



Exclusions & Suspensions Guidance

**London Borough of Hillingdon
2025 – 26**

London Borough of Hillingdon

EXCLUSIONS & SUSPENSIONS

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1. Introduction

1.1 This document provides comprehensive guidance on exclusions and suspensions within the London Borough of Hillingdon for the academic year 2025 - 26.

1.2 It outlines the aims and principles behind the use of exclusions and suspensions, the types of exclusions which schools can use, and the procedures to be followed in Hillingdon. Additionally, it includes important considerations for headteachers, particularly when dealing with pupils with special educational needs or disabilities (SEND) and looked after children (LAC).

1.3 By following the guidance provided in this document, schools can ensure that they are meeting their legal obligations and supporting the well-being and educational outcomes of all pupils.

1.4 While considering local circumstances, this document is based on the Department for Education guidance [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(August, 2024\)](#) and [Behaviour in Schools Guidance: advice for Headteachers and School Staff \(February, 2024\)](#).

1.5 It is intended to outline school exclusion procedures for school staff and any governors who may serve as members of the meeting to consider exclusions. The LA (Local Authority) has also indicated details of its role and recommendations for good practice, to enable schools to make decisions regarding a child at risk of permanent exclusion.

1.6 The role of parents is central to this document. For ease, the term 'parent' is used to encompass all those who are providing primary care to children of school age, including but exclusively: special guardians, kinship carers and foster carers.

2. Aims and Principles

2.1 To have a consistent approach and common language across all Hillingdon schools and an understanding of the local Hillingdon offer, by creating several options for schools to consider when supporting children at risk of suspension or permanent exclusion.

2.2 To enable every child in Hillingdon to benefit from high-quality education that supports them to fulfil their potential.

2.3 To enable the learning of all children who may have become disengaged from education and explore ways of reconnecting these disengaged learners.

2.4 To provide a wraparound service for children who may be at risk of permanent exclusion and ensure schools are supported regarding decisions on exclusions.

3. Types of Exclusion

3.1 There are three types of exclusion that a school may use:

Lunchtime suspension:

3.2 This is a type of fixed-term suspension where the pupil is excluded from the main school site during the period of lunchtime because their behaviour has been challenging. Lunch time suspension sessions may or may not fall on consecutive school days.

3.3 Lunchtime suspensions are counted as half a school day and must be recorded by the school in the attendance register. There is a legal requirement for the school to notify parents if such a suspension is issued.

3.4 Lunchtime suspensions are counted as half a school day if/when determining if a governing board meeting is triggered.

Fixed period suspension

3.5 A fixed-period suspension refers to a pupil who is excluded from a school for a set period of time but remains on the roll of the school because they are expected to return when the suspension period is completed.

3.6 This is a suspension which can be between 0.5 and 45 school days in length. No pupil may be excluded for more than a total of 45 school days in any one academic year.

3.7 A permanent exclusion is not an automatic next step following a fixed term suspension.

3.8 Hillingdon schools are required to inform the local authority of any suspension issued to a pupil. This is done via the Establishment Portal found on [LEAP](#).

Permanent exclusion

3.9 A permanent exclusion refers to a pupil who is completely excluded from the school and unable to return. Their name is removed from the school roll. Following a permanent exclusion, the child should then be educated at another school or via some other form of provision, such as an alternative provision within Hillingdon.

3.10 The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

3.11 Hillingdon schools are required to inform the local authority of any permanent exclusion issued to a pupil who is a resident in the borough. This is done via the Establishment Portal found on [LEAP](#). It is important to note that if the child in receipt of the permanent exclusion is resident in another local authority, it is the school's duty to notify them of the issuance.

Informal or unofficial suspensions

3.12 Informal or unofficial suspensions, such as sending pupils home 'to cool off', are unlawful, regardless of whether they occur with the agreement of parents.

3.13 Unlawful suspensions can be made on a simple misunderstanding of the DfE guidance; most commonly regarding pupil conduct at a reintegration meeting following a period of 'fixed term' suspension or in relation to SEND. Any suspension of a pupil, even for a short period of time.

3.14 Internal inclusions, e.g., sending a pupil to work in an alternative room for disciplinary reasons, is not part of the statutory exclusions' framework. This is because it removes the pupil from class but not from the school site. It is not necessary to inform the local authority of this form of disciplinary action.

4. Suspension

4.1 Once the decision to suspend a pupil has been made by the headteacher, parents must be informed of the decision ensuring they are clear on their duty during the suspended period. The school **must** also make the local authority aware via [LEAP](#).

4.2 If the pupil has been suspended for five days or less, the school must ensure that work is set for the pupil to complete and that it is marked, unless during that time the pupil will be attending alternative provision (arranged on a voluntary basis by the school or if the child is LAC).

4.3 Work set can include utilising any online pathways, such as Google Classroom or Oak National Academy. The school's legal duties to pupils with SEND remain in force, for example, to make reasonable adjustments in how they support disabled pupils during this period.

4.4 During the initial period of up to five school days, the parents of the suspended pupil must ensure they are not present in a public place during normal school hours without reasonable justification. Parents can be prosecuted or given a penalty notice of up to £160 if they fail to do this.

4.5 If found to be in a public place during normal school hours by the police and the pupil may be taken to designated premises, usually a local police station.

4.6 If the LA is advised that a parent has failed to comply with supervision requirements during the first five school days of a suspension, the Attendance Support Team may take further action if there are sufficient grounds on which to proceed.

4.7 Day 6: Where a pupil is given a suspension of six school days or longer, the school has a duty to arrange suitable full-time educational provision from, and including, the sixth school day of the exclusion.

4.8 Schools, academies and Pupil Referral Units are responsible for monitoring the pupil's attendance from the sixth school day of an exclusion or a suspension, in conjunction with the Attendance Support Team. It is possible to prosecute for non-attendance from the sixth school day of exclusion or suspension if criteria are met.

4.9 The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension, following further evidence or an investigation.

5. Lunchtime Suspension

5.1 Pupils whose behaviour at lunchtime is disruptive may be suspended from the school premises for the duration of the lunchtime period, which is therefore considered a fixed-period suspension and is

counted as one half of a school day (1 session).

5.2 The Secretary of State does not expect to see lunchtime suspension used for longer than a week. Longer term, another strategy for dealing with the behaviour should be explored. A lunchtime suspension for an indefinite period, like any other indefinite exclusion, would not be lawful.

5.3 In the case of a lunchtime suspension consideration should be given to:

- the child's age and vulnerability.
- when the parent should be contacted.
- collection arrangements (if appropriate).
- supervision of the pupil during the lunchtime suspension.

5.4 Arrangements should be made for pupils who are entitled to free school meals to receive this during the lunchtime period. This may mean providing a packed lunch.

5.5 Schools are required to inform the local authority of any suspensions without delay. The expectation is that this will be on the day they are issued. This must be done via [LEAP](#).

5.6 This allows the local authority to track data in real time and to provide opportunities of support for schools following fixed term suspensions.

6. Reintegration Meetings

6.1 Schools should support pupils to reintegrate successfully back into school life and full-time education following a suspension or period of off-site direction.

6.2 There should be a personalised reintegration strategy for the pupil which is clearly communicated with the pupil and their parent(s) at the reintegration meeting. To ensure that the pupil returns successfully and makes progress any strategies put in place for the student should be reviewed and adapted as appropriate.

6.3 The meeting should take place before or at the beginning of the pupil's return to school. The parents should be included as much as possible within the reintegration process. Whilst not all may be willing to engage, this should not prevent the pupil returning to school. If a child is working with another agency, the relevant professional should be invited to this meeting.

6.4 A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time education, either at school or alternative provision. Hillingdon's guidance on part-time timetables can be found on [LEAP](#).

6.5 Schools can consider a range of measures to enable a pupil's successful reintegration which can include, but are not limited to:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school.
- Daily contact with a designated pastoral professional in school or via Hillingdon LA.
- Use of a report card with personalised targets leading to personalised rewards.
- Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress.
- Planned pastoral interventions.
- Mentoring by a trusted adult or a local mentoring charity.

- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support.

7. Permanent Exclusion

7.1 A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated).

7.2 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.

7.3 There may be exceptional circumstances where the headteacher has judged it is appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:

- Serious actual or threatened violence against another pupil or a member of staff
- Sexual abuse or assault
- Supplying an illegal substance
- Carrying an offensive or prohibited item, with intent to harm

7.4 The headteacher, alongside senior leaders, should inform their Hillingdon Safer School's Officer and/or police directly where a criminal offence is suspected to have taken place.

7.5 They should also consider whether to inform other agencies, i.e., MASH team, social worker or make a referral to the substance misuse support worker via the [Adolescent Development Services Targeted Programmes team](#) or [Axis](#) if there is a concern around exploitation or serious youth violence.

7.6 This may ensure that if the permanent exclusion were to be upheld, the ongoing wrap-around service for the child can continue. These instances are not exhaustive but indicate the severity of such offences.

7.7 The LA **must** be informed of a permanent exclusion on the day of issuance via the Establishment Portal found on [LEAP](#).

7.8 If the pupil lives outside Hillingdon, the headteacher must also advise the 'home' LA of the exclusion, so they can make arrangements for the pupil's full-time education from the sixth school day of the exclusion.

7.9 The process which a headteacher/governing body takes regarding a permanent exclusion can be accessed via [LEAP](#). Through LEAP, schools can also utilise [alternative support options](#) for children at risk of permanent exclusion.

7.10 The guidance surrounding the responsibilities of both the parent and the school during the first five days following a permanent exclusion and from day six onwards are identical to those following a suspension and can be found [here](#).

7.11 The LA is statutorily responsible for ensuring full-time provision is made for all permanently excluded Hillingdon resident pupils from the sixth school day of the exclusion. Schools must follow the procedure set out to enable the LA to perform its statutory duty.

8. Who can decide to exclude a pupil?

- 8.1** Only a headteacher can make the decision to exclude a pupil. If the headteacher is absent, the authority to exclude rests with the most senior leader who should make it clear they are acting in the headteacher's absence.
- 8.2** When establishing the facts in relation to a suspension or permanent exclusion decision, the headteacher must apply the civil standard of proof, i.e. 'on the balance of probabilities.'
- 8.3** A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e. it must be reasonable, fair and proportionate.
- 8.4** The parent(s) should be informed immediately once the decision to exclude or suspend has been made, usually by telephone and followed by a letter without delay.
- 8.5** Headteachers should take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made.

9. Things to consider before excluding a pupil

- 9.1** A decision to exclude a pupil permanently should **only** be taken:
- in response to a serious breach or serious breaches of the school's behaviour policy; **and**
 - if there is clear evidence that allowing the pupil to remain in the school would seriously harm the education or welfare of the pupil or others in the school.
- 9.2** It would not be appropriate to exclude a pupil for incidents such as poor academic performance, lateness/truancy or pregnancy or to protect victims of bullying by sending them home.
- 9.3** Exclusion should also not be used for breaches of school rules on uniform/appearance.
- 9.4** It is also not appropriate to exclude a pupil for the behaviour of their parents, for example, where parents refuse or are unable to attend a meeting.
- 9.5** Regarding pupils with SEND, a pupil cannot be permanently excluded because a school cannot meet their needs. Further information can be sought from the SEND code of Practice on proposed options for schools as well as the [Hillingdon ordinarily available provision](#).
- 9.6** There is a good practice guide in relation to permanent exclusions available on [LEAP](#).
- 9.7** A decision to exclude should not be taken in the heat of the moment unless there is an immediate threat to the safety of others in the school or the pupil themselves.
- 9.8** There should be a clear process in place that is followed whenever an exclusion is being considered. The process should consider:
- adopting a reliable method for monitoring the maximum 45 days permitted in a school year out of school due to exclusion, including suspensions received from other schools

- ensuring there is a formal process for informing parents, social worker and VSH (where relevant), governing board and local authority, clearly setting out all reasons for the exclusion; providing up to date links to sources of impartial advice for parents.
- reintegrating pupils whose suspensions have ended or been cancelled and pupils whose permanent exclusions have been rescinded and supporting pupils' future behaviour.
- ensuring a formal process for arranging, at short notice, suitable full-time alternative education for pupils receiving suspensions over five school days.

9.9 Before reaching a final decision on whether to exclude the headteacher should:

- Ensure a thorough investigation has been carried out
- Consider all the evidence available to support the allegations, considering the school's behaviour and equal opportunities policies, and where applicable the Equality Act 2010 as amended
- Be satisfied that, on the balance of probabilities, the pupil did what they are alleged to have done
- Allow and encourage the pupil to give their version of events
- Check whether an incident may have been provoked, for example by bullying or by racial/sexual harassment
- Consider whether the proposed sanction is proportionate and considering the treatment of any others involved in the incident
- Consult others if necessary (being careful not to involve anyone who may later take part in the statutory review of their decision e.g., a member of the Governors Review Meeting)
- Keep a written record of the actions taken (and copies of written records made by other members of staff), including any interview with the pupil concerned. Witness statements must be dated and should be signed, wherever possible
- Ensure trauma informed practice is followed and all necessary support options have been explored
- Have considered referring to involved agencies to understand reasons behind displayed behaviours and be able to understand support that can be explored
- Be satisfied the decision to exclude the pupil was lawful, reasonable and procedurally fair, taking account of their legal duties
- Be satisfied there is no alternative that can be found by the school or Hillingdon LA to the exclusion

9.10 Schools should consider contacting the [Exclusions and Reintegration Support Team](#) when they feel they have exhausted all options for support, before they make the decision to permanently exclude. A checklist for Headteachers to use when considering a permanent exclusion is available in [Appendix J](#).

9.11 If the pupil has an EHCP, the rationale for the decision to exclude must not be related to their special educational needs and disability. This may be considered discriminatory if appropriate support is not considered and implemented prior to the final decision to exclude.

9.12 Hillingdon's EHCP Coordination team can support with provision and resources to meet pupils needs to enable continuation of their education in the current setting if it is preferred by parent and pupil (please refer to the [Code of Practice](#)).

10. Notification of Parents

10.1 Whenever a headteacher excludes a pupil, they must notify the parent without delay, ideally by telephone and followed up with a letter. What should be included in the letter can be seen in paragraph

10.2 All exclusion cases should be treated in the strictest confidence; only those who need to know the details should be informed of them.

10.3 Headteachers, without delay, after their decision must provide parents with the following information in writing:

- the reason(s) for the suspension or permanent exclusion.
- the period of a suspension or, for a permanent exclusion, the fact it is permanent.
- parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this.
- parents' (or an excluded pupils if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how and to whom to make this request.
- how any representations should be made where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or an excluded pupil have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

10.4 Written notification of the information above can be provided by delivering it directly to the parents, leaving it at their usual or last known home address, or posting it to that address. Notices can be given electronically if the parents have given written agreement for this kind of notice to be sent.

10.5 Where a suspended or permanently excluded pupil is of compulsory school age the headteacher must also notify the pupil's parents of the days on which they must ensure the pupil is not present in a public place at any time during school hours.

10.6 If a pupil is suspended again following their original suspension, or is subsequently permanently excluded, the headteacher must inform parents and where relevant, the pupil's social worker, VSH and the local authority without delay and issue a new exclusion notice to parents and any other relevant professionals.

10.7 The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

10.8 When notifying parents about a suspension or permanent exclusion, the headteacher should set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school.

10.9 In the case of an exclusion of five days, the parent must be informed of arrangements for sixth day provision in writing at least 48 hours before the provision is due to commence.

11. Cancelling a Permanent Exclusion

11.1 A 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.

11.2 Where an exclusion is cancelled:

- The headteacher must notify the parents, the governing board, Hillingdon 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
- Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year

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

12. Marking Attendance Registers Following Exclusion

12.1 Where pupils are suspended and no alternative provision is made before the sixth day of exclusion for them to continue their education, they should be marked absent in the attendance register using Code E.

12.2 Where alternative provision is made and it meets the requirements of the pupil registration regulations and pupils attend it, they should be marked using the appropriate attendance code, such as Code B (Education Off-site) or Code D (Dual Registration).

12.3 Pupils who are permanently excluded and for whom no alternative provision is made before the sixth day, should be marked by the school as absent using Code E.

12.4 The pupil may not be taken off the school's roll until the review process has been completed (or the parent has written to confirm no review will be requested, whichever date is the sooner).

13. The Purpose of the Governors Review Meeting

13.1 The governing body is responsible for reviewing the headteacher's decision to exclude a pupil permanently or for a long suspension and deciding whether to direct re-instatement, where that is a practical option.

13.2 The governing body is also responsible for considering any representations made by the parents of excluded pupils following shorter suspensions. Governors should also be guided by either the [Maintained Schools Governance Guide \(2024\)](#) or the [Academy Trust Governance Guide \(2024\)](#).

13.3 The governing body should consider whether it would be appropriate to exercise its discretion where a suspended or permanently excluded pupil is due onsite for the sole purpose of sitting national examinations or tests, prior to the review meeting taking place.

13.4 There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises.

14. The Governing Body

14.1 The governing body of a maintained school can delegate some or all its functions in respect of exclusions to a subgroup of governors who would be available to participate in governors review meetings. A minimum of three governors are required for a governors' review meeting to take place.

14.2 In the case of an academy, the governing board may delegate to a committee of the trust board, including a local governing body, if the trust's articles of association allow them to do so.

14.3 The governing body may wish to nominate a larger pool of governors to draw from in view of the strict deadlines within which governors review meetings must be held.

14.4 Any governor with a connection to the pupil or knowledge of the incident that led to the exclusion that could affect their ability to act impartially, should not serve at the hearing. Any discussion regarding a decision to suspend or permanently exclude a student must not take place outside of the meeting.

14.5 It is imperative that governors called upon to review exclusions receive training reflecting the most recent guidance to equip them to discharge their duties properly.

15. The Clerk to the Governors Review Meeting

15.1 The governing body should appoint a clerk to provide advice on the exclusions process and cover the administrative arrangements of the meeting. This could be the clerk to the whole governing body or a member of the school's administration team.

15.2 It is the duty of the clerk to set up the Governors Review Meeting when notification of a permanent exclusion or any suspension totalling over 15 days in a term is received from the headteacher or when representations are received from the parent.

15.3 The clerk is required to set up the meeting within the statutory timescales. However, the governing body's decision will not be invalid simply on the grounds that it was not made within these timescales.

15.4 Governors of a maintained school must invite the parents, headteacher and an LA officer to the meeting at a time and place convenient to all parties. An academy does not have to invite an LA representative to the meeting and if they do, they do not have to permit them to contribute to the meeting.

5.5 The child's social worker and/or a representative from the Hillingdon VS must also be invited if applicable.

15.6 All papers relating to the case should be circulated at least five working days before the meeting to allow all parties the opportunity to acquaint themselves with the particulars of the case and give it their full consideration. This should include witness statements and any other relevant information held by the school, such as those relating to a pupil's SEND and the pupil's school record.

15.7 A list of those who will be present at the meeting must also be circulated. If there are serious concerns there may be any repercussions for any of the witnesses, statements may be anonymised before being copied.

15.8 There must be plans in place for schools to comply with their duty to make reasonable adjustments for people who require them. These adjustments should support the attendance and contribution of parties at the meeting and may include the meeting being held virtually.

15.9 There must also be thought given as to how schools will enable and encourage the suspended or permanently excluded pupil to attend the meeting and speak on their behalf. Examples may include the

providing of accessible information or allowing them to bring a friend. The pupil's age and understanding must be considered when planning for this.

15.10 Attendees:

- At least three governors nominated to conduct governors review meetings, one of whom must act as Chair
- The pupil (if he/she wishes and their parent agrees)
- The parent (and possibly a friend or legal representative)
- The child's social worker if the pupil has one
- The VSH or VS representative if the child is LAC
- The headteacher (and sometimes another member of school staff)
- LA representative
- The Clerk to the Governors Review Meeting

15.11 The meeting should be as informal as possible, and the chair should ensure all parties are given sufficient time to fully state their case.

15.12 It is imperative parents shape how the meeting is to be held and the opportunity to capture the voice of the parents and child is paramount. If parents and the child wish to attend, it is important for professionals to be able to respect and communicate discussions that are inclusive to everyone present.

15.13 The Hillingdon Local Authority (LA) representative advises the governors on the LA's view of the appropriateness of the exclusion relating to the guidance set out by the DfE and to the local practices and support available. They can also remind governors of areas to consider during their deliberations.

15.14 The governors can ask the LA representative for specific technical advice, but they must make their decision alone. If a LA representative is unavailable to attend, they may provide a statement in advance to the Clerk.

16. The Format of the Governor's Review Meeting

16.1 The governing board should agree the specific steps they will take during the meeting to ensure all parties will be supported to participate in its consideration and have their views heard. A suggested format for the meeting is available in [Appendix O](#).

16.2 It is important to note that claims of discrimination to the First-tier Tribunal (Special Educational Needs and Disability), in relation to disability, or County Court, for all other forms of discrimination, can be made up to six months after the discrimination is alleged to have occurred. Schools should retain records and evidence relating to an exclusion for at least six months in case such a claim is made.

16.3 When reaching a decision governors should not get drawn into commenting during the hearing on the appropriateness or otherwise of actions taken by the school, pupil, or parent/carers. They must be seen to view the case fully and impartially and consider their position in private once the other parties have withdrawn.

16.4 When it comes to making a decision, all meeting attendees, except the governors and the Clerk, withdraw whilst the governors make their decision. The Clerk minutes the decision-making process.

16.5 The governors must decide whether to re-instate the pupil or uphold the headteacher's decision to exclude. The meeting should be conducted and the decision made in line with the procedures set out in the [guidance](#) laid out by the DfE.

16.6 Governors should consider both whether the pupil did as is alleged and whether allowing the pupil to remain in the school would harm their education/welfare or that of others in the school community.

16.7 The governors are reminded that if they uphold the headteacher's decision to permanently exclude and the parent later requests an Independent Review Panel, the Panel will require the governors to justify this decision. Therefore, governors must:

- be able to clarify the grounds for the decision.
- have considered whether the situation meets both areas outlined in 25.6.
- have considered whether the headteacher's decision to exclude was legal, reasonable and procedurally fair.
- be clear as to having considered relevant evidence, disregarded irrelevant evidence and properly applied the law.

16.8 Thought needs to be given as to whether the parents are asked to wait for a decision or to return home for notification by telephone. In any event the parents, school and LA should be informed of the decision either in person or by telephone on the day of the meeting.

16.9 The governing board must then notify parents, the headteacher, and where relevant, the local authority, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay.

16.10 If the governors direct re-instatement they should discuss with the LA representative what support could be made available to help to ensure the pupil is successfully re-integrated.

16.11 The governors cannot attach conditions to a re-instatement of a pupil. When considering the date, the LA recommends governors allow time for a reintegration plan to be put in place to support the pupil's return to school.

16.12 In the case of the permanent exclusion being upheld, the pupil remains on the school's roll until all independent review procedures have been completed, the deadline for independent review has passed or the parent has waived their right to such a review and informed the LA accordingly in writing (whichever date is the sooner).

16.13 When reviewing an exclusion, governors should not interpret a parent's acceptance of full-time education off-site as signalling agreement with the headteacher's decision to exclude their child. Parents still have the right to make representations to the governing body and this right is not affected in any way by the requirement for suitable full-time provision from the sixth school day of the exclusion.

17. Governor's Review Meeting: Decision Letter

17.1 The Clerk should work with the Chair to prepare an outcome letter once a decision has been made. A template for this is available in [Appendix F](#)

17.2 The letter must give detailed reasons for the decision so the parent can make an informed choice whether to request an Independent Review. It must also state the date by which an application for a review must be made (i.e. 15 school days from the date on which notice in writing of the governing board's decision is given to parents).

17.3 The letter must also include a summary of all the factors considered and of points submitted by each party and where and to whom an application for a review (and any written evidence) should be submitted.

17.4 In addition to the right to apply for an Independent Review Panel (IRP), it must be made explicit to parents that if they believe there has been unlawful discrimination in relation to the permanent exclusion, then 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.

17.5 In reference to delivery of the decision letter to the parent, it can be delivered directly in person at their last known address, or it can be posted via first class post. Notice is deemed to have been given on the same day if it is delivered on the second working day after posting if it is sent by first class mail.

17.6 If an IRP is requested, the panel will expect the governors to explain how and why the decision was reached. The decision-making process must be clearly documented particularly as the DfE guidance allows the panel to direct / ask governors to reconsider the decision in certain circumstances.

17.7 The letter must clearly demonstrate what the governors considered, debated, and concluded when reviewing the exclusion. The outcome of the meeting must be clearly stated, and the letter must make clear and detailed reference to each item of evidence governors considered and the decision(s) reached in relation to each, covering submissions from all parties.

17.8 DfE paragraph 18 states that 'Whilst an exclusion may still be an appropriate sanction, the headteacher should consider any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that the pupil has suffered bereavement, has mental health issues or has been subject to bullying'.

18. The Purpose of the Independent Review Panel (IRP)

18.1 If the parents of a permanently excluded pupil wish to challenge the decision of the governors, they may request an independent hearing. Details of how to do this and the relevant timescales must be included in the governors' letter to parents following the governors review meeting.

18.2 Requests for a review received after the deadline must be rejected by both the school and Hillingdon Local Authority.

18.3 Parents may request an IRP even if they did not make representations to, or attend, the meeting at which the governing board considered reinstating the pupil.

18.4 IRPs contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable, and procedurally fair. Their purpose is to review the governing body's decision not to reinstate a permanently excluded pupil.

18.5 In reviewing the decision, the panel must consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school.

19. Membership of the Independent Review Panel

19.1 The local authority/academy trust is responsible for maintaining a list of suitable review panel members for community schools who are adequately trained.

19.2 There must be three or five members on each review panel, made up of:

- The Chair, who must be a lay member (someone who has not worked in a school in a paid capacity)
- At least one member, who must be or have been, a governor of a maintained school or an academy for at least 12 consecutive months in the last six years (they must not be or have been a teacher or headteacher in the past five years)
- At least one member, who must be or have been within the last five years a headteacher at a maintained school or an academy.

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

- are a member of the local authority, if the excluding school is a maintained school or a PRU
- are a director of the academy trust of the school, if the excluding school is an academy
- are the headteacher of the school who has permanently excluded the pupil or anyone who has held this position in the last five years
- are an employee of the local authority/academy trust, or the governing board, of the school who has permanently excluded the pupil (unless they are employed as a headteacher at another school)
- have, or at any time have had, any connection with the local authority/academy trust, school, governing board, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their impartiality (though an individual must not be taken to have such a connection simply because they are employed by the local authority/academy trust as a headteacher at another school)
- have not had the required training within the last two years.

19.4 Where possible, panel members who are governors or headteachers should reflect the phase of education (primary/secondary) and type of school from which the pupil was permanently excluded, for example: special school; boarding school; PRU; academy or maintained school.

20. The Clerk to the Independent Review Panel

20.1 The Independent Review Panel for maintained settings is set up by the Council but is independent from the Education Department and the school. In Hillingdon this function is conducted by Democratic Services. Academy trusts may appoint a clerk to provide advice to the panel and parties to the review on procedure, law and statutory guidance on suspensions and permanent exclusions.

20.2 The clerk should not have served as a clerk to the governing board in the meeting at which the decision was made by the governing board not to reinstate the pupil.

20.3 In addition to the training required by law, clerks will have an up to date understanding of developments in case law which are relevant to suspension and permanent exclusion.

20.4 Once notified of a request for a review panel by parents, the clerk will arrange for the panel to meet within 15 school days, taking reasonable steps to find out when the parents and other parties are available to ensure that all parties are able to attend.

20.5 The clerk should identify in advance of the meeting whether the pupil will be attending. Where a permanently excluded pupil is attending the hearing, consideration should be given in advance as to the steps that will be taken to support their participation.

20.6 If the permanently excluded pupil is not attending, it should be made clear they may feed in their views through a representative or by submitting a written statement.

20.7 The clerk serves as an independent source of advice on procedures for all parties. If necessary, the panel may meet and then decide to adjourn the hearing, having regard to the circumstances of the case.

20.8 The clerk will make all written evidence available to all parties five working days before the hearing. Taking account of the circumstances of each case, the clerk will notify all parties of the deadline for submission of written representations.

21. The SEND Expert

21.1 Parents can request a SEND expert be present at the Independent Review Panel meeting, regardless of whether the pupil is recognised as having a special educational need or disability. Such a request must be made at the same time as the parent requests the review.

21.2 Individuals may not serve as a SEND expert if they have, or at any time have had, any connection with the local authority, academy trust, school, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their ability to act impartially.

21.3 The SEND expert must be a professional with firsthand experience in the assessment and support of SEND, as well as an understanding of the legal requirements on schools concerning SEN and disability.

21.4 The SEND expert's role is analogous to that of an 'expert witness' in a court setting, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. The SEND expert should base their advice on the evidence provided to the panel.

21.5 The SEND expert's role does not include assessing the pupil's special educational needs. The focus of the SEND expert's advice should be on whether the school's policies which relate to SEND, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair.

21.6 If the SEND expert believes this was not the case, they should, where possible, advise the panel on the possible contribution this could have made to the circumstances of the pupil's exclusion.

21.7 Where the school does not recognise that a pupil has SEND, the SEND expert should advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair way with respect to the identification of any special educational needs the pupil may potentially have, and any contribution this could have made to the circumstances of the pupil's exclusion.

21.8 The SEND expert should not criticise a school's policies or actions simply because they believe a different approach should have been followed or because another school might have taken a different approach.

21.9 The local authority/academy trust (not the school) will determine the amount of any payment in relation to the appointment of the SEND expert, such as financial loss, travel, and subsistence allowances.

22. Independent Review Panel: Procedure

22.1 To review the governing board's decision, the panel will generally need to hear from those involved in the incident, or incidents, leading to the permanent exclusion.

22.2 The following people are entitled to attend the independent review panel:

- The headteacher. Where the headteacher who permanently excluded the pupil has left the school, the panel may use its discretion in deciding whether to also invite this person to make representations
- A Governor representative
- A Local Authority representative (in the case of a maintained school or PRU)
- SEND expert
- The parents, who may be represented or accompanied by a legal or other representative (if more than one friend or representative wishes to attend, the clerk should seek the panel's agreement in advance, having regard to reasonable limit on numbers attending the hearing)
- The pupil should normally be allowed to attend the hearing and speak on their own behalf (if he or she wishes to do so, and the parent agrees). If the pupil does attend, the panel should be sensitive to their needs and ensure that their view is properly heard. (If the pupil is under 18, they cannot present their own case)

22.3 The panel should apply the following tests:

- Whether the headteacher / governors acted outside their legal powers
- Whether the governing body's decision was not one a sensible person would make
- Whether the exclusion process was so unfair / flawed that justice was not done

22.4 Where these three tests have not been met the panel can quash the decision and direct governors to reconsider. Where they have been met but where evidence / procedural flaws are identified, the panel can ask governors to reconsider.

22.5 The panel must apply the civil standard of proof i.e., 'on the balance of probabilities' which means that it is more likely than not that a fact is true. This should be applied rather than the criminal standard of 'beyond reasonable doubt'.

22.6 In all other cases the panel should uphold the exclusion.

22.7 Witnesses may be called if they have witnessed the incident, but they cannot be compelled to attend. It is not usual for pupil witnesses to attend, and they should instead submit their written statements.

22.8 All written witness statements should be attributed, signed, and dated unless the school has good reason to wish to protect the anonymity of the witness, in which case the statement should at least be dated and labelled in a way that allows it to be distinguished from other statements.

22.9 The clerk must give all parties details of those attending, together with their role, and notify them of the order of the hearing. Further details will be sent to the parties involved by the Clerk to the Review Panel when a hearing is arranged.

22.10 The review panel will normally be held at the school. The length of the meeting may vary considerably depending on the complexity of the case and the number of witnesses being called. However, the meeting would not be expected to last more than half a day.

22.11 All parties may put forward new evidence about the event that led to the exclusion, including evidence that was not available to the headteacher or the governors.

22.12 Whilst new evidence may be presented at the panel, the school must not introduce new reasons for the exclusion. Where the school's case rests largely or solely on physical evidence and the facts are in dispute, the school should make any physical evidence available. Where this is not possible, photographs or signed witness statements are acceptable.

22.13 In exceptional cases the review panel may decide to adjourn an appeal. The clerk will ensure that no part of the proceedings takes place unless all panel members and interested parties are present.

22.14 A review cannot continue if the panel no longer has representation from each of the three categories of members required. In this event, the panel may be adjourned until the number can be restored.

22.15 Once a review has begun, no panel member may be substituted by a new member for any reason. Accordingly, if the required representation cannot be restored from the original members, a new panel must be constituted to conduct the review afresh.

23. Independent Review Panel: Decision

23.1 The clerk may remain with the panel members when the parties withdraw to offer advice on the procedure or law, helping by reference to notes of evidence and recording decisions and the reasons for them.

23.2 The review panel must decide on the balance of probabilities whether the pupil did what they are alleged to have done. If more than one incident of misconduct is alleged, the panel should decide in relation to each one.

23.3 The panel should consider the basis of the headteacher's decision, and the procedures followed having regard to:

- Whether the headteacher and governors complied with the law and had regard to the Secretary of State's guidance and in particular the two-fold test in paragraph 15, which states that the exclusion must be in response to a serious breach, or persistent

breaches, of the school's behaviour policy and that allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school

- The school's published policies on behaviour, equal opportunities, special educational needs, race equality and, if appropriate, anti-bullying policy
- The fairness of the exclusion in relation to the treatment of any other pupil involved in the same incident

23.4 Following its review, the panel can decide to:

- uphold the exclusion decision
- recommend the governing body reconsiders their decision
- quash the decision and direct that the governing body considers the exclusion again

23.5 An independent review panel does not have the power to direct a governing body to reinstate an excluded pupil. 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. This decision should not be influenced by any stated intention of the parents or pupil not to return to the school.

23.6 If, having been directed to reconsider their decision, the governors do not reinstate the pupil, the Review Panel will order a readjustment to the school's budget in the amount of £4,000. (Academies will be required to pay the Local Authority).

23.7 This amount is in addition to the usual pro-rata AWPU amount for 'money following' the excluded pupil and in Hillingdon will be used towards the cost of sixth day provision (in the first instance) with any remaining to support the continued work of the Local Authority to reduce exclusions across Hillingdon.

23.8 The decision of the review panel (and the grounds on which it is made) will be communicated in writing to all parties involved by the end of the second school day after the hearing, and usually by telephone on the day of the meeting.

23.9 If the review panel either asks or directs the governors to reconsider their decision, the same three governors should meet within 10 school days of such notification, with the school, parents and LA representative all being invited. The governors must notify all parties of their reconsidered decision and the reasons for it, in writing and without delay.

24. Direction to reconsider Reinstatement

24.1 If the Review Panel either asks or directs the governors to reconsider their decision, the governing body must reconvene within 10 school days of such a notification, with the school, parents and LA representative all being invited.

24.2 The governors must notify all parties of their reconsidered decision and the reasons for it, in writing and without delay.

24.3 It is important the governing board conscientiously reconsiders whether the pupil should be reinstated, whether the panel has directed or merely recommended it to do so. Whilst the governing board may still reach the same conclusion as it first did, it may face challenge in the courts if it refuses to reinstate the pupil, without strong justification.

24.4 If the governing board offers to reinstate the pupil within the specified timescale but this is declined by the parents, no budget adjustment or payment can be made. The governing board must comply with any direction of the panel to place a note on the pupil's educational record.

24.5 In the reconsideration meeting, there is no requirement to seek further representations from other parties or to invite them to the reconsideration meeting.

24.6 The governing board is not prevented from considering other matters it deems relevant. However, it should take care to ensure any additional information does not make the decision unlawful.

24.7 The governing board should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered by the governing board. These minutes should be made available to all parties on request.

24.8 The governing board should base its reconsideration on the presumption that a pupil will return to the school if reinstated, regardless of any stated intentions by the parents or pupil.

24.9 Any decision of a governing board to offer reinstatement which is subsequently turned down by the parents should be recorded on the pupil's educational record. The governing board's decision should demonstrate how they have addressed the concerns raised by the IRP.

25. Groups with above expected rates of exclusion

25.1 Longstanding national trends show that certain groups of children are more likely to be excluded from school, both for a suspension or permanent exclusion. This includes pupils with SEND, pupils eligible for free school meals, looked after children and previously looked after children, and pupils from certain ethnic groups.

25.2 The ethnic groups highlighted are Gypsy / Roma; Travellers of Irish Heritage; and Black Caribbean communities. Within Hillingdon, White British and children with SEN, both at the stage of SEN Support and EHCP, are far more likely to be excluded.

25.3 It is important schools, Hillingdon Local Authority and local partners work together to understand what lies behind our local trends and considers what contextual factors may be impacting the lives of our children.

25.4 Local leaders are best placed to effectively plan and put in place additional and targeted action based on their own context. If we identify any gaps, we are then in the position to act to ensure those who work with children in Hillingdon have the training, services and support they need to address these.

25.5 Headteachers should consider what extra support might be needed to identify and address the needs of pupils from these groups to reduce their risk of exclusion. For example, schools might draw on the support of Hillingdon's Send Advisory Service (SAS), Early Help or other professionals, once a child receives a suspension or is at risk of permanent exclusion.

26. Pupils with Special Educational Needs and Disabilities (SEND)

26.1 Pupils with an EHCP or those in the process of applying for an EHCP should not be permanently excluded, except in the most exceptional circumstances.

- 26.2** Schools "must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEND, which will include any support in relation to behaviour management they need because of their SEND.
- 26.3** Where a school has concerns about the behaviour or there is a risk of suspension or permanent exclusion of a pupil with SEND it should, in partnership with others (including where relevant, Hillingdon Local Authority), consider what additional support or alternative placement may be required.
- 26.4** Where this process has been exhausted the school should liaise with Hillingdon's EHCP Coordination Team to arrange an interim annual review of the EHCP and seek advice from the relevant agencies.
- 26.5** If a headteacher decides to permanently exclude a pupil with an EHCP, they should use the period between their initial decision and the Governors review meeting to work with Hillingdon LA to see whether more support could be made available. If other options are deemed to be possible, the headteacher would normally withdraw the exclusion.
- 26.6** It is extremely important parents of children with SEND who are excluded from school receive advice on the options available for their child's future education.
- 26.7** For those pupils with SEND but without an EHCP, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.
- 26.8** In 2018, the Judge of the Upper Tribunal ruled that in the context of education, the Regulations (the Equality Act 2010 (Disability) Regulations 2010, specifically Regulation 4(1)(c)) violated the rights of children with a recognised SEN or disability condition that is more likely to result in a "tendency to physically abuse" but that they should not be discriminated against and be excluded from school. Further information around this, can be found [here](#).
- 26.9** This ruling means children cannot be excluded for behaviour which is directly or indirectly connected to their disability and/or special educational needs if alternative measures and all possible reasonable adjustments have not been taken into consideration to implement the correct provision to avoid an exclusion.
- 26.10** Such exclusions would place the school at significant risk for reputational damage, would be rendered unlawful and would be financially costly in the event of the school having to make any financial compensation.
- 26.11** Schools have a legal duty under the [Equality Act 2010](#) not to discriminate against disabled pupils by excluding them from school because of their disability. not to discriminate against disabled pupils by excluding them from school because of their disability.
- 26.12** The Disability Rights Commission has published a Code of Practice, which explains and illustrates the school's duties to disabled pupils, including in relation to exclusions. Schools and governors are strongly recommended to read the [Code of Practice](#).
- 26.13** It is unlawful to exclude a pupil for a reason related to their disability without justification. When considering whether it is appropriate to exclude a pupil who may be disabled within the meaning of the Equality Act 2010, headteachers should consider the following 4 questions:
- Is the pupil disabled? (The Act covers pupils with physical or mental impairment including sensory impairments and learning difficulties)

- Is the exclusion for a reason related to the pupil's disability? (i.e., if there is any connection between the behaviour resulting in the exclusion and the pupil's disability this is considered less favourable treatment for a reason related to a pupil's disability)
- Would another pupil to whom the reason did not apply be treated in the same way? (If the reason for the exclusion is the pupil's "behaviour" then it is necessary to consider whether another pupil who did not behave in that way would be excluded. It is not correct to compare the treatment of the disabled pupil with a non-disabled pupil. Instead, the treatment of the disabled pupil should be compared with a pupil who did not behave in the same way).
- Can the exclusion be justified? (An exclusion of a disabled pupil for a reason related to their disability can only be justified if there is a "material" and a "substantial" reason for it and the headteacher can show there were no reasonable steps that could have been made to avoid the exclusion.

26.14 Unlawful exclusion of a pupil with a disability may amount to disability discrimination under the Equality Act 2010. Schools must evidence that they have made reasonable adjustments to accommodate a child's disability. Further guidance on the definition of disability can be found at: [Definition of disability under the Equality Act 2010](#).

26.15 A checklist for headteachers relating to exclusions for children with SEND is available in [Appendix K](#).

27. Children with a Social Worker (CWSW)

27.1. Any child on a Child in Need (CIN) plan or under Child Protection (CP) is classed as open to social care and will have an assigned social worker. Schools can discuss the support/guidance a child open to social care is receiving by contacting virtualschoolCWSW@hillingdon.co.uk.

27.2 When the behaviour of a CWSW is giving cause for concern, this should be discussed with the child's social worker.

27.3 A social worker will work with the DSL (Designated Safeguarding Lead) from the school to arrange a team around the child (TAC) meeting, where appropriate. The DSL should also co-ordinate with the child's social worker to ensure the relevant professionals attend a TAC meeting.

27.4 If a child has an EHCP, consideration should be given by the school to calling an early annual review.

27.5 Suspension/Exclusion should be used as a last resort for CWSW, considering the specific context of the child. The [review of children in need \(2019\)](#) highlighted that children on either a CIN or CP plan perform significantly worse in terms of attendance and attainment outcomes, in comparison to those children not open to social care.

27.6 Where a suspension is being issued, a headteacher must, without delay, provide reasons and the length of the suspension. This information should be sent to the child's social worker.

27.7 For the purpose of the Hillingdon LEAP suspension/exclusion notification form, a child open to social care is one who is currently on a CIN or CP plan. When completing the suspension/exclusion notification form, it is important that schools indicate whether the child is currently open to social care. This ensures that the correct support can be put in place.

28. Care Experienced Children

28.1 The lives of many Looked After Children are characterised by change and instability and these are major factors in underachievement.

28.2 Where exclusion from school is used as a sanction for a Looked After Child, instability is increased, and the sense of rejection reinforced. Suspensions and permanent exclusion should be used only as an absolute last resort.

28.3 Negative behaviour from Looked After Children often has its roots in the experience that led to them becoming looked after. For instance, attention-needing behaviour may sometimes reflect neglect in earlier childhood. While Looked After Children must have consistency, schools are asked to also provide 'discrete flexibility' for them in a 'subtle way'.

28.4 When the behaviour of a Looked After Child is giving cause for concern, this should be discussed with the child's Virtual School Officer (VSO). All looked-after children must have a Personal Education Plan (PEP) which is part of the child's care plan, and any concerns should be discussed at the termly PEP meeting where strategies for improvement put in place and monitored frequently.

28.5 If such behaviour escalates between PEPs, then additional meetings should be called by the school to discuss causes and interventions to which the VSO, the carer and the social worker should be invited. If the child has an EHCP, consideration should be given by the school to calling an early annual review.

28.6 Where a suspension is being issued, a headteacher must, without delay, provide reasons and the length of the suspension. This information should be sent to the child's carer as well as the Social Worker and VSO.

28.7 For a Looked After Child, work must be sent home by the school on the first day of the suspension. The work provided by school must cover the duration of the suspension. If the child is suspended for six days or longer, the school must provide full-time educational provision from day six of the suspension at the latest, however it is expected that schools implement this as early into the suspension period as possible.

28.8 Headteachers should, as far as possible, avoid the permanent exclusion of any Looked After Child. However, if this does occur the school will need to inform Hillingdon Virtual School and the allocated Social Worker without delay and clarify the reasons for the exclusion.

28.9 To minimise disruption to the education of a Looked After Child, statutory guidance states that the Local Authority should work with the school to arrange suitable fulltime education for the pupil from the first day of the exclusion. Where this is not possible alternative provisions should be in place by day six of the exclusion.

28.10 Schools should be especially sensitive to exclusion issues where children in public care are concerned. The Virtual School responsible for the Looked After Child should be involved in all cases at the earliest opportunity in working to avoid the need to exclude the pupil.

28.11 If a Looked After Child is excluded, the school may have to inform more people than usual about the exclusion and their right to make representations and appeal. The school's Designated Teacher for Looked After Children should know the contact details for the Virtual School for the child. If the child is in the care of Hillingdon, the school should contact their allocated VSO or the VS Headteacher.

28.12 The definition of a parent for the purposes of the Education Act includes a person who has parental responsibility (which includes the local authority where they have a care order in respect of the child) and any person (for example, a foster parent) with whom the pupil lives. These are in addition to the child's birth parents.

28.13 Even where the local authority does not have parental responsibility, the child's social worker and the Virtual School should be informed about any exclusion.

28.14 A checklist for headteachers relating to exclusions for care experienced children is available in

29. Anti-Discriminatory Practice

29.1 Under the Equality Act (2010) schools must not discriminate against, harass or victimise pupils, because of sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity or gender re-assignment.

29.2 The law places a general duty on all maintained schools to have due regard of the need to eliminate racial and other types of discrimination and promote equality of opportunity and healthy relationships between people of diverse groups.

29.3 The law also places several specific duties on schools, including duties to assess the impact of policies on pupils, parents and staff from diverse groups.

29.4 Schools are required to assess whether policies that lead to sanctions including suspension and exclusion have a disproportionately adverse impact on pupils from different ethnicities and cultural groups.

29.5 It is recommended that schools and governors involved in the review of exclusions undertake specific training.

29.6 There is further advice and guidance regarding the Equality Act 2010 [here](#).

30. Incidents Related to Substance Misuse

30.1 Schools should develop a policy on both illegal and legal drugs, including over the counter, prescription medicines and volatile substances that could be inhaled (including electronic vapes). An

30.2 Headteachers have the overall responsibility in deciding whether to exclude for a drug related offence and should seek guidance from their behaviour policy in consultation with their drugs coordinator.

30.3 Further to this, Hillingdon Council has a substance use/misuse policy template which has been developed alongside an intervention programme run by Adolescent Development Services. Further information can be found on [LEAP](#).

30.4 Any response to drug-related incidents needs to balance the needs of the individual pupils concerned with the wider school community. Drugs can be a symptom of other problems and schools should be ready to involve or refer pupils to other services when needed.

30.5 It is important schools are aware of the relevant youth and family support services available within the local area. The current consented programme delivered within the London Borough of Hillingdon is [Sorted](#).

30.6 Schools and colleges should ensure students have access to, and knowledge of, further up to date information on sources of help. Certain local helplines schools can access include [FRANK](#) for drugs, [NHS smoking services](#) for tobacco and [drinkline](#) for alcohol.

30.7 There is also access to Youth and Community Services and Drug Services. These sources can be used as part of, or in addition to, the school or college's own drug and alcohol education. These should be

listed within the school's drug policy and should be updated frequently by staff responsible for the drugs and alcohol guidance.

30.8 The senior member of staff in school responsible for drugs should have established relationships with local Hillingdon agencies to understand what support is available.

30.9 Schools are encouraged to contact Hillingdon's support service [Sorted](#) to seek guidance and advice around specific substance use/misuse incidents. Further to this, external agencies such as [Catch-22](#) offer universal, targeted and specialist substance misuse services exclusively for young people up to 25 years old.

30.10 In deciding what action to take in relation to an incident relating to substance misuse, schools should follow their own disciplinary procedures. Suspension should not be the automatic response to a drug related incident and permanent exclusion should only be used as a last resort.

30.11 Sources of advice and local services should be listed in the school drug policy for reference.

30.12 Schools and colleges have a key role in identifying students at risk of drug misuse. The process of identifying needs should aim to distinguish between students who require general information and education, those who could benefit from targeted prevention, and those who require a detailed needs assessment and more intensive support.

30.13 Schools may wish to consider introducing a drugs agreement with pupils who have been suspended for a drug related incident. A template drugs agreement can be found [here](#).

30.14 Further guidance can be found at:

- [Drugs: advice for schools - GOV.UK](#)
- [When to call the police: guidance for schools and colleges](#)

31. Sexual Offences

31.1 Schools have a statutory duty to make arrangements for safeguarding and to promote the welfare of their pupils. In the case of incidents involving sexual offences, schools and colleges must refer to local safeguarding protocols, alongside [Keeping children safe in education](#) and [Sexual violence and harassment between children in schools and colleges guidance](#).

31.2 Students can be referred for specific 1:1 support if there are concerns around areas of inappropriate sexual behaviour or sexual misconduct. Specific work that can be undertaken includes support around relationships, boundaries, what is inappropriate and appropriate, as well as consent.

31.3 Adolescent Development Services can also support with group sessions in schools if they are needed. Further information about targeted programmes of support can be found [here](#) and a referral for any of the programmes can be made [here](#).

31.4 Section 5 of Keeping Children Safe in Education (2024) sets out the safeguarding process for cases of reports that relate to rape or assault by penetration and those that lead to a conviction or caution: "When there has been a report of sexual violence, the designated safeguarding lead (or a deputy) should make an immediate risk and needs assessment."

31.5 Where there has been a report of sexual harassment, the need for a risk assessment should be considered on a case-by-case basis." As always when concerned about the welfare of a child, the best

interests of the child should come first. In all cases, schools should follow general safeguarding principles as found in Keeping Children Safe in Education (2024).

31.6 For cases involving youth produced sexual imagery – often called ‘sexting’ - schools and colleges should refer to the non-statutory [UKCCIS sexting in schools and colleges guidance](#).

32. Offensive Weapons and Prohibited Items

32.1 An offensive weapon is any article which is made, intended or adapted to cause injury. An offensive weapon can be broken down into two categories:

- a. Those that are made as an offensive weapon (e.g., knuckleduster, dagger, gun) or adapted (e.g., broken bottle) for use for causing injury to the person; and
- b. Weapons not made or adapted as an offensive weapon (e.g., kitchen knife, spanner, hammer) but intended by the person having in possession of it to cause injury to another.

32.2 Possession of a weapon, particularly a knife on school or college premises is often an indicator of vulnerabilities for the child concerned and therefore a multiagency approach is important, instigated by a police referral and a referral instantly to appropriate Hillingdon services.

32.3 The school or college should not be expected to manage the situation in isolation. Hillingdon Council has developed a weapons guidance protocol for schools, which can be found [here](#).

33. Role of the Safer School’s Officer (SSO) – Now Designated Ward Officer

33.1 As of May 2025, the Metropolitan Police formally transitioned the Safer Schools Officer (SSO) role into the new Designated Ward Officer – Children and Young People (DWO-CYP). This change affects all London boroughs, including Hillingdon.

33.2 DWO-CYPs are now part of Neighbourhood Policing Teams and are deployed across ward areas rather than being embedded within individual schools. While they are no longer stationed full-time in schools, they maintain liaison roles with priority educational settings, including mainstream schools, PRUs, colleges, and SEND provisions.

33.3 The DWO-CYP role focuses on:

- Youth-related crime prevention and safeguarding
- Supporting safe travel routes to and from school (“safer corridors”)
- Partnership working with schools, social care, and youth services
- Delivering restorative justice and diversionary interventions

33.4 Educational sessions and preventative work previously led by SSOs are now delivered through Youth Engagement Teams or coordinated via DWO-CYPs. Primary schools may request support, particularly in response to concerns around offensive weapons or prohibited items.

33.5 Weapon screening operations and safeguarding support remain available but must now be requested through the Neighbourhood Policing Team or via the school’s Single Point of Contact (SPOC). Schools should be aware that response times and officer availability may vary due to the broader ward-based deployment model.

33.6 Each secondary provision in Hillingdon should maintain contact with their designated DWO-CYP or local policing lead. Primary schools do not have a named officer but should contact 101 or 999 in the event of a serious safeguarding or weapons-related concern.

33.7 Schools are encouraged to strengthen multi-agency collaboration and ensure staff are aware of the changes to police engagement. The Local Authority will continue to work with the Metropolitan Police to ensure safeguarding and crime prevention support remains accessible and effective.

34. Appendices

Appendix A: *The Views of the Child template*

To be used with a child at risk of permanent exclusion.

Pupil at risk of permanent exclusion (views of Child/YP)
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When considering whether to exclude, the headteacher should give a pupil the opportunity to share their views.

As headteacher, I need to know whether there is anything that hasn't already been mentioned at school that will help me come to the right decision.

Name:

Date of Birth:

Name of adult helping to complete this form (if appropriate):

Is there anything happening at school that might in some way explain your behaviour?

Has anything happened at school in the past that I need to take into consideration?

Is there anything currently happening at home or outside school that might in some way explain your behaviour.

Has anything happened at home or outside school in the past that I need to take into consideration?

Appendix B: Exclusion Model Letter 1 – 5 Days or Fewer

From the Headteacher notifying parent of a suspension of 5 school days or fewer in one 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 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 your child has not been taken lightly. **[Child's Name]** has been suspended 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 your child to be completed for the duration of their suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

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 Exclusions, 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.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:
1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information on the following link www.justice.gov.uk/tribunals/send/appeals.

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

You and your child 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

You also have the right to see a copy of your child's school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters: www.childrenslegalcentre.com. Statutory guidance on Suspension and Permanent Exclusions can be accessed at the following address: www.gov.uk/government/publications/school-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: Suspension Model Letter 2 – Between 5 and 15 Days

From the Headteacher notifying parent of a suspension of more than 5 school days and up to 15 days in one term.

Dear **[Parent's Name]**

I am writing to inform you of my decision to exclude **[Child's Name]** for a fixed period of **[Specify Period]**. This means that your child 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 this suspension may well be upsetting for you and your family, but my decision to exclude your child has not been taken lightly. Your child has been suspended for this fixed period because **[Specify Reasons for Suspension]**.

[for pupils of compulsory age]

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 this suspension. 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 your child to be completed for the duration of their suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the **[sixth school day of the pupil's suspension (specify date) until the expiry of his/her suspension set out the arrangements]** the school 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]**.

You have the right to request a meeting of the school's discipline committee/management committee to whom you may make representations, and my decision to exclude can be reviewed. As the period of this suspension is more than five school days in a term the discipline committee/management committee must meet if you request it to do so. The latest date by which the discipline committee/management committee must meet is **[Specify date - no later than the 50th school day after the date on which the discipline committee were notified of this suspension]**.

If you do wish to make representations to the discipline committee/management committee 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. 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 exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information on the following link www.justice.gov.uk/tribunals/send/appeals.

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

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

There is an opportunity to contact the Local Authority Exclusions and Reintegration Team for advice and guidance via exclusionsupport@hillingdon.gov.uk.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters. www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at:
www.gov.uk/government/publications/school-exclusion

[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: Suspension Model Letter 3 – More than 15 Days

From the Headteacher notifying parent of a suspension of more than 15 school days in one term.

Dear **[Parent's Name]**

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

I realise this suspension may well be upsetting for you and your family, but the decision to suspend your child has not been taken lightly. Your child has been suspended because **[Reason for Suspension]**.

[for pupils of compulsory school age]

You have a duty to ensure 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 your child to be completed for the duration of their suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the **[6th school day of the pupil's suspension (specify date) until the expiry of his/her suspension set out the arrangements]** the school will provide suitable full-time education. On **[Date]** he/she should attend at **[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]**.

As the length of the suspension is more than 15 school days in total in one term the governing body/management committee must meet to consider the suspension. At the review meeting you may make representations to the governing body/management committee if you wish. The latest date on which the governing body/management committee 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 governing body/management committee 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 governing body/management committee 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 exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information on the following link www.justice.gov.uk/tribunals/send/appeals.

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

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

There is an opportunity to contact the Local Authority Exclusions and Reintegration Team for advice and guidance via exclusionsupport@hillingdon.gov.uk.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters. www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at:
www.gov.uk/government/publications/school-exclusion

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

Yours sincerely

[Name]

Headteacher

Appendix E: Exclusion Model Letter 4 – Permanent Exclusion

From the Headteacher notifying parent of their child's permanent exclusion from the school.

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 your child will not be allowed in school unless he/she is reinstated by the governing body/the discipline committee or by an appeal panel.

I realise this exclusion may well be upsetting for you and your family, but the decision to permanently exclude your child has not been taken lightly. Your child has been excluded because **[Reason for Exclusion]**.

[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 five 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.

Alternative arrangements for your child's education to continue will be made. For the first five school days of the exclusion, we will set work for your child 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 the Local Authority **[Give the name of the Authority]** will provide suitable full-time education. You will be notified in writing of day six provision by the Local Authority shortly.

As this is a permanent exclusion, the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school.

The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may apply for their decision to be reviewed by an Independent Review Panel. The latest date on which the governing body/PRU management committee must meet is **[Specify the date - the 15th school day after the date on which the governing body was notified of the exclusion]**.

If you wish to make representations to the governing body 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 governing body, 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 should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further

information on the following link www.justice.gov.uk/tribunals/send/appeals.

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may also wish to contact the Exclusions and Reintegration Team at the London Borough of Hillingdon via e-mail at exclusionsupport@hillingsdon.gov.uk, who will be able to provide advice on what options are available to you.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters: www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at the following link
www.gov.uk/government/publications/school-exclusion

Yours sincerely,

[Name] Headteacher (teacher in charge in case of an AP)

Appendix F: Exclusion Model Letter 5 – Permanent Exclusion Upheld

From the clerk to the governing body to parent upholding the decision to permanently exclude.

Dear [Parent's Name]

The meeting of the governing body at [school] on [date] considered the decision by the headteacher to permanently exclude [pupil's name]. The governing body, after carefully considering the representations made and all the available evidence, has decided to uphold [pupil's name]'s exclusion.

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 SEND expert to attend the review and provide impartial advice to the panel about how SEND could be relevant to the exclusion. If you wish for a SEND 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:

Democratic Services Office
London Borough of Hillingdon,
Civic Centre, High Street,
Uxbridge,
Middlesex
UB8 1UW
01895 277655

Or email educationappeals@hillingdon.gov.uk

(Maintained schools address only, Academies must include their own contact details) 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.

In addition to the right to apply for an independent review, if you believe that the exclusion has occurred as a result of discrimination, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk.

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information at: www.justice.gov.uk/tribunals/send/appeals.

The Independent Review Panel can make one of three decisions: they may uphold your child's exclusion; they may recommend that the governing body reconsiders their decision; or they may quash the decision and direct that the governing body considers the exclusion again.

There is an opportunity to contact the Local Authority Exclusions and Reintegration Team for advice and

guidance via exclusionsupport@hillingdon.gov.uk.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters: www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at: www.gov.uk/government/publications/school-exclusion

The arrangements currently being made for **[pupil's name]**'s education by the Local Authority will continue.

Yours sincerely

[Name]

Clerk to the Governing Body (or clerk to the Management Committee in case of an AP (Alternative Provision))

Appendix G: Suspension Model Letter 6 – Suspension Pending

From the headteacher notifying the parent of a suspension in the first instance, pending further investigation.

Dear **[Parent/Carer Name]**,

I am writing to inform you of my decision to suspend **[child's name]** for a fixed period of **[specify period]** in the first instance to give me an opportunity to investigate the incident fully and decide if they should be permanently excluded. Your child has been suspended because **[reason for exclusion]**. I shall be writing to you again in the next few days following the completion of my investigations to explain my decision on what should happen next. This means that your child will not be allowed in school between **[date and date]**. This brings the total number of days they have been suspended this term to **[specify]**.

I realise this suspension may well be upsetting for you and your family, but the decision to suspend your child has not been taken lightly. We have taken the following steps to try to avoid or to find an alternative to this suspension: **[state action taken]**

{I am aware of your child's Special Educational Needs. The following steps have been taken to make reasonable adjustments in order to avoid suspension **[state adjustments made]**.}

[For pupils of compulsory school age] [If current exclusion is likely to be five days or fewer]

You have a duty to ensure your child is not present in a public place in school hours 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 your child to be completed for the duration of their suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

[If current exclusion is likely to be for more than 5 days]

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 unless there is a 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 your child to be completed for the duration of their suspension. **[Detail the arrangements for this]**. Please ensure that work set by the school is completed and returned to us promptly for marking.

From the sixth school day of the of the exclusion **[specify date]** until the end of the exclusion we will provide for suitable full-time education.

[Select from the following 2 paragraphs depending on your decision in the first instance: more than 5 days or this exclusion brings total days of exclusion to 15 days or more in a term.]

[More than 5 days]

As the period of this exclusion is more than five school days the Pupil Discipline Committee must meet if you request it to do so. Alternatively, you may make a written representation. If you request a meeting, the latest date by which the Pupil Discipline Committee must meet is **[specify date – no later than the 50th school day after the date on which the Pupil Discipline Committee were notified of this exclusion]**. To request a meeting please contact the Clerk to the Pupil Discipline Committee **[include contact details – address, phone number, email]** as soon as possible. Please inform **[contact]** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at 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.

[Total of 15 days or more in one term]

As the length of the exclusion brings the total number of days excluded to more than 15 school days in one term, the Pupil Discipline Committee must meet to consider the exclusion. At the review meeting you may make representations to the Pupil Discipline Committee if you wish. The latest date on which the Pupil Discipline Committee can meet is **[date here – no later than 15 school days from the date the Pupil Discipline Committee]** is notified. Please inform **[contact]** if you wish to be accompanied by a friend or representative, or if it would be helpful for you to have an interpreter present at 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.

[For all]

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:

1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information on the following link www.justice.gov.uk/tribunals/send/appeals.

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

There is an opportunity to contact the Local Authority Exclusions and Reintegration Team for advice and guidance via exclusionsupport@hillingdon.gov.uk.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters: www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at: Statutory guidance on Exclusion can be accessed on the following link www.gov.uk/government/publications/school-exclusion

[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 H: Suspension Model Letter 7 – Lunchtime Suspension

From the Headteacher notifying the parent of a lunchtime suspension.

Dear **[Parent/Carer]**,

I am writing to inform you of my decision to exclude **[child's name]** at lunchtime for a fixed period of specify number of days. Your child has been suspended for this fixed period because **[reason for exclusion]**.

I realise this suspension may well be upsetting for you and your family, but the decision to suspend your child has not been taken lightly. We have taken the following steps to try to avoid or to find an alternative to this suspension **[state actions taken]**.

{I am aware of child's name's Special Educational Needs. The following steps have been taken to make reasonable adjustments for this [state adjustments made].}

{If you decide to have a reintegration interview} You and your child should attend a re-integration interview with me **(alternatively specify the name of another staff member)** on **[date]** at **[time]** If that is not convenient, please contact the school to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best **[child's name]**'s return to school at lunchtime can be managed.

(Lunchtime exclusions 'count' as half a day absence, so if the lunchtime exclusion extends for a period in excess of 10 lunchtimes the following paragraph should be substituted)

You have the right to request a meeting of the Pupil Discipline Committee at which you may make representations and the decision to exclude can be reviewed. The latest date the Committee can meet is **[date - no later than 50 days from the date the Committee is notified]**.

You should also be aware that if you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal, (Special Educational Needs and Disability).

The address to which claims should be sent is:
1st Floor, Darlington Magistrates Court,
Parkgate,
Darlington,
DL1 1RU

e-mail: send@justice.gov.uk

Your claim must be lodged within 6 months of the date of the exclusion. You may access further information on the following link www.justice.gov.uk/tribunals/send/appeals.

You have the right to see and have a copy of your child's school record. Due to confidentiality restrictions, you must notify me in writing if you wish to be supplied with a copy of your child's school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

You may find it useful to contact Coram Children's Legal Centre. They provide free legal advice and information to parents on education matters: www.childrenslegalcentre.com.

Statutory guidance on Exclusion can be accessed at www.gov.uk/government/publications/school-exclusion

Yours sincerely

[Name]

Head teacher

Appendix I: Useful Contacts

Exclusions and Reintegration Team	Contact: 01895 556177 Exclusionsupport@hillingdon.gov.uk
Attendance Support Team	Contact: 01895 250858 attendancesupport@hillingdon.gov.uk
SEND (Special Educational Needs and Disabilities) Advisory Service	Contact: 01895 277653 SASinclusion@hillingdon.gov.uk
Virtual School (LAC)	Contact: 01895 556556 virtualschooladmin@hillingdon.gov.uk
AXIS Hillingdon	Contact: 07523 501 585 axis@hillingdon.gov.uk
Adolescent Development Services	Contact: 01895 277 222 targetedprogrammes@hillingdon.gov.uk bit.ly/targetedprogrammes
Stronger Families Service	Contact: 01895 556 006 strongerfamilieshub@hillingdon.gov.uk
Brilliant Parents	Contact: 07945 024 449 https://www.cognitoforms.com/BrilliantParents1/BrilliantParentsClientReferralForm

Appendix J: Headteacher's Exclusion Checklist

Headteacher's exclusion checklist	Yes	No
Have you followed your school process for considering whether the pupil should be excluded?		
On the balance of probabilities, do you consider the pupil committed the offence?		
Does the incident represent a serious breach or persistent breaches of the school's behaviour policy?		
Does the pupil's presence seriously harm the education/welfare of pupils/others?		
Is exclusion the appropriate response? Factors to Consider: • A thorough investigation has been carried out • Evidence has been considered in the light of policies and discrimination • The pupil's views have been encouraged, heard and recorded • Mitigating circumstances and provocation (bullying, contextual safeguarding) have been considered • Appropriate wider consultation has been considered		
Has there been involvement from specialist services, Stronger Families, Social Care, Youth Justice Service, Education Psychologist, AXIS, SORTED or other relevant service?		
Have the school considered Early Support funding that can be accessed through SEND Advisory Service (SAS)? In exceptional circumstances this can be an alternative to exclusion to enable continuum of learning and transition to appropriate services for further support.		
Have all alternative options been Exhausted by the School?		
Special Considerations (exclusion should only be used as exceptional)		
Does this pupil have an EHCP (Education Health Care Plan) or in the process of statutory assessment? If so: - Have you contacted the special needs officer to find an alternative to exclusion? - Has an interim annual review been called to avoid exclusion? - Have other professionals from relevant agencies bene involved? (Health, social care) (It is a good practice that schools do not permanently exclude a child with EHCP EHCP.)		
Is this pupil currently a child in the care of the Local Authority? If so: Have you contacted the Head of the Virtual School and the child's Social Worker?		
Is this pupil subject to Child Protection procedures or a Child in Need? If so: Have you spoken to the Social Worker?		
Is there an Early Help Plan for this pupil? If so: Have you spoken to the Early Help Worker?		
Have issues of SEN, disability, race and care been fully considered? See separate checklist for considerations around the exclusion of children with SEN/disability		
Has the appropriate length of exclusion been considered?		

Appendix K: Headteacher's Checklist for Pupils with SEND

Hillingdon LA's checklist should be used to support schools in assessing and mitigating the risks mentioned in [Section 26](#) of this document.

Headteacher's Checklist for Pupils with SEN / Disability	Yes	No
Does the pupil have an EHCP? Has the Special Needs Officer been contacted? Has an emergency annual review been called? Not all pupils with EHCPs will have a disability but there is a significant overlap.		
Is this pupil at the stage of SEN Support? Has extra assistance from the LA been explored?		
Does the pupil have a disability? For example, do they have a mental or physical impairment which has a substantial, adverse effect on their ability to carry out normal day to day activities? In law "substantial" means more than minor or trivial in law "long term" means at least a year Not all pupils with a disability will have an EHCP, but many will. "Disability" includes physical disabilities, speech and language needs, memory and ability to concentrate, perception of the risk of danger when these are adverse, long term and substantial		
Has the pupil been treated less favourably? Would a pupil without a disability have been dealt with in the same way? You will need to consider: - What is less favourable treatment? - What is the reason for less favourable treatment? - Is the reason directly related to their disability? - Can less favourable treatment be justified? - Is the justification material and substantial?		

Have reasonable adjustments been made for this pupil? You will need to consider: • Would failure to make reasonable adjustments place the pupil at a substantial disadvantage? • Could the need to make reasonable adjustments have been anticipated? • Has the school reviewed policies, practices and procedures (continuing responsibility)? • Does reasonable adjustment involve removal/alteration of physical features? • Does reasonable adjustment involve provision of auxiliary aids/services (SEN framework)? Have relevant factors been explored and balanced? • Need to maintain standards? • Financial resources available? • Cost of taking a particular step? • Extent to which it is practical to take a particular step? • Extent to which auxiliary aid/services will be provided under SEN framework? • Health and safety requirements? • Interests of other pupils/prospective pupils? • Could the school have been reasonably expected to know about the disability (confidentiality; lack of knowledge)? • Can actions or omissions be materially and substantially justified?		
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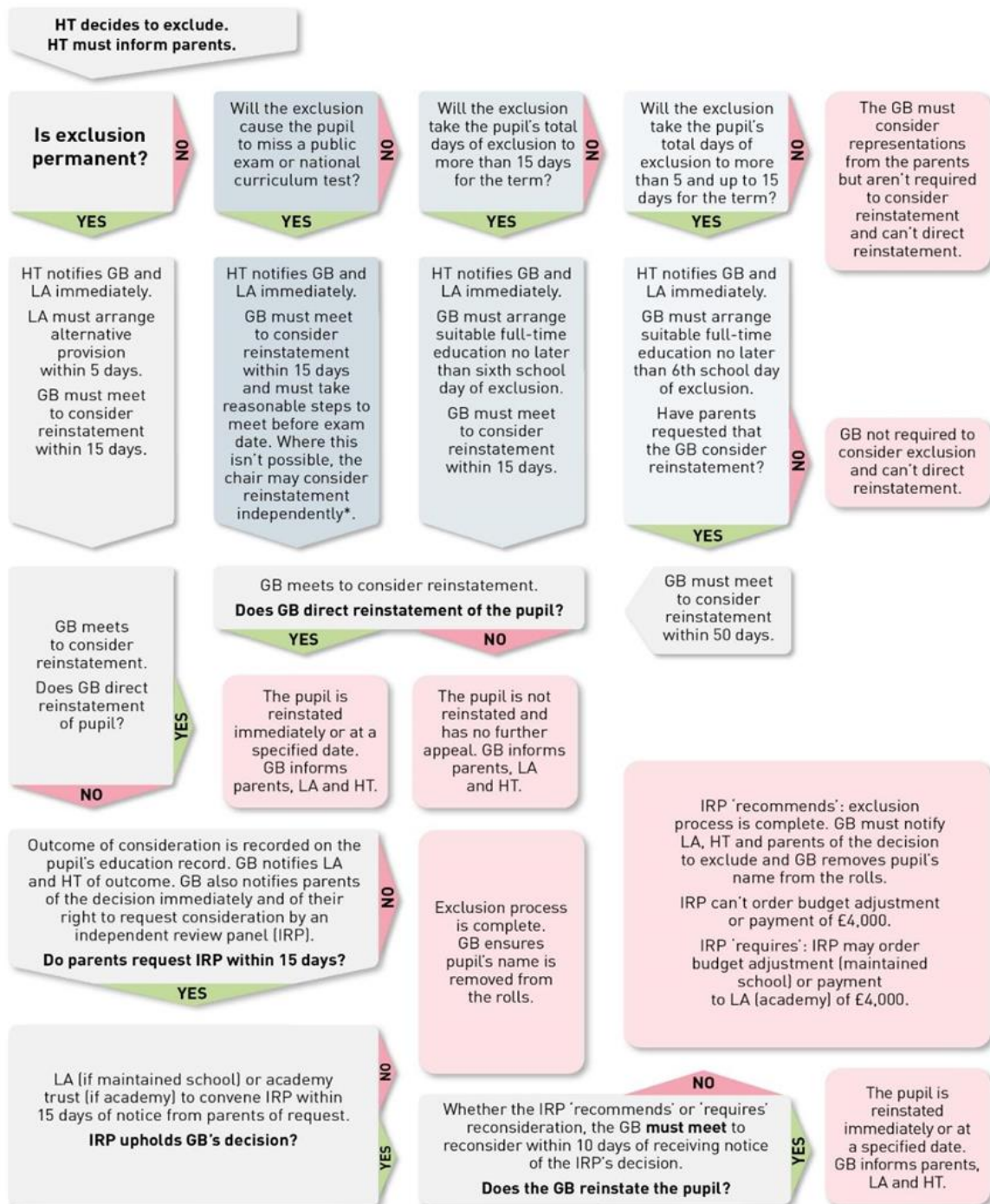
Appendix L: Headteacher's Checklist for Care Experienced Children

Headteacher's checklist for Children with a Social Worker (CWSW)	Yes	No
Is the child on a Child in Need (CIN) or Child Protection (CP) plan?		
Has the Social Worker been contacted?		
Has a professionals meeting been held or a recent core group meeting?		
Has the Virtual School CWSW team been contacted for information, advice or guidance?		
Have reasonable adjustments been made for this pupil?		
Are key staff aware of the child's lived experiences and/or home circumstances that may be impacting their emotional regulation or behaviour?		
Could the school have been reasonably expected to know about the social care status (confidentiality; lack of knowledge)?		
Is this child's behaviour persistent or repetitive, and if so, have they been observed or assessed for any underlying additional needs?		
Would failure to make reasonable adjustments place the pupil at a substantial disadvantage?		

Appendix M: Exclusions Process Flowchart



Exclusions process flowchart



HT = headteacher • LA = local authority • GB = governing board • Days = school days • Within x days = of receiving notice (either of exclusion or outcome)
IRP = Independent Review Panel

Appendix N: Exclusions Procedure Table

Type	Notify parent/carers	Notify LA & governors	Governors to meet	Decisions open to the governors	Notification of outcome of GRM
Permanent	Immediately by phone, followed by a letter within one school day. Model letter 4	*Within one school day.	By the 15th school day after receiving notice of the exclusion.	Uphold the exclusion or direct reinstatement immediately or by a particular date.	In writing without delay of the hearing. Relevant paperwork should be recorded in the pupil's file for future reference.
Exclusion resulting in a pupil missing a public examination	Immediately by phone, followed by a letter.	Within one school day.	**Governors should try to meet before the date of the exam and by the 15th school day after receiving notice of the exclusion.	Uphold the exclusion or direct Reinstatement (where practical) immediately or by a particular date.	In writing without delay of the hearing. Relevant paperwork should be recorded in the pupil's file for future reference.
Suspension: > 15 days in a term	Immediately by phone, followed by a letter within one school day. Model letter 3	Within one school day.	By the 15th school day after receiving notice of the exclusion.	Uphold the exclusion or direct reinstatement immediately or by a particular date. (Not applicable if exclusion has been served – can only annotate school record)	In writing without delay of the hearing. Relevant paperwork should be recorded in the pupil's file for future reference.
Suspension: > 5 but not more than 15 days in a term	Immediately by phone, followed by a letter within one school day. Model Letter 2	Within one school day.	Only if the parent/carers requests a meeting should the governors then meet to consider representations.	Uphold the exclusion or direct reinstatement (where practical) immediately or by a particular date.	In writing without delay of the hearing. Relevant paperwork should be recorded in the pupil's file for future reference.

Suspension: 5 days or fewer in a term	Immediately by phone, followed by a letter within one school day. Model Letter 1	To be decided by the individual school or academy.	If the parent submits representations, the governors must consider them. Governors can agree to a meeting if the parent/carer wants to meet but no meeting is required.	Governors cannot direct reinstatement.	Although no time limit applies, governors should respond promptly to any representations from the parent. Relevant paperwork and response should be recorded in the pupil's file for future reference.
Suspension: Pending investigation	Model letter 6	To be decided by the individual school or academy.	As above	As above	As above
Lunchtime	Model letter 7	To be decided by the individual school or academy.	Please refer to the relevant Fixed-term section depending on the number of sessions.	Please refer to the relevant Fixed-term section depending on the number of sessions.	Please refer to the relevant Fixed-term section depending on the number of sessions.

*Where the pupil resides out of Hillingdon, the 'home' LA must also be informed ([Model letter 5](#))

If the Chair decides it is impractical for the governors to meet before the pupil is due to sit the examination, the Chair can consider the exclusion **alone. This is the only circumstance in which a Chair can sit alone to review exclusions.

Appendix O: Suggested Format of Governors' Meeting

- (a) The chair introduces all parties, explaining the purpose and format of the meeting and possible outcomes. Detailed minutes must be taken by the Clerk, including during the decision-making phase. These minutes should be made available to all parties on request and the record.

(b) School's case

- Headteacher and other school staff explain why the decision was taken to exclude, the reasons, the investigation of the incident and any pupil support strategies, if relevant.
- Parent/Carer can ask questions of the school.
- The governors can ask questions of the school.

(c) Parent/Carer's case

- Parent/Carer states their views on the exclusion and outlines any issues they feel the governors need to be aware of.
- The school can ask questions of the parent.
- The governors can ask questions of the parent.
- The LA representative can ask questions to clarify facts at any stage

(d) LA advice

- The LA representative will present their advice and information.

(e) Social Worker (if applicable)

- The child's social worker will provide important information that helps the governing board understand the experiences of a pupil and their welfare.

The social worker will also help to identify how the pupil's circumstances may have influenced the circumstances of the pupil's suspension or permanent exclusion.

(f) Virtual School Headteacher (if applicable)

- The VSH will assist the governing board in understanding the LAC pupil's background and circumstances.
- The VSH will also advise the board on the possible contribution that the pupil's circumstances could have made to the suspension or permanent exclusion.

(g) Summing up

- The school sums up their case.
- The parent/carers sum up their case.
- The chair of the review meeting should establish with the headteacher and the parent/carers that they have had the opportunity to say all that they wanted to say.

Appendix P: Governor's Review Meeting: LA Checklist

The following is a checklist of areas for the governors to consider when reaching their decision. (Not all areas will be applicable to every case).

Governor's Review Meeting: LA Checklist	Yes	No
Is the exclusion in response to a serious breach, or persistent breaches, of the school's behaviour policy?		
Would allowing the pupil to remain in school seriously harm his/her education or welfare or that of others in the school?		
Has any incident relating to the exclusion been investigated thoroughly by the headteacher?		
Have witness statements of any incident relating to the exclusion been circulated to the panel?		
Have the allegations established against the pupil "on the balance of probabilities", i.e., was it more likely than not that the incident took place as described by the school (rather than the criminal standard of 'beyond reasonable doubt')?		
For the offence(s) committed for which they have been excluded; does the severity of the incident(s) warrant a permanent exclusion?		
Has the fairness of the exclusion, in relation to the treatment of any other pupils involved in the same incident, been considered?		
Governors must consider the pupil's background		
Are there extenuating circumstances such as family situation, mental health concerns, bereavement, bullying etc?		
Does the pupil belong to a group with disproportionately high levels of exclusion? - Special Educational Needs (SEN) - Looked After Child (CLA) - Certain ethnic groups - Social Care Plans - Free School Meals (FSM) If so, was appropriate and sufficient support in place? Were all relevant policies available for consideration and did the school apply those policies legally, appropriately and fairly in relation to the pupil concerned?		

Governors must consider what specific strategies and support the school has put in place		
Has the school implemented other strategies and sanctions prior to the exclusion?		
Have they consulted other professionals and agencies in providing support (if appropriate)?		
Has the school ensured the parent/carer has been fully informed of any concerns and involved them in any support strategies?		
Are the parents/carers aware of the school's expectation of pupil's behaviour?		
Governors must consider the following when looking at longer suspension periods		
Is the number of days that the pupil has been suspended for, justified?		
Is the school using the time during the suspension to address the pupil's problems?		
Has the school setup educational arrangements to support the pupil's re-integration?		