

# **RMET**

## **Suspension and Permanent Exclusion Policy**

<b>Key Document Details:</b>			
<b>Approval Body:</b>	Trust Board		
<b>Author:</b>	Director of Education		
<b>Type of Policy:</b>	Trust Statutory	<b>Version No:</b>	1.0
<b>Last Review:</b>	January 2024	<b>Next Review:</b>	January 2025
<b>Review cycle:</b>	Annual	<b>Date Ratified:</b>	12 <sup>th</sup> February 2024

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## Document Change History

Date:	Version:	Description of Changes:
February 2024	1.0	Full review and agreement

## 1. Introduction

1.1. This policy aims to ensure that:

- The exclusions process is applied fairly and consistently
- Help Trustees, Academy Committee Members, Staff, Parents and Pupils understand the exclusions process
- Pupils in school are safe and happy
- Pupils are prevented from becoming NEET (not in education, employment or training)
- All suspensions and permanent exclusions are carried out lawfully

## 2. Legislation and Guidance

2.1. This policy has been developed in accordance with the following legislation/guidance:

- the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).
- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

2.2. 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](#)

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

## 3. Statement of Equality

3.1. We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitments to meet the Public Sector Equality Duty (PSED) requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.

## 4. Definitions

4.1. 'Trust' refers to Rainham Mark Education Trust (RMET) and any school within the Trust.

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

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

- 4.4. Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.
- 4.5. Parent – any person who has parental responsibility and any person who has care of the child.
- 4.6. 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.

## 5. Roles and responsibilities

### 5.1. The Headteacher

#### 5.1.1. Deciding whether to suspend or exclude

- 5.1.1.1. Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.
- 5.1.1.2. 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
- 5.1.1.3. Before deciding whether to suspend or exclude a pupil, the Headteacher will:
- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was provoked
  - Allow the pupil to give their version of events
  - Consider whether the pupil has special educational needs (SEN)
  - Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a child who is looked-after (CLA))
  - Consider whether all alternative solutions have been explored, such as off-site direction or managed moves
  - The Headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.
- 5.1.1.4. 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.
- 5.1.1.5. The Headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision. **Informing parents (or the pupil where they are 18 or older).**

- 5.1.1.6. If a pupil is at risk of suspension or exclusion the Headteacher 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.
- 5.1.1.7. If the Headteacher decides to suspend or exclude a pupil, the parents/pupil will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.
- 5.1.1.8. The parents/pupil will also be provided with the following information in writing, without delay:
- The reason(s) for the suspension or permanent exclusion
  - The length of the suspension or, for a permanent exclusion, the fact that it is permanent
  - Information about the parents'/pupil's 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/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
  - That parents/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request
- 5.1.1.9. If the pupil is of compulsory school age, the Headteacher 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 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
- 5.1.1.10. If alternative provision is being arranged, the following information will be included, if possible:
- The start date for any provision of full-time education that has been arranged
  - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
  - The address at which the provision will take place
  - Any information the pupil needs in order to identify the person they should report to on the first day

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

#### 5.1.2. Informing the governing board

- 5.1.2.1. The Headteacher will, without delay, notify the governing board of:
  - Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
  - Any suspension or permanent exclusion 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 exclusion that has been cancelled, including the reason for the cancellation

#### 5.1.3. Informing the local authority (LA)

- 5.1.3.1. The Headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.
- 5.1.3.2. The notification will include:
  - The reason(s) for the suspension or permanent exclusion
  - The length of a suspension or, for a permanent exclusion, the fact that it is permanent
- 5.1.3.3. For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.
- 5.1.3.4. The Headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

#### 5.1.4. Informing the pupil's social worker and/or virtual school head (VSH)

- 5.1.4.1. If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the Headteacher will inform **the social worker** as early as possible
- **Child who is looked-after (CLA)** is at risk of suspension or exclusion, the Headteacher will inform **the VSH** as early as possible

5.1.4.2. 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.

5.1.4.3. If the Headteacher decides to suspend or permanently exclude a pupil with a social worker/a child who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

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

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

#### 5.1.5. Cancelling suspensions and permanent exclusions

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

- The parents (or the pupil if they are 18 or older), governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents (or the pupil if they are 18 or older) will be offered the opportunity to meet with the Headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school without delay

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

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

#### 5.1.6. Providing education during the first 5 days of a suspension or permanent exclusion

5.1.6.1. During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as [Google Classroom/Oak Academy/any school online platform such as Class Dojo] may be used for this. If the pupil has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

## 5.2. The governing board

### 5.2.1. Considering suspensions and permanent exclusions

5.2.1.1. Within 14 days of receiving a request, the governing board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

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

5.2.1.3. Rainham Mark Grammar School only

5.2.1.3.1. 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.

### 5.2.2. Monitoring and analysing suspensions and exclusions data

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

5.2.2.2. 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 assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

### **5.3. The Local Authority (LA)**

5.3.1. 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.

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

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

6.1. The Trustees' Disciplinary Panel will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension 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

6.2. Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Trustees' Disciplinary Panel must consider any representations made by parents/the pupil. However, it is not required to arrange a meeting with parents/the pupil and it cannot direct the Headteacher to reinstate the pupil.

6.3. Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/pupil make representations to the board, the Trustees' Disciplinary Panel will consider and decide on the reinstatement of a suspended pupil within

50 school days of receiving notice of the suspension. If the parents/pupil do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

- 6.4. 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 Trustees' Disciplinary Panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.
- 6.5. 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 older (and, where requested, a representative or friend)
  - The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
  - The Headteacher
  - The pupil's social worker, if they have one
  - The VSH, if the pupil is looked after
- 6.6. Governing board meetings can be held remotely at the request of parents, or pupils if they are 18 or older. See section 10 for more details on remote access to meetings.
- 6.7. 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.
- 6.8. The Trustees' Disciplinary Panel 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)
- 6.9. In reaching a decision, the Trustees' Disciplinary Panel will consider:
- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
  - Whether the Headteacher followed their legal duties
  - The welfare and safeguarding of the pupil and their peers
  - Any evidence that was presented to the governing board
- 6.10. They will decide whether or not a fact is true 'on the balance of probabilities'.
- 6.11. The clerk will be present when the decision is made.
- 6.12. 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.

6.13. The Trustees' Disciplinary Panel 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
- 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

6.14. Where an exclusion is permanent and the Trustees' Disciplinary Panel 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's (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 Trust to appoint a 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 a 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 the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7. Independent review

7.1. If parents/ the pupil if they are 18 or older) apply for an independent review within the legal timeframe, the Trust will, at their own expense, arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

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

- 7.3. Independent reviews can be held remotely at the request of parents/pupils. See section 10 for more details on remote access to meetings.
- 7.4. A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the Headteacher category. At all times during the review process there must be the required representation on the panel.
- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
  - Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteachers during this time
  - Headteachers or individuals who have been a Headteacher within the last 5 years
- 7.5. A person may not serve as a member of a review panel if they:
- Are a member/director 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 1 for what training must cover)
- 7.6. 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.
- 7.7. 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.
- 7.8. 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.
- 7.9. 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.
- 7.10. 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.

- 7.11. Following its review, the independent panel will decide to do 1 of the following:
- Uphold the governing board's decision
  - Recommend that the governing board reconsiders reinstatement
  - Quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)
- 7.12. 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.
- 7.13. 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.
- 7.14. 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.
- 7.15. The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.
- 7.16. Once the panel has reached its decision, the panel will notify all parties in writing without delay.
- 7.17. 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

## 8. School registers

- 8.1. A pupil's name will be removed from the school admission register if:
- 15 school days have passed since the parents/pupil (if they are 18 or older) were notified of the Trustees' Disciplinary Panel 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
- 8.2. 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.

8.3. 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.

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

8.5. Making a return to the LA

8.5.1. 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

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

## 9. Returning from a suspension

### 9.1. Reintegration strategy

9.1.1. Following suspension, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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

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

The points below are suggestions only and will be adapted to the pupil's specific circumstances.

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school

- Daily contact in school with a designated pastoral professional
- Mentoring by an older pupil or trusted adult
- 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

9.1.4. 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.

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

## 9.2. Reintegration meetings

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

9.2.2. The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

9.2.3. The meeting can proceed without the parents in the event that they cannot or do not attend.

9.2.4. 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.

## 10. Remote access to meetings

10.1. 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.

10.2. 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.

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

10.4. The governing board and the academy trust 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
- 10.5. 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.
- 10.6. 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

## 11. Monitoring Arrangements

- 11.1. The school will collect data on the following:
- Attendance, permanent exclusions and suspensions
  - Use of pupil referral units, off-site directions and managed moves
  - Anonymous surveys of staff, pupils, academy committee members/trustees and other stakeholders on their perceptions and experiences
- 11.2. The data will be analysed a minimum of 4 times per year and shared with academy committee members/trustees.
- 11.3. 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
- 11.4. 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.
- 11.5. The multi-academy trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any one academy may be too low for meaningful statistical analysis.
- 11.6. This policy will be reviewed by the Director of Education annually.
- 11.7. At every review, the policy will be approved by the Trust Board.

## 12. Links with other Policies

- 12.1. This suspension and permanent exclusion policy is linked to the following policies:
- Behaviour policy



- SEND policy
- SEN information report

### 13. Independent Review Panel Training

13.1. The academy trust must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

13.2. 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 headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

## Appendix 1 – RMET Suspension and Exclusion Procedures

### **These procedures append each school's Behaviour and Anti-bullying Policy**

#### **Suspension**

Any behaviour that is deemed serious enough, in the judgment of the Senior Leadership Team (SLT) or the Headteacher, will warrant a suspension as per, but not restricted to, the examples below. This would normally be for 1, 3 or 5 days but in exceptional circumstances could be up to 45 days in any one school year:

- Threatening behaviour
- Persistent bullying, harassment, or peer abuse
- Repeated disruption to the learning process (disrespect to other students)
- Bringing the school into disrepute through behaviour deemed to undermine the expected high standard
- Vandalism
- Physical assault and/or violent behaviour
- Theft
- Deliberate serious or persistent disobedience, such that the authority of staff is undermined
- or a health and safety risk posed
- Any other serious action that breaches the school Behaviour and Anti-Bullying Policy.

Parents/carers will be expected to attend a meeting along with the students so that formal reintegration supported by clear expectations is affected. This meeting must occur before re-admittance to mainstream classes is permitted. Should the meeting not occur the student will remain in isolation, until such times as the meeting is completed.

Note – The school will notify the parent/carer immediately of the decision to suspend by telephone. A letter will follow the telephone call within one school day. Statutory guidance states that where information on alternative provision is not ascertainable to be included in the suspension letter, it must be provided no later than 48 hours before the provision is due to start.

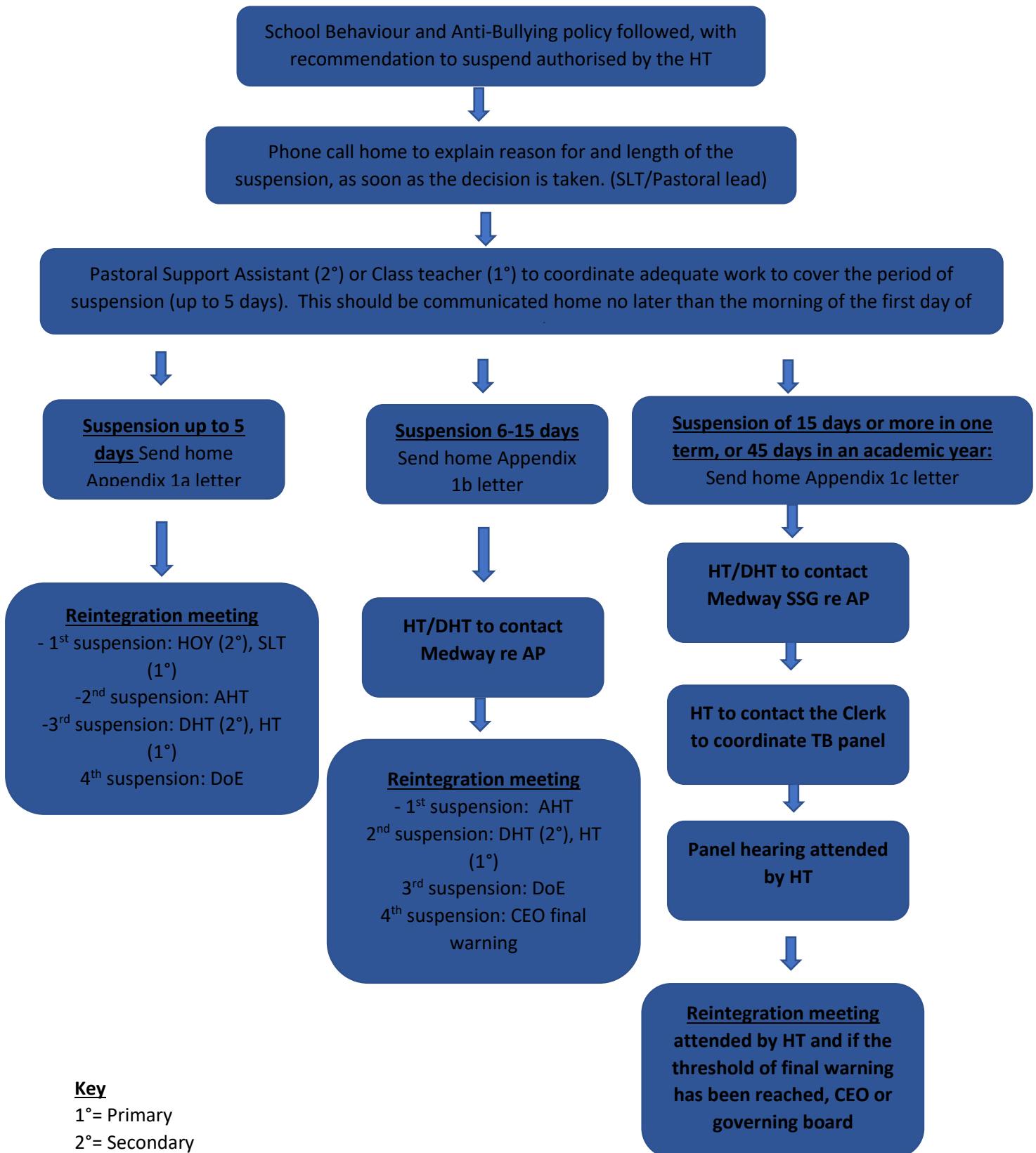
#### ***Please refer to:***

- ***Appendix 1a for the Trust letter template when the length of suspension is up to 5 days***
- ***Appendix 1b for the Trust letter template when the length of suspension is 6-15 days***
- ***Appendix 1c for the Trust letter template when a student is suspended for more than 15 days in one full school term***

For the purposes of these procedures, a 'Term' refers to a long Term, i.e.:

- Autumn (short terms 1 and 2 inclusive)
- Spring (short terms 3 and 4 inclusive)
- Summer (short terms 5 and 6 inclusive)

### Suspension flowchart



### **Consideration for Permanent Exclusion:**

We do our best to work with students whose behaviour continues to cause concern, with a view to supporting them to reach the expected standard.

Parent/carers will be involved in various ways:

- The student may be put on report or subject to a Risk Assessment with parents expected to review this.
- The student may have a Pastoral Support Plan involving the student, parents and school. The passport/pastoral support plan is designed to focus on supportive strategies for the student that motivate them to improve. Targets for improvement are set and reviewed collaboratively between the school and student.
- Parents may be invited to meet the Headteacher, CEO or Governing Board where it is felt that a student may be approaching a Permanent Exclusion. The aim of the meeting will be to discuss past behaviour patterns and make it clear to the parent and student that behaviour must improve. Strategies for improvement will be discussed.
- Once a student accumulates a total of 15 days suspension in one term or 45 days suspension in one academic year, there will be a Governing Board Disciplinary Hearing to consider the circumstances of the suspension. The parents/carers and student will be expected to attend. The student's complete behaviour record will be discussed. The Governing Board Disciplinary Hearing can either uphold or overturn the Headteacher's decision to exclude.
- Where a Permanent Exclusion takes place, the Governing Board and the Local Authority are automatically informed.

### **Extreme Clause**

The Headteacher will invoke an extreme clause where staff or student's safety is put at risk or the student's anti-social behaviour is so extreme that the school has no other alternative. In these circumstances, the Headteacher will decide on the appropriate sanction.

The Headteacher may decide that Permanent Exclusion is necessary. This may include, but is not limited to the following:

- All steps to encourage the student to align to The Academy expected standards of behaviour have failed.
- Allowing the student to remain in school would be seriously detrimental to the education or welfare of others in the school.
- Persistent and defiant behaviour. This would encompass peer abuse/harassment (bullying) including homophobic, racist or any bullying that is of an offensive nature, or has the intention or outcome of showing extreme disrespect.
- Serious actual or threatened assault/violent behaviour against a student or member of staff.
- Sexual misconduct.
- Supply or misuse of an illegal drug, or mind-altering substance

- Being in possession of an offensive weapon or sharp object with the outcome or intention of causing harm

### **Permanent Exclusion Process**

If a student is permanently excluded by the Headteacher, a Governing Board Disciplinary Panel will be called and the parent/carers, student and school staff will be expected to attend.

The Headteacher, supported by the relevant staff, will present the case for a Permanent Exclusion. The parents and student will be able to make representations to the school and Governing Board.

The Governing Board Disciplinary Panel can either uphold the Permanent Exclusion or re-instate the student.

If the Governing Board Disciplinary Panel upholds the decision to Permanently Exclude, the parents can request a review in an Independent Review Panel.

Decisions the Independent Review Panel can make include:

- 'Quashing' the decision and directing the Governing Board Disciplinary Panel to consider the Permanent Exclusion again,
- recommending they reconsider the decision or
- uphold the Exclusion.

An Independent Review Panel cannot order re-instatement.

If a student is re-instated, the parents and student will meet the relevant staff as soon as possible after the Disciplinary Hearing. A programme of re-integration will be agreed to ensure that all involved do their best to achieve a successful return to school. Fortunately, Permanent Exclusions are very rare and the Trust aligns to the guidance set out by the Government when considering any Permanent Exclusion.

### **Government Guidance on Exclusion**

A decision to exclude a child permanently is a serious one and should only be taken where the basic facts have been clearly established on the balance of probabilities. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, which have been tried without success. It is an acknowledgement by RMET that the school has exhausted all available strategies for dealing with the child and should normally be used as a last resort.

There will, however, be exceptional circumstances where, in the Headteacher's judgement, it is appropriate to Permanently Exclude a child for a first or 'one-off' offence. These might include:

- a) serious actual or threatened assault/violent behaviour towards another student or a member of staff;
- b) sexual abuse or assault;
- c) supplying an illegal drug or mind-altering substance;
- d) carrying an offensive weapon.

This list of instances is not exhaustive, but indicates the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the school community.

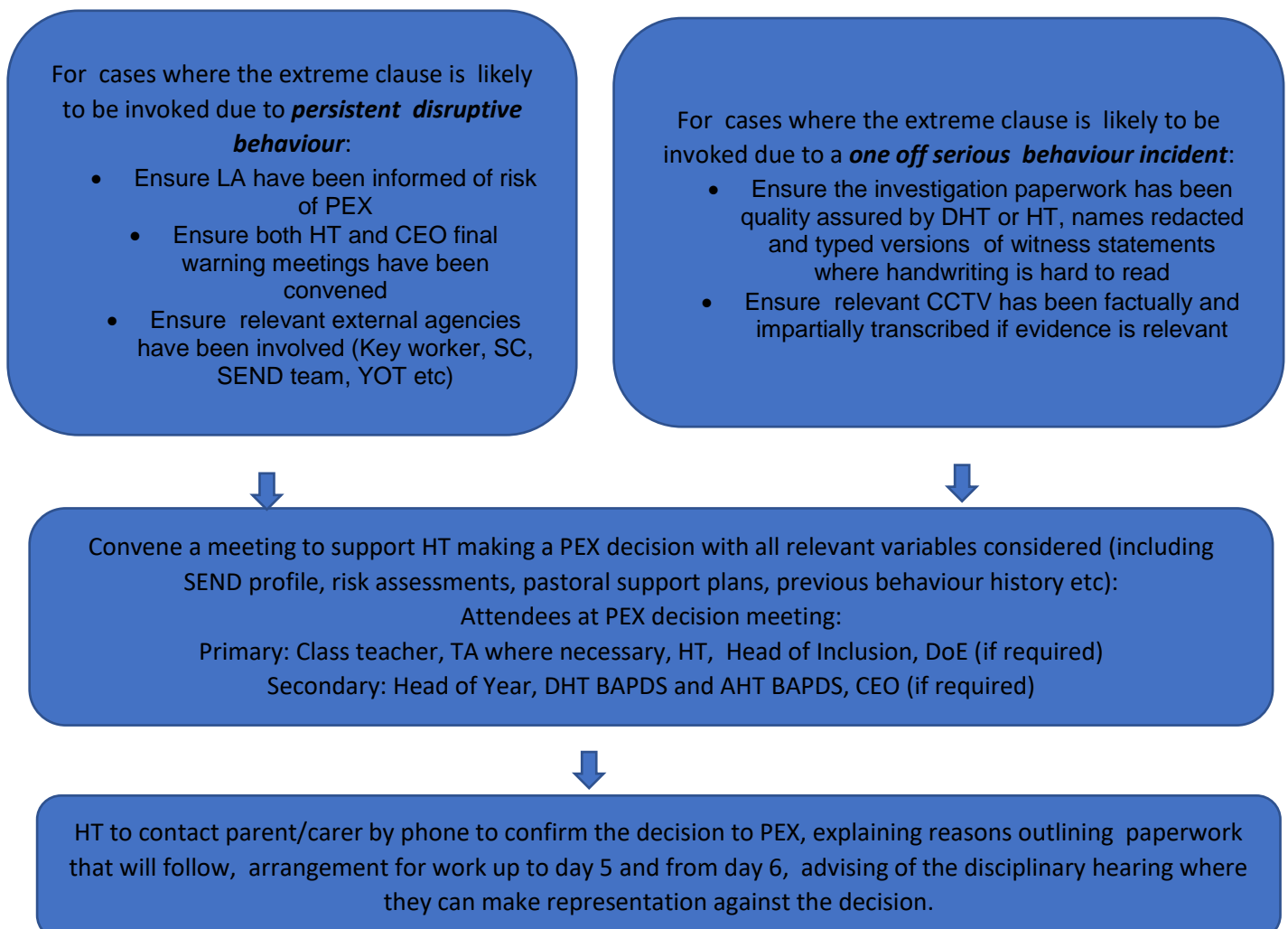
In cases where a Headteacher has permanently excluded a student for:

- a) one of the above offences; or
- b) persistent and defiant misbehaviour including peer abuse/harassment (bullying) or repeated possession and/or use of an illegal drug on school premises and where the basic facts of the case have been clearly established on the balance of probabilities, the Secretary of State would not normally expect the Governing Board Disciplinary Panel or an Independent Appeal Panel to reinstate the student.

Schools should also consider whether or not to inform the police where such a criminal offence has taken place. They should also consider whether or not to inform other agencies, e.g. Youth Offending Team, Social Workers, etc. Working in partnership with our local community police as a matter of routine, any student found to have been in possession of an offensive weapon or replica will be referred to the police by the school.

***Please refer to Appendix 1d for the letter template used for Permanent Exclusion.***

**PEX (Permanent Exclusion) process flowchart**





HT to contact Clerk to the Trustees to advise of PEX decision and requirement to convene a panel.



PEX letter to be checked and reviewed by HT.



HT to coordinate the PEX pack, liaising with the Clerk for admin support and confidential printing



Clerk to coordinate the panel hearing which must be within 15 days of the PEX decision. Pack must be sent to the Clerk at least one week before the hearing. Clerk to hand deliver/post the pack to parents by special delivery.



Work to be collated and emailed to parent/carer, with links to relevant learning platforms. Where work is paper based, email to be sent to inform parent/carer that it is at Reception ready for collection, or in the post as per parent preference.



Student to be 'B' coded from 6th day of exclusion – if they have taken up placement provided by Medway LA. Student stays on roll for 15 working days during which time an appeal can be made by the parents.



Post hearing: Clerk confirms in writing the Trustees' decision at the conclusion of the meeting with a copy sent to the LA Admissions Officer and the Headteacher. This letter must contain information on the right to request an Independent Review Panel for appeal within 15 school days of receiving the Governing Board Disciplinary Panel notification

the Governing Board Disciplinary Panel decision must be given to parents within 24 hours, with written confirmation as soon as possible afterwards and no longer than 5 days.



If no appeal is received by the Clerk, the school should notify the LA who will check that they have also not received an appeal and authorise off roll.

Local Authority informed of the decision and agree 'off roll' procedures with Participation Team after appeal deadline or at point of appeal hearing outcome.



Communicate PEX outcome to staff.

PEX Panel Checklist	
Exclusion Paperwork for 'persistent disruptive behaviour'	
What to <u>include</u> :	What to <u>leave out</u> :
Section A – exclusion notification	
<ul style="list-style-type: none"> <li>• Copy of relevant exclusion letter sent to parents/carers</li> <li>• Copy of all suspension letters from the current school relating to behaviour that led to this exclusion</li> </ul>	<ul style="list-style-type: none"> <li>• Any information on file relating to suspensions from a previous school</li> </ul>
Section B – evidence of persistent disruptive behaviour	
<ul style="list-style-type: none"> <li>• Behaviour logs</li> <li>• Electronic monitoring reports</li> <li>• Witness statements from students and staff relating to any 'trigger' incident</li> <li>• Good witness statements must be:               <ul style="list-style-type: none"> <li>✓ Signed and dated</li> <li>✓ Completed before the decision to exclude, if possible. If written statements are completed after the date of the permanent exclusion, include notes of verbal statements obtained as part of the evidence collection.</li> <li>✓ Clear about the evidence that led to the decision to exclude. The Headteacher should address any inconsistencies as part of the statement to the Governing Board Disciplinary Panel at the Disciplinary Hearing Meeting.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Evidence of academic attainment levels</li> </ul>
Section C – school support	
<p>Any action taken to support the child's behaviour prior to the exclusion</p> <p>The Headteacher's exclusion checklist is designed to help Headteachers ensure all possible support has been provided as the permanent exclusion should be a last resort.</p> <ul style="list-style-type: none"> <li>• Pastoral Support Plan</li> <li>✓ Samples of target setting and support strategies identified</li> <li>✓ Evidence of review of strategies</li> <li>✓ Evidence of referrals/involvement of outside agencies to support the child's behaviour</li> <li>• Managed Move paperwork including original agreement and review paperwork</li> <li>• SEND review, including any paperwork regarding a request by the school for a change of placement/provision. This review should be scheduled before the Governing Board Disciplinary Hearing, if possible.</li> <li>• Details of any alternatives to permanent exclusion considered</li> <li>✓ List of any alternatives considered and reasons judged not to be appropriate e.g. managed move, long fixed period exclusion, use of alternative provision</li> <li>✓ Notes of any discussion/correspondence relating to alternatives considered/explored</li> <li>• Evidence of excluded student's view/opinion taken before the decision to permanently exclude</li> </ul>	<ul style="list-style-type: none"> <li>• Referrals to social care</li> <li>• Copies of every individual target card/plan, It is sufficient to provide a sample noting what that sample represents</li> </ul>
Section D – parents/carers and student submission	
<ul style="list-style-type: none"> <li>• This will include any paperwork sent by parents/carers and student to the clerk of the Trustees.</li> </ul>	<ul style="list-style-type: none"> <li>• Any comments about the parents' involvement in the child's education</li> </ul>
Section E – Appendices	
<p>The school behaviour and Anti Bullying Policy and any other relevant school policy</p> <ul style="list-style-type: none"> <li>• The Headteacher can decide to include only the relevant section of the policies. It would help to have a brief note explaining how the school ensures that all parents/carers know how to access school policies, including revisions. Where age appropriate, a brief note explaining how the school has ensured that the student is aware of school policies, including revisions.</li> </ul>	



Exclusion Paperwork for 'persistent disruptive behaviour'	
What to <u>include</u> :	What to <u>leave out</u> :
<b>Section A – exclusion notification</b>	
<ul style="list-style-type: none"> <li>• Copy of relevant exclusion letter sent to parents/carers</li> <li>• If the Headteacher issued a short fixed period suspension in the first instance, in order to investigate the incident, both letters should be included</li> </ul>	Any other suspension letters
<b>Section B – evidence relating to the serious one-off incident</b>	
<ul style="list-style-type: none"> <li>• Witness statements including a statement by the child being excluded. The Headteacher should also complete a contemporaneous statement if they were involved in the incident. If witness statements are anonymised, originals need to be made available at the Governing Board Disciplinary Hearing should they be required by the Panel. (If anonymising statements, all present at the hearing should be able to differentiate between students, therefore using student A, student B etc.</li> <li>• Evidence of the excluded student's view/opinion taken before the decision to permanently exclude</li> <li>• Good witness statements should be: <ul style="list-style-type: none"> <li>✓ Signed and dated</li> <li>✓ Completed before the decision to exclude, if possible. If written statements are completed after the date of the permanent exclusion, include notes of verbal statements obtained as part of the evidence collection.</li> <li>✓ Clear about the evidence that led to the decision to exclude. The Headteacher should address any inconsistencies as part of the statement to the Panel at the Disciplinary Hearing Meeting.</li> </ul> </li> </ul>	Behaviour logs or statements relating to academic attainment or behaviour, other than the incident that led to the exclusion
<b>Section C – school support</b>	
<ul style="list-style-type: none"> <li>• If the pupil has identified SEND or other support needs provide evidence that the additional need has been supported. Also include the SEND Policy</li> </ul>	Referrals to social care
<b>Section D – parents/carers and student submission</b>	
<ul style="list-style-type: none"> <li>• This will include any paperwork sent by parents/carers and student to the Clerk of the Trust Board.</li> </ul>	Any school's views or comments about the parents' involvement in the child's education
<b>Section E – Appendices</b>	
<p>The school behaviour Policy and any other relevant school policy (e.g. SEND).</p> <ul style="list-style-type: none"> <li>• The Headteacher can decide to include only the relevant section of the policies. It would help to have a brief note explaining how the school ensures that all parents/carers know how to access school policies, including revisions. Where age appropriate, a brief note explaining how the school has ensured that the student is aware of school policies, including revisions.</li> </ul>	

## Appendix 1a

### Letter template for suspension up to and including 5 days

Date

Address

Student: Name

Dear Parental salutation and Surname

#### Name – Year/class - Fixed Period Suspension for x day(s)

I am writing to inform you of my decision to suspend name for a fixed period of x day(s). This means that s/he will not be allowed in The Academy for this period. The suspension will take place on the date.

Name has been excluded for this period because s/he has breached our Behaviour and Anti-Bullying policy on the date, as detailed below:

- Insert reason(s) aligned to the wording of the Behaviour policy and outlining brief detail of the breach/es.

As you will be aware from our Behaviour and Anti-Bullying Policy, with which we would ask you to re-familiarise yourself in order to support improvement in Name 's behaviour, this is a breach serious enough to require suspension.

Support mechanisms Name has been given: (check if support offer needs tweaking aligned to internal mechanisms)

Internal support	✓	External support	✓
1:1 Support		Counselling	
Counselling/therapy		Managed Move offer	
Detentions		Key Worker	
Learning Contract		Early Help Assessment	
Parental Meetings		ELSA	
PSP/RA/School plan		Tools for Schools	
Pupil Passport		SOG	
Report (please state)		EP Assessment	
Internal isolation		NELFT	
Isolation at social times		Alternate Provision	
Time out card		Other project intervention	

You have a duty to ensure that Name is not present in a public place in school hours during this suspension on Date/s unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from Medway Council if Name 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 Name to be completed for the period of suspension, which will be communicated to you by the first day of suspension. Please ensure that work set by is completed and returned to us at the reintegration meeting for marking.

You have the right to make representations about this decision to the Governing Board. If you wish to make representations, please contact Mrs R. Stevens, Clerk to the Trust, [rstevens@rmet.org](mailto:rstevens@rmet.org)

Whilst the Governing Board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on **Name's** school record.

You should also be aware that if you think the suspension relates to a disability **name** has, and you think disability discrimination has occurred, you have the right to appeal and/or make a claim to the First Tier (SEND) Tribunal:

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

Making a claim would not affect your right to make representations to the Governing Board. The time limit in which to make any claim for alleged disability discrimination is six months from the date of the alleged discrimination. Claims for any other type of alleged discrimination can be made in the County Court and must be made within six months of the date of the alleged discrimination.

**You will be required to attend a reintegration meeting with Name/s on Date at time.** The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed. Within this meeting you and name will be required to re-visit the Home School Agreement. Failure to attend a reintegration meeting will be a factor considered by a magistrates' court if, on future application, they consider whether to impose a parenting order on you. In this meeting we will discuss your child's previous behaviour record to include any previous suspensions in order to address emerging or concerning patterns. *Please note this is the **number** suspension that **name** has received whilst a student at **name** school.*

**Name** may be discussed with the Governing Board, and this could result in the issuing of a Governing Board's Final Warning in a separate meeting with regard to **his/her** future conduct at **school name**. We will write to you in due course with the details of this meeting, if required.

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 do this and this may incur the cost of photocopying.

You can also find general information about suspension from school at the Department for Education website [here](#).

You may also wish to contact the [Coram Children's Legal Centre](#), a provider of free legal advice, assistance and representation in relation to children's rights in the UK, or you can telephone the Education Law free advice helpline on 0345 345 4345 (open Monday to Friday: 9am to 8pm and Saturday: 9am to 12.30pm).

You may wish to contact Medway's Inclusion Team, Gun Wharf Dock Road Chatham Kent ME4 4TR 01634 332572 who can provide further advice.

Yours sincerely,

**Name**  
**Headteacher**

## Appendix 1b

### Letter template for suspension between 6 and 15 days inclusive:

Date

Address

Student: Name

Dear Parental salutation and Surname

#### Name – Year/class - Fixed Period Suspension for x day(s)

I am writing to inform you of my decision to suspend Name for a fixed period of x day(s). This means that s/he will not be allowed in The Academy for this period. The suspension will take place on the date.

Name has been excluded for this period because s/he has breached our Behaviour and Anti-Bullying policy on the date, as detailed below:

- Insert reason(s) aligned to the wording of the Behaviour policy and outlining brief detail of the breach/es.

As you will be aware from our Behaviour and Anti-Bullying Policy, with which we would ask you to re-familiarise yourself in order to support improvement in Name 's behaviour, this is a breach serious enough to require suspension.

Support mechanisms Name has been given: (check if support offer needs tweaking aligned to internal mechanisms)

Internal support	✓	External support	✓
1:1 Support		Counselling	
Counselling/therapy		Managed Move offer	
Detentions		Key Worker	
Learning Contract		Early Help Assessment	
Parental Meetings		ELSA	
PSP/RA/School plan		Tools for Schools	
Pupil Passport		SOG	
Report (please state)		EP Assessment	
Internal isolation		NELFT	
Isolation at social times		Alternate Provision	
Time out card		Other project intervention	

You have a duty to ensure that Name is not present in a public place in school hours during the first 5 days of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from Medway Council if Name 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 **Name** during first 5 days school days of his/her suspension, which will be communicated to you by the first day of suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the 6th school day of **Name's** suspension, **date** until the expiry of his/her suspension we will provide suitable full-time education. **If not known, say that arrangements will be notified by a further letter (no later than 48hrs before the start of the provision)** On **date** he/she should attend at **name and address of alternative provider at time** and report to **staff member's name**. **[insert transport arrangements from home to alternative provider if applicable]**.

You have the right to make representations about this decision to the Governing Board. If you wish to make representations, please contact Mrs R. Stevens, Clerk to the Trust, [rstevens@rmet.org](mailto:rstevens@rmet.org)

Whilst the Governing Board has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on **Name's** school record.

You should also be aware that if you think the suspension relates to a disability **name** has, and you think disability discrimination has occurred, you have the right to appeal and/or make a claim to the First Tier (SEND) Tribunal:

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

Making a claim would not affect your right to make representations to the Governing Board. The time limit in which to make any claim for alleged disability discrimination is six months from the date of the alleged discrimination. Claims for any other type of alleged discrimination can be made in the County Court and must be made within six months of the date of the alleged discrimination.

**You will be required to attend a reintegration meeting with Name/s on Date at time.** The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed. Within this meeting you and name will be required to re-visit the Home School Agreement. Failure to attend a reintegration meeting will be a factor considered by a magistrates' court if, on future application, they consider whether to impose a parenting order on you. In this meeting we will discuss your child's previous behaviour record to include any previous suspensions in order to address emerging or concerning patterns. ***Please note this is the **number** suspension that **name** has received whilst a student at **name** school.***

**Name** may be discussed with the Governing Board, and this could result in the issuing of a Governing Board's Final Warning in a separate meeting with regard to **his/her** future conduct at **school name**. We will write to you in due course with the details of this meeting, if required.

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 do this and this may incur the cost of photocopying.

You can also find general information about suspension from school at the Department for Education website [here](#).

You may also wish to contact the [Coram Children's Legal Centre](#), a provider of free legal advice, assistance and representation in relation to children's rights in the UK, or you can telephone the Education Law free advice helpline on 0345 345 4345 (open Monday to Friday: 9am to 8pm and Saturday: 9am to 12.30pm).

You may wish to contact Medway's Inclusion Team, Gun Wharf Dock Road Chatham Kent ME4 4TR 01634 332572 who can provide further advice.

Yours sincerely,

**Name**

**Headteacher**

### Appendix 1c

#### Suspension for more than 15 days in one school term or 45 days in one academic year

Date

Address

Student: Name

Dear Parental salutation and Surname

#### Name – Year/class - Fixed Period Suspension for x day(s)

I am writing to inform you of my decision to suspend name for a fixed period of x day(s). This means that s/he will not be allowed in The Academy for this period. The suspension will take place on the date.

Name has been excluded for this period because s/he has breached our Behaviour and Anti-Bullying policy on the date, as detailed below:

- Insert reason(s) aligned to the wording of the Behaviour policy and outlining brief detail of the breach/es.

As you will be aware from our Behaviour and Anti-Bullying Policy, with which we would ask you to re-familiarise yourself in order to support improvement in Name 's behaviour, this is a breach serious enough to require suspension.

Support mechanisms Name has been given: (check if support offer needs tweaking aligned to internal mechanisms)

Internal support	✓	External support	✓
1:1 Support		Counselling	
Counselling/therapy		Managed Move offer	
Detentions		Key Worker	
Learning Contract		Early Help Assessment	
Parental Meetings		ELSA	
PSP/RA/School plan		Tools for Schools	
Pupil Passport		SOG	
Report (please state)		EP Assessment	
Internal isolation		NELFT	
Isolation at social times		Alternate Provision	
Time out card		Other project intervention	

You have a duty to ensure that Name is not present in a public place in school hours during the first 5 days of this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from Medway Council if Name 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 **Name** during first 5 days school days of his/her suspension, which will be communicated to you by the first day of suspension. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the 6th school day of **Name's** suspension, **date** until the expiry of his/her suspension we will provide suitable full-time education. **If not known, say that arrangements will be notified by a further letter (no later than 48hrs before the start of the provision)** On **date** he/she should attend at **name and address of alternative provider at time** and report to **staff member's name**. **[insert transport arrangements from home to alternative provider if applicable]**.

As the length of the suspension amounts to **more than 15 school days in total in one term/45 days in one academic year (delete as appropriate)**, the Governing Board Disciplinary Panel must meet to consider the suspension. At the review meeting you may make representations to the Governing Board Disciplinary Panel if you wish. The latest date on which the Governing Board Disciplinary Panel can meet is **date – no later than 15 school days from the date that the** Governing Board Disciplinary Panel **are notified**. If you wish to make representations to the Governing Board Disciplinary Panel or wish to be accompanied by a friend or representative please contact please contact Mrs R. Stevens, Clerk to the Trust, [rstevens@rmet.org](mailto:rstevens@rmet.org) as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk of the time, date and location of the meeting. Please advise the Clerk if you have a disability or special needs which would affect your ability to attend or take part in a meeting at the school. Also, please inform the Clerk if it would be helpful for you to have an interpreter present at the meeting. **Name**, where applicable, is encouraged to attend any proposed meeting.

You should also be aware that if you think the suspension relates to a disability **name** has, and you think disability discrimination has occurred, you have the right to appeal and/or make a claim to the First Tier (SEND) Tribunal:

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

Making a claim would not affect your right to make representations to the Governing Board. The time limit in which to make any claim for alleged disability discrimination is six months from the date of the alleged discrimination. Claims for any other type of alleged discrimination can be made in the County Court and must be made within six months of the date of the alleged discrimination.

**You will be required to attend a reintegration meeting with Name/s on Date at time.** The purpose of the reintegration meeting is to discuss how best your child's return to school can be managed. Within this meeting you and name will be required to re-visit the Home School Agreement. Failure to attend a reintegration meeting will be a factor considered by a magistrates' court if, on future application, they consider whether to impose a parenting order on you. In this meeting we will discuss your child's previous behaviour record to include any previous suspensions in order to address emerging or concerning patterns. **Please note this is the number suspension that name has received whilst a student at name school.**

**Name** may be discussed with the Governing Board, and this could result in the issuing of a Governing Board's Final Warning in a separate meeting with regard to **his/her** future conduct at **school name**. We will write to you in due course with the details of this meeting, if required.



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 do this and this may incur the cost of photocopying.

You can also find general information about suspension from school at the Department for Education website [here](#).

You may also wish to contact the [Coram Children's Legal Centre](#), a provider of free legal advice, assistance and representation in relation to children's rights in the UK, or you can telephone the Education Law free advice helpline on 0345 345 4345 (open Monday to Friday: 9am to 8pm and Saturday: 9am to 12.30pm).

You may wish to contact Medway's Inclusion Team, Gun Wharf Dock Road Chatham Kent ME4 4TR 01634 332572 who can provide further advice.

Yours sincerely,

**Name**

**Headteacher**

## **Appendix 1d**

### **Letter template for Permanent Exclusion**

Date:

Address

Student: Name and DOB and school year

#### **Notice of decision to Permanent Exclude**

I regret to inform you of my decision to permanently exclude **Name** with effect from **Date**. This means that **Name** will not be allowed in this school unless **she** is reinstated by the Governing Board by an appeal panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude **Name** has not been taken lightly. **Name** has been permanently excluded for:

- **Insert reason aligned to behaviour and anti-bullying policy**

You have a duty to ensure that **Name** is not present in a public place in school hours during the first five school days of this exclusion, i.e. on **date range** 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 **Name's** education to continue will be made. For the first five school days of the permanent exclusion we will set work for **Name** 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, Medway, will provide suitable full-time education. These arrangements of day 6 provision, will be notified in writing by a **Senior Admission and Access Officer(correct title?)** from the Local Authority-

As this is a permanent exclusion the Governing Board's Disciplinary Panel must meet to consider it. At the review meeting you may make representations to the Governing Board's Disciplinary Panel if you wish and ask them to reinstate your child in school. The Governing Board's Disciplinary Panel has the power to reinstate your child immediately or from a specified date, or, alternatively, has the power to uphold the exclusion in which case you may apply for their decision to be reviewed and you appeal against the decision, to an Independent Review Panel. The latest date by which the Governing Board's Disciplinary Panel must meet is the **date**, which is calculated on school working days.

If you wish to make representations to the Governing Board's Disciplinary Panel and wish to be accompanied by a friend or representative please contact **Rachelle Stevens, Clerk to Trust**, as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the Trust Board 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 the **Clerk** if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the 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. The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court, Parkgate, Darlington DL1 1RU, e-mail [send@justice.gov.uk](mailto:send@justice.gov.uk). Your claim must be lodged within 6 months of the date of the exclusion.

You may access further information on the following link. [www.justice.gov.uk/tribunals/send/appeals](http://www.justice.gov.uk/tribunals/send/appeals).

Making a claim would not affect your right to make representations to the Governing Board. The time limit in which to make any claim for alleged disability discrimination is six months from the date of the alleged discrimination. Claims for any other type of alleged discrimination can be made in the County Court and must be made within six months of the date of the alleged discrimination.

You have the right to see a copy of **Name's** school record. Due to confidentiality restrictions, you must request this in writing, and I will be happy to supply a copy if you request it. There may however be a charge for photocopying.

You may also find it useful to contact the Children's Legal Centre. They aim to provide free legal advice and information to parents on state education matters. They can be contacted **on** 0300 330 5480 **or on** <http://www.childrenslegalcentre.com/>. The advice line is open from 8am to 8pm Monday to Friday, except Bank Holidays and 24<sup>th</sup> December to the 1<sup>st</sup> January

You may wish to contact Medway's Inclusion Team, Gun Wharf Dock Road Chatham Kent ME4 4TR 01634 332572 who can provide further advice.

Statutory guidance on Exclusion can be accessed on the following link  
[www.gov.uk/government/publications/school-exclusion](http://www.gov.uk/government/publications/school-exclusion)

Yours sincerely,

**Name**  
**Headteacher**

cc *Senior Admissions Officer – Medway Council*  
*Rachelle Stevens, Clerk to the Trust*