

## Supporting Documents for Headteachers and Academy Councils

### Pupil Suspension and Permanent Exclusion Evidential Decision Form for Headteachers

- Must be on Disciplinary Grounds
- Must be Lawful, Rationale, Reasonable, Fair, Proportionate
- Statutory Duty not to Discriminate (sex, race, disability, religion/belief, sexual orientation, pregnancy/maternity, gender reassignment)

Document and collate evidence to support the decision.
What is the nature of the behaviour incident? Please refer to the policy to assist your explanation
How has the pupil seriously breached, or persistently breached the school's behaviour policy?
Is there a serious risk of harm to the education or welfare of the pupils or staff in the school?
<p>What evidence is recorded? Is it robust? All aspects/parties considered? Has the pupil been given the opportunity to present their case?</p> <p>Consider - 'on the balance of probabilities'</p> <p>Consider factors contributing to the behaviour e.g. bereavement, mental health, SEND, being bullied – note any support that has been put in place for the behaviour.</p>
Please explain if it is a suspension or permanent exclusion that is considered
On what grounds is the suspension or permanent exclusion justified? Examples of unacceptable behaviour and serious breaches of the school's behaviour policy can be found in the main suspension and permanent exclusion policy.



<p>Does the pupil have any needs or are they vulnerable to exclusion which must to be considered? e.g. SEND, EHC plan, FSM, LAC/PLAC, Gypsy/Roma, Travellers of Irish Heritage, Caribbean pupil.</p> <p>Is there any support in place?</p>
<p>What alternative options been considered prior to a decision to suspend or permanently exclude?</p>
<p>What reasonable adjustments been made? If none can be please explain why</p>
<p>Please confirm why a suspension or permanent exclusion is a last resort?</p>
<p>Please confirm why the suspension or permanent exclusion is lawful, rationale, reasonable, fair, and proportionate?</p>
<p>How many days of suspension are you proposing and why? What is the start and finish time?</p>
<p>How many days of suspension has this pupil had this term and this year?</p>
<p>Is the pupil safe to be at home? Are there any Child Protection or Safeguarding concerns?</p>
<p>Has suitable work been provided for the first 5 days?</p>
<p>Is there a need to arrange alternative provision on the 6<sup>th</sup> day?</p>



Have parents/carers been informed? Is there as need to inform the LA virtual school/carers/foster parents/social worker? The statutory guidance state that when a Headteachers suspend or permanently exclude a pupil **they must, without delay**, notify the LA.

Does the Academy council need to be informed? (they do if - permanent, suspensions of more than 5 days or 10 lunchtimes in a term, suspensions where a pupil misses a pubic exam/national test) **Legislative changes mean that notifying the LA must be done regardless of the suspension**

Does the total amount of days of suspension add up to 15 or more in one term? If it does the Academy Council need to be informed.

What is the date and time of the reintegration meeting and who will lead it? Is there a need for a reintegration strategy and/or behaviour plan?

## Managing the Suspension/Exclusion Checklist

Please use this checklist alongside the guidance in the policy and the evidential decision form.

### Organisation following the suspension/exclusion

Immediate notification to parents/carers – type, length, reasons for suspension/exclusion (use model letters provided)	
Notification to Local Authority use appropriate notification form – within 1 school day or immediate if permanent without delay	
Refer to Early Help Service to support the family through the process. Early referrals could help to prevent permanent exclusions.	
If EHCP, contact the assigned caseworker to initiate an interim review (for both permanent exclusions and fixed-term suspensions)	
Carry out any on-going investigations – adult and pupil witnesses, suspended/excluded pupil statement, parental/carer viewpoint. Ensure investigations are documented.	
Make arrangements for setting and marking work for the first 5 days of the suspension/exclusion	
Make arrangements for educational provision from day 6 – if fixed term (LA arranges when permanent) – inform parents	
Notify clerk to governors	
Notify governors & arrange meeting of Pupil Discipline Committee (3 Governors), pupil, parents/carers, LA* - mutually convenient time. * Academies do not have to invite LA – parents and school can request LA representation at meeting, speak if panel requests	
Produce Headteacher report & gather all relevant documentation	
Circulate documentation, with agenda and list of those attending 5 school days prior to meeting	
Encourage suspended/excluded pupil and parents to attend the meeting	

### Documents to be distributed - all parties must receive the same information

**History of Challenging Behaviour (only if persistently disruptive behaviour – if the incident is a one-off this should not be included unless it can be shown that it is relevant to the incident)**

Record or plan of current provision/interventions/strategies/targets	
Record and impact assessment of provision over time	
Incident/response/rewards log	
Whole school provision map for SEMH (including behaviour)	

### Records/reports related to the incident/suspension/exclusion

Headteachers report – reason for the suspension/exclusion and the case behind this	
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Statement from the suspended/excluded student, signed and dated, with Early Help support if necessary	
Witness statements from staff and students, (if good reason for doing so, student versions can be anonymised prior to circulation, with signed, dated versions kept on file - may be required at Independent Review Panel)	

**Policies (or sections of policies) - as relevant to the specific suspension/exclusion/student**

Behaviour Policy – which may include Anti-bullying, Drugs, Use of Force	
Suspension/Permanent Exclusion Policy	
SEND Policy	

**On the day** – most of this is for the clerk and governors to organise

Arrange the room so that the pupil and parents do not feel intimidated	
Have a spare set of papers available in case family do not bring their set to the meeting	
Allow reading time for any papers that have not been circulated prior to the meeting	
Only the governors and clerk meet prior to the start of the meeting – everyone else remains outside the room	
Allow time for parents to arrive if they are not present at the start – try to contact to remind/check attendance (clerk)	
Introduction by the Chair – stick to the agenda with clerk taking notes	
Encourage pupil to contribute to the meeting	
All leave the room, except clerk, whilst governors deliberate and come to their decision	
Outcome can be fed back at the time <b>and/or</b> via written notification – same day or second working day if posted	
If upheld, the letter of notification must advise on the parents' right to request an independent review of the decision plus right to request for an SEN expert to be present at the Independent Review Panel for a Permanent exclusion	





Was any property damaged? If yes, give details.

To which member(s) of staff have you reported the incident ?

**What were you thinking about at the time?**

**What have your thoughts been since?**

**Who has been affected by what happened?**

**In what way have they been affected?**



What has been the most difficult thing for you?

What do you think you need to do to make things right?

## Template Letters

### Model letter 1

From head teacher notifying parent(s) of a fixed period suspension of 5 school days or fewer in one term, and where a public examination is not missed. NB – if the pupil's total suspension days for the term is more than 5 days please use Model letter 2.

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Dear **[Parent's Name]**

I am writing to inform you of my decision to suspend **[Pupil'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 **[Pupil's Name]** has not been taken lightly. **[Pupil'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.

**[for pupils of compulsory school age]**

We will set work for **[Pupil's Name]** 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. **[NB – if you are making provision from day 1 i.e. for Looked After Children – information should be given as to what provision will be made, the venue, the start and finish of the day and who they should report to on the first day]**

You have the right to make representations about this decision to the Academy Council. If you wish to make representations please contact **[Name of Contact – your Clerk to the Governor]** on/at **[contact details – address, phone number, email]**, as soon as possible. Whilst the Academy Council has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the suspension relates to discrimination (under the Equality Act 2010) you can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which First-tier discrimination claims should be sent is the First-tier Tribunal (Special Educational Needs and Disability), 1st Floor, Darlington Magistrates Court, Parkgate Darlington, DL1 1RU <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

You **[and your child or pupil's name]** are requested to attend a re-integration meeting with me **[alternatively, specify the name of another member of the SLT]** at **[place]** on **[date]** at **[time]**. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the re-integration meeting is to discuss how best your child's return to school can be managed.

You may wish to contact your local Children and Families: Early Help Team **[The School's contact in**

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the Children and Families: Early Help Team] at [LA name] LA on/at [contact details — address, phone number, email], who can provide advice. I have also included below further information which may be of use to you:-

- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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](http://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
- Autism Education Trust (AET), via the National Autistic Society (NAS) operates a helpline and advice service for parents whose child is at risk or has been excluded. They also provide guidance and advice for education professionals on good practice and the law with regard to autistic children/young people and exclusion. Contact 0207 903 3660. Website: [autismeducationtrust.org.uk](http://autismeducationtrust.org.uk).
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

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

The school have a duty to report all suspensions to the Local Education Authority. This data is used by the Local Authority in line with the General Data Protection Regulation (GDPR).

Yours sincerely

[Name]

Headteacher



### Model letter 2

From Headteacher notifying parent(s) of a fixed period suspension of more than 5 school days in total in one term ( or where cumulative days suspended in the term are between 6 and 15 days in total) If the total days suspended in the term totals more than 15 days please use Model letter 3

Dear **[Parent's name]**

I am writing to inform you of my decision to suspend **[Pupil'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 **[Pupil's Name]** has not been taken lightly. **[Pupil'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 5 school days **[or specify dates if suspension is for fewer than 5 days]** of this suspension, that is on **[specify dates]**. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place on the specified dates without reasonable justification. It will be for you to show that there is reasonable justification for this.

We will set work for **[Pupil's Name]** 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. **[NB – if you are making provision from day 1 i.e. for Looked After Children – information should be given as to what provision will be made, the venue, the start and finish of the day and who they should report to on the first day]**

**[include the next para if the individual suspension is for more than 5 days – NB this includes if 2 suspensions run consecutively and total more than 5 days]**

From the 6th school day of the pupil's suspension **[specify date]** until the expiry of his/her suspension we **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 – this must be 48 hours before commencement].**

You have the right to request a meeting of the Academy Council to whom you may make representations. The Academy Council will consider the reinstatement of your child. As the period of this suspension is more than 5 school days in a term the Academy Council must meet if you request it to do so. The latest date by which the Academy Council must meet, if you request a meeting, is **[specify date — no later than the 50th school day after the date on which the Academy Council]**. If you wish to make representations to the Academy Council, and wish to be accompanied by a friend [www.bishopwheelercatholicacademytrust.org](http://www.bishopwheelercatholicacademytrust.org)

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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. Representation can also be made in writing.

You should also be aware that if you think the suspension relates to discrimination (under the Equality Act 2010) you can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which First-tier discrimination claims should be sent is the First-tier Tribunal (Special Educational Needs and Disability), 1st Floor, Darlington Magistrates Court, Parkgate Darlington, DL1 1RU <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

You **[and your child or pupil's name]** are requested to attend a re-integration meeting with me **[alternatively, specify the name of another member of the SLT]** at **[place]** on **[date]** at **[time]**. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the re-integration meeting is to discuss how best your child's return to school can be managed.

You may wish to contact your local Children and Families: Early Help Team **[The School's contact in the Children and Families: Early Help Team]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. I have also included below further information which may be of use to you:-

- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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](http://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
- Autism Education Trust (AET), via the National Autistic Society (NAS) operates a helpline and advice service for parents whose child is at risk or has been excluded. They also provide guidance and advice for education professionals on good practice and the law with regard to autistic children/young people and exclusion. Contact 0207 903 3660. Website: [autismeducationtrust.org.uk](http://autismeducationtrust.org.uk).
- SEN Information Advice & Support Services Network (formerly known as the local parent partnership).

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

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The school have a duty to report all suspensions to the Local Education Authority. This data is used by the Local Authority in line with the General Data Protection Regulation (GDPR)

Yours sincerely

[Name]

Headteacher

**Model letter 3**

From Headteacher notifying parent(s) of a fixed period suspension of more than 15 school days (or cumulative days of totalling more than 15 days in total in one term).

Dear [Parent's Name]

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I am writing to inform you of my decision to suspend **[Pupil's Name]** for a fixed period of **[specify period]**. This means that **[Pupil'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 **[Pupil's Name]** has not been taken lightly. **[Pupil'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 **[Pupil'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 - NB this includes if 2 suspension run consecutively and total more than 5 days]**

From the **[6th school day of the pupil's suspension]** **[specify date]** until the expiry of his/her suspension we **[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]**.

As the length of the suspension is more than 15 school days in total in one term the Academy Council must meet. The Academy Council will consider the reinstatement of your child. At the review meeting you may make representations to the Academy Council if you wish, either written or verbal representation. The latest date on which the Academy Council can meet is **[date here — no later than 15 school days from the date the governing body is notified]**. If you wish to make representations to the Academy Council and 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 Academy Council 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.

You should also be aware that if you think the suspension relates to discrimination (under the Equality Act 2010) you can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which First-tier discrimination claims should be sent is the First-tier Tribunal (Special Educational Needs and Disability), 1st Floor,

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Darlington Magistrates Court, Parkgate Darlington, DL1 1RU <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

You **[and your child or pupil's name]** are requested to attend a re-integration meeting with me **[alternatively, specify the name of another member of the SLT]** at **[place]** on **[date]** at **[time]**. If this is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the re-integration meeting is to discuss how best your child's return to school can be managed.

You may wish to contact your local Children and Families: Early Help Team **[The School's contact in the Children and Families: Early Help Team]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. I have also included below further information which may be of use to you:-

- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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
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- Autism Education Trust (AET), via the National Autistic Society (NAS) operates a helpline and advice service for parents whose child is at risk or has been excluded. They also provide guidance and advice for education professionals on good practice and the law with regard to autistic children/young people and exclusion. Contact 0207 903 3660. Website: [autismeducationtrust.org.uk](http://autismeducationtrust.org.uk).

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

The school have a duty to report all suspensions to the Local Education Authority. This data is used by the Local Authority in line with the General Data Protection Regulation (GDPR).

Yours sincerely

**[Name]**

Headteacher

Model letter 4  
From head teacher notifying parent(s) of a permanent exclusion

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Dear **[Parent's Name]**

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

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

*[Please note that the Independent Review Panels have raised concerns that reasons for permanent exclusion are not fulfilling paragraph 11 of the statutory guidance, namely that the decision to exclude a pupil permanently should only be taken in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school]*

**[For pupils of compulsory school age]**

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

**[For pupils of compulsory school age]**

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

**[For pupils of compulsory school age]**

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

As this is a permanent exclusion the Academy Council must meet to consider the reinstatement of your child. At the review meeting you may make representations to the Academy Council, either verbally or in writing, if you wish and ask them to reinstate your child in school. The Academy Council have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to decline to reinstate your child, in which case you may appeal against their decision to an Independent Review Panel. The latest date by which the Academy Council must meet is **[specify the date — the 15th school day after the date on which the Academy Council was notified of the exclusion]**.

If you wish to make representations to the Academy Council and 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, [www.bishopwheelercatholicacademytrust.org](http://www.bishopwheelercatholicacademytrust.org)

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be notified by the Clerk to the Academy Council of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform **[contact]** if it would be helpful for you to have an interpreter present at the meeting.

You also have the right to request that a Local Authority representative attend a meeting of an Academy Council as an observer; that representative may only make representations with the Academy Council's consent. **Please let me know if you wish an LA representative to attend the meeting.**

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

You may wish to contact your local Children and Families: Early Help Team **[The School's contact in the Children and Families: Early Help Team]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice. I have also included below further information which may be of use to you:-

- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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](http://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
- Autism Education Trust (AET), via the National Autistic Society (NAS) operates a helpline and advice service for parents whose child is at risk or has been excluded. They also provide guidance and advice for education professionals on good practice and the law with regard to autistic children/young people and exclusion. Contact 0207 903 3660. Website: [autismeducationtrust.org.uk](http://autismeducationtrust.org.uk).

The school have a duty to report all exclusions to the Local Education Authority. This data is used by the Local Authority in line with the General Data Protection Regulation (GDPR).

Yours sincerely

**[Name]**  
Headteacher

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Telephone Number: 01943 883000



**Model letter 5**  
**Letter from the Clerk inviting parents to a Academy Council Meeting**  
**For suspensions of 15+ days (or less when parent requests a meeting)**

Dear **Parent/carer's name**

Further to **name of Headteacher** letter dated **date** and our subsequent telephone conversation (or emails), I am writing to confirm that the Academy Council Exclusion Committee of this school will meet on **date** at **time** in the **location** at **school(or alternative location – give details)** to consider the suspension of your **son/daughter, name (DOB)**.

The duty of the Committee is to consider the suspension and decide whether to reinstate **name** (that is, may return to school) or whether to decline reinstatement (that is the fixed term suspension would remain in place).

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It is anticipated that the following people will be present at the meeting: **names, of the Student Governors on the committee and the Headteacher**. **Name** will also join the meeting when necessary **(if witnesses are being called)**.

The Committee will consider carefully all the circumstances of the suspension, including any letter that you send to them and statements you make at the meeting, as well as the report of the Headteacher. If you would like to write to the Committee, I would be grateful to receive your letter by **date** so that I can send copies to the Committee, the LA and to the Headteacher. Similarly, I will send you a copy of the reports sent to the Committee.

The Committee would also like **name of pupil** to attend and speak and answer questions at the meeting if you are in agreement with this and **he/she** is entitled to bring a friend. Alternatively, **he/she** may wish to communicate **his/her** views by other means i.e. a letter or statement of the incident. **(This would need to be determined with parents taking into account the age of the child but children should be encouraged to take part in the process)**

At the meeting, the Chair will explain how it will proceed, but you will have the opportunity to tell the Academy Council why you think **name** should return to school and to ask the Headteacher and the LA representative questions.

When you and the Headteacher have completed what you want to say, the Chair will ask everyone, apart from the Committee and me, to withdraw whilst the Committee arrives at its decision.

You should be given the decision as soon as possible and in writing by me within one day of the meeting.

During our **telephone conversation/or email** conversation, you indicated your intention to attend the meeting, but I would be grateful if you could confirm by either contacting me at the number detailed above (**extension xxx**), by email: **email address** or, alternatively, please complete and return the reply slip at the bottom of this letter (**SAE attached**).

If you wish to be accompanied by a friend or representative, could you please let me know as soon as possible. Could you also please advise me if you have a disability or special needs which would affect your ability to attend, or to take part in, a meeting at the school. Also, could you please inform me if it would be helpful if you had an interpreter at the meeting.

For your information the following sources of advice are available to you:

- your local Children and Families: Early Help Team [**The School's contact in the Children and Families: Early Help Team**] at [**LA name**] LA on/at [**contact details — address, phone number, email**], who can provide advice.
- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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/>

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Please do not hesitate to contact me should you require clarification with regard to this letter. Please remember the date by which I need any letter you wish to send i.e. **date**.

Yours sincerely

XXXXXX

**Clerk to the Governing Body**

-----  
To: Clerk to Governing Body, **school**

**Name of pupil, dob, yr gp**

Meeting of Academy Council Exclusion Committee to be held on **date** at **time** to review the Headteacher decision to suspend **name** from school

I/we wish/do not wish\* to attend the meeting to consider the reinstatement of my/our child into school.

I/we will/will not be\* accompanied by a friend and/or representative (if applicable)

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

My/our child will/will not\* be accompanied by a friend and/or representative (if applicable)

I/we do/do not\* wish to have an interpreter present at the meeting.

Disability/Special Need\*: Please either telephone the Clerk or detail below arrangements which may assist you to attend the meeting, as applicable:

.....  
.....

\* please delete as applicable

Signed: .....



**Model letter 6  
Letter from the Clerk inviting parents to a Academy Council Exclusion Committee  
Meeting  
For Permanent Exclusions**

Dear **Parents name**

Further to **name of Headteacher** letter dated **date** and our subsequent telephone conversation (or emails), I am writing to confirm that the Academy Council Exclusion Committee of this school will meet on **date** at **time** in the **location** at **school** ((or state full address if elsewhere) to consider the exclusion of your **son/daughter, name DOB**.

The duty of the Committee is to consider the exclusion and decide whether to reinstate **name** (that is, may return to school) or whether to decline reinstatement (that is the permanent exclusion would remain in place).

It is anticipated that the following people will be present at the meeting: **names**, of the Student Governors on the committee and the Headteacher. **Name** will also join the meeting when necessary **(if witnesses are being called)**. An officer of the Local Authority will also be invited. **[NB: LA rep will only attend Permanent Exclusion meetings, for Academies, this will be by invitation of the parents or school]**

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The Committee will consider carefully all the circumstances of the exclusion, including any letter that you send to them and statements you make at the meeting, as well as the report of the Headteacher. If you would like to write to the Committee, I would be grateful to receive your letter by **date** so that I can send copies to the Committee, the LA and to the Headteacher. Similarly, I will send you a copy of the reports sent to the Committee.

The Committee would also like **name of pupil** to attend and speak and answer questions at the meeting if you are in agreement with this and **he/she** is entitled to bring a friend. Alternatively, **he/she** may wish to communicate **his/her** views by other means i.e. a letter or statement of the incident. **(This would need to be determined with parents taking into account the age of the child but children should be encouraged to take part in the process)**

At the meeting, the Chair will explain how it will proceed, but you will have the opportunity to tell the Academy Council why you think **name** should return to school and to ask the Headteacher and the LA representative questions.

When you and the Headteacher have completed what you want to say, the Chair will ask everyone, apart from the Committee and me, to withdraw whilst the Committee arrives at its decision.

You should be given the decision as soon as possible and in writing by me within one day of the meeting.

During our telephone conversation (**or email conversation**), you indicated your intention to attend the meeting, but I would be grateful if you could confirm by either contacting me at the number detailed above (**extension xxx**), by email: **email address** or, alternatively, please complete and return the reply slip at the bottom of this letter (**SAE attached**).

If you wish to be accompanied by a friend or representative, could you please let me know as soon as possible? Could you also please advise me 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, could you please inform me if it would be helpful if you had an interpreter at the meeting?

For your information the following sources of advice are available to you:

- your local Children and Families: Early Help Team **[The School's contact in the Children and Families: Early Help Team]** at **[LA name]** LA on/at **[contact details — address, phone number, email]**, who can provide advice.
- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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
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Please do not hesitate to contact me should you require clarification with regard to this letter. Please remember the date by which I need any letter you wish to send i.e. **date**.

Yours sincerely

**xxxxxx**

**Clerk to the Governing Body**

-----  
To: Clerk to Governing Body, **school**

**Name of pupil, dob, yr gp**

Meeting of the Academy Council Exclusion Committee to be held on **date** at **time** to review the Headteacher decision to exclude **name** from school

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

I/we will/will not be\* accompanied by a friend and/or representative (if applicable)

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

My/our child will/will not\* be accompanied by a friend and/or representative (if applicable)

I/we do/do not\* wish to have an interpreter present at the meeting.

Disability/Special Need\*: Please either telephone the Clerk or detail below arrangements which may assist you to attend the meeting, as applicable:

.....

.....

\* please delete as applicable

Signed: .....



**Model letter 7**  
**Letter from the Clerk informing parents of the outcome of the Academy**  
**Council Exclusion Committee (Reinstatement)**

Dear **[Parent's Name]**

As you know, the Academy Council Exclusion Committee met on **date** to consider the permanent exclusion of your **son/daughter**. At the meeting the Academy Council Exclusion Committee resolved to reinstate **[Pupil's Name]**.

The Academy Council decided that ..... The reasons for the decision were as follows:-

**[Pupil's Name]** should return to school on **[date]** and report to **[Name]**.

The Academy Council expect that **[Pupil's Name]** will carry out the undertakings given to them about **[his/her]** future behaviour and trust that you will support the school's efforts to educate **[him/her]**.

Yours sincerely

Clerk to the Governing Body

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**Model letter 8**

**Letter from the Clerk informing parent(s) of the outcome of the Academy Council Exclusion Committee (Upholding Permanent Exclusion)  
NB To be copied to the Headteacher AND to the Local Authority**

Dear **[Parent's name]**

The meeting of the Academy Council Exclusion Committee at **[school]** on **[date]** considered the decision by **[Headteacher]** to permanently exclude your **son/daughter [name of pupil]**. The Academy Council Exclusion Committee, after carefully considering the representations made and all the available evidence, has decided to decline the request to reinstate **[name of pupil]** to the school.

The reasons for the Academy Council Exclusion committee's decision are in line with the Department for Education Guidance paragraph 11; that the exclusion was taken:

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

**[please give the reasons in as much detail as possible, explaining how they were arrived at.]**

You have the right to have this decision reviewed by the Independent Review Panel. If you wish to have the decision reviewed, please notify:

Jemma Johnson  
Trust Head of Governance  
[j.johnson@bwcat.org](mailto:j.johnson@bwcat.org)  
The Bishop Wheeler Catholic Academy Trust  
Bradford Road, Menston

[www.bishopwheelercatholicacademytrust.org](http://www.bishopwheelercatholicacademytrust.org)

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LS29 6AE

You must set out the reasons for your review in writing including, if you feel it is appropriate, any reference to how **(pupil's name)** special needs are considered to be relevant to the exclusion and send this notice for Review to **Jemma Johnson** by no later than **[specify the latest date — the 15th school day after receipt of this letter]**. If you have not lodged your request to have the decision to be reviewed by **[repeat latest date]** you will lose your right to have the decision reviewed. Please advise the Appeals Clerk if you have a disability or special needs which would affect your ability to attend the hearing. Also, please inform **the Appeals Clerk** if it would be helpful for you to have an interpreter present at the hearing.

The review will be heard by an Independent Review Panel. A three-member panel will comprise of:

- 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 (including members of PRU management committees and directors of academy trusts) who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or Headteachers during that time.
- Headteachers or individuals who have been a Headteacher within the last five years.

The review panel will rehear all the facts of the case — if you have fresh evidence to present to the panel you may do so. The panel must meet no later than the 15th school day after the date on which your application for review is lodged. In exceptional circumstances panels may adjourn the hearing until a later date.

Under the Department for Education guidance, you have the right to require the Academy Trust to appoint an SEN expert to attend the review at no cost to you. If you wish the Academy Trust to appoint an SEN expert could you **please make this clear in your application for a review**.

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

You should also be aware that if you think the exclusion relates to discrimination (under the Equality Act 2010) you can also make a claim to the First-tier Tribunal (for disability discrimination) or a County Court (for other forms of discrimination). The address to which First-tier discrimination claims should be sent is the First-tier Tribunal (Special Educational Needs and Disability), 1st Floor, Darlington Magistrates Court, Parkgate Darlington, DL1 1RU <https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>

Any such claim of discrimination made under these routes should be lodged within six months of the date on which the discrimination is alleged to have taken place, e.g. the day on which the pupil was excluded.

I would advise you of the following sources of advice:

- your local Children and Families: Early Help **Team [The School's contact in the Children and Families: Early Help Team] at [LA name] LA on/at [contact details — address, phone number, email]**, who can provide advice.

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- A link to this statutory guidance on exclusions (<https://www.gov.uk/government/publications/school-exclusion>)
- 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
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The arrangements currently being made for **[pupil's name]**'s education will continue. **[Specify details here]**.

Yours sincerely

**[name]**

Clerk to the Academy Council

Information for Clerks on how to clerk a Academy Council Exclusion Committee meeting can be found here:

[L:\POLICY\Exclusion\5. ClerkingPupilDiscipline \(Updated August 2022\).docx](L:\POLICY\Exclusion\5. ClerkingPupilDiscipline (Updated August 2022).docx)

Or contact Jemma Johnson Head of Governance for a copy.

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