

Exclusion Policy & Procedures

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Ethos:

CHURCH LAWTON IS A SCHOOL WHERE PUPILS ACHIEVE BEYOND WHAT IS EXPECTED, ARE EMPOWERED TO MAKE POSITIVE CHOICES ABOUT THEIR LIVES, AND HAVE RICH AND VARIED EXPERIENCES.

A SCHOOL WHICH TRULY RESPECTS AND VALUES EACH CHILD AS AN INDIVIDUAL

Church Lawton School has the highest concern for the safety and wellbeing of the whole school community, and we work hard to ensure that our ethos and environment supports student learning and success. Exclusion is a sanction used only as a last resort, and we aim to reduce the need for the use of it as far as is possible. This policy outlines the school's use of exclusions and is supported by, and should be read in conjunction with, our school behaviour policy.

The NAS Academies Trust and the Church Lawton School are committed to working closely with all pupils, their families and professionals to prevent the need for fixed term or permanent exclusion. Through our behaviour policy and support strategies, our careful monitoring and reporting, our individual education packages, partnership with parents and our autism specific staff training and development programme we seek to avoid the need to exclude.

Aim

Church Lawton School recognises that firm and fair sanctions are essential in ensuring that all individuals feel secure in the knowledge that they, and their personal property are protected from harm. This policy seeks to ensure that all serious breaches of the school's Behaviour for Learning policy are dealt with appropriately, fairly, consistently, promptly and in accordance with statutory procedures and guidance. Furthermore, it seeks to support staff in their work with students to ensure that teaching and learning can continue unhindered.

Procedures

The Principal will consider all relevant facts and take into account the Behaviour policy, the Safeguarding policy and the Equal Opportunities policy. When a decision to exclude is made discussions are held with the pupil, the family and the key professionals involved with the young person.

Refer to Appendix 1 for detailed Exclusion procedures

Refer to Appendix 2 for detailed Appeal procedures

1. Power to exclude

The principal is the only member of staff within the school who can exclude a pupil, either permanently or for a fixed term. In the absence of the principal, the deputy head or acting principal can make this decision.

The governing body can review the principal's decision and consider representations from parents of excluded pupils. They may direct the reinstatement of an excluded pupil, or uphold an exclusion after a review, but they cannot exclude a pupil themselves. For more information on the governing body's role in exclusions, see section 5.

In making decisions on exclusions, the principal and governing body must have regard to the statutory guidance issued by the Department for Education on exclusions.

2. Grounds for exclusion

Any exclusion, whether fixed term or permanent, will flow from a breach or breaches of the behaviour policy. In accordance with DfE guidance on exclusions, a permanent exclusion may only be imposed in response to a serious breach or persistent breaches of the behaviour policy and where allowing the pupil to remain in school would seriously harm the education and/or welfare of the pupil or others in the school community.

In line with the school's behaviour policy, the following actions are examples of unacceptable behaviour which may result in permanent or fixed-term exclusions:

- verbal abuse to staff and others
- verbal abuse to pupils
- physical abuse to/attack on staff
- physical abuse to/attack on pupils
- indecent behaviour
- damage to property
- misuse of illegal drugs
- misuse of other substances
- theft
- serious actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon
- arson
- unacceptable behaviour which has previously been reported, and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.

3. Types of exclusion

3.1 Permanent exclusion

Permanent exclusion is an extremely serious sanction, and a step taken by the school only as a last resort. In most cases, permanent exclusion will be used only after various alternative strategies have been tried to improve behaviour but have been unsuccessful.

There are, however, some situations in which permanent exclusion on the first offence is the only option. These may include:

- serious, actual or threatened violence against another pupil or a member of staff
- sexual abuse or assault
- supplying an illegal drug
- carrying an offensive weapon
- arson.

The list is not exhaustive but provides an indication of the severity of the offence which may lead to permanent exclusion.

It may be necessary for the school to involve the police if the offence warrants it. All permanent exclusions will be reviewed by the governing body to ensure that the principal's decision was lawful, reasonable and fair. The principal can withdraw an exclusion that has not yet been reviewed by the governing body.

3.2 Fixed-term exclusion

The length of a fixed-term exclusion will be set out by the school at the start of the exclusion period. If a pupil is excluded for more than 45 days in one school year, they will be permanently excluded.

A fixed-term exclusion may result from a serious breach or persistent breaches of the school's behaviour policy. It may be a first offence or persistent disruptive behaviour that requires a tougher sanction than other sanctions available to the school under the behaviour policy, but does not warrant permanent exclusion.

A permanent exclusion may follow on from a fixed term exclusion by the principal if the circumstances warrant it. This will generally be in cases where further evidence comes to light during the school's investigation. In this case, parents or carers will be notified in writing of the decision to permanently exclude the pupil, together with the reasons for doing so. During fixed-term exclusions and permanent exclusions, daytime supervision of the child is the responsibility of their parent or guardian for the first 5 days of the exclusion period.

An excluded pupil has no automatic right to take a public examination or National Curriculum tests on the school's premises. The governing body can decide whether or not to allow the pupil to sit the tests, and this will depend on the seriousness of the reason for exclusion.

3.3 Lunchtime exclusion

This is a type of fixed-term exclusion and will not be used as a long-term solution to a behaviour problem. A lunchtime exclusion counts as half a day when calculating total number of days of exclusion.

The school may decide to exclude a pupil from the school premises during the break at lunchtime if their behaviour during this time is very disruptive or dangerous to other pupils and breaches the behaviour policy. Arrangements will be made for parents or carers to collect the excluded pupil and supervise them if their age or vulnerability warrants it. The

school will not normally invoke a lunchtime exclusion for any period longer than a week. If the problem persists, alternative strategies will be looked at to deal with managing the pupil's behaviour.

Pupils who are entitled to free school meals will still be given this provision over their period of lunchtime exclusion.

4. Making the decision to exclude

Exclusion of any sort, for any period of time, is taken very seriously by the school, and the decision to exclude is not taken lightly. Various alternative strategies to manage behaviour will usually be tried before exclusion, as this sanction is only used as a last resort unless the behaviour exhibited equates to a serious breach of the behaviour policy.

If it is decided that exclusion is necessary, the parents or carers of the pupil will be notified, and the circumstances surrounding the exclusion will be formally recorded.

4.1 Alternative behaviour management strategies

Internal exclusion

If a pupil needs to be removed from a lesson that is in progress, or a social situation, for disruptive behaviour or to calm down, it may be necessary to place that pupil elsewhere in the school. This may occur over break times and will be used in circumstances where it is not necessary to remove the pupil from the school site, but separation is needed. They will be placed in another class or somewhere where appropriate support and supervision can be provided.

Mediation

If there is a conflict between two or more pupils, a member of staff will sit down with those involved and attempt to mediate the situation through discussion. This strategy may also be used if there is a conflict between a teacher and a pupil.

Restorative justice

This strategy is dependent on the cooperation of all parties involved in an incident or situation, and will usually be used where one person has done something to upset or harm another. It can be helpful for the offender to redress the harm that they have done and hopefully learn from their mistakes. It can also provide closure for those who have been harmed.

Managed move

It may be in the best interest of a pupil to have a chance of a fresh start by moving to another school. This will only occur in consent with parents, the LA, the principal, and the school's governing body. The new school will be asked by the LA to accept the pupil.

Parents will not be put under any pressure to agree to a managed move, especially in fear of a permanent exclusion, and the school will do everything it can to ensure that the transition is as smooth as possible.

4.2 Looked-after children and young people

Church Lawton School understands that looked-after children and young people may be more susceptible to having behavioural problems due to additional problems they may face at home. We work in conjunction with all relevant childcare authorities to support looked-after children and try every possible means of keeping them in school. Before any decision to exclude is made, the school will (as appropriate):

- consult the LA about alternative options to support a looked-after pupil
- consult the LA about what alternative provision will be available if the pupil is excluded
- involve the child's social worker as early as possible to help the school avoid exclusion
- work with the foster carer to improve the pupil's behaviour.

4.3 Pupils with special educational needs or a disability (SEND)

Pupils with SEN

Our school's full SEN provision is outlined in our **special educational needs policy and the SEN Information Report**. We work hard to include students who have behavioural difficulties or difficulties with elements of social interaction as part of their SEN. The school will try every practical alternative to exclusion, but there may be some cases where it cannot be avoided.

If a permanent exclusion is made, the principal will use the time between the initial decision and the governing body's review to see whether a change of circumstances might enable the school to withdraw the exclusion. It may be the case that more support is needed for the pupil, or that it is in the child's best interest that their EHC Plan be changed in which case the school will work with the LA and the child's parents or carers.

4.4 Ethnicity

Church Lawton School does not discriminate against any person and our school ethos is one of inclusion, equality, and diversity. If any person feels that they have been discriminated against due to their ethnicity they may make a formal complaint to the school following the process outlined in our **school complaints procedure**. Where the issue arises in relation to an exclusion, the school will deal with any concerns raised by parents through the consideration of parental representations within the exclusion framework.

4.5 Investigating the circumstances

Disruptive behaviour or actions that may warrant discipline will always be investigated before the decision to exclude is made.

Before the decision to exclude is made, the principal will:

- ensure that the school has undertaken a thorough investigation
- consider all the evidence available
- encourage the pupil to give his or her version of events

- take into account the school's behaviour policy and all other relevant school policies including equal opportunities policy
- find out whether the behaviour may have been provoked, for example in the case of racial or sexual harassment, or bullying
- consult other people as necessary (but not anyone on the governing body or who may later have a role in reviewing the decision)
- keep a written record of discussions, interviews and actions, and retain copies of written records made by other members of staff, ensuring that witness statements are dated and signed if possible.

4.6 Confidentiality

The school will deal with all cases of exclusion and the surrounding circumstances confidentially. Information will be shared only with those who need to know it, and a breach of this may result in disciplinary action.

4.7 Recording and notifying the decision to exclude

All exclusions will be formally recorded and the principal will contact the parents or carers of the pupil immediately once the decision has been made to exclude, specifying why this action has been taken and the length of time that it will last. If the pupil is over 18, they will be notified directly. The decision will be confirmed in writing. The principal will notify the governing body and LA without delay of the decision to exclude being made where the exclusion is permanent or is a fixed term exclusion which results in the pupil being excluded for a period of more than 5 school days in a term or where the exclusion will result in the pupil missing a public examination or national curriculum test.

5. Reviewing an exclusion

The governing body will review fixed-term exclusions of any length on request by parents who feel that the sanction is unjustified. A meeting will not always be required. They will automatically review all cases of permanent exclusion, as well as any fixed-term exclusions that would lead to a pupil being excluded for more than 15 days of a school term or missing a public exam. The governing body will look at the evidence and the records leading up to the exclusion and decide whether, in light of the evidence and his/her legal duties, the principal has made a lawful, reasonable and fair decision.

5.1 Notification of the governing body decision

Parents will be notified of the outcome of the governing body review meeting in writing. This letter will also outline how parents can request a review by the independent review panel if they are unhappy with the outcome of the governing body's review. The outcome of the governing body meeting will be one of the following.

- **Upholding the exclusion**
If the governing body finds that the exclusion decision was lawful, reasonable and fair, they will uphold the decision to exclude. In this case, a letter will be sent to the parent or carer of the child outlining:
 - the decision
 - the reason for the decision
 - the parent's right to request an independent review panel

- the name and contact details of the person to whom to send the request
 - the date by which the request and reasons for it should be given
 - that the notice of appeal must set out the reasons for the request
 - the right to a SEN expert to attend the independent review panel
 - the right to have a representative at the independent review panel at the parents' own expense
 - that allegations of disability discrimination may also be pursued to the First Tier Tribunal (SEND Tribunal)
 - that a claim to the county court can be made for other forms of discrimination.
- **Reinstating the pupil**

If the governing body decides that the decision to exclude was not lawful, reasonable or fair in light of the evidence and the duties of the principal, the governing body must reinstate the pupil immediately or by a given date. If the latter option is chosen support will be given to ensure that the pupil is easily reintegrated into the school.

A copy of the letter detailing the outcome will be put in the student's records along with any relevant papers. The governing body may also decide to arrange for an educational provision offsite to improve the child's behaviour, such as an anger management course.

6. During an exclusion

Although the principal has made the decision to exclude a pupil, we maintain responsibility for the education of that child and will do everything that we can to minimise the disruption to their education.

For the first five days of any type of exclusion, the school will set and mark work that the child should complete at home under parental supervision.

From the sixth day onwards, if the exclusion is fixed-term, the school will arrange for alternative full-time educational provision. If the exclusion is permanent, the LA will arrange for this provision having assessed the child's needs. Alternative provision might be arranged at:

- another school in the area
- a shared joint facility
- a pupil referral unit
- a private provider

If the child has an EHC Plan, the alternative provision will meet those needs. In rare circumstances, if it is acknowledged by the school and the parents that all strategies for supporting a pupil have been exhausted, then the school will work with the pupil, family and local authority to find an alternative placement and support a managed move. A managed move is preferable to permanent exclusion if it is felt that a change of provision is required.

Roles and Responsibilities

Responsibilities of NAS Academies Trust (NASAT) Directors

- To approve the NASAT Schools Exclusion Policy and provide a guidance document to all NASAT schools
- To ensure the policy reflects all relevant legislation and guidance
- To ensure the policy is consistently implemented across all NASAT schools
- Ensure the policy is regularly reviewed and conforms to relevant law and guidance
- To ratify the NASAT school's adapted policy
- To provide the support services that enable the Principals and Governors of NASAT schools to work together to provide the highest standard of autism specific education
- To provide the support services that enable the Principals and Governors of all NASAT schools to establish and maintain a culture that promotes excellence and high expectations for all pupils so that they are empowered to make positive choices about their own life

Responsibilities of the Local School Governing body

- To ensure the school policy adheres to and reflects the corresponding NASAT policy
- To ensure that the school Exclusion policy is regularly reviewed
- To keep themselves informed through regular meetings with staff and visits to the school
- To make recommendations to the NASAT Directors about any amendments to the policy
- To monitor all data and present details on exclusions in their report to the NASAT Directors
- In the event of the parents or Local Authority making an appeal against an exclusion to set up an Appeals Panel in line with the procedures set out in Appendix 2 of this policy

Responsibilities of the School Principal

- To provide professional leadership, vision and direction to the school so that the staff work together to provide the highest standard of autism education enabling all staff, pupils and families work towards the prevention of fixed term or permanent exclusion.
- To ensure that, should it happen, pupils and their families are fully involved in the exclusion process
- To ensure all staff have the appropriate training to enable them to understand and implement this policy and its procedures.
- To inform the Chair of Governors of any intention to issue a short term fixed period of exclusion. (There is no legal requirement for the Principal to do this, but it is considered good practice and is NASAT policy)
- To follow the Exclusion Procedure detailed in Appendix 1 of this policy.

Responsibilities of School Staff

- To value every young person even if their behaviour needs a high level of support
- To monitor and report any escalation of behaviour that they find challenging to support and that may lead to circumstances where exclusion may be considered.
- To review and revise the pupils' Individual Support Plan (ISP) in partnership with senior staff and parents.
- To request, through SLT, a full case conference to discuss strategies and interventions
- To request the intervention and advice from outside agencies if appropriate
- To enable and support pupils to recognise a range of feelings, both positive and negative and to develop their skills of emotional self-regulation

Responsibilities of School Pupils

- To work with the staff to develop and follow individual support plans
- To treat others with respect and follow agreed rules
- To enable others to learn

Responsibilities of Parents and Carers

- To keep the school informed about concerns, problems and family circumstances which may affect their child's behaviour or well-being
- To work with staff to plan and implement individual support plans
- To attend meetings called by the school to discuss concerns about their child and/or meetings to discuss fixed term or permanent exclusion
- To inform the Chair of Governors if they want to make representation against a decision made by the Principal of the school.

Assessing, Reviewing, Recording, Reporting and Monitoring

- All behavioural incidents, including those which involve the use of restrictive physical intervention (RPI), must be recorded immediately, or by the end of the school day in which they occurred. All serious behavioural incidents will be reported to senior staff immediately.
- Behavioural data is monitored to ascertain trends and patterns and regularly analysed through computerised systems to assist in establishing the effectiveness or otherwise of the behavioural interventions.
- The school will regularly report on incident data for each student and share this information with Governors and parents.
- The Principal and parents must be informed of incident where RPI was used, on the day of the incident.
- Injuries or accidents arising from behavioural incidents must be recorded.
- The Principal must be notified of any significant increases in incidents and where appropriate this should be investigated.
- The Trust Adviser will review exclusion data on an annual basis and report findings to the Principal and Chair of Governors.
- Governors will monitor the numbers of pupils involved in exclusions and report to NASAT Directors
- NASAT Directors will maintain a strategic overview of the pattern and frequency of exclusions and review at least annually. Any identified action to be taken will be minuted.

Success Criteria

- All students are appropriately supported and good behaviour is promoted.
- Parents are clear and happy on the process and no decisions are regarded as unfair and therefore overturned at appeal
- All staff are clear on their duty of care and act appropriately

Support for Staff

In order to be able to implement successful support for pupils, staff must have ongoing and comprehensive support for themselves. Refer to Behaviour Policy for the school's support plan for staff.

Training

- All staff will receive autism training, safeguarding training and Pro-Act SCIP(R) training as part of their initial two-week induction.
- All child contact staff will take part regular refreshers and workshops in the appropriate use of RPI

Links to other policies

- Safeguarding Policy
- Anti-bullying Policy
- Off-site and Community Based Learning.
- Whistleblowing Policy
- Behaviour Policy
- Accessibility plan
- Equal Opportunities Policy

Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Pupil exclusions and Reviews\) \(England\) Regulations 2012](#)
- Sections 64-68 of the [School Standards and Framework Act 1998](#)

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

APPENDIX 1

EXCLUSION PROCEDURE

1. Before deciding upon exclusion a full investigation will take place with the Principal considering all facts and evidence from all parties concerned. Written statements should be given. The investigation will consider the NASAT policy on Equal Opportunities, checking whether the incident appears to be provoked by discriminatory practice and, if necessary, consultation with others. Anyone involved in conducting the investigation will not be able to take part in any later review of, or appeal against, the decision to exclude. The pupil/student should be enabled to participate to give their version of events.
2. If permanent or fixed term exclusion is considered necessary, the Principal must inform the pupil's parents and the LA immediately, ideally by telephone, followed up by a letter explaining the circumstances

The letter must state:

- The reasons for the exclusion and why the decision was taken.
- For a fixed period exclusion: the precise start and end dates of the exclusion.
- If the exclusion is permanent: the date the exclusion commences and details of any relevant previous warnings, exclusions or measures before the present incident.
- For a fixed term exclusion: the date and time of a re-integration meeting, held between all parties to plan for the pupil's return to school.
- The right and how to appeal, including the parents' right to make representations about the exclusion to the governing body and to see any reports describing events leading up to the exclusion.
- The right to see their child's school record
- The person the parent should contact if they wish to make representations about the exclusion (this will normally be a trustee or member of the governing body who will become the Chair of the committee established to consider the representation).
- The arrangements for the pupil to continue his/her education during the first five school days of the exclusion.
- The name and telephone number of an LA officer the parent may contact for further advice together with contact details of the Advisory Centre for Education (ACE).

All correspondence should be in a format that the parent(s)/guardian can understand.

3. Within one school day the Principal must inform the Chair of the governing body, the LA and notify at least one other governing body member (who will then become the Chair of the committee established to consider any representation that may be made about the exclusion) of:
 - permanent exclusions.
 - exclusions which would result in the pupil being excluded for more than five days (or more than 10 lunchtimes) in any one term; and exclusions which would result in the pupil missing a public examination.

4. During the exclusion:
- the pupil shall be returned to the care of the parent or placing Authority as appropriate.
 - the school will provide work for the pupil/student to undertake and/or guidance, with regard to activities and occupation of time during the period of exclusion.
 - A meeting will be convened at the earliest opportunity with the funding Local Authority. The outcome of this meeting will be a strategy plan to be adopted for the pupil/student's return. The meeting will establish whether additional support and resources are needed and can be provided, or whether the changes to the Statement are required. If these are made, the exclusion should be withdrawn.
 - In the case of a pupil/student who is Looked After by the Local Authority the Principal will convene an urgent review meeting to agree the next steps.

KEY PRINCIPLES

1. A decision to exclude a pupil/student will only be taken in response to the Principals' decision that allowing the pupil/student to remain in school would seriously harm the education or welfare of the pupil/student or others in the school.
2. A decision to exclude should not be taken prior to investigation, unless there is an immediate risk to the safety or welfare of the pupil/student or of other persons.
3. Exclusion will not be appropriate for minor incidents such as failure to complete homework, poor academic achievement, lateness or truancy, breaching uniform or jewellery policy. A period of exclusion should not be extended because parents have not agreed to attend the re-integration meeting (this would be punishing the pupil for the parent's actions).
4. When establishing the facts in relation to an exclusion decision, the Principal must apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.
5. Fixed term exclusions can be either to allow for a 'cooling off' period or, to allow for the provision of additional resources.
6. A 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 in the school.
7. Permanent exclusion is an extreme measure, made after consultation, when the school can no longer meet the pupil/student's needs, whatever the level of resources that might be made available.
8. Fixed term exclusions of a pupil shall not cumulatively exceed a total of 45 school days in any academic year.
9. If a pupil/student is to be temporarily excluded for more than 15 school days in one term, the Principal must plan how to enable the pupil/student to continue their education; how to use the time to address the pupil/student's problems, and in conjunction with the pupils, their family and the LA, what arrangements will best help the pupil/student to re-integrate into the school at the end of the exclusion.
10. A meeting will always be held prior to the end of any fixed term exclusion to outline the support strategies for return.
11. If a fixed term exclusion is to be extended for any reason, the Principal must write again to the parent(s) explaining the change and the reasons for it.
12. Permanent exclusion is only appropriate when the school cannot meet the pupil's

needs whatever the level of resources that might be made available. The Principal will consult with the School's Senior Management Team, parent(s) and the pupil's Local Authority. It is particularly important that parent(s) are encouraged, at an early stage, to play a positive part in the resolution of the pupil's difficulties. The school will plan how to enable the pupil/student to continue their education if the s/he remains on roll throughout the appeal process.

13. The Principal will inform the LA immediately of all permanent exclusions, and all exclusions which result separately or in total of the pupil/student missing more than five school days in any one term, or which deny the pupil/students chance to take an examination. Short, fixed period exclusions of one to five school days should be reported each term unless the LA requests more frequent reports.
14. When a pupil/student is excluded, they should be referred to the appropriate sources of help and support. On their return every effort will be made to welcome the pupil/student and strategies will be put in place to assist the pupil/student in re-integration
15. If a parent(s) sends a pupil/student to school or refuses to collect him or her during a formal exclusion, the school should have due regard for the pupil/student's safety and contact the LA/Education Welfare Office for advice

Appendix 2

Appeals - Exclusion Review Panel Meeting

1. The parents and/or pupil's Local Authority have the right to appeal against or make a representation about an exclusion. They will be informed of this in the exclusion letter sent by the Principal.
2. The Governors will not be involved in the exclusion process unless and until receipt of a notification from the pupil's Local Authority and/or parent(s) wishing to make representation about, or appeal against, a decision made by the Principal to exclude.
3. The Governing body will then set up an Exclusion Review Panel the size of the panel is at the discretion of the Governing Body, but it will not include any person who was involved in the exclusion process to date.
The Principal will provide an exclusion report for the committee chair. This will include:
 - The pupil's name, age, gender and ethnicity.
 - The length of the exclusion.
 - The reason for the exclusion and any associated reports.
 - Whether or not the pupil is in public care.
 - For fixed period exclusions of pupils of compulsory school age, where the exclusion is for more than five school days, what alternative provision has been put in place for the pupil.
4. The panel review meeting will be held between 7 and 21 days after receipt of the notification of appeal. Written invitations to attend will be sent to the parent(s) and Local Authority, including details of the date, time and venue, enclosing any statements or evidence to be produced at the meeting. Any written statements should be submitted by the appellants prior to the meeting. If the parent(s) request, the excluded pupil/student should be permitted, at the discretion of the Governors, to attend the Exclusion Review Panel meeting. Parents will be informed that they may be accompanied by a friend or advocate if they wish.
5. If the pupil/student returns to school prior to the Review Panel meeting, that Panel will consider whether or not the exclusion was objectively fair and appropriate and what (if any) note should be made to the pupil/student's record with respect to the exclusion.
6. The Chair of Governors will notify the Principal, the Local Authority and parent(s) of the Exclusion Review Panel's decision, with reasons, within 5 days of the meeting. If it is not possible to give a final decision (for example if further investigation is necessary), an interim response will be given within 5 days giving an explanation of the delay and timeframe for a final decision.
7. A record of the Review Panel's decision will be kept on the pupil/student's file together with a copy of the Principal's exclusion letter.

Governors' Review Panel Meeting/Appeal Hearing

1. All efforts will be made to establish an atmosphere of informality in which all parties can present their cases effectively and at their ease.
2. Decisions will be based on all relevant facts including whether or not the exclusion process was in accordance with policy and procedure and fairly implemented.
3. The needs and interests of all other pupil/students and staff in the school will be taken into account as well as those of the excluded pupil/student.
4. The Appeal hearing will consider whether or not there was consistency in terms both of other exclusions (if any) on similar grounds in similar situations and in terms of sanctions imposed on other pupil/students involved in that case (if relevant).
5. The Chair will welcome and introduce all parties, explain in which order the parties will be heard, and explain that there will be an opportunity for questions to be raised after each party has spoken.
6. The conduct of the proceedings is based on fairness and informality.
7. The meetings will not be tape recorded unless there is a good reason and all parties agree. Minutes will be taken.
8. A decision will be made and all parties notified within 5 days of the meeting.