



Fulston Manor School

Suspensions Policy

Version (Date):

July 2025

Review (Date):

July 2026

Member of Staff Responsible:

**Mrs S Burden
Headteacher**

INTRODUCTION

Suspension is a significant sanction. Students will be suspended after other sanctions have been used to modify a student's behaviour; or for more serious breaches of the behaviour standards expected or if allowing a student to remain in school would harm the education or welfare of the student or others in the school. The behaviour of a student outside of school can be considered as grounds for a suspension.

Fulston Manor School aims to ensure that:

- The suspension and permanent exclusions process is applied fairly and consistently.
- The suspension and permanent exclusions process is understood by governors, staff, parents and students.
- Students in school are safe and happy.
- Students do not become NEET (not in education, employment or training)

LEGISLATION AND STATUTORY GUIDANCE

This policy is based on statutory guidance from the Department for Education, September 2024:

<https://www.gov.uk/government/publications/school-exclusion>

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at parental responsibility for suspended students.
- 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.
- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2022
- Sections 54-68 of the School Standards and Framework Act 1998
- S.29a Education Act 2011
- Behaviour in Schools (2022) DfE guidance

Additional information may be found at <https://www.gov.uk/government/publications/school-exclusion>

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

THE HEADTEACHER'S POWER TO SUSPEND OR PERMANENTLY EXCLUDE

"This government supports headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating calm, safe, and supportive environments where both pupils and staff can work in safety and are respected. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school."

Department for Education, September 2023: <https://www.gov.uk/government/publications/school-exclusion>

POLICY AND PROCEDURES

The decision to suspend a student will be agreed by the Headteacher or a Deputy Headteacher in the Headteacher's absence.

When establishing the facts in relation to a suspension decision the Headteacher must apply the civil standard of proof; i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen, we do not require criminal liability levels of evidence.

SUSPENSIONS

A suspension will normally be for a short period of time of between one and five days but may be up to a period of 15 days.

A student may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year);

- Students on suspensions are forbidden from attending school, or being in the vicinity of the school for the term of their suspension. Parents/Guardians are legally required to ensure that their child is not present in a public place during school hours. Parents/Guardians may be given a fixed penalty notice or prosecuted if they fail to do this. (*see Appendix F – re classroom behaviour & FTS's*)
- Parents/Guardians will be notified without delay of the decision to suspend a student and the reason for the suspension. This will be done before or on the day of suspension being authorised usually by telephone call. If a student has a social worker, or if a student is looked-after, the school will also notify the social worker and/or virtual school lead, as applicable. A written confirmation of the reason(s) for the suspension will be sent to parents/guardians as soon as possible. (*See appendices A – E*)
- A student who has been suspended will have the reason for their suspension explained to them by a member of staff so that they understand the nature of their misbehaviour.
- The local authority will be notified without delay if a student is issued suspension.

If a student has had suspensions which amount to 15 days or more, parents/guardians will be required to attend a meeting, this may include representatives of the Governing body to discuss the student's behaviour.

DIRECTIONS OFF SITE AND MANAGED MOVES

In accordance with Section 29A of the Education Act 2002 "The governing body of a maintained school in England may require any registered pupil to attend at any place outside the school premises for the purpose of receiving educational provision which is intended to improve the behaviour of the student"

Schools can arrange for off-site provision for students to help improve their behaviour and to give them a fresh environment to succeed in. This could be through a mainstream school, provision or alternative provision. This would follow a 'Direction off site' notice to parents. Fulston Manor School

would always attempt to take the case to the 'In Year Fair Access' meeting in Swale, where KCC work in partnership with Swale schools.

The Chair of this group and delegates would then try to place this student to a suitable placement for a short-term placement to give them a fresh start and prevent permanent exclusion. Parents and Students do not have the right to choose the placement, nor does the school need parental consent but the school would want to take on board their views and work with them, where possible. The student will be dual registered at the host school and original school. At the end of the time period the student may wish to stay at the host school, if the school feels they have made a successful start. Otherwise they may return to education provided by the original school.

A **Managed Move** is a permanent move to another school, that parents, the student and the schools must all agree upon. It should be as part of a planned intervention and an effective integration strategy should be put in place to ensure the best chance of success and in the student's interests. Whilst not something Fulston Manor School would want to do lightly it is clear these options may help keep students in mainstream education.

Before a Permanent Exclusion is considered the possibility of a Managed Move to another local school maybe investigated.

The final sanction the school will impose is a Permanent Exclusion. The decision to exclude a student permanently is a serious one and will never be taken lightly. In doing so the School recognises that such an exclusion will have a serious impact upon a student's life chances.

ALTERNATIVE RESOURCE CENTRE (ARC)

The school runs an onsite provision which aims to support students who are not able to maintain success in the mainstream school. This can also be related to behaviour and it may be that a student with repeated suspensions or the risk of these may be allocated to the ARC. This can be on a short-term basis, a hybrid model including some mainstream lessons or a full time provision and will be decided on a case by case basis to ensure the best possible chances of success for each student and to avoid a permanent exclusion.

PERMANENT EXCLUSION

A panel of Governors may interview the parents of students whose behaviour is likely to lead to a Permanent Exclusion. The student would be expected to attend this meeting.

In the case of a Permanent Exclusion parents/guardians will be notified by the Headteacher or Deputy in a face-to-face meeting.

Permanent Exclusions can only be authorised by the Headteacher and will be done after consulting the Chair of Governors of the intention to impose this sanction. Where an exclusion is permanent, the information to parents/guardians should include:

- The fact that it is permanent
- Notice of parents'/ guardians right to ask for a governing body review

Notice of parents'/ guardians right to ask for the decision to be reviewed by an independent review panel, and:

- The date by which an application for an independent review must be made

- The name and address to whom an application for a review should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the student's SEND are considered to be relevant to the exclusion
- That, regardless of whether the excluded student has recognised SEND, parents/guardians have a right to require the Academy Trust to appoint an SEND expert to attend the review
- Details of the role of the SEND expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEND expert to be appointed in any application for a review
- That parents/guardians 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/guardians believe that the exclusion has occurred as a result of 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. A 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.

Cancelling Exclusions

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay. The notification must also provide the reason for the cancellation;
- The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay;
- The pupil must be allowed back into the school from which they were excluded without delay.
- 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.

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.

Governing Body Review:

- The governing body has a duty to consider parents'/ guardians representations about a permanent exclusion.
- This may be delegated to a smaller sub-committee of Governors
- The governing body must consider the reinstatement of an excluded student within 15 school days of receiving notice of the exclusion if:

- the exclusion is permanent;
- it would result in a student missing a public examination or national curriculum test.

Where an exclusion would result in a student missing a public examination or national curriculum assessment, there is a further requirement for a governing body. It must, so far as is reasonably practicable, consider the exclusion before the date of the examination or assessment. If it is not practicable for a sufficient number of governors to consider the decision before the examination or assessment, the chair of governors, may consider the exclusion alone and decide whether or not to reinstate the student.

The following parties must be invited to a meeting of the governing body and allowed to make representations:

- parents/ guardians (and, where requested, a representative or friend);
- the headteacher; and
- a representative of the local authority who can attend as an observer

The governing body must make reasonable endeavours to arrange the meeting for a date and time that is convenient to all parties, but in compliance with the relevant statutory time limits set out above. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

In the case of a suspension which does not bring the student's total number of days of suspension to more than five in a term, the governing body must consider any representations made by parents/guardians, **but it cannot direct reinstatement and is not required to arrange a meeting with parents.**

An independent review

If parents/guardians apply for an independent review, the academy trust will arrange for an independent panel to review the decision of the governing body not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 school days of notice being given to the parents/guardians by the governing body of its decision to not reinstate a student.

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 governors' category and 2 members will come from the headteacher category.

- 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
- 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

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

- Are a member/director of the academy trust, or governing body 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 body, 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 body, 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 A for what training must cover)

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing body's decision
- Recommend that the governing body reconsiders reinstatement
- Quash the governing body's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

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

An independent review panel does not have the power to direct a governing body to reinstate an excluded student. However, where a panel decides that a governing body's decision is flawed when considered in the light of the principles applicable on an application for judicial review, it can direct a governing body to reconsider its decision.

SCHOOL REGISTERS

A student's name will be removed from the school admissions register if:

- 15 school days have passed since the parents/guardians were notified of the exclusion panel's decision to not reinstate the student and no application has been made for an independent review panel, or
- The parents/guardians have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing body will wait until that review has concluded before removing a student's name from the register.

Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

RETURNING FROM A SUSPENSION

Following a suspension, a re-integration meeting will be held involving the students, parents/guardians and a member of staff, where appropriate.

The following measures may be implemented when a student returns from a fixed-term suspension:

- Agreeing a behaviour contract
- Student being placed on report

- Internal Isolation
- Support sessions for some lessons
- Respite Placement

Monitoring arrangements

- The school regularly monitors the number of suspensions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met. The school also liaises with the local authority and the In Year Fair Access Panel to ensure suitable education for suspended students.
- The Local Authority Inclusion Officer will be notified of all suspensions and will receive a copy of the suspension letter.
- This policy will be reviewed every year. At every review, the policy will be shared with the governing body.
- All correspondence regarding a suspension from the school will inform parents of their right to make representations to the Governing Body

APPENDIX A

Independent review panel training

The academy trust must ensure that all members of an independent review panel and clerks have 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 exclusions, 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 bodies 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 B

MODEL LETTER (1) FROM HEADTEACHER NOTIFYING PARENT OF A FIXED PERIOD SUSPENSION OF 5 SCHOOL DAYS OR FEWER IN ONE TERM, AND WHERE A PUBLIC EXAMINATION IS NOT MISSED

Dear **[Parent's Name]**

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

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

(for pupils of compulsory school age)

You have a duty to ensure that your child is not present in a public place in school hours during this suspension on **[Specify Dates]** unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for **[Name of Child]** to be completed on the days specified in the previous paragraph as school days during the period of his/her suspension when you must ensure that he/she is not present in a public place without reasonable justification. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[School/PRU] You have the right to make representations about this decision to the governing body/management committee. If you wish to make representations please contact **(Name and contact details of the member of staff in the school dealing with Suspensions, normally the Clerk to the Governing Body)** as soon as possible. Whilst the governing body/management committee has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent exclusions and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel.

If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

This paragraph applies if the HT chooses to hold a reintegration interview:

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **(Place)** on **[Date]** at **[Time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed

If you require a copy of child's school record, you will need to request a Subject Access Request (SAR) in writing setting out clearly what personal data you want to access. This will normally be dealt with within one month of your request. Please direct your written request to the headteacher.

You may also find it useful to contact the Advisory Centre for Education (ACE) — an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on exclusion from school. They can be contacted on 020 7704 9822 or at www.ace-ed.org.uk

Statutory guidance on Suspensions can be accessed on the following link www.education.gov.uk/schools/pupilsupport/behaviour/exclusion

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

Yours sincerely

[Name]
Headteacher

APPENDIX C

MODEL LETTER 2 – FROM HEAD TEACHER NOTIFYING PARENT(S) OF A PUPIL OF THAT PUPIL'S FIXED PERIOD SUSPENSION OF MORE THAN 5 SCHOOL DAYS (UP TO AND INCLUDING 15 DAYS) IN A TERM.

Dear **[Parent's Name]**

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

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

[for pupils of compulsory age - next 3 paragraphs]

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

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

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

From the **[6th school day of the pupil's suspension - specify date]** until the expiry of his/her exclusion we (For PRUs the local authority) – set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter.] will provide suitable full-time education. On **[Date]** he/she should attend at **[Give name and address of the alternative provider if not the home/school]** at **[Specify the time - this may not be identical to the start time of the home/school]** and report to **[Staff member's name]**. **[If applicable – say something about transport arrangements from home to the alternative provider. If not known, say that the arrangements for suitable full time education will be notified by a further letter.]**

[School/Pru] You have the right to request a meeting of the School Governing Board to whom you may make representations, and my decision to suspend can be reviewed.

As the period of this suspension is more than 5 school days in a term the School Governing Board must meet if you request it to do so. The latest date by which the School Governing Board must meet, if you request a meeting, is [Specify date - no later than the 50th school day after the date on which the SGB were notified of this suspension] . If you do wish to make representations to the School Governing

Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied by a friend or representative, please contact [Name of Contact] on/at [Contact Details - Address, Phone Number, Email] , as soon as possible. Please advise 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 [Contact] if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm . The Tribunal can consider claims about permanent and suspensions. For permanent suspensions, this can be done instead of, or in addition to, an independent review panel.

If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g., in relation to race) you can make a claim to the County Court.

This paragraph applies if the HT chooses to hold a reintegration interview:

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **(Place)** on **[Date]** at **[Time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed

If you require a copy of child's school record, you will need to request a Subject Access Request (SAR) in writing setting out clearly what personal data you want to access. This will normally be dealt with within one month of your request. Please direct your written request to the headteacher.

You may also find it useful to contact:

- Coram's Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice, and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.
- You may wish to contact IASK (Information, Advice and Support Kent) on 03000 413000.
- Statutory guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

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

Yours sincerely

[Name]
Headteacher

APPENDIX D

MODEL LETTER 3 – FROM HEAD TEACHER NOTIFYING PARENT OF A SUSPENSION OF MORE THAN 15 SCHOOL DAYS IN TOTAL IN ONE TERM

Dear **[Parent's Name]**

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

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

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

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

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

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

From the **[6th school day of the pupil's suspension - specify date]** until the expiry of his/her suspension we **[For PRUs the local authority - set out the arrangements if known at time of writing, if not known say that the arrangements will be notified shortly by a further letter]** will provide

suitable full-time education. **[Set out the arrangements if known at the time of writing, e.g.]** On **[Date]** he/she should attend **[give name and address of the alternative provider]** at **[specify the time - this may not be identical to the start time of the home/school]** and report to **[staff member's name]**. **[If applicable – say something about transport arrangements from home to the alternative provider] [if not known say that the arrangements for suitable full time education will be notified shortly by a further letter]**

[School and PRU] As the length of the suspension is more than 15 school days in total in one term the School Governing Board must meet to consider the suspension. At the review meeting you may make representations to the School Governing Board if you wish. The latest date on which the School Governing Board can meet is **[date here - no later than 15 school days from the date the School Governing board is notified]** . If you wish to make representations to the School Governing Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held

remotely. If you wish to be accompanied by a friend or representative please contact **[Name of Contact]** on/at **[Contact Details - Address, Phone Number, Email]** as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the School Governing Board of the time, date and location of the meeting. Please advise 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 **[Contact]** if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the suspension process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the suspension: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent and suspensions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel.

If you believe that suspension occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court. **This paragraph applies if the HT chooses to hold a reintegration interview:**

You **[and your child or pupil's name]** are requested to attend a reintegration interview with me **[alternatively, specify the name of another staff member]** at **(Place)** on **[Date]** at **[Time]**. If that is not convenient, please contact the school **[within the next ten days]** to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed

If you require a copy of child's school record, you will need to request a Subject Access Request (SAR) in writing setting out clearly what personal data you want to access. This will normally be dealt with within one month of your request. Please direct your written request to the headteacher.

You may also find it useful to contact

- Coram's Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and

independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities..

- You may wish to contact IASK (Information, Advice and Support Kent) on 03000 413000.
- Statutory guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

You may wish to contact Michelle Slater, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932, michelle.slater@kent.gov.uk who can provide advice.

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

Yours sincerely

[Name]

Headteacher

APPENDIX E

MODEL LETTER 4 – FROM THE HEAD TEACHER OF A SCHOOL NOTIFYING THE PARENT(S) / CARERS OF THE PUPIL'S PERMANENT EXCLUSION

Dear **[Parent's Name]**

I regret to inform you of my decision to permanently exclude **[Child's Name]** with effect from **[Date]**. This means that **[Child's Name]** will not be allowed in school unless he/she is reinstated by the School Governing Board.

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

[For pupils of compulsory school age]

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

[For pupils of compulsory school age]

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

[For pupils of compulsory school age]

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

As this is a permanent exclusion the School Governing Board must meet to consider it. At the review meeting you may make representations to the School Governing Board if you wish and ask them to reinstate your child in school. The Governing Board have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to not reinstate your child back into school. In

which case you may apply for the School Governing Board decision to be reviewed by an Independent Review Panel. The latest date on which the School Governing Board must meet is **[Specify the date - the 15th school day after the date on which the School Governing Board was notified of the exclusion]** . If you wish to make representations to the School Governing Board, you have a right to request to hold the meeting via the use of remote access. The meeting will be held in person if you do not specify that you want the meeting to be held remotely. If you wish to be accompanied

by a friend or representative please contact [Name of Contact] on/at [Contact Details - Address, Phone Number, Email] as soon as possible. You will, whether you choose to make representations or not, be notified by the Clerk to the School Governing 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 [Contact] if it would be helpful for you to have an interpreter present at the meeting.

If you believe your child has been discriminated against in the exclusion process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the exclusion: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about permanent and fixed term exclusions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel.

If you believe that exclusion occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

If you require a copy of child's school record, you will need to request a Subject Access Request (SAR) in writing setting out clearly what personal data you want to access. This will normally be dealt with within one month of your request. Please direct your written request to the headteacher.

You may also find it useful to contact

- Coram's Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities..
- You may wish to contact IASK (Information, Advice and Support Kent) on 03000 413000.
- Statutory guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>

- You may wish to contact Michelle Slater, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932, michelle.slater@kent.gov.uk who can provide advice.

Yours sincerely

[Name]
Headteacher

APPENDIX F

MODEL LETTER 5 – FROM THE CLERK TO THE GOVERNING BODY TO PARENT UPHOLDING A PERMANENT EXCLUSION

Dear **[Parent's Name]**

The School Governing Board met at [school] on [date] to consider the decision by [head teacher] to permanently exclude your son/daughter [pupil name] . The School Governing Board, after carefully considering the representations made and all the available evidence, has decided to not to reinstate [pupil name] 's back into school.

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

You have the right to apply for the decision to be reviewed by an Independent Review Panel. You must set out the reasons for requesting the review in writing. Regardless of whether your child has recognised special educational needs, you have the right to request the Local Authority / Academy Trust to appoint an SEN expert to attend the review and provide impartial advice to the panel about how SEN could be relevant to the exclusion. If you wish for an SEN expert to attend the review, please notify the Clerk to the Independent Review Panel at the time of lodging your request. You may also include reference to any disability discrimination claim you may wish to make.

If you intend to request a review, please write to:

(For LA maintained schools)

The Clerk to the Independent Review Panel

appeals@kent.gov.uk

03000 414222

(for Academies- insert Clerk to Governors contact details and not the above address)by no later than **[specify the latest date – the 15th school day after receipt of this letter]**. If no application has been made for an Independent Review Panel by this date, then you will lose your right to a review.

The Independent Review Panel can make one of three decisions: they may uphold the decision made by the School Governing Board to not reinstate your child back into school, they may recommend that the School Governing Board reconsiders their decision; or they may quash the decision and direct that the School Governing Board considers the decision not to reinstate your child back into school.

If you believe your child has been discriminated against in the exclusion process because of a disability, then you may also make a claim to the First-tier Tribunal (Special Educational Needs and Disability) within six months of the exclusion: www.tribunals.gov.uk/Tribunals/Firsttier.htm. The Tribunal can consider claims about

permanent and fixed term exclusions. For permanent exclusions, this can be done instead of, or in addition to, an independent review panel.

If you believe that fixed period exclusion occurred as a result of discrimination other than in relation to disability (e.g in relation to race) you can make a claim to the County Court.

You may also find it useful to contact

- Coram’s Child Law Advice service can be accessed through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 8am – 6pm.
 - Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities..
 - You may wish to contact IASK (Information, Advice and Support Kent) on 03000 413000.
- ☒ Statutory guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>
- ☒ You may wish to contact Michelle Slater, Exclusion Intervention Adviser, Kent PRU and Attendance Service. Telephone number : 03000 414932, michelle.slater@kent.gov.uk who can provide advice.

The arrangements currently being made for **[pupil’s name]**’s education will continue. **[specify details here]**.

Yours sincerely

[Name]

Clerk to the Governing Body (or clerk to the Management Committee in case of a PRU)

