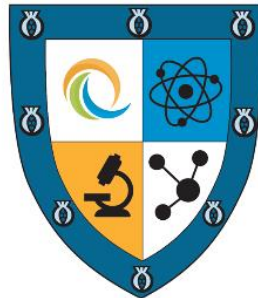




SUSPENSION AND PERMANENT EXCLUSION POLICY FOR SECONDARY SCHOOLS WITHIN QUEST



**UNIVERSITY
COLLEGIATE
SCHOOL**

May 2022
Review date: Summer Term 2024

Suspension and Permanent Exclusion Policy

The Suspension and Permanent Exclusion Policy of Secondary schools within QUEST is reviewed bi-annually.

Introduction

This document embodies our Spirit of Purpose and details our approach to Suspensions and Permanent Exclusions within the Secondary schools of QUEST.

We believe that positive behaviour in our schools is dependent on the school, the parents/carers and the child all having an equal responsibility for its success and abiding by these agreed approaches at all times. The policy should be read with reference to the school's Positive Behaviour Management Policy, QUEST's Restraint Policy and SEN&D Policy.

This policy has been written in consultation with staff, parents and pupils.

What is positive behaviour management and why do we need it?

Every civilised organisation depends on people behaving in a certain manner. In our Schools, the importance of every individual is equal, and as such we value all members of our school communities. Mutual respect is a vital factor in this approach and the modelling of this with all individuals encountered is the driving force behind the positive behaviour management active within schools, ensuring effective academic and social learning.

Our aim is to encourage all members of the school community to live by the Christian or Community ethos in our schools:

- Ensuring excellent standards of conduct at all times - in lessons and playtimes/lunchtimes, on educational visits, when representing our schools and when wearing school uniform.
- To provide a structure to assist in addressing any difficulties children may face in adhering to these standards.
- To enable pupils to understand the actions required from them to achieve positive behaviour when representing our schools.
- To ensure parents support the schools in meeting their child's behavioural needs.

Where this is not possible, the decision to suspend a pupil, either for a fixed period or permanently exclude them is seen as a last resort by the school while always bearing in mind our duty of care to pupils and staff. QUEST schools will follow the latest statutory guidance issued by the DfE.

The school is responsible for communicating to pupils, parents and staff its expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct.

The school will take account of any special educational needs when considering whether or not to exclude a pupil. The Principal will ensure that reasonable steps have been taken by the school to respond to a pupil's disability so the pupil is not treated less favourably for reasons related to the disability.

Reasonable steps will include:

- Differentiation in the school's Positive Behaviour Management Policy
- Developing strategies to prevent the pupil's behaviour
- Requesting external help with the pupil
- Staff training

Where reasonable adjustments to policies and practices have been made, to accommodate a pupil's needs and to avoid the necessity for suspensions/exclusion as far as possible, suspension/exclusion may be justified, if there is a material and substantial reason for it. A specific incident affecting order and discipline in the school may be such a reason.

No suspension/exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation.

Reasons for suspension/exclusion:

- Serious breach of the school's rules or policies
- Risk of harm to the education or welfare of the pupil or others in the school

Any exclusion will be at the recommendation of the Principal or Trust's Director of Education in their absence and the discretion of the Trust Board.

Dependent upon the nature of the behaviour displayed a Principal might decide to suspend/permanently exclude a pupil immediately following an incident or following a build-up of incidents, over a period of time.

Suspension

A fixed term suspension will be used for the shortest time necessary to secure benefits without adverse educational consequences. These may also be for part of the school day, for example- the duration of lunchtime

Suspension for a period of time from half a day to 5 days for persistent or cumulative problems would be imposed only when the school had already offered and implemented a range of support and management strategies from the pre-exclusion checklist.

Suspensions will not be used for minor incidents (e.g., lateness, poor academic performance or breaches of uniform rules). There is a limit of 45 school days in an academic year for fixed term suspensions.

Single Incident

A suspension may be used in response to a serious breach of school rules and policies or a disciplinary offence. In such cases the Principal will investigate the incident thoroughly, usually via the Leadership team, and will consider all evidence to support the allegation, taking account of the Trust's policies. The pupil will be encouraged, and if necessary be supported by familiar staff or parents, to give his/her version of events. A member of the Leadership Team will check to find out whether the incident may have been provoked, for example by bullying or harassment. If necessary the Principal will consult with the Trust's Director of Education.

Behaviour outside School

Pupils' behaviour outside school, on school trips and sporting events, is subject to the school's Positive Behaviour Management Policy. Negative behaviour in such circumstances will be dealt with as if it had taken place in school.

Marking Attendance Registers following suspension

When a pupil is suspended, he/she will be marked as absent using Code E.

Removal from the School for Other Reasons

The Principal may send a pupil home, after consultation with the parents and a health professional as appropriate, if the pupil poses an immediate and serious risk to the health and safety of other pupils and staff, e.g., because of a diagnosed illness such as a notifiable disease. This will not be classed as a suspension and should be for the shortest possible time.

The decision to suspend

If the Principal decides to suspend a pupil he/she will

- Ensure that there is sufficient recorded evidence to support the decision
- Explain the decision to the pupil
- Contact the parents, explain the decision and ask that the child be collected
- Send a letter to the parents confirming the reason for the suspension, the length of the suspension and any terms or conditions agreed for the pupil's return. At the same time, the Principal makes it clear to the parents or carers that they can, if they wish, appeal against the decision to the Board of Directors. The school informs the parents or carers how to make any such appeal.

Please note – any representations made by parents/carers regarding a suspension/permanent exclusion will be dealt with by a designated committee from the Board of Directors.

- Log the suspension on Bromcom
- Log any restraints on the secure digital platform or in the bound and numbered book and also on Bromcom
- In cases of more than a day's suspension, ensure that appropriate work is set and that arrangements are in place for it to be marked
- Plan how to address the pupil's needs on his/her return
- Plan an integration meeting with parents and pupil on his/her return

A suspension will not be enforced if doing so may put the safety of the pupil at risk.

Permanent Exclusion

A permanent exclusion is a very serious decision and the Principal, will consult with the Trust's Director of Education and the Chair of the Board before enforcing it. As with a suspension, it will follow a range of strategies and be seen as a last resort, or it will be in response to a very serious breach of school rules and policies, such as:

- Serious actual or threatened violence against another pupil or a member of staff
- Possession or use of an illegal drug on the school premises
- Carrying an offensive weapon
- Persistent bullying
- Racial harassment
- Persistent disruptive behaviour

Informing the Trust Board and Local Authority

The Principal must, without delay, notify the Trust Board and local authority of:

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

The Trust Board has a duty to consider parents' representations about a suspension/permanent exclusion and a Pupil Disciplinary Committee of at least 3 Directors, must be convened. The requirements on the Trust board to consider a suspension/exclusion depend on a number of factors -see Appendix 3. The Pupil Disciplinary Committee must consider the reinstatement of a suspended/excluded student within 15 school days of receiving the notification if:

- The exclusion is permanent
- It is a suspension which would bring the student's total number of school days of suspension to more than 15 in a term; or

- It would result in a student missing a public examination or national curriculum test (*If it is not reasonably practicable for a panel to meet before the exam, then the Chair of Directors may consider the exclusion independently and decide whether or not to reinstate the pupil. These are the only circumstances in which the Chair can review an exclusion decision alone*)

The LA contact is the Pupil Inclusion Team (01204 332250) and they require sufficient information in writing to allow them to initiate arrangements (pupil details, date and reason for permanent exclusion). The Pupil Inclusion Team must also be provided with a full copy of any information pack that will be submitted to the Pupil Disciplinary Committee as soon as it is available along with details of the Pupil Disciplinary Committee meeting. The Board of Directors itself cannot either exclude a child or extend the exclusion period made by the Principal. If the Pupil Disciplinary Committee decides that a child should be reinstated, the Principal must comply with this ruling.

The LA also request that an Alternative Provision Referral Form is completed within the first couple of days to prevent a delay in the consideration and admission to alternative provision along with a designated school contact for a handover meeting

For a permanent exclusion, if the pupil lives outside the local authority in which the school is located, the Principal must also advise the pupil's 'home authority' of the exclusion, and the reason/s for it, without delay. Any permanent managed transfers will be reported to the Trust Board once a term. Notifications must include the reasons for the managed transfer.

A summary of all exclusions will be reported to the full board of directors and local authority once a term. Notifications include the reasons for the exclusion and the duration of any suspensions.

The Principals monitor the effectiveness of this policy on a regular basis and it is reviewed every 2 years. The policy may be reviewed earlier than this if Government introduces new regulations, or if recommendations are received on how the policy might be improved.

This policy has been reviewed with due regard to the Equality Act 2010 during the Summer Term 2022 and the Directors are aware of its contents.

Signed by:

S. Bruton

CEO

PRE-EXCLUSION CHECKLIST

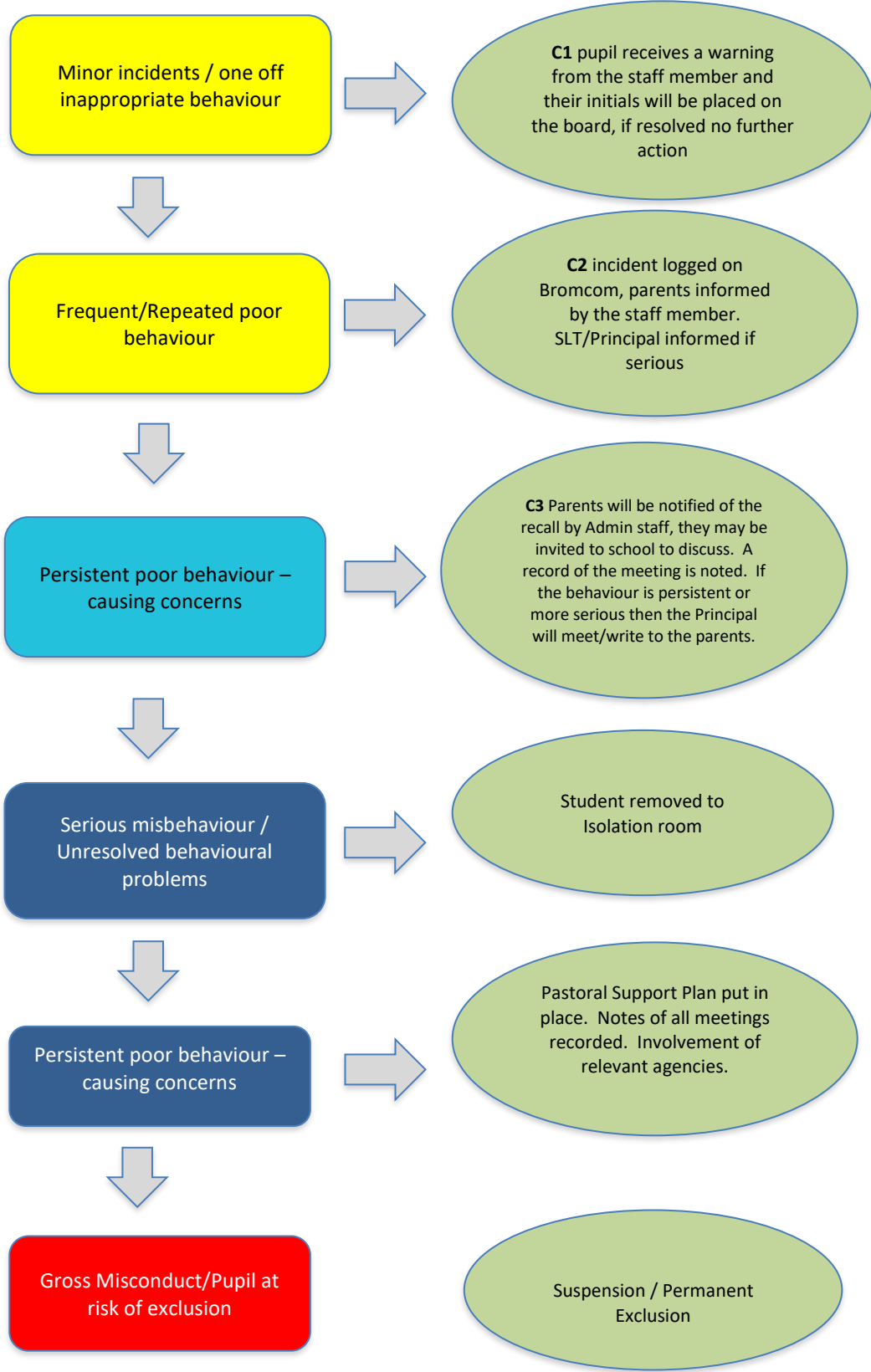
Dependent upon the nature of the behaviour displayed a Principal might decide to suspend a pupil for a fixed-term immediately following an incident or following a build-up of incidents, over a period of time. Following a suspension or a series of high-level incidents where a child is at risk of being permanently excluded the following steps will be considered/actioned in order to prevent further suspensions/exclusion from taking place. This is not a comprehensive list and will not be applied in the order stated, unless appropriate, as deemed by the Principal. Each case will determine a level of intervention appropriate to the suspension/behaviour displayed by the child. There is no entitlement to automatic application of any of these steps at any time prior to permanent exclusion if the nature of the incident is at stage 4 (see flow chart in Appendix 2). Additional funding will be sought from the LA under High Needs Block for SEN to support these steps. Parents/carers must agree to a PSP, IBP, EHP, IEP and Educational Psychologist involvement as their commitment to support their child if additional support, beyond the normal classroom level of support, is sourced for their child.

Should an exclusion occur ensure:

- It is logged on Bromcom
- An official letter goes home to parents following a meeting with the parents
- Work is set for the child
- Any restraints are logged on the secure digital platform or in the 'Bound and Numbered book'
- A behaviour book/report card is kept to monitor for trends/frequency/triggers of Behaviour

PRE-EXCLUSION CHECKLIST		
NAME		
DATE OF BIRTH		
CLASS		
DATE ACTIONED	SUPPORT ACTIONED	DETAILS/COMMENTS
	Internal exclusion	
	1:2 support	
	1:1 classroom support	
	Behaviour buddy	
	Nurture	
	Individual reward system	
	Behaviour IEP	
	Visual timetable	
	Remove the triggers (PE lesson, leave school via a different exit or 5 minutes earlier	
	Additional roles and responsibilities for the child	
	Early Help/social care referral	
	PSP	
	Positive handling plan	
	Individual risk assessment	
	Counselling	
	Parents supporting the child in school	
	Weekly parent meetings	
	Behaviour contracts	
	Referral to TESS team	
	Outreach support	
	EP involvement	
	Reduced timetable	
	EHC plan	

Behaviour & Discipline Flowchart



C1 – minor everyday problems
 Teasing; Pushing in queues; Interrupting a teacher; Attention seeking; Spoiling other’s games; Avoiding work; Eating in class; Being noisy; Name calling; Running inside; Not following instructions; Pushing and shoving; Littering; Untidiness; Wearing inappropriate clothing/jewellery

Typical Level 1 sanctions – examples
 Expression of disapproval
 Apologising
 Discussing amongst peer group

C2/C3 – Inappropriate behaviour
 Repetition of less serious offences; Spitting; Swearing; Lying; Fighting / Aggressive behaviour / Biting; Refusal to follow instructions / unsafe behaviour; Graffiti; truancy; Threatening behaviour; Throwing

Typical sanctions include:
 Losing a privilege; Not being allowed on the field; Being moved within a class or to a different class; Being monitored during break; Cleaning graffiti

C4 – Serious Misbehaviour
 Repetition of less serious offences; Vandalism; Racial abuse / Equality; Extortion / Stealing; Verbal abuse of staff; Putting self or others in danger; Serious aggressive behaviour against pupils; Bullying and harassment (see policy); Truancy; Smoking / bringing alcohol onto the school premises

Typical sanctions include:
 Being monitored during break; Detention; Excluded for lunch period; Suspension

Appeal Process



Appendix 3

A summary of the Trust Boards duties to review the Principal's suspension/exclusion decision

Gross Misconduct

Repeated breaches of conduct from other levels;

Threatening a member of staff;

Assaulting a member of staff;

Possessing or selling drugs;

Carrying a weapon;

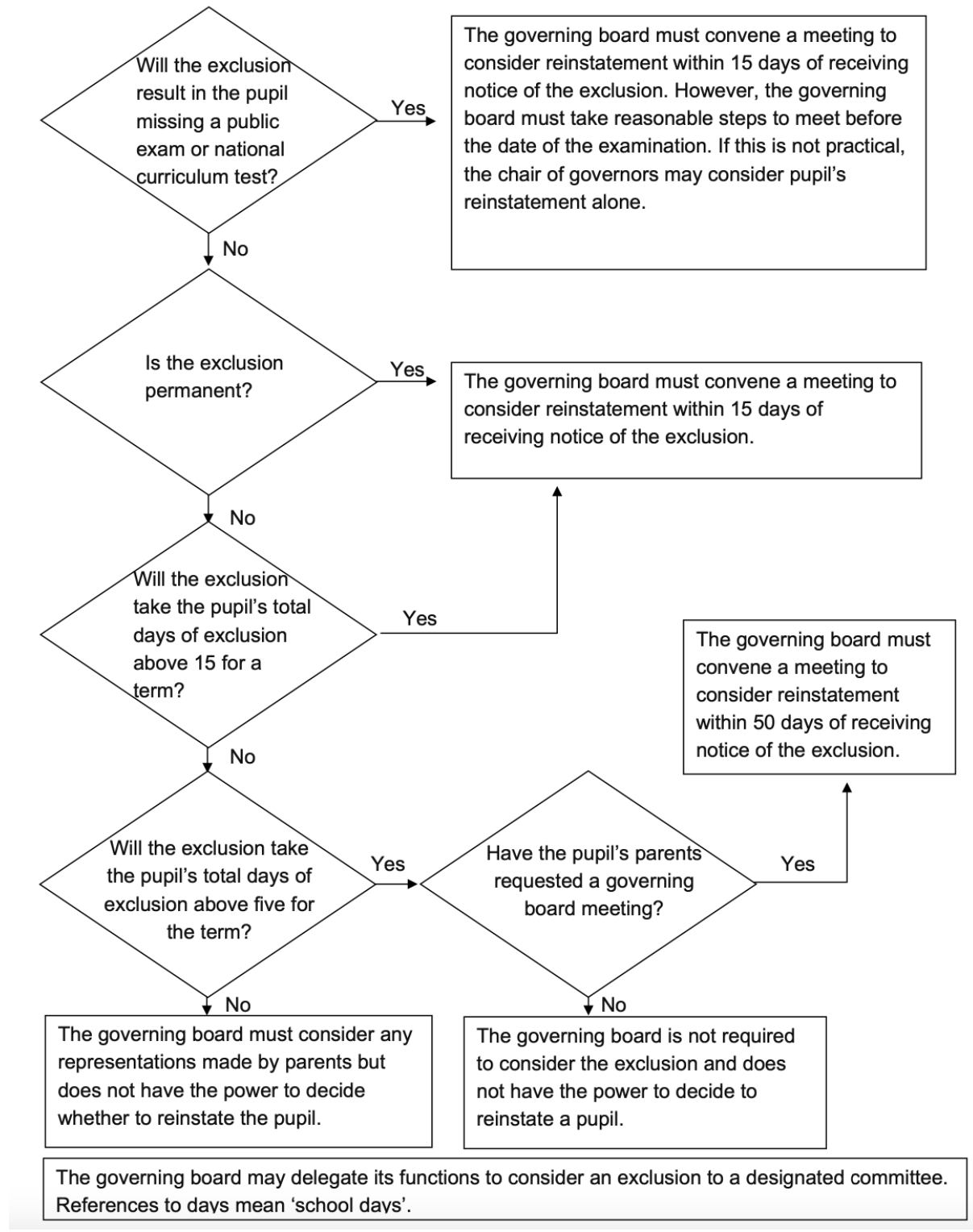
Sexual harassment;

Making malicious accusations

Sanctions are:

Suspension

Permanent Exclusion



Appendix 4

The purpose of the meeting is firstly, to establish the version of events put forward by the school. The second part is to establish whether the event(s) warrant(s) permanent exclusion. The Directors will be impartial and ensure the judgement they make is in line with relevant Trust policies.

Evidence will be circulated to all parties 5 days in advance of the meeting.

- The Clerk will introduce the Chair of the panel hearing and other Directors present.
- The Clerk will ask the parents and the student to introduce themselves and any other persons they have brought, and then ask the same of the Principal and school staff along with any other members present
- The Principal will state the case, present any documentation (see Appendix 4), including witness statements and where relevant, call any witnesses.
- The panel/parent will then ask any questions of clarity to the Principal.
- The parent/student will then state their case and present any documentation, including witness statements. The parent can also ask an independent witness to present/support their case.
- The panel/Principal will then ask any questions of clarity to the parent/carer
- The Principal will sum up
- The Chair will sum up
- After the summary, the Principal/school staff and the student, parent and representatives will leave the meeting.

The Directors must then decide firstly whether the case is proven. The panel must apply the civil standard of proof; ie 'on the balance of probabilities' (it is more likely than not that a fact is true), rather than a criminal standard of 'beyond reasonable doubt'. The panel will then decide to either:

- Decline to re-instate the student
- Direct re-instatement of the student immediately or on a particular date

The text of the letter to the parents and the Principal will then be agreed by the panel. The minutes of the meeting will be produced and signed by the Chair of the panel. Within 3 working days of the panel meeting, the parent and Principal letter will be sent which will outline the decision of the panel. The letter will contain details of the Appeals process. The minutes of the Panel Hearing will be available should there be an application for a review of the Panel's decision.

Should Parents then decide to appeal this decision, the statutory DfE guidance will then be followed for the appeal process.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/921405/20170831_Exclusion_Stat_guidance_Web_version.pdf

Appendix 5

Principal documentation required for a Permanent Exclusion Panel Hearing

- A summary timeline of events and support for the student
- Evidence and impact of support implemented relating to the pre-exclusion checklist
- Copies of IEP/IBP/EHA/EHCP/PSP, if appropriate
- Individual risk assessment
- Details of managed move/AP placement
- Reduced timetables
- Educational Psychology reports
- Copies of re-integration plans from any previous suspensions

Sample letters

1-5 Day Suspension

Dear **[Parent's Name]**

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 exclusion]**.

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 there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification. 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 Board of Directors. If you wish to make representations please contact **The Chair of Directors** at Quest Head Office, **682 Atherton Road, Hindley Green, Wigan, WN2 4SQ**, as soon as possible. Whilst the Directors have 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 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, and/or make a claim to the **First Tier Tribunal**:

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You **[and your child or pupil's name]** are requested attend a reintegration interview 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 interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

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 wish to refer to relevant sources of information about exclusions –

The Guidance from the Department for Education, entitled “Exclusion from Maintained Schools, Academies and Pupil Referral Units in England” is available at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

You can contact the Local Authority's Education Access Officer, Paula Andrews at the Inclusion Team, telephone number 01204 332250, or seek advice from the following agencies:

CORAM Children's Legal Centre at <http://www.childrenslegalcentre.com/>

The Advisory Centre for Education (ACE) Tel 0300 011 5142. Their advice line is available Monday to Wednesday 10am to 1pm, term time only or at:

<http://www.ace-ed.org.uk/advice-about-education-for-parents>

You may also wish to source local independent advice at the Information Advisory Service (IAS) by contacting 01204 848722.

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

Yours sincerely

[Name]

Principal

5-15 Day Suspension Letter

XX/XX/XXXX

Dear **[Parent's Name]**

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 exclusion]**.

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 there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification. We will set work for **[Child's Name]** during the **first 5** school days of his **[or her]** suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the **6th school day of the pupil's exclusion [specify date]** until the expiry of **his/her** suspension we will provide suitable full-time education. 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]**.

You have the right to request a meeting of the school's Board of Directors to whom you may make representations, and my decision to suspend can be reviewed. As the period of this suspension is more than 5 school days, but fewer than or equal to 15 days in a term, the discipline committee must meet if you request it to do so. The latest date by which the Board of Directors must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the Board of Directors were notified of this suspension]**. If you do wish to make representations to the Board of Directors, and wish to be accompanied by a friend or representative, please contact **The Chair of Directors** at Quest Head Office, **682 Atherton Road, Hindley Green, Wigan, WN2 4SQ**, as soon as possible. Whilst the Directors have 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 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, and/or make a claim to the **First Tier Tribunal**:

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

You **[and your child or pupil's name]** are requested attend a reintegration interview 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 interview is to discuss how best your child's return to school can be managed. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

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 wish to refer to relevant sources of information about exclusions –

The Guidance from the Department for Education, entitled “Exclusion from Maintained Schools, Academies and Pupil Referral Units in England” is available at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>

You can contact the Local Authority’s Education Access Officer, Paula Andrews at the Inclusion Team, telephone number 01204 332250, or seek advice from the following agencies:

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You may also wish to source local independent advice at the Information Advisory Service (IAS) by contacting 01204 848722.

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

Yours sincerely

[Name]

Principal

Permanent Exclusion letter

XX/XX/XXXX

Dear **[Parent's Name]**

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 committee of the Board of Directors.

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 excluded because **[reason for exclusion]**.

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.

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 (**specify the arrangements for this**) **[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 or by phone]**.

[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 Board of Directors must meet to consider it. At the review meeting you may make representations to the Board of Directors if you wish and ask them to reinstate your child in school. The Board of Directors have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may appeal against their decision to an Independent Review Panel. The latest date by which the Board of Directors must meet is **[specify the date — the 15th school day after the date on which the Board of Directors was notified of the exclusion]**. If you wish to make representations to the Board of Directors and wish to be accompanied by a friend or representative please contact **The Chair of Directors** at Quest Head Office, **682 Atherton Road, Hindley Green, Wigan, WN2 4SQ**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the Board of Directors of the time, date and location of the meeting. Please let us know if you have a disability or special needs 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.

You should be aware that if you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim to the **First Tier Tribunal**:

<http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/send/index.htm>

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 wish to refer to relevant sources of information about exclusions –

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You may also wish to source local independent advice at the Information Advisory Service (IAS) by contacting 01204 848722.

Yours sincerely

[Name]

Principal

Pupil Disciplinary Committee Decision letter

XX/XX/XXXX

Dear **[parent's name]**

I am writing to confirm the decision reached by the Trusts' Pupil Disciplinary Committee at their meeting on **[date of meeting]** to review the Principal's decision to exclude **[child's name]** from **[name of school]** School.

After careful consideration of all the evidence available and the representations made to the Pupil Disciplinary Committee, the Board of Directors has decided to

EITHER

uphold the Principal's decision to exclude for the following reason(s): **[inset reasons in as much detail as possible explaining how they were arrived at]**

OR

direct reinstatement from **[specify date]** for the following reason(s): **[insert reasons in as much detail as possible explaining how they were arrived at]**

*[Where a permanent exclusion **has not been upheld and reinstatement has been directed** insert the next paragraph, omit the subsequent paragraphs and go to "Yours sincerely,"]*

The Principal or a senior member of staff will contact you shortly to discuss the arrangements to be made for **[child's name]** to return to school.

*[Where a permanent exclusion **has been upheld** insert the following paragraphs]*

You have the right to ask for this decision to be reviewed by an Appeals Committee. If you wish the decision to be reviewed by the Independent Review Panel please notify **Mrs V Ridge** in the first instance. You should then set out the reasons for requesting a review in writing and send this to the **Democratic Services, Room 207, Town Hall, Bolton, BL1 1RU** no later than **[specify the latest date by which a review may be requested, i.e. 15 school days from the date on which notice in writing of the Pupil Disciplinary Committee's decision to uphold the permanent exclusion was sent to the parents (notice is deemed to have been given on the same day if it is delivered directly, or the second working day after posting if it is sent by first class mail)]**.

If you feel that your child has special educational needs relevant to this exclusion you should refer to this in your written statement. If you have not requested that a review is held by **[repeat latest date]** you will lose your right to have the decision of the Pupil Disciplinary Committee reviewed.

An Appeals Committee comprises one serving, or recently retired (within the last 5 years) Head Teacher, one serving, or recently serving, experienced Governor/Director and one lay member who will be the Chairman. The appeal panel will rehear all the facts of the case. If any party has fresh evidence to present to the panel they may do so.

If you ask for the decision of the Pupil Disciplinary Committee to be reviewed by the Independent Review Body you have the right to require that an expert in Special Educational Needs (SEN) attends the review at no cost to you. You may require that an SEN expert attends the hearing irrespective of whether the school believes your child has special educational needs or not. The SEN expert's role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs may have been relevant to the exclusion. Should you request a review of the Board of Directors' decision and you wish an SEN expert to be appointed please contact **Mrs V Ridge**.

I should also inform you that if you request a review of the Pupil Disciplinary Committee's decision you may, at your own expense, appoint a representative, including a legal representative, to make written and/or oral representations to the Appeals Committee and that you may also bring a friend or supporter to the review. If you intend to be accompanied please let **Mrs V Ridge** know. Please also advise if you have a disability or any special needs which would affect your ability to attend the meeting and if it would be helpful for you to have an interpreter present.

In determining the outcome of a review the panel can make one of three decisions: they may uphold your child's exclusion; they may recommend that the Pupil Disciplinary Committee reconsider its decision; or they may quash the decision and direct that the Appeals Committee considers the exclusion again. A panel should only quash a decision where it considers that it was flawed when considered in the light of the principles applicable on an application for judicial review.

You may wish to contact **Paula Andrews, Education Access Officer on 01204 332250**, who can provide advice. You may also find it useful to contact The Coram Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted **on 08088 020 008 or on <http://www.childrenslegalcentre.com>**. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24th December to the 1st January.

You may also wish to refer to relevant sources of information about exclusions. The guidance from the Department for Education, entitled "Exclusion from Maintained Schools, Academies and Pupil Referral Units in England" is available at <http://www.education.gov.uk/schools/pupilsupport/behaviour/exclusion>.

You may also wish to source local independent advice at the Information Advisory Service (IAS) by contacting 01204 848722.

Yours sincerely,

[Name]