



**WOKINGHAM  
BOROUGH COUNCIL**

Permanent Exclusion and Suspension Guidance  
for Schools

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## Permanent Exclusion and Suspension Guidance for Schools

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**Executive Summary**

Wokingham Borough Council is committed to ensuring the right of every child to a full-time education is realised. As such, the Council has an expectation that all schools across the Borough will have employed a range of measures to prevent or reduce the likelihood of permanent exclusion or suspensions.

Schools should give due consideration to pupils considered to be at increased risk of permanent exclusion or suspensions, to ensure that particular groups of vulnerable pupils are not disproportionately affected.

Where a pupil displays disruptive and/or challenging behaviour, this can be an indication of unmet needs. When concerns emerge in relation to a pupil's behaviour, schools should attempt to identify any causal factors and intervene as early as possible – in order to reduce the need for a subsequent suspension from school.

In all cases, permanent exclusion or suspensions should be used only as a last resort. Schools should always give consideration to the alternatives available and what support or reasonable adjustment could reduce the risk of permanent exclusion or suspension. Schools should ensure that a permanent exclusion or suspension do not constitute discrimination under the Equality Act 2010 and understand that any discrimination could leave the school open to legal challenge.

This guidance is not a policy in itself but should be used to form the basis of any permanent exclusion and suspension policy developed by schools.

*Any questions or concerns about the contents of this policy should be raised with the Quality Assurance and Policy Team via email at: [ImpactAndInspectionTeam@wokingham.gov.uk](mailto:ImpactAndInspectionTeam@wokingham.gov.uk).*

## Context

This guidance is underpinned by national legislation and guidance:

- *Education Act 2002 (as amended by Education Act 2011 (Section 4))*
- *Education Act 1996*
- *The School Discipline (Pupil Exclusion and Review) (England) Regulations 2012*
- *The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England)(Amendment) Regulations 2014)*
- *Education and Inspections Act 2006*
- *SEND Code of Practice: 0 to 25 years (2015)*
- *Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Department for Education Statutory Guidance (September 2022)*
- *School Attendance Parental Responsibility Measures, Department for Education Statutory Guidance (January 2015)*
- *Behaviour and Discipline in Schools, Department for Education Guidance (September 2022)*
- *Behaviour and Discipline in Schools: Guidance for Governing Bodies, Department for Education Statutory Guidance (September 2015)*
- *European Convention on Human Rights (Article 2 of Protocol 1)*
- *Equality Act 2010*

It should be read in conjunction with other local procedures:

- *Penalty Notice Code of Conduct*
- *Fair Access Protocol*
- *Part-Time Timetables Policy*

***This guidance applies to all Wokingham Borough maintained schools, academies, free schools, special schools and pupil referral units. The term 'schools' should be taken to mean the aforementioned educational settings. The term 'parents' should be taken to mean parents, carers, or those with parental responsibility for the child.***

### 1. Introduction

When concerns emerge in relation to a pupil's behaviour, schools should attempt to identify any causal factors and intervene as early as possible – in order to reduce the need for a subsequent permanent exclusion or suspension from school.

Wokingham Borough Council has an expectation that all schools across the Borough will have employed a range of measures to prevent or reduce the likelihood of permanent exclusion or suspensions – and that they should be used only as a last resort.

## Permanent Exclusion and Suspension Guidance for Schools

This guidance aims to:

- Set out the general responsibilities of schools in relation to the use of permanent exclusions and suspensions;
- Form the basis of any exclusions policy developed by schools.

### 2. The Law and Relevant Guidance

Any decision of a school, including exclusion, must be made in line with the principles of administrative law. As such, decisions relating to exclusion must be taken in accordance with relevant legislation and be rational, reasonable, fair and proportionate. Any decisions on exclusion should be lawful, in line with Department for Education statutory guidance and made by the head teacher or equivalent.

In all cases, schools should ensure that exclusions do not constitute discrimination under the Equality Act 2010 – any discrimination could leave the school open to legal challenge. Schools have a duty to make reasonable adjustments and take positive steps to ensure that pupils can fully participate in education provided by the school and enjoy the other benefits, facilities and services provided for pupils.

A pupil who repeatedly disobeys their teachers' academic instructions could be subject to exclusion. However, any practices such as discriminatory school exclusions violate children's right to education and as such are unlawful.

***Any exclusion of a pupil, even for short periods of time, must be formally recorded.*** Schools must ensure that they have appropriate policies and procedures in place which do not discriminate against pupils by unfairly increasing their risk of exclusion. They should also ensure they have a strategy for reintegrating pupils who return to school following a suspension and managing their future behaviour.

#### 2.1. Safeguarding

Head teachers must take account of their legal duty of care to pupils when sending them home following a permanent exclusion or suspension. Schools have a duty of care towards pupils; therefore, head teachers should always consider safeguarding of the pupil before they are permanently excluded or suspended.

Consideration should be given to whether it is safe for the pupil to be suspended and sent home; whether the pupil is at risk of exploitation in the community; and whether there is a trusted adult to collect the pupil. There should also be exploration of safer alternatives to permanent exclusion or suspension.

Where a pupil who is at risk of permanent exclusion or suspension is a Child in Care, the school should contact the pupil's Social Worker and the Virtual Head. Where a pupil at risk of permanent exclusion or suspension is open to Children's Social Care or Early Help, the

professional(s) supporting them should be consulted before a decision around permanent exclusion or suspension is made. ***In all cases, contact should be made with the relevant professionals before a decision to permanently exclude or suspend is made.***

If a pupil is at risk of permanent exclusion or suspension and there is concern around criminal or sexual exploitation, self-harm, or risky behaviours that could cause them significant harm, permanent exclusion or suspension can result in increased risks to the pupil's immediate safety, health and wellbeing. In cases such as these, schools should consult with relevant professionals before making any decision to permanently exclude or suspend.

### 2.2. Suspensions

Suspension, or fixed period suspensions are for a set period of time, with a planned date for the pupil to return to school. When the suspension ends, the pupil attends school again as usual.

For the first 5 days of a suspension, schools should take reasonable steps to set work for the pupil. Where a suspension amounts to over 5 days, the school is responsible for arranging suitable alternative full-time education for children of compulsory school age.

#### 2.2.1. Reintegration

Some schools use reintegration meetings following a suspension. Reintegration meetings are not a statutory requirement, although they are identified as good practice where used appropriately to welcome the pupil back, identify any support needs or intervention required to foster success, set a positive tone and reduce the future risk of suspension.

Where a school makes use of reintegration meetings, these should be appropriate to age and development – and sensitive to individual pupils' needs. It is recommended that the pupil and their parents, one or two key members of school staff and any other relevant professionals (e.g. Early Help or Social Worker) should be invited to attend reintegration meetings.

The Council recommends the use of a Pastoral Support Plan (PSP) to record reintegration meetings and ensure that actions are SMART (specific, measureable, achievable, relevant, time-bound). However, this cannot be used to place conditions on the pupil's reintegration, such as agreement to attend therapy sessions or engage with a programme. The actions outlined on the PSP should be reviewed regularly.

It is important to note that reintegration meetings, including the attendance of the pupil and/or their parents at these meetings, are not an obstacle or test on which the pupil's return to school is dependent. ***Non-attendance at a reintegration meeting is not a valid reason to extend a pupil's suspension.***

*In cases where a pupil's conduct at a reintegration meeting or on return to school is such that a suspension is considered by the head teacher, that is classed as a separate matter to the initial suspension. It may be that this leads to a further suspension.*

### **2.3. Permanent Exclusions**

In all cases, it is best practice to contact the Education Welfare Service before making a decision to permanently exclude a child.

Where a decision is taken to permanently exclude a pupil, the PEX process should be followed (*see Appendix B*). This process also outlines the responsibilities of the involved parties at each stage. The Education Welfare Service can offer guidance on specific cases throughout the process.

If, after considering all possible alternatives, the decision is taken to permanently exclude a pupil, the school must inform parents of that decision in writing, without delay. Wokingham Borough Council (and the local authority where the child lives, if different) and the Governing Body or Academy Trust must also be informed in writing without delay.

***The Education Welfare Service can offer advice on the information that is required to be sent to Governing Bodies.***

During days 1-5 of the permanent exclusion, school must arrange for work to be sent home for the pupil and make provision to mark that work. From day 6, Wokingham Borough Council is responsible for providing education.

The Council is required to make a budget readjustment to reclaim the remaining portion of the Age-Weighted Pupil Unit (AWPU) for permanently excluded pupils, to contribute towards the interim provision.

Wokingham Borough Council commissions Foundry College to provide education to permanently excluded (PEX) pupils on its behalf. A representative from Foundry College will contact the family without delay to arrange for this education to be put into place.

#### **2.3.1. Governor Disciplinary Committee**

The Governing Body of the school is required to convene a Governor Disciplinary Committee (GDC) meeting by the 15<sup>th</sup> school day after the date the permanent exclusion was issued, to review the head teacher's decision to permanently exclude.

If a suspension brings the total number of days suspended to more than 15 days in one school term, the Governor Disciplinary Committee must convene to review the head teacher's decision to suspend. The GDC is also required to meet to review suspensions of more than 5 but less than 15 days in a school term, if requested by parents.

The meeting must be held in accordance with the [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(September 2022\)](#).

The following must be invited to make representations at the meeting:



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- Parents (and, where requested, a representative or friend)
- The head teacher
- A representative of Wokingham Borough Council's Education Welfare Service (for maintained schools and Pupil Referral Units)

*Academies and free schools do not have to invite Wokingham Borough Council's Education Welfare Service to make representations, but many choose to do so that there is assurance of a thorough and robust process. Where academies do not invite a representative of the Education Welfare Service, parents are entitled to invite one – a right which they must be made aware of in the exclusion letter.*

The Clerk to the Governors should send a copy of the letter inviting parents to the GDC meeting to [Education.Welfare@wokingham.gov.uk](mailto:Education.Welfare@wokingham.gov.uk) – academies should also confirm whether or not a Council representative is invited at this time.

Prior to the GDC meeting, Wokingham Borough Council's Education Welfare Service will aim to review the case and provide a report for consideration at the meeting. The report will highlight issues relating to the case where further clarity may be required; there are gaps which require additional information; and/or it appears that the statutory guidance has not been complied with. This information should be circulated to all parties due to attend the meeting 5 school days in advance of the meeting.

***The Education Welfare Service is able to offer advice around the statutory guidance and role of Governors. It can also help ensure that GDC meetings adhere to statutory guidance.***

At the meeting, the GDC should examine all evidence presented by those present and decide whether, on the balance of probabilities, the incident(s) took place as described; whether all possible support was provided to meet the needs of the pupil and enable them to remain at the school, while considering the impact on other pupils at the school; and whether the head teacher's decision to exclude was lawful, reasonable, proportionate and fair, taking account of their legal duties. A decision will then be made as to whether the pupil should be reinstated at the school or not.

Once Governors have made their decision on whether or not to reinstate the pupil, they must notify parents in writing without delay – a copy of this letter should also be emailed to [Education.Welfare@wokingham.gov.uk](mailto:Education.Welfare@wokingham.gov.uk). The Council advises that it is good practice for schools to contact parents by telephone on the day of the decision.

### **2.3.2. Independent Review**

Where parents wish to appeal the outcome of the Governor Disciplinary Committee (GDC) meeting, they have 15 school days from receipt of the GDC decision letter to make an application for Independent Review. Independent Review involves a rigorous review of the evidence that was considered by Governors at the GDC meeting and coming to a view over whether the GDC's conduct, and decision was legal, fair and proportionate.

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For maintained schools, Wokingham Borough Council manages the Independent Review process through the School Appeals Service. Academies and free schools are responsible for arranging and facilitating the Independent Review process unless they purchase this service from the Council. Independent Reviews must take place in accordance with [chapter 8 of the Department for Education statutory guidance](#).

Where an Independent Review is set to take place, the Clerk to the Governors must inform the parents (or young person, if they are aged 18 or over) of their right to have an SEND expert present at the review – whether or not the child/young person is recognised as having SEND. The role of the SEND expert is to provide impartial advice as part of the Independent Review process, which could be relevant to the exclusion (e.g. whether the school acted reasonably).

Parents (or young person, if they are aged 18 or over) should also be informed of their right to have a representative of Wokingham Borough Council present at the review.

Independent Review Panels can decide to uphold the decision to exclude; recommend that the Governing Body reconsider its decision; or quash the decision and direct that the Governing Body reconsiders the exclusion. The decision of the Panel is binding.

**Democratic Services can provide further information about the SEND expert role or Independent Review process: [Democratic.Services@wokingham.gov.uk](mailto:Democratic.Services@wokingham.gov.uk).**

### 2.3.3. Changing Pupil Status on Roll

Following a decision to permanently exclude, schools may only remove a pupil from their roll after the 15 school days following a GDC decision not to reinstate, during which parents can apply for an Independent Review, have passed (or earlier if parents notify the school in writing that they do not intend to apply for an Independent Review).

Where an Independent Review is held, the pupil cannot be removed from the school roll until after the Independent Review Panel meeting and any subsequent GDC meeting which may be held.

*Schools should be aware that, where a pupil's name is removed from the school roll and a discrimination claim is subsequently made, the First-Tier Tribunal (Special Educational Needs and Disability) or County Court has the power to direct that the pupil be reinstated.*

### 2.4. Informing Parents, Governors and Wokingham Borough Council

In the first instance, parents are often informed of their child's exclusion face-to-face (if there is a meeting) or over the telephone. This must be followed by formal written notification without delay, ensuring all the required information, as outlined in Department for Education statutory guidance, is included. Schools should ensure that the letter also contains information about parents' duty to ensure that the pupil is not in a public place during school hours, without reasonable justification, for the first 5 days of the exclusion.

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Model letters, which have been developed in line with Department for Education statutory guidance, are available via the [Wokingham Schools Hub](#) for schools' use.

The head teacher must, without delay, inform Wokingham Borough Council and the school's Governing Body of:

- Any permanent exclusion (*including where a suspension is followed by a decision to permanently exclude the pupil*);
- Any suspension which would result in the pupil being suspended for a total of more than 5 school days (*or more than 10 lunchtimes*) in a term;
- Any permanent exclusion or suspension which would result in the pupil missing a public examination or national curriculum test.

**The above permanent exclusions or suspensions should be communicated with Wokingham Borough Council using the *Notification of Pupil Exclusion Form*, available via the *Wokingham Schools Hub*.**

The head teacher must also notify Wokingham Borough Council and the Governing Body once per term of any other suspensions not already notified. All notifications must include the reason(s) for, and duration of the suspension. These are reported to the Council within schools' management information systems. Suspensions will be recorded in the school attendance register and require additional input into the suspension section of the schools' management information systems with the reason code.

***Where schools do not have arrangements in place to report other suspensions not already notified to Wokingham Borough Council within management information systems, head teachers still have a duty to notify the Council through an alternative method.***

### **2.4.1. Pupils Residing Outside of Wokingham Borough**

Where the pupil resides in another local authority area, schools should also inform that local authority and provide a copy of the notification letter to parents, as it is the responsibility of the local authority where the child lives to provide education from day 6 of a permanent exclusion.

For these pupils, schools are advised to check with the local authority where the pupil is resident for its referral process.

### **2.5. Unlawful Exclusions**

It is unlawful to permanently exclude or suspend a pupil for a non-disciplinary reason, even where it is thought to be in the best interests of the child. Examples of unlawful reasons for permanent exclusion or suspension include:

- The pupil has special education needs or disabilities (SEND) or other additional needs that the school feels it is unable to meet.

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- Academic attainment or ability.
- The action(s) of a pupil's parent(s).
- Failure of a pupil to meet specific conditions before they are reinstated (e.g. to attend a reintegration meeting or agreeing to aspects of a proposed support plan, managed move or alternative education plan).
- The pupil is not attending school.

'Informal' or 'unofficial' suspensions (e.g. sending a pupil home 'to cool off') are unlawful, regardless of whether they occur with the agreement of parents.

### **2.6. Altering Suspension**

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

The head teach may withdraw a permanent exclusion that has not been reviewed by the Governor Disciplinary Committee.

### **3. Considerations for Head Teachers**

Head teachers should ensure that their school's behavioural policy makes clear the options available for responding to the incident/behaviour. This should include details such as when internal, suspension or permanent exclusion will be used; what is classed as a serious breach of the policy and how this compares to other schools in the Borough; and what happens for repeat incidents/behavioural issues.

Where a pupil displays disruptive and/or challenging behaviour, this can be an indication of unmet needs. When concerns emerge in relation to a pupil's behaviour, schools should attempt to identify any causal factors and intervene as early as possible – in order to reduce the need for a subsequent suspension from school.

Early intervention to address any underlying causes of disruptive/challenging behaviour should include an assessment of whether appropriate provision is in place to support any Special Educational Needs or Disabilities (SEND) that a pupil may have. Consideration should also be given to the use of a multi-agency assessment, which may identify SEND – but the scope is wider and therefore may identify other needs (e.g. mental health issues or family problems).

Before a pupil is permanently excluded or suspended from school, head teachers should ensure that they have considered all relevant factors, fully investigated any incidents and/or behavioural issues and explored possible alternatives. Head teachers should take steps to seek accounts of any incidents from all of those involved, including the pupil, to ensure a thorough investigation and highlight any discrepancies in those accounts.

Particular care should be taken to ensure that permanent exclusion or suspension is not decided based on unmet special educational needs, parental conflict, or a difficult home-school relationship. Head teachers should also consider any factors relevant to the pupil which may increase their risk of permanent exclusion or suspension (*see Section 4*).

***See Appendix A: Checklist for Head Teachers Considering Permanent Exclusion***

#### **4. Factors Increasing Pupils' Risk of Permanent Exclusion or Suspension**

Schools should take steps to identify pupils from groups with disproportionately high rates of permanent exclusion or suspension – so that they can intervene as early as possible where there is a risk of pupils being excluded. This includes pupils with special educational needs and disabilities (SEND); pupils eligible for free school meals; Children in Care; and pupils from certain ethnic groups. The ethnic groups with the highest rates of permanent exclusion or suspension are Black Caribbean, Mixed White/Black Caribbean and Gypsy, Roma and Traveller (GRT).

In addition to early intervention, head teachers should consider what extra support may be required to identify and address the needs of pupils within these groups in order to reduce their risk of permanent exclusion or suspension.

Schools should take steps to proactively engage with parents in supporting the behaviour of pupils who may be at increased risk of exclusion. Consideration should be given to drawing on the support and experience of other professionals to help them build trust when engaging with families from various communities.

##### **4.1. Pupils with an Education, Health and Care Plan**

Concerns about the behaviour, learning or wellbeing of a pupil with an Education, Health and Care Plan (EHCP), including concerns over the suitability of the setting, should be raised with Wokingham Borough Council's SEND Team ([SEND.Team@wokingham.gov.uk](mailto:SEND.Team@wokingham.gov.uk)).

Concerns can be raised as they emerge and during scheduled reviews.

If concerns arise suddenly, escalate quickly, or a serious incident occurs which leads to exclusion being considered, schools should first seek an early annual review or interim/emergency review of the pupil's EHCP to consider what additional support or alternative placement may be required.

To request an emergency annual review, contact Wokingham Borough Council's SEND Team, making the concerns about the pupil being at risk of permanent exclusion or suspension clear.

***Schools should, as far as possible, avoid permanently excluding any pupil with an EHCP.***

#### **4.2. Children in Care**

Concerns about the behaviour, learning or wellbeing of a pupil who is a Child in Care should be raised with the pupil's carers, Social Worker and the Virtual School Head. Concerns should be raised as they arise and during scheduled Child in Care Reviews and Personal Education Plan (PEP) meetings.

If concerns arise suddenly, escalate quickly, or a serious incident occurs which leads to permanent exclusion or suspension being considered, schools should first seek an urgent review by contacting the pupil's Social Worker and the Virtual School Head, to consider what additional support or alternative placement may be required.

***Schools should, as far as possible, avoid permanently excluding any pupil who is a Child in Care.***

#### **5. Alternatives to Permanent Exclusion or Suspension**

In all cases, exclusion should be used only as a last resort. Schools should always give due consideration to the alternatives available and what support or reasonable adjustment could reduce the risk of permanent exclusion or suspension.

Alternatives to exclusion may include the use of restorative practices, nurture groups, differentiated timetable and provision, or Alternative Provision (*on or off-site*). In some cases, a managed move may be considered.

For secondary school pupils, schools can refer cases of pupils at risk of permanent exclusion or suspensions to the Behavioural Leads Meeting, chaired by the Wokingham Schools Federation, for consultation with other schools about alternatives to exclusion, consideration for a managed move, or referral to Alternative Provision.

#### **6. Assessment of Needs**

Assessment is key to identifying ways to reduce and avoid suspension or permanent exclusion. Thorough assessment of needs should go beyond solely educational factors and involve multi-agency partners, as appropriate.

Schools' assessment of special educational needs and disability (SEND) is covered in the SEND Code of Practice. It should be noted that attainment in line with chronological age does not necessarily mean that there is no learning difficulty or disability, as they can occur across the range of cognitive ability. Left undiagnosed and/or unaddressed, SEND may lead to frustration, which may manifest as disaffection, or emotional/behavioural difficulties.

Persistent disruptive behaviours do not necessarily mean that a pupil has SEND, therefore assessment of the causal factors should consider undiagnosed SEND, mental health issues,

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communication difficulties and family, housing and social issues which may be impacting on the pupil's behaviour.

Where an assessment of a pupil's wider needs is required, school should complete a **Multi-Agency Referral Form (MARF)** and return it to Wokingham Borough Council's Duty, Triage and Assessment (DTA) Team ([triage@wokingham.gov.uk](mailto:triage@wokingham.gov.uk)). The information provided will be considered and a determination made as to whether the threshold for an assessment has been met – and if so, what type of assessment is required. This could lead to an Early Help Assessment or a Child and Family Assessment (Children's Social Care); or a decision may be reached that no assessment is required, with signposting to other services.

The SEND Team ([SEND.Team@wokingham.gov.uk](mailto:SEND.Team@wokingham.gov.uk)) can support schools with early/emergency assessments and reviews related to pupils with Education, Health and Care Plans (EHCPs) when they are at risk of suspensions or permanent exclusion.

The Educational Psychology Service (EPS) can support assessment of need, jointly plan support with school and parents and develop evidence-based interventions to improve learning, social and behavioural outcomes. The EPS offers observations, consultations for teachers and staff training, along with advice to schools on techniques and strategies to meet pupils' wide-ranging needs. Referrals to the EPS can be made through school planning meetings. Academies should refer to **Wokingham Borough Council's traded offer**.

Wokingham Borough Council's Education Welfare Service (EWS) specialises in all aspects of educational inclusion and is committed to improving outcomes for all children and young people. The EWS is therefore well placed to offer advice on suspensions and permanent exclusions and exclusion-related matters ([Education.Welfare@wokingham.gov.uk](mailto:Education.Welfare@wokingham.gov.uk)).

### 7. Marking Attendance

Wokingham Borough Council advises that the following codes are used to mark a pupil's attendance, in line with Department for Education statutory guidance:

- Code E (suspended): for the days of the suspension where the pupil is not attending an alternative provision i.e. at least days 1-5 of an suspension and all subsequent days until the pupil attends an educational provision.
- Code B (approved off-site educational activity): for any days where the pupil is attending an off-site educational provision arranged and monitored by the school, but where the pupil is not registered. This code cannot be used for work sent home or any other arrangements other than attendance at taught provision.
- Code D (dual registration): from the first day of interim education at Foundry College or other provision where the pupil is registered on roll and the school is monitoring the attendance at the interim provision.

### 8. Support Services and Providers

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There are a range of free and traded services available to school's supporting pupils who are at risk of suspensions or permanent exclusion, including increasing numbers of organisations offering education and behaviour support to schools.

The Education Welfare Service may be able to help schools identify any additional support which is available.

### **9. Advice for Parents**

Where a pupil is suspended or permanently excluded from school, parents must ensure that their child of compulsory school age is not in a public place during school hours without very good reason for the first 5 days of exclusion. *Where parents fail to comply with this duty without reasonable justification, this is an offence and Wokingham Borough Council may issue a Penalty Notice or prosecute.*

Parents must also ensure that their child attends any new full-time education provided from day 6 of the permanent exclusion (unless they have arranged suitable alternative education themselves).

Suspension and particularly permanent exclusion can place an enormous emotional strain on families. The support and information that parents receive at this time can have a significant impact their ability to support their child and help them move on to the next stage of their education.

The Education Welfare Service is able to explain the process of permanent exclusion to parents and signpost to agencies that can offer support and advice. The [Wokingham Schools Hub](#) also contains information on exclusions for parents, including [FAQs](#).

### **10. Fair Access Protocol**

Wokingham Borough Council's Fair Access Protocol was established to ensure that, outside of the normal admissions round, school places are identified and allocated to unplaced pupils quickly.

The Protocol applies to permanently excluded children, unless Foundry College can find them a suitable educational provision.



## APPENDIX A

### CHECKLIST FOR HEAD TEACHERS CONSIDERING PERMANENT EXCLUSION



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*In deciding whether permanent exclusion (PEX) of a pupil is appropriate, there are a number of key questions which should be considered. **Particular care should be taken if you answer NO to questions 1, 8, 12, 16, and/or YES to 23 and 27.** If the pupil has an Education Health and Care Plan (EHCP) then go straight to question 8.*

		Yes	No	Date
<b>1.</b>	<b>Has the pupil received Quality First Teaching, including a suitably differentiated curriculum and tasks?</b>			
2.	Has the pupil been placed on your SEND register in school and have suitable interventions been carried out?			
3.	Has the pupil been referred to the SENCO and is the pupil on the SEND Code of Practice?			
4.	Has the pupil been referred to the Educational Psychology Service?			
5.	Has an application been made for additional Cluster funding or and EHC Needs Assessment (EHCNA)?			
6.	If the interventions named above have not been successful, has a statutory assessment request been requested?			
7.	Is there any indication that the PEX is related to SEND?			
<b>8.</b>	<b>If the pupil has an EHCP, has there been an early/emergency Annual Review?</b>			
9.	Is there a Pastoral Support Plan (PSP) in place? If so, how long has this been in place and has it been regularly reviewed with parents?			
10.	Has the pupil/family been referred to the Early Help Hub or other agencies for additional support?			
11.	If external agencies have been involved, is there evidence to demonstrate that all advice has been implemented?			

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12.	<b>Has the pupil's behaviour been managed within school Behaviour Policy with strategies for SEND, medical conditions or family circumstances?</b>			
13.	Is the behaviour so serious that no other alternative response is possible?			
14.	Was the decision reached due to concerns about the safety of other pupils, staff or the pupil themselves?			
15.	If the answer to question 11 is yes, is there a risk assessment in place/has it been regularly reviewed (e.g. fortnightly)?			
16.	<b>Have you explored the possibility of a managed move?</b>			
17.	Have you explored the use of a Part-Time Timetable or Alternative Provision with parents?			
18.	If a Part-Time Timetable has been used, how long has this been in place?			
19.	Has a managed move been used previously?			
20.	If the answer to question 16 is yes, was the managed move successful?			
21.	If the answer to question 16 is yes, were support measures put in place and reviewed during the managed move process to address the reasons for the managed move?			
22.	Has outreach support been commissioned by Foundry College?			
23.	<b>Is the pupil a Child in Care or previous Child in Care, or do they have an allocated Social Worker?</b>			
24.	If the answer to 23 is yes, has Wokingham Borough Council ( <i>or home local authority, if different</i> ) or the pupil's Social Worker been consulted with?			
25.	Has the pupil been excluded permanently from any other school?			
26.	Is the pupil likely to miss any public examination as a result of the exclusion?			
27.	<b>Is the child entitled to Pupil Premium Funding?</b>			
28.	Is the child from a black, Asian, or minority ethnic (BAME) group?			
29.	Has the pupil received previous suspensions? If so, for how many days?			
<p><i>Based on the information provided by the school, Wokingham Borough Council will comment on the validity of the PEX:</i></p> <ul style="list-style-type: none"> <li><i>Where actions appear unlawful/where guidance appears not to have been followed.</i></li> </ul>				

## Permanent Exclusion and Suspension Guidance for Schools

- *Where it appears procedures have not been followed.*
- *Where it may be reasonable to consider any alternative options, giving a view on what other schools might do in similar circumstances.*

***In cases where the school does not provide information, it will be assumed that appropriate steps have not been taken and the Council will assume that the exclusion is unsafe.***

**Signed:**

**Date:**

### **Appendix B: Permanent Exclusions (PEX) Process**

## Permanent Exclusion and Suspension Guidance for Schools

*This is intended as a brief guide to the PEX process. It should be read in conjunction with the rest of this guidance and the Department for Education statutory guidance on exclusions. The Education Welfare Service can offer detailed advice: [Education.Welfare@wokingham.gov.uk](mailto:Education.Welfare@wokingham.gov.uk)*

