



Broadway Academy Trust Policies

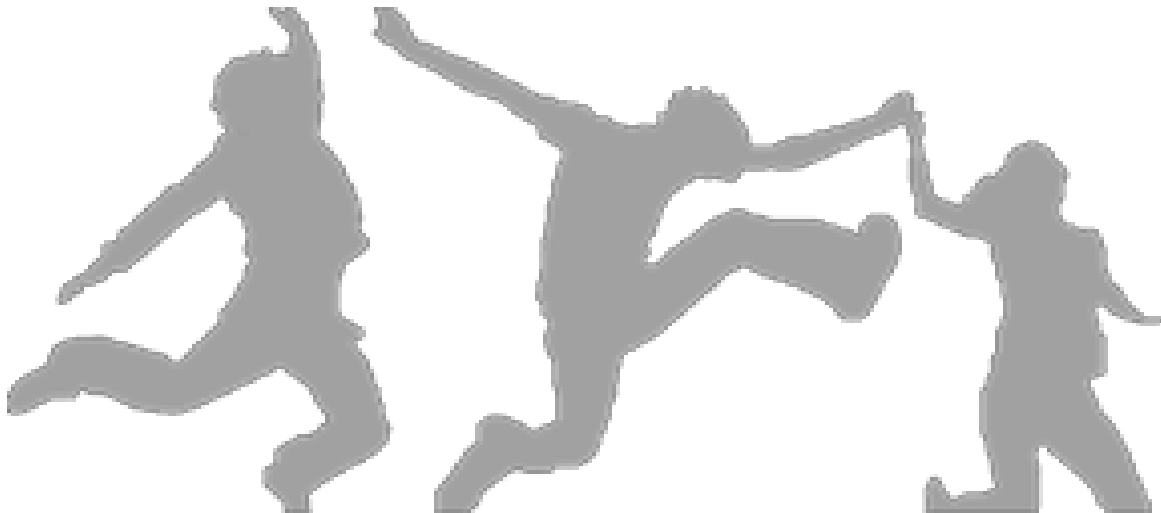
Our Children. Our Community. Believe it can be done!

Suspension and Exclusions Policy

Approved by: Full Governing Board

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1. Aims

Broadway Academy is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our school aims to:

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

A note on off-rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education:

Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement – from August 2024. It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
- The Equality Act 2010
- Children and Families Act 2014
- The School Inspection Handbook, which defines 'off-rolling'

This policy complies with our funding agreement and articles of association.

3. Definitions

Fixed Term Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Internal Suspension – when a pupil is removed from lessons for a fixed period of time. This was previously referred to as an ‘internal exclusion’

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

Off-site direction – when the Academy requires a pupil to attend another education setting temporarily, to improve their behaviour.

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

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

4. The Headteacher and CEO’s role and responsibilities

4.1 Deciding whether to suspend or exclude

Only the Headteacher and CEO or acting Headteacher can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher and CEO will only use permanent exclusion as a last resort.

A decision to suspend or exclude a pupil will be taken only:

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

Before deciding whether to suspend or exclude a pupil, the Headteacher and CEO will:

- Allow the pupil to give their version of events (Appendix 1: Statement)
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a child in care (CIC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The Headteacher and CEO will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

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

4.2 Informing parents (or pupils where they are 18 or older)

If a pupil is at risk of suspension or exclusion the Headteacher and CEO, a senior member of staff or SSM will inform the parents/pupil as early as possible, in order to work

together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour (See appendix 2).

If the Headteacher and CEO decides to suspend or exclude a pupil, the parents/pupil will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/pupil will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents'/pupils right to make representations about the suspension or permanent exclusion to the governing board and where the pupil is attending alongside parents, how they may be involved in this.
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend
- That parents/the pupil have the right to request that the meeting be held remotely, and how and to whom they should make this request

The Headteacher and CEO or senior member of staff will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the fixed term suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included (See appendix 3), if possible:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information the pupil needs in order to identify the person they should report to on the first day

If the Headteacher and CEO does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the fixed term suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a fixed-term suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

4.3 Informing the governing board

The Headteacher and CEO will, without delay, notify the governing board of:

- Any permanent exclusion, including when a fixed term suspension is followed by a decision to permanently exclude a pupil

- Any fixed term suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusions that have been cancelled, including the reason for cancellation. If this occurs, the parents, the governing board and the local authority will be notified and, if relevant, the social worker and VSH.

4.4 Informing the local authority (LA)

The Headteacher and CEO or nominated member of staff will notify the LA of all fixed term suspensions and permanent exclusions, regardless of the length of a fixed term suspension. This is done via our MIS system (Arbor) which ports data to the local authority on a weekly basis. If a pupil has a social worker, or if a pupil is looked after, the Headteacher and CEO must now, also without delay after their decision, notify the social worker and/or VSH, as applicable

The notification will include:

- The reason(s) for the fixed term suspension or permanent exclusion
- The length of a fixed term suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher and CEO or nominated member of staff will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

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

4.5 Informing the pupil's social worker, local authority and/or virtual school head (VSH)

If a:

- **Pupil with a social worker or is a looked-after child** is at risk of fixed term suspension or permanent exclusion, the Designated Safeguarding lead for the year group or AP Manager (Mr. Cousins) will inform **the social worker** and the local authority without delay
- **Pupil who is a child in care (CIC)** is at risk of fixed term suspension or exclusion, the designated teacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour. If the Headteacher and CEO decides to suspend or permanently exclude a pupil with a social worker / a child in care, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to fixed term suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the fixed term suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel the suspension or permanent exclusion, and why (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the fixed term suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their fixed term suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

4.6 Cancelling suspensions and permanent exclusions

The Headteacher and CEO may cancel a fixed-term suspension or permanent exclusion that has already begun, or has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents (or pupil if they are over 18 or older), governing board and LA will be notified of any permanent exclusion
- Where relevant, any social worker and VSH will be notified
- Parents (or pupil if they are over 18 or older), will be offered the opportunity to meet with the Headteacher and CEO or another appropriate member of staff i.e. Deputy Headteacher or Assistant Headteacher to discuss the cancellation
- As referred to above, the Headteacher and CEO will report to the governing board once per term on the number of cancellations
- The pupil will be allowed back in school without any delay

Any days spent out of school as a result of any exclusion, prior to cancellation, will count towards the maximum of 45 days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year, or if they have been so by the time the cancellation takes effect.

4.7 Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a fixed term suspension, if the pupil is not attending alternative (AP) provision, the Headteacher and CEO will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Educake, Mathswatch or Oak Academy may be used for this. If the pupil has a special educational need or disability, the Headteacher and CEO will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is in care or if they have a social worker, the school will work with the LA to arrange AP from the first day following the fixed term suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

5. The governing board's role and responsibilities

5.1 Considering suspensions and permanent exclusions

The governing board has a duty to consider parents' representations about a fixed term suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the governing board will provide the Secretary of State and the local authority with information about any fixed term suspensions or exclusions within the last 12 months.

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

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

5.2 Monitoring and analysing suspensions and exclusions data

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

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to ensure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

6. The local authority's (LA) role and responsibilities

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are CIC or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

7. Considering the reinstatement of a pupil

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

- The exclusion is permanent
- It is a fixed term suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

7.2 Where the pupil has been fixed term suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the governing board must consider any representations made by parents/the pupil (if they are 18 or older). However, it is not required to arrange a meeting with parents/pupil, and it cannot direct the Headteacher and CEO to reinstate the pupil.

7.3 Where the pupil has been fixed term suspended for more than 5 days, but less than 15 days, in a single term, and the parents/pupil make representations to the governing board,

the governing board will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet, and it cannot direct the Headteacher and CEO to reinstate the pupil.

- 7.4 Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the governing board will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the governing board may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.
- 7.5 The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:
- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
 - The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
 - The Headteacher and CEO
 - The pupil's social worker, if they have one
 - The VSH, if the pupil is looked after
- 7.6 The governing board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.
- 7.7 The governing board can either:
- Decline to reinstate the pupil, or
 - Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)
- 7.8 In reaching a decision, the governing board will consider:
- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
 - Whether the Headteacher and CEO followed their legal duties
 - The welfare and safeguarding of the pupil and their peers
 - Any evidence that was presented to the governing board

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

The clerk will be present when the decision is made

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

- 7.9 The governing board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:
- The parents, or the pupil, if they are 18 or older
 - The Headteacher and CEO
 - The pupil's social worker, if they have one
 - The VSH, if the pupil is looked after
 - The local authority
 - The pupil's home authority, if it differs from the school's

- 7.10 Where an exclusion is permanent and the governing board has decided not to reinstate the pupil, the notification of decision will also include the following:
- The fact that it is a permanent exclusion
 - Notice of parents'/the pupil (if they are 18 or older) right to ask for the decision to be reviewed by an independent review panel
 - The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
 - The name and address to which an application for a review and any written evidence should be submitted
 - That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
 - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the academy to appoint an SEN expert to advise the review panel
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
 - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
 - That, if parents believe that permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

8. Independent review

- 8.1 If parents/ the pupil (if they are 18 or older) apply for an independent review within the legal timeframe, the academy will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing board of its decision not to reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

- 8.2 Independent reviews can be held remotely at the request of parents/pupils. See section 9 for more details on remote access to meetings.
- 8.3 A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category, and 2 members will come from the Headteacher category. At all times during the review process there must be the required representation on the panel.
- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
 - Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteacher during this time

- Headteachers or individuals who have been a Headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the academy trust of the excluding school
- Are the Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the academy trust, or the governing board, of the excluding school (unless they are employed as a Headteacher at another school)
- Have, or at any time have had, any connection with the academy trust, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 4 for what training must cover)

- 8.4 The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.
- 8.5 Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting, and the pupil should be enabled to make representations on their own behalf, should they desire to.
- 8.6 Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.
- 8.7 Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.
- 8.8 Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the Headteacher in the lead up to the permanent exclusion or are relevant to the pupil's permanent exclusion.
- 8.9 Following its review, the independent panel will decide to do one of the following:
 - Uphold the governing board's decision
 - Recommend that the governing board reconsiders reinstatement
 - Quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)
- 8.10 New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take

account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

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

8.12 Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

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

9. School registers

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

- 15 school days have passed since the parents/pupil (if 18 or older) were notified of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents/pupil have stated in writing that they will not be applying for an independent review panel

9.2 Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.

9.3 While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

9.4 Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal are met and no later than the removal of the pupil's name.

10. Returning from a suspension

Reintegration strategy

- 10.1 Following a fixed term suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. This gives the pupil a fresh start; helps them understand the effect of their behaviour on themselves and others; teaches them how to meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

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

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

- Maintaining regular contact during the fixed term suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents 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

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

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

Reintegration meetings

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

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parents in the event that they cannot or do not attend.

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

11. Remote access to meetings

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

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

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

The governing board should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

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

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

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

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

12. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Feedback of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every term by the Assistant Headteacher for these areas and will report back to the governing body.

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

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

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

This policy will be reviewed by the Assistant Headteacher for behaviour every 2 years. At every review, the policy will be approved by the governing board.

13. Links with other policies

This exclusions policy is linked to our:

- Behaviour for Learning policy
- SEN policy and information report
- Safeguarding and Child Protection Policy

Appendix 1: Independent review panel training

The academy will ensure that all members of an independent review panel and clerks have the necessary experience and received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteacher's, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

Appendix 2: Pupil statement

Pupil incident report



Use black or blue pen to complete this form – not pencil.

Student Name		
Year / Reg		
Date of incident		
Location		
Details of incident (Continue overleaf if necessary)		
	Signed (Pupil)	
This is a true and accurate account of events confirmed by (Staff Name):		
Action taken:		
Please tick:	Behaviour recorded on SIMS ☐	
Signed AHT ☐ SSM ☐ SSA ☐		Date:

J:\Behaviour Templates\Templates

Appendix 3: Letter for internal suspension

BROADWAY ACADEMY

The Broadway Perry Barr Birmingham B20 3DP
Tel: 0121 566 4334
enquiry@broadway-academy.co.uk
Website: www.broadway-academy.co.uk
Headteacher & CEO: Ronald J Skelton
M Ed B Phil B Ed (Hons) NPQH LLE FRSA

Our Children
Our Community
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31 October 2023

Mr and Mrs
Address

Dear Mr and Mrs

Notification of an Internal Suspension

Pupil: _____ Form: _____
Date of Suspension: _____

I am writing to inform you of my decision to Internally suspend [Name] for a fixed period of [days] commencing on [date]. A meeting has been arranged for you and your child on [date] at [time] with [staff member]. Failure to attend this meeting 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.

[Name] has been internally suspended for this fixed period as he/she has [reason for exclusion]. This means that [Name] will spend time in the school's Behaviour recovery Room on [Date].

As the Parent/Guardian you have a duty to ensure that [Name] is in school from 8:30am to 4:00pm each day of this period. We appreciate that this internal suspension may well be upsetting for you and your family; however, our decision to suspend [Name] has not been taken lightly.

You also have the right to see a copy of [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 [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 have the right to make representations about this decision to the governing body. If you wish to make representations please contact the clerk to governors on 0121 566 4334 as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you require further information or assistance on the exclusion process please contact:

The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process. Tel: 0121 303 2685/7893.

Fax: 0121 303 2882. Email: exclusions@birmingham.gov.uk.

Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137.

Email: SENParentPartnership@birmingham.gov.uk.

Website: <http://www.birmingham.gov.uk/sendiaass>

A link to sources of impartial advice for parents such as the Cosmo Childrens Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.ace-ed.org.uk>) and their limited advice line service on 0300 115 142 on Monday to Wednesday from 10am to 1pm during term time);

Where considered relevant by the Head Teacher, links to local services, such as Traveller Education Services, the information Advice & Support Services Network (formerly known as the local parent partnership)

www.councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about

The National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The exclusions guidance on:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

Finally, you should also be aware that if you think the 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. <http://www.justice.gov.uk/guidance/courts-and-tribunals/send/index.htm>.

Appendix 4: Letter for fixed term suspension

31 October 2023
Mr and Mrs
Address

Dear Mr and Mrs

Pupil:

Form:

I am writing to inform you of my decision to external suspend [Name] for a fixed period of [days] commencing on [date]. This means that [Name] will not be allowed in school for this period. A meeting has been arranged for you and your child on [date] at [time] with [staff member]. Failure to attend this meeting 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.

The decision to externally suspend [Name] has not been taken lightly. [Name] has been externally suspended for this fixed period as he/she has [reason for external suspension].

As the Parent/Guardian you have a duty to ensure that [Name] is not present in a public place, in school hours, without reasonable justification during this exclusion on [all dates i.e 11,12,13 of July]. I must advise you that you may receive a fixed penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

You also have the right to see a copy of [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 [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.

The school will continue to set work for your child during this period. Please ensure that any work set by the school is completed and returned to the school for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact the clerk to governors on 0121 566 4334 as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you require further information or assistance on the exclusion process please contact:

The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process. Tel: 0121 303 2685/7893.

Fax: 0121 303 2882. Email: exclusions@birmingham.gov.uk.

Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137.

Email: SENParentPartnership@birmingham.gov.uk.

Website: <http://www.birmingham.gov.uk/sendiass>

A link to sources of impartial advice for parents such as the ~~Counsellors~~ Childrens Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.ace-ed.org.uk>) and their limited advice line service on 0300 115 142 on Monday to Wednesday from 10am to 1pm during term time);

Where considered relevant by the Head Teacher, links to local services, such as ~~Traveller~~ Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership)

www.councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about

The National Autistic Society (NAS) School Exclusion Service (England) (0800 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The exclusions guidance on:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/641418/20170831_Exclusion_Stat_guidance_Web_version.pdf

Finally, you should also be aware that if you think the 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. <http://www.justice.gov.uk/guidance/courts-and-tribunals/send/index.htm>.

Making a claim would not affect your right to make representations to the governing body/management committee.

Yours sincerely

Mr R Skelton
Headteacher and CEO

BROADWAY ACADEMY

The Broadway, Perry Barr, Birmingham B20 3DP
Tel: 0121 566 4334
enquiry@broadway-academy.co.uk
Website: www.broadway-academy.co.uk
Headteacher & CEO: Ronald J Skelton
M Ed & Phil B Ed (Hons) NPQH LLE FRSA

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Appendix 5: Letter for decision to permanently exclude

Dear Mr & Mrs

This letter is to inform you of my decision to exclude (name of child) permanently from (date). This means that (Name of child) will not be allowed back to this school unless he is reinstated by the School Governing Body Discipline Committee, or the Independent Review Panel recommends that the governing body reconsiders their decision or quash the decision and direct that the governing body considers the exclusion again.

The decision to exclude (name of child) has not been taken lightly. (name of child) has been excluded permanently because of (reason).

As the parent/carer you have a duty to ensure that (name of child) is not present in a public place in school hours without reasonable justification during the first 5 school days of this permanent exclusion, that is on (dates). I must advise you that you may receive a fixed penalty notice from the local authority or prosecuted if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

Alternative arrangements for (name of child) education to continue will be made. For the first five school days of the exclusion, we will set work for (name of child) and would ask you to ensure this work is completed and returned promptly to school for marking. From the sixth school day of the exclusion onwards — i.e. from (date) the local authority will provide suitable full-time education. You will be notified of these in a separate letter.

As this is a permanent exclusion the School Governors' Discipline Committee must meet to consider the reinstatement or to confirm the permanent exclusion of (name of child). You have the right to make representations about this decision to the School Governing Body Discipline Committee and ask them to reinstate (name of child). If the Governing Body Discipline Committee upholds the exclusion you have the right to ask for the decision to be reviewed by an Independent Review Panel. The latest date the Committee can meet is (date). If you wish to make representations to the Committee please contact Parmjit Hey, the Clerk to the School Governors' Discipline Committee – parmit.hey@BROADWAY-ACADEMY.CO.UK as soon as possible. Please advise if you have a disability or special needs which would affect your ability to attend a meeting at the school. Also, please inform Mr Stewart, Deputy Head, 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 Committee of the time, date and location of the meeting.

At the meeting you have the right to be accompanied by a friend and/or representative (at your own expense). Taking into account your child's age and understanding, he may also attend the meeting to speak on his own behalf and is entitled to bring a friend. Alternatively, your child may wish to communicate his views by other means.

If you think this exclusion relates to a disability your child has, and you think disability discrimination has occurred, you may raise the issue with the Governing Body Discipline Committee. This would not affect your right to 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 (name of child) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of (name of child) school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

If you require further information or assistance on the exclusion process, please contact:

The Local Authority Exclusions Team. The Team can provide advice concerning the exclusion process. Tel: 0121 303 2685/7893. Email: exclusions@birmingham.gov.uk

Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137.
Email: SENParentPartnership@birmingham.gov.uk. Website: <http://www.birmingham.gov.uk/sendiasm>

A link to sources of impartial advice for parents such as the Coram Children's Legal Centre (www.childrenslegalcentre.com) or ACE Education (<http://www.ace-ed.org.uk>) and their limited advice line service on 03000 115 142 on Monday to Wednesday from 10 am to 1pm during term time);
Where considered relevant by the head teacher, links to local services, such as Traveller Education Services, the Information Advice & Support Services Network (formerly known as the local parent partnership)
www.councilfordisabledchildren.org.uk/information-advice-and-support-services-network/about

The National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

The exclusions guidance on: <https://www.gov.uk/government/publications/school-exclusion>

Finally, you should also be aware that if you think 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. <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

Making a claim would not affect your right to make representations to the governing body/ management committee.

Yours sincerely

Mr R Skelton
Headteacher and CEO

Appendix 6: Permanent exclusion agenda

Governors' Disciplinary Committee relating to the Permanent exclusion of (Name) at Broadway Academy, The Broadway, Birmingham, B20 3DP on (Date) at (Time)

The Governors' Disciplinary Committee:

Add in governors and role

Agenda

1. Introductions by Chair of the panel - names and roles.
2. Chair to explain how the meeting will be conducted and the reasons for the meeting.
3. Chair to explain possible outcomes of the meeting:
The Governors' Disciplinary Committee will decide whether to uphold the exclusion or reinstate
4. Mr. Skelton, Headteacher and CEO and other relevant senior staff, to make representation in support of the exclusion.
This will be followed by questions from the parent and the panel.
5. Parents to present their view on the exclusion
This will be followed by questions from the school representatives and the panel.
6. School representatives to summarise their case in support of the exclusion
7. Parents to summarise their view on the exclusion
8. Pupil will be invited to ask and answer any questions (if in attendance)
9. LA to make representation
10. Chair to confirm that everyone has said what they wanted to say.
11. All parties (except the Governors' Disciplinary Committee and Clerk to leave the meeting).
12. Governors will make their decision (with Clerk in attendance).
A letter will be sent to the parents informing them of the Governors' Disciplinary Committee decision.

Appendix 7: Permanent exclusion outcome letter template

Dear Mr & Mrs

Re: (name of child) – Permanent Exclusion from Broadway Academy

Thank you for attending the meeting of the Governors' Disciplinary Committee at Broadway Academy on (date and time), to consider the decision by Mr Skelton, Headteacher and CEO, to permanently exclude your child (name of child).

The Committee, after carefully considering the representations made and all the available evidence, have decided to uphold the decision to permanently exclude (name of child), under the Broadway Academy Exclusions and Suspensions Policy. The Committee noted the wide range of support which (Name of child) had been offered by the academy.

The reasons for the Committee's decision are as follows:

-

You have the right to ask for the decision to be reviewed by an Independent Review Panel (IRP). As your child has been excluded from an Academy School, if you wish to request a review, please notify the Academy School directly by writing to **Sharon Crow, Headteacher and CEO's PA, Broadway Academy, The Broadway, Birmingham, B20 3DP by no later than (date)**. Your application for review must state your reasons as to why you are requesting a review, and any written evidence should also be submitted. Where appropriate, you should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion.

If you have not lodged a request for a review by (date) your right to request a review will lapse. Please advise **Sharon Crow** if you have a disability or additional access requirements which would affect your ability to attend a review. Also, please inform **Sharon Crow** if it would be helpful for you to have an interpreter present at a review meeting.

Regardless of whether your child has recognised special educational needs (SEN), you have the right to require the Local Authority to appoint a SEN expert to attend the review. There would be no cost to you for this appointment. The SEN expert is there to provide impartial advice to the panel on how special educational needs might be relevant to the exclusion. Please make it clear in your application whether you wish for a SEN expert to be appointed.

If you decide to request a review, it will be heard by an IRP. You may be accompanied by a friend and/or, at your own expense, appoint someone to make written and/or verbal representations on your behalf. A three-member panel would comprise one serving or recently retired (within the last five years) head teacher, one serving or recently serving, school governor and one lay member, who would be chairperson. The IRP would rehear all the facts of the case - if you have fresh evidence to present to the Panel you may do so. The Panel are required to meet no later than the 15th school day after the date on which a review request is lodged. In exceptional circumstances, panels may adjourn a hearing until a later date.

In determining your review, the IRP can make one of three decisions:

- they may uphold your child's exclusion.
- they may recommend that the governing body reconsiders their decision; or
- they may quash the governing body's decision and direct that the governing body considers the exclusion.

As stated above you have the right to apply for an Independent Review Panel. In order to assist you to make an informed decision on whether, and how to seek a review please see the information at the end of this letter.

In addition, if you think the 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/tribunals/send/appeals> who have the jurisdiction to hear claims of discrimination under the Equality Act 2010 or the County Court (for other forms of discrimination). A claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place e.g., the day on which the pupil was excluded.

I would like to remind you of the following sources of information are available to you:

- The Department for Education statutory exclusions guidance can be found at www.gov.uk/government/publications/school-exclusion
- You may also find it useful to view the Coram Children's Legal Centre website www.childlawadvice.org.uk The website can offer advice and information on child, family and education law.
- You may wish to contact the local education authority's exclusion officer at exclusions@birmingham.gov.uk who can provide advice regarding exclusion. They can be contacted by telephoning 0121 303 2685/7893
- Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). The Service offers direct support to parents/carers of pupils who are going through the Special Educational Needs Statementing process, by working closely with schools and other agencies, and offers impartial advice and information. Tel: 0121 303 5004. Fax: 0121 464 3137. Email: SENParentPartnership@birmingham.gov.uk. Website: <http://www.birmingham.gov.uk/sendiaass>
- The National Autistic Society (NAS) School Exclusion Service (England) (0808 800 4002 or schoolexclusions@nas.org.uk), or Independent Parental Special Education Advice (<http://www.ipsea.org.uk/>).

Yours sincerely

Mr J Cahill
Chair of the Governors' Disciplinary Committee
Broadway Academy

Appendix 8: Guidance Tariffs

Guidance Tariffs: All incidents are treated on a case-by-case basis	
Fixed Term Suspension A fixed-term suspension gives the academy sufficient time to explore a case with the parent and other agencies, where necessary, in an attempt to break a cycle of misbehaviour and, hopefully, reduce the likelihood of permanent exclusion. In general, the principal reasons for exclusions are in the right-hand column. This is not an exhaustive list and there may be other situations where the Headteacher and CEO makes the judgement that fixed term suspension is an appropriate sanction.	Sexually inappropriate behaviour to students Sexually inappropriate behaviour to staff Sexually inappropriate behaviour to others Continued disruption to lessons Continued disruption in academy Defiance Verbal abuse of students Verbal abuse of others Verbal abuse of staff Racial abuse of students Racial abuse of staff Racial abuse to others Bullying – physical Bullying – verbal Physical abuse to students Physical abuse of staff Physical abuse to others Possession of drugs Possession of fireworks Vandalism Theft Extortion Threatening behaviour Possession of weapons Possession of alcohol Smoking Vaping
Permanent Exclusions A student in this situation and at risk of permanent exclusion will have received a range of support strategies. The parents and student will have been warned that permanent exclusion is a likely outcome from a further disciplinary offence. However, there are exceptional circumstances where it is appropriate to exclude a child permanently for a ‘one off’ offence. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the Academy community	Serious actual or threatened violence against another pupil or member of staff – serious violence would be considered deliberately or recklessly hitting, punching, kicking, using something as a weapon or otherwise assaulting or threatening to assault in a violent manner where the victim might reasonably need first aid or medical treatment. Permanent exclusion is likely to result from one incident of this category. Sexual violence, such as rape, assault by penetration and sexual assault; (this may include an online element which facilitates, threatens and/or encourages sexual violence) Causing someone to engage in sexual activity without consent, such as forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party. Supplying any drug, medicine or other inappropriate substance that is not appropriate for the Academy. All illegal drugs as well as the inappropriate supply of ‘over the counter’ or

	prescription drugs e.g. antidepressants, aspirin or any other drug or medicine that should not be distributed. Other inappropriate substances might include paint thinners, lighter fuel, fireworks, paint, paraffin, petrol or any other flammable, unstable, toxic or potentially dangerous substance. These lists are just illustrative not exhaustive. Supply, in this context, means to bring on to the Academy premises with a view to distribution or, even without actually bringing the drugs onto the premises, to pass around or intend to pass around drugs or medicine to others. Supply might involve selling but might also include just providing or sharing the drugs, even free of charge, and would certainly involve passing drugs on from one source to another. Supply might involve arranging or contributing to the arrangements for drugs to be passed on to anyone connected with the Academy. We have a zero-tolerance approach to supply of drugs. Permanent exclusion is likely to result from one incident of this category. Repeated possession and / or use of an illegal drug, medicine or other inappropriate substance. A single repeat in this category might well lead to permanent exclusion from the Academy. Parents will have received a clear warning to that effect. Carrying an offensive weapon. In this context it is important to realise that the weapon does not have to have been used nor does use need to have been threatened. Equally, the context or circumstances can determine what is an offensive weapon and this will be considered by the Head Teacher. It is clear, however, that any item would count where, although it may have other uses, a main purpose for its use is as a weapon. To illustrate this, weapons would include the following – knives, guns, clubs / sticks, poles, chains, knuckle dusters, martial arts equipment, toy weapons or any other object that the Head Teacher judges to be an offensive weapon. For this category, the weapon does not need to be involved in threatened or actual violence. However, threats, perceived threats or actual violence using an object not usually thought of as a weapon are likely to lead to the interpretation that the object is being used as an offensive weapon. Permanent exclusion may result from one incident of this category. Persistent and defiant misbehaviour. This is likely to be in an instance where the teacher's reasonable instructions or requests are defied and /
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	or where there is behaviour that is likely to lead to an undermining of the ethos of good and co-operative behaviour. The persistent nature will have meant that, for exclusion in this category, parents will have been given a clear warning as to the probable permanent exclusion if any further incidences of poor behaviour occur. Included in this category would be incidences of rudeness to a teacher, which might involve the use of inappropriate language, inappropriate body language or other incident of disrespect. These are examples of what might be deemed defiant misbehaviour under this category. Permanent exclusion is likely to result from repeated incidents of defiant behaviour under this category. Bullying (including racist or homophobic bullying) – bullying can be deliberate or based upon reckless behaviour that is reasonably likely to lead to another member of the community feeling bullied. Bullying might, for example, include comments, name-calling, threats, violence or any other behaviour likely to lead to feelings of isolation, persecution or low self-esteem. This category would include bullying directed at friends or family of the victim. It may not have been possible for parents to have been given a clear warning as to the permanent exclusion because permanent exclusion is likely to result from one serious incident of this category. Where bullying of a member of the Academy community happens outside of the Academy but is linked with the behaviour of a member of the student body then the Academy will deem this to be very serious and as behaviour to be considered as part of the exclusions' framework. Where practical, parents will have received warning as to a likely permanent exclusion and, in these circumstances, any repeat incident would be likely to lead to permanent exclusion.
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Appendix 9: Permanent exclusion checklist

This checklist explains the steps that you should take following the decision to permanently exclude a student from your school.

Things you should note before making the decision to permanently exclude:

- Only the Headteacher and CEO can make the decision to exclude
- Whether the student has SEND
- Whether there could be any contributing factors which could have affected the student
- That the school's Behaviour for Learning Policy has been followed
- That the [DfE Guidance for Suspensions and Exclusions](#) has been followed
- That incidents have been fully investigated (witness statements from all involved)
- That the school has done all it can to support the student to succeed in order to avoid permanent exclusion (for example, mentoring, 1:1 support, OSD, reduced timetable, referral to external agencies (Educational Psychologist, CAMHS etc.) etc.)
- That parents have been communicated with and involved throughout

Time frame	Action	Complete?
Day 1	Upon making the decision to permanently exclude, notify parent/carers immediately, preferably in person or by telephone.	
Day 1	Send letter to parents (Template letter available)	
Day 1	Notify chair, director of governance and LA immediately. Governor's clerk will arrange a panel to review the decision within 15 school days.	
Day 2	Ensure that the correct register code is being used on Sims and ensure that the exclusion has been recorded	
5 school days after expulsion	Principal/School to continue to provide an education to the student for 5 school days. Work should be sent home for the student to complete.	
Days 2-5	Compile your evidence pack. • complete HT report (this has more thorough guidance on what to include in the folder) • ensure that witness statements are signed and dated • ensure any photos/video or other evidence is labelled and dated • ensure names are redacted or changed to anonymous, identifying letters to protect the identity of all other individuals • include any letters sent to parents re notification of suspensions/exclusion • ensure any unnecessary personal data is redacted (addresses, date of birth, contact numbers, email addresses etc.) • include any notes/minutes from meetings/conversations had with parents regarding support for their child • ensure that behaviour logs are up to date • for persistent breaches ensure that any methods to try and support the student are included. (Referral forms, external agency reports etc.)	

	include the school's behaviour and suspensions and exclusions policy COB's referral is completed Dialogue with LA	
Days 6-10	Share evidence pack with governors in exclusion hearing who will have convened a panel to hear the exclusion between days 10 and 15. Headteacher and CEO's PA to circulate to all parties involved (panel members, parent/carer, LA and school representative) at least 5 working days prior to the meeting.	
Days 10-15	Prepare for panel hearing and attend. It is beneficial to prepare a statement to read out during the meeting to present the school's case. This can also be included in the minutes. You will also be given the opportunity to summarise your case prior to panel deliberations. Again, a pre-prepared statement may be beneficial.	
Days after the hearing	The governor's clerk, on behalf of the panel will notify all parties involved of the outcome of the hearing without delay (usually within 2 working days). If the exclusion is upheld, parents will have the opportunity to request an Independent Review Panel (IRP)	