friend and/or representative (if applicable)
*please delete as applicable

Signed.....

Date.....

Appendix 8: From the Clerk to the Governing Board/Management Committee to parent/carer upholding a permanent exclusion.

Dear **[Parent/Carer's name]**
[Child's Name] [Date of Birth]

The meeting of the governing board/management committee at **[school]** on **[date]** considered the decision by the Headteacher to permanently exclude your son/daughter **[name of pupil]**. The governing board/management committee, after carefully considering the representations made and all the available evidence, has decided to uphold **[name of pupil]**'s exclusion.

The reasons for the governing board/management committee's decision are as follows:
[give the reasons in as much detail as possible, explaining how they were arrived at.]

You have the right to request an independent review panel review this decision. **[DELETE / AMEND AS APPLICABLE Your Social Worker and the Virtual School Headteacher will be able to support you regarding this and can also attend the independent review panel, should they wish to do so. A copy of this letter and future correspondence about this permanent exclusion will be sent to them for their information.]**

If you wish to have the decision reviewed written notice of this should be sent to Democratic Services, Cheshire West & Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. This must also include your reasons for requesting the review and if appropriate reference to any disability discrimination claim you may wish to make must. The written notice must be sent by the **[specify the latest date — the 15th school day after receipt of this letter]**.

If you have not requested a review by **[repeat latest date]**, you will lose your right to do so.

Please advise if you have a disability or special need which would affect your ability to attend the hearing. Also, please inform Democratic Services if it would be helpful for you to have an interpreter present at the hearing.

Regardless of whether your child has recognised special educational need, you have the right to require the Local Authority to appoint a special educational need (SEN) expert to attend the review. There is no cost to you for this appointment.

The SEN expert will provide impartial advice to the panel on how special educational needs might be relevant to the exclusion, whether the school's policies or application of these policies were legal, reasonable and fair and whether the school acted in a legal, reasonable and procedurally fair way with respect to the identification of any special educational needs.

You must make clear if you wish for an SEN expert to be appointed in your written notice when requesting an independent review panel.

You may at your own expense, appoint someone to make written and/or oral representations to the panel and you may also bring a friend to the review.

In addition to the Independent Review panel considering issues of discrimination in reaching its decision, you should also be aware that if you think the exclusion has occurred as a result of discrimination you may also make a claim 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. Such a claim must be lodged within 6 months of the date **[Child's Name]** was excluded. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

The Independent Review Panel will have 3 members, which will comprise of one serving or recently retired (within the last five years) Headteacher, one serving or recently serving experienced governor/ management committee members and one lay member who will be the Chairperson.

The panel will review the governing board/management committee's decision to not reinstate your child. New evidence may be presented to the panel and if you wish to present new evidence, please contact Democratic Services in relation to how you should do so.

The panel must meet no later than the 15th school day after the date on which your review is requested. In exceptional circumstances panels may adjourn the hearing until a later date.

Following its review the panel can decide to:

- i. Uphold the exclusion decision
- ii. Recommend that the governing board/management reconsiders their decision, or
- iii. Quash the decision and direct that the governing board/management committee considers the exclusion again within 10 days

If you require further guidance on any of the advice mentioned in our letters please contact: Mrs Wendy Williams at Education Access Team, Cheshire West and Chester Council, Ellesmere Port Portal, Wellington Road, Ellesmere Port. CH65 0BA. Telephone 01244 972825 or email Exclusions@cheshirewestandchester.gov.uk

Yours sincerely

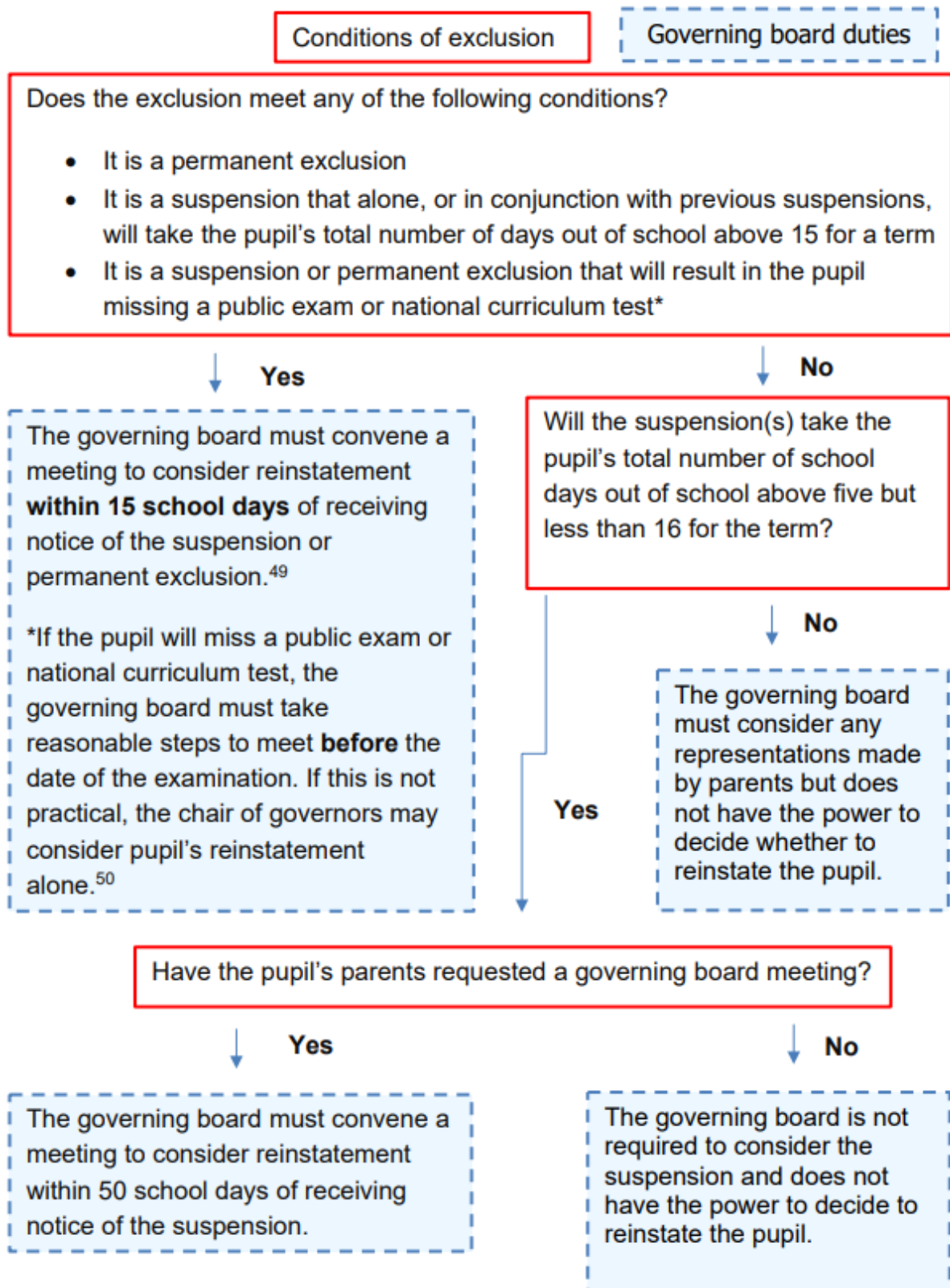
[name]

Clerk to the Governing Board

Copies to: Child's school file
CW&C exclusions inbox exclusions@cheshirewestandchester.gov.uk
Child's Social Worker **[DELETE if the child does not have a Social Worker]**

Acting Virtual School Headteacher – Alison Ismail **[DELETE if not a looked after child]**
Alison.Ismail@cheshirewestandchester.gov.uk

Appendix 9: A summary of the governing board’s duties to review the headteacher’s exclusion decision



1. Is it a permanent exclusion?

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the permanent exclusion.⁵¹

If the answer is no, go to step 2.

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

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension.⁵²

If the answer is no, go to step 3.

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

If the answer is yes, the governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁵³ The governing board must also take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁵⁴

If the answer is no, go to step 4.

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

If the answer is yes, go to step 5.

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

5. Have the pupil's parents requested a governing board meeting?

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

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.

Appendix 10: Preparing for the consideration of a suspension or permanent exclusion

Where the governing board is legally required to consider the reinstatement of a suspended or permanently excluded pupil they should:

- not discuss the suspension or permanent exclusion with any party outside the meeting;
- ask for any written evidence in advance of the meeting, including witness statements⁵⁵ and other relevant information held by the school such as those relating to a pupil's SEN and the pupil's school record;
- where possible, circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting;
- allow parents and the pupil to be accompanied by a friend or representative (where a pupil under 18 is to be invited as a witness, the governing board should first seek parental consent);
- invite the pupil's social worker, if they have one, and if the pupil is LAC, the VSH to attend;
- comply with their duty to make reasonable adjustments for people who use the school and consider what reasonable adjustments should be made to support the attendance and contribution of parties at the meeting (for example where a parent or pupil has a disability with mobility or communication that has an impact upon their ability to attend the meeting or to make representations); and
- identify the steps they will take to enable and encourage the suspended or permanently excluded pupil to attend the meeting and speak on their behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding; or how the suspended or permanently excluded pupil may feed in their views by other means if attending the meeting is not possible.

Appendix 11: Further information

| Guidance | Link |
|--|--|
| Behaviour in Schools | Behaviour in Schools |
| Governance handbook and competency framework | Governance Handbook |
| Alternative Provision | Alternative Provision: Statutory guidance for local authorities, as well as headteachers and governing bodies of settings providing alternative provision Education for children with health needs who cannot attend school |
| Mental health in schools | Mental health and behaviour in schools |
| Children with Special Educational Needs and Disabilities | SEND Code of Practice: 0 to 25 years Children with special educational needs and disabilities (SEND): Overview |
| Departmental Advice on attendance | School attendance guidance |
| Departmental Advice on safeguarding and child protection | Keeping children safe in education Children Missing Education Working Together to Safeguard Children |
| Departmental Advice on Promoting the education of looked-after and previously looked-after children | Promoting the welfare of looked-after and previously looked-after children Adverse Childhood Experiences training and resources (funded by the Home Office) The designated teacher for looked-after and previously looked-after children |
| Sharing and publishing information | School to school service: how to transfer information What maintained schools must publish online What academies, free schools and colleges should publish online |

Appendix 13: Re-integration Meeting Plan

Date of meeting:

People present:

Pupil details

Pupil's name:

Address:

Name of parent/guardian:

Date of birth:

Contact details:

Class Teacher:

Is the pupil in care?

Is the pupil subject to a child protection plan?

Is the pupil identified as having special educational needs (SEN)?

If yes, please give details:

Details of exclusion

| | | |
|--------------------|---------------------------|--------------------------------|
| Date of exclusion: | Date of return to school: | Total number of days excluded: |
|--------------------|---------------------------|--------------------------------|

Reason for exclusion:

Review of current attendance

Attendance this term

Number of days absent:

Attendance (%):

Attendance this year

Number of days absent:

Attendance (%):

Review of academic progress

Subject:

Target grade:

Current grade:

Comments:

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

Targets for behaviour and learning

| Area for development | Current score (0-10); 0=never, 10=always | Target score (0-10) 0=never, 10=always | How will we achieve this? | Timescale/review date |
|-----------------------------------|--|--|---|------------------------------|
| <i>e.g. Come prepared to work</i> | 3 | 5 | <i>Arrive on time</i> <i>Bring pen and other equipment</i> | <i>3 weeks from meeting</i> |

Other actions agreed

Restorative meeting Pupil on report Additional SEN support Other (please specify)

Additional comments

Pupil's comments:

Parent/guardian's comments:

School's comments:

| | | |
|--|--|--|
| | | |
|--|--|--|

Signed _____
(pupil)

Signed _____
(parent/guardian)

Signed _____
(school)

Appendix 14: PERMANENT EXCLUSION: PUPIL INFORMATION FORM – BSP 1 – (updated February 24)

**PLEASE COMPLETE ALL SECTIONS AND RETURN WITHIN 48 HOURS
PLEASE COMPLETE THIS ELECTRONICALLY AND FOR CLARITY SHOULD NOT BE HAND
WRITTEN**

1. Student Details

| Legal name of student | Preferred name of student | | DOB | NC year | UPN | Ethnicity | Gender |
|--|---------------------------------------|----|--|--------------------------|--------|----------------|--------|
| | | | | | | | |
| Unique Candidate Identifier UCI | | | | | | | |
| Unique Learner Number ULN | | | | | | | |
| Parents/Carers | Do they have parental responsibility? | | Home address | | | Contact Number | |
| | YES | NO | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Parent/carer email address | | | Emergency/Alternative Contact Number | | | | |
| Does the student have access to the internet? | YES | NO | Does the student have access to a device? | | YES | NO | |
| | | | | | | | |
| Comments on living arrangements | | | | | | | |
| Family members | | | Relationship | Living at home Yes/No | School | | |
| | | | | | | | |
| | | | | | | | |

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| | | | |

Additional needs and support

| Date of admission: (dd/mm/yy) | SEN support | Top up funding | EHCP |
|--|---|---|--|
| | Please state primary area of need ie: Social Communication YES <input type="checkbox"/> NO <input type="checkbox"/> (Please include relevant documentation with this BSP1 form) | YES <input type="checkbox"/> NO <input type="checkbox"/> (Please include relevant documentation with this BSP1 form) Level: | YES <input type="checkbox"/> NO <input type="checkbox"/> (Please include relevant documentation with this BSP1 form) |
| Request for EHCP needs assessment | | YES <input type="checkbox"/> NO <input type="checkbox"/> | If yes, current status: (Please include relevant documentation with this BSP1 Form) If yes, name of Educational Psychologist |
| Referral to Educational Psychology Service | | YES <input type="checkbox"/> NO <input type="checkbox"/> | |

2. School Details

| | | | | |
|----------------------------------|--|-----------|---------|-----------------------|
| Current School: | Type of School | | | School contact number |
| | Primary | Secondary | Special | |
| Name of School Contact: | If the student is not a CW&C resident you must notify the relevant home Local Authority (LA) regarding ongoing statutory education. Please confirm this action has been completed. YES <input type="checkbox"/> NO <input type="checkbox"/> LA name and contact details: | | | |
| Email address of School Contact: | | | | |
| Email address of Head of Year: | | | | |

| | | | | |
|---------|--|--|--|--|
| DFE No: | Does the student have a registered disability? YES <input type="checkbox"/> NO <input type="checkbox"/> | Free school meals: YES <input type="checkbox"/> NO <input type="checkbox"/> | English as an additional language (EAL): YES <input type="checkbox"/> NO <input type="checkbox"/> | Pupil premium: YES <input type="checkbox"/> NO <input type="checkbox"/> |
|---------|--|--|--|--|

Risk Assessments * If yes, please ensure all documentation is attached

| | | |
|--|--|--|
| Has a criminal exploitation tool been completed for the student? | YES <input type="checkbox"/> NO <input type="checkbox"/> | LEVEL: LOW <input type="checkbox"/> MED <input type="checkbox"/> HIGH <input type="checkbox"/> |
| Has a risk assessment been carried out by school? | YES <input type="checkbox"/> NO <input type="checkbox"/> | LEVEL: LOW <input type="checkbox"/> MED <input type="checkbox"/> HIGH <input type="checkbox"/> |

3. Safeguarding

Please can you make us aware of any safeguarding concerns you have had for this pupil/family over the last 12 months

| Date Of Incident | Summary of Incident <i>please attached relevant information, e.g. CPOMS</i> | Action Taken | Follow Up |
|------------------|--|--------------|-----------|
| | | | |
| | | | |
| | | | |
| | | | |

4. Early Help/Social Care/Agency Involvement

| Please provide current level of support | YES | NO |
|---|-----|----|
| Team Around The Family (TAF) | | |
| Section 17 (CiN) | | |
| Section 47 (CP) | | |
| Looked After Child (LAC) | | |
| Private Fostering | | |

5. Other Agency Involvement

| Agency | Date of involvement | Workers name | Contact details |
|--------|---------------------|--------------|-----------------|
| | | | |

| | | | |
|--|--|--|--|
| | | | |
| | | | |

6. SuspensionExclusion Details

Previous permanent exclusions, in chronological order (if unsure enter N/K for not known)

| | | |
|--|--|---|
| School: | Reason: | Date of exclusion: |
| Number of suspensions this current term <i>*Please provide documentation detailing breakdown and reasons</i> | Number of suspensions this acadameic year <i>*Please provide documentation detailing breakdown and reasons</i> | Number of suspensions reviewed by governors <i>*Please provide documentation detailing breakdown and reasons</i> |
| | | |

Date current permanent exclusion was issued

Reason for permanent exclusion: (You may tick up to 3 reasons)

| | | |
|---|---|--|
| Physical assault against a pupil <input type="checkbox"/> | Use or threat of use of an offensive weapon or prohibited item <input type="checkbox"/> | Abuse relating to disability <input type="checkbox"/> |
| Physical assault against an adult <input type="checkbox"/> | Bullying <input type="checkbox"/> | Sexual misconduct <input type="checkbox"/> |
| Verbal abuse/threatening behaviour against a pupil <input type="checkbox"/> | Racist abuse <input type="checkbox"/> | Drug and alcohol related <input type="checkbox"/> |
| Verbal abuse/threatening behaviour against an adult <input type="checkbox"/> | Abuse against sexual orientation and gender identity (for example, LGBT+) <input type="checkbox"/> | Damage to property <input type="checkbox"/> |

| | | |
|---|--|--|
| Theft <input type="checkbox"/> | Persistent or general disruptive behaviour <input type="checkbox"/> | Inappropriate use of social media or online technology <input type="checkbox"/> |
| Wilful and repeated transgression of protective measures in place to protect public health <input type="checkbox"/> | | |
| Educational provision to be made during exclusion: | | |

7. Educational Profile

| | | | |
|--|--|--|---------------------------|
| Previous schools: | | Dates from: | Date to: |
| | | | |
| Attendance for current academic year:% Please ensure the SIMS attendance record is provided with this BSP1 form | Attendance for last academic year:% | | |
| Has the student been assessed for access arrangements for exams? YES <input type="checkbox"/> NO <input type="checkbox"/> Please provide details: | | | |
| National Curriculum Results/Teacher Assessment: | | | |
| SATS results | | | |
| Maths reasoning | Arithmetic | Spelling, punctuation and grammar | Reading |
| Key Stage 3 | | | |
| Subject | Target | | Progress to target |

| | | |
|--|--|--|
| | | |
| | | |
| | | |
| | | |
| | | |

Key Stage 4
(To be completed from year 9 if GCSEs commenced in this year)

| Subject | Exam board | Target grade | Working at grade |
|---------|------------|--------------|------------------|
| | | | |
| | | | |
| | | | |
| | | | |

Please provide all relevant reports and documentation

8. Educational Profile

| Please give details of any courses undertaken e.g. basic skills, vocational, further education etc and progress and engagement. | Courses | Target grade/progress | Engagement |
|---|---------|-----------------------|------------|
| | | | |

| | | | |
|--|---------------------------|--------------------------|---------------------|
| | | | |
| | | | |
| | | | |
| Please comment on the student's interaction with peers. | Strengths | | Difficulties |
| | | | |
| Please comment on the student's interaction with staff. | Strengths | | Difficulties |
| | | | |
| In which subjects/activities has the student shown a positive interest and/or achievement? | Subject/activities | Positive interest | Achievement |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Please give details of the student's positive personal qualities and achievement. | Positive qualities | | Achievement |

| | | | |
|--|----------------|-----------------------|---|
| 9. Medical Details | | | |
| Doctor: | Address | Contact number | Details of any current medical condition |
| | | | |
| Does the student have any physical needs that require adjustment to be made to the learning environment? YES <input type="checkbox"/> NO <input type="checkbox"/> Please provide details | | | |
| Does the student take any prescribed medication that requires administration during the school day? YES <input type="checkbox"/> NO <input type="checkbox"/> Please provide details | | | |
| Details of any other medical information/risks: | | | |
| | | | |

| 10. Attachments | | | | | |
|---|---------------------------------------|------|-----------------|----------------------------------|---|
| PLEASE TICK TO CONFIRM THE ATTACHMENT OF THE FOLLOWING DOCUMENTS, IF APPLICABLE | | | | | |
| TAF Assessment/minutes | Copy of criminal exploitation tool | EHCP | SEND profile | Educational Psychology report | Any pupil support plans - for example Pastoral Support Plan Behaviour Support Plan Individual Support Plan Pupil Education Plan (for LAC) |
| | | | | | |

| | | | | | |
|---|-----------------------------------|--------------------------------------|---|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Individual Behaviour Plan/Support Plan with reviews | One Page Profile | Attendance record (2 years) | SIMS attendance record | Exclusion record | Subject reports/Teacher assessments |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Individual Health Care Plan | Individual risk assessment | Medical needs/risk assessment | Copy of CPOMS (if relevant to safeguarding concerns) | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Headteachers signature: | | | Date signed: | | |
| <p>PLEASE ENSURE THAT THE EXCLUSION DETAIL IS ENTERED ONTO SIMS.NET OR SCHOOLS EQUIVALENT Please return this form to: exclusions@cheshirewestandchester.gov.uk <u>within 48 hours of a permanent exclusion</u></p> | | | | | |
| Any queries please contact Wendy Williams, Education Access Team 01244 972825 | | | | | |