

Exclusions and suspension guidance for schools

5- SEND and Exclusions



Pupils with an EHCP or those undergoing assessment for one should only be excluded in exceptional circumstances.

Schools' responsibilities:

Schools must use their best endeavours to provide appropriate SEND support, including behaviour management strategies. If concerns arise about a pupil's behaviour, schools must:

- Work with the pupil, parents, and agencies (e.g., Hillingdon Local Authority) to explore additional support or placements.
- Liaise with Hillingdon's EHCP Coordination Team to arrange an interim annual review and seek further advice if necessary.

Before permanent exclusion:

If a permanent exclusion is considered:

- Use the time before the Governors Review Meeting to consult Hillingdon LA for additional support options.
- If feasible alternatives are found, the exclusion should be withdrawn.

Legal protections for SEND pupils:

Exclusions related to a pupil's disability or SEND may violate the Equality Act 2010 if reasonable adjustments have not been implemented.

Schools must ensure exclusions are:

- Justified by a substantial reason.
- Supported by evidence showing all reasonable steps were taken to avoid the exclusion.

Key considerations

- Schools must ensure no discrimination occurs based on disability and compare treatment against pupils exhibiting similar behaviour.
- Exclusions directly linked to SEND or disability, without justification, are unlawful and could lead to significant reputational and financial consequences.

Further guidance

- Refer to the Equality Act 2010 and the Disability Rights Commission's Code of Practice for additional information on legal obligations and best practices.

