



Fir Vale Academy
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Part of United Learning

Exclusions Policy

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Introduction

Fir Vale Academy is committed to creating a safe, inclusive and disruption-free learning environment where all students can achieve success. The Academy prioritises early intervention, pastoral support and reasonable adjustments to help students meet behavioural expectations. Suspension and permanent exclusion are used only where necessary and in accordance with statutory guidance.

This policy outlines United Learning's and Fir Vale Academy's responsibility and approach to exclusions in line with the statutory framework as defined in the 'Suspension and permanent exclusion guidance September 2023 (publishing.service.gov.uk) ("the DfE Exclusion Guidance")

United Learning believes that a suspension and permanent exclusion is recognised as an appropriate sanction, however permanent exclusion should only be used as a last resort when a range of other strategies have been tried and exhausted. Most suspensions are the result of persistent breaches of the school's discipline policy. During a suspension or permanent exclusion, the Pastoral Head of Year will remain in contact with the student to monitor and ensure the safety and welfare of the student. A permanent exclusion for a serious breach (e.g. a one-off or first offence) should only happen in the most serious of circumstances and exclusions should only be instigated when all other routes have been exhausted or when behaviour is in direct conflict with the Fir Vale Academy's behaviour policy.

Permanent exclusions should only ever be issued by the Principal or Vice Principal in their absence. All permanent exclusions will be confirmed with the relevant Education Director before issuing.

School leaders, Local Governing Bodies, United Learning, independent review panel members and clerks, and SEND experts, social workers, and Virtual Schools heads must by law have regard to the DfE guidance this guidance when deciding in their roles one of:

- whether to suspend or permanently exclude a pupil;
- whether to decline to reinstate the pupil;
- whether to direct reinstatement of the pupil; or
- whether to recommend or direct that the LGB reconsiders reinstatement of the pupil.

All United Learning schools must have policies, procedures and staff training in place that will promote good behaviour. Behaviour policies must be widely publicised so that students, parents and all school staff are aware of the standards of behaviour expected and the range of sanctions.

This policy provides an overview of the exclusion process. The school will adhere to current legislation, including the Equality Act 2010. The school is obliged to have regard to the DfE guidance on exclusions. We ensure that our policies and practices do not discriminate against students by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages, needs, or low participation affecting one group, where this can be shown to be a proportionate way of dealing with such issues.

The Principal and governing body comply with statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEND Code of Practice when making a decision. The exclusion policy relates to behaviour not only in school but also to behaviour out of school: e.g. travelling to and from school; on school trips; work experience placements etc.

2. Safeguarding

Fir Vale Academy recognises that behaviour concerns may be linked to safeguarding issues, unmet needs, trauma, mental health difficulties or special educational needs. Prior to making decisions regarding suspension or permanent exclusion, the Academy will consider whether additional safeguarding support or multi-agency intervention is required. Any safeguarding concerns identified during the exclusion process will be managed in accordance with the Academy's Safeguarding and Child Protection Policy.

3. Exclusion from school

The decision to exclude a pupil must be lawful, reasonable, and fair. There are two types of official exclusion:

Suspensions

This is a suspension for a **fixed number of days**. The pupil must remain at home up to the first 5 days (during which time the school should take reasonable steps to set and mark work for the pupil). For a suspension of more than 5 days, full-time education provision commences from the 6th day and must be organised by the excluding school. A pupil is entitled to return to school once the period of suspension has ended.

A pupil may not be suspended for more than **45 school days** in any academic year. Where this threshold has been reached and there are further breaches of the Academy's Behaviour Policy that would ordinarily warrant a suspension, the Academy cannot issue any further suspensions. In such circumstances, the Principal may consider whether a **permanent exclusion** is appropriate based on persistent breaches of the Behaviour Policy, as outlined below.

The Academy will maintain robust systems for monitoring and tracking the number of suspension days accrued by each student within an academic year, including any suspensions recorded at previous schools where this information is available.

A pupil may be suspended during **lunchtimes** for a **specified number of school days**. Each lunchtime suspension is equivalent to **half a school day** for the purpose of calculating the total number of suspension days within an academic year.

Where a pupil is entitled to receive **free school meals**, appropriate arrangements will be made to ensure that a meal is provided during the period of lunchtime suspension.

The repeated use of **suspension** for pupils with an **Education, Health and Care Plan (EHCP)**, a disability, or those receiving **SEN Support** may indicate that a pupil's needs are not being fully understood or appropriately supported. This is particularly relevant where a pupil is undergoing statutory assessment or is likely to require an EHCP.

Where repeated suspensions occur, the Academy will ensure that the **SENDCo** is actively involved in reviewing the pupil's needs and contributing to behaviour support and intervention planning. Consideration should be given to whether reasonable adjustments, additional support or alternative strategies are required to address the underlying causes of the behaviour.

This may involve seeking advice and support from specialist professionals, including educational psychologists, speech and language therapists, outreach services and other relevant external agencies, to ensure that appropriate provision is in place and that exclusion is not being used in place of suitable support.

Permanent Exclusion

A permanent exclusion is where the Principal determines that a pupil should not be permitted to return to the Academy. A decision to permanently exclude a pupil will only be taken where:

- (a) the pupil has committed a serious breach or persistent breaches of the Academy's behaviour policy; and
- (b) allowing the pupil to remain in the Academy would seriously harm the education, welfare or safety of the pupil or others including staff and students.

In most cases, a permanent exclusion will be considered only after a range of alternative strategies and interventions have been implemented and have not resulted in sustained improvement. However, there may be exceptional circumstances where, in the Principal's judgement, it is appropriate to permanently exclude a pupil for a single serious incident. Examples of behaviour that may constitute a serious breach are set out in Appendix 1.

Each case must be judged on the facts and the context considering:

- The severity of the incident;
- The likelihood of reoccurrence (including a consideration of the student's previous behavioural record – taking care to be clear what behavioural incidents the pupil is being excluded for);
- Contributory factors (e.g. recent bereavement, mental health issues, bullying) harassment);
- Support provided, including with specific reference to special educational needs and disabilities (see above) and LAC status (see above);
- Preventative measures to a school exclusion including an off-site direction or a managed move
- The school behaviour policy, special educational needs policy and equality law obligations. Fir Vale Academy – Exclusions Policy
- The pupil's views considering these in light of their age and understanding, unless it would not be appropriate to do so.

On considering a permanent exclusion, the Principal should immediately contact their relevant Regional Director before making their decision. Where that is not possible, the Principal should contact the Education Director to sense check their decision. If this is not possible, the Principal should issue the permanent exclusion which can be rescinded if necessary (but only before the Behaviour Committee reviews it). Consequently, the Principal should not issue a suspension whilst waiting to speak to their Regional Director if their view is that a permanent exclusion is the appropriate course of action. A suspension cannot be turned or "converted" into a permanent exclusion except in exceptional cases, usually where further evidence has come to light, where a permanent exclusion can be issued to begin immediately after the end of the suspension (see "Suspension or Permanent Exclusion?" below).

Unofficial exclusions

Formal exclusion is the only legal method of preventing a pupil's attendance on disciplinary grounds. If a pupil is sent home for disciplinary reasons (including lunch times) for example, to "cool off" for the rest of the day and this is not recorded as a suspension: this is an informal or unofficial exclusion which is unlawful, regardless of whether they are done with the agreement of the parent.

4. Stages of exclusions

1. Permanent exclusions

The permanent exclusion process falls into **three stages**:

1. Decision by the Principal to exclude.
2. Consideration of the Principal's decision by the Local Governing Body (LGB), usually delegated to a Behaviour Committee.

3. In the case of a permanent exclusion, and only if requested by the parent, consideration of the Principal's decision by an Independent Review Panel.

The initial decision on whether to exclude is for the Principal to take. As part of considering a permanent exclusion, as stated above, the **Principal is expected to sense check their decision with the relevant Regional Director/ National Director** at United Learning before making their decision.

2. Suspension or Permanent Exclusion

The DfE Guidance is very clear that Permanent Exclusion (PEX) must be carefully investigated and used as a last resort. It is inevitable in some cases that it is not possible to carry out a thorough investigation the same day as the incident. However, the guidance is equally clear that a suspension cannot be extended or "converted" into a further suspension or a PEX. The exception is where, in exceptional circumstances, usually where new evidence has come to light, a further suspension or PEX may be issued to begin immediately after the first suspension ends. Whilst using a 5-day suspension may allow for further consideration on the same facts (and thereby making the decision a more rational and considered one) it is unlikely that this would amount to "new evidence".

As such, the distinctions between two different scenarios as set out below may be helpful:

Decision can be made immediately

- Where there is no doubt as to the facts of the incident and the Principal has been able to hear the student's version of events and take account of relevant considerations, including support provided, the student's SEND or LAC status (where applicable) and any mitigating circumstances, a **permanent exclusion (PEX)** should be issued that day in line with statutory guidance. Principals should exercise caution when making such decisions.

Decision cannot be made immediately

- Where there is any uncertainty regarding the facts of the incident, where relevant information is not yet available, or where the circumstances require further investigation, a full and formal investigation should be undertaken. In such cases, a **suspension** may be appropriate for a short period as a sanction based on the evidence available at that time. In most cases, a suspension of no more than **five school days** is recommended.
- It must be made clear to the student and their parent/carers that, following completion of the investigation and consideration of all available evidence, a further sanction may be imposed. This may include an additional suspension or, in exceptional circumstances, a **permanent exclusion (PEX)** where the evidence supports such a decision.
- Appendix 3 contains suggested wording that may be used in correspondence with parents/carers to explain this process.
- In such cases, usually where significant additional evidence emerges from an investigation, a further sanction may be appropriate where the initial sanction does not fit the more serious behaviour as it is now understood. This must be issued to begin immediately after the suspension ends (i.e. the student must not return to school between the sanctions, but equally the sanctions must not overlap as this would amount to a further sanction being imposed for the initial behaviour). This further sanction may be either another suspension or a permanent exclusion.

Once the investigation is complete, a letter should be sent containing one of the following;

- notification for the pupil to return to school;
- notification of another suspension to begin immediately after the first period ends; or
- notification of a permanent exclusion to be begin immediately after the end of the suspension.

3. Cancelling a suspension or PEx

The purpose of the investigation is to ensure that the right decision is made. However, in very rare cases it is possible that further evidence comes to light, once a suspension or PEx has been issued, that had it been known at the time would have led to a different decision.

Should schools find themselves in this position, a suspension or PEx *can* be cancelled or rescinded, providing it is done so before the LGB has considered it. This means that a suspension or PEx cannot be cancelled during a LGB hearing. Where a decision to cancel is taken, Heads should ensure a letter is issued and placed in the student's file. Heads should notify parents, the LGB and the Local Authority without delay, and if relevant, the social worker and VSH. The notification must also provide the reason for the cancellation.

The Principal will offer parents the opportunity to meet them to discuss the circumstances that led to the suspension or PEx being cancelled. A termly report should be made to the LGB on the number of exclusions which have been cancelled. **NB** A PEx 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. Further details are set out in paras 13 and 14 of the [DfE guidance](#)

Any days spent out of school because of a suspension, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

4. Behaviour outside school

Subject to the requirements of this policy and relevant statutory guidance, the Principal (or designated senior leader acting on their behalf) may suspend, permanently exclude or otherwise sanction a student for behaviour that occurs outside of the Academy where that behaviour is relevant to the maintenance of good order, discipline, safeguarding or the reputation of the Academy.

This may include, but is not limited to:

- Behaviour occurring whilst travelling to or from the Academy.
- Behaviour occurring during Academy visits, residential trips, work experience placements or other Academy-organised activities.
- Behaviour towards members of the Academy community outside of school.
- Online behaviour, including the misuse of social media, where it has the potential to impact on the welfare, safety or education of students or staff.
- Behaviour that could adversely affect the reputation of the Academy.

In making any decision regarding sanctions for behaviour outside the Academy, the Principal will consider the specific circumstances of the incident and whether there is a clear and sufficient connection to the Academy or its community.

5. Police Involvement and Parallel Criminal Proceedings

The process of **suspension or permanent exclusion** and any criminal investigation or proceedings can, and often should, run in parallel.

The Principal is not required to delay a decision regarding a suspension or permanent exclusion solely because a police investigation is underway or because criminal proceedings may be pursued. In such circumstances, the Principal must make their decision based on the evidence available to the Academy at the time.

In all cases, the Academy will have regard to safeguarding principles and relevant statutory guidance, including *Keeping Children Safe in Education*. Where the evidence available to the Academy is limited due to an ongoing police investigation or criminal proceedings, the Principal will consider whether any additional enquiries or steps are necessary to ensure that any decision is fair, reasonable and proportionate.

The final decision regarding whether to suspend or permanently exclude a student rests with the Principal. Such decisions are made on the **balance of probabilities** and are independent of any criminal investigation or criminal threshold of proof.

The Academy will take care not to undermine any parallel police investigation. Where appropriate, the Academy will liaise with the police before undertaking its own investigation and will consider any advice provided regarding the gathering of evidence or interviewing of students.

6. Reintegration Meetings

Following a suspension, the Academy will support students to successfully reintegrate into school life and full-time education following a suspension. A reintegration strategy will be implemented to provide the student with a positive fresh start and to support sustained improvements in behaviour, attendance and engagement.

The reintegration process will encourage the student to **“Reflect and Correct”** by:

- Providing an opportunity for the student to reflect on their behaviour and the impact it has had on themselves and others.
- Agreeing actions the student can take to repair relationships and restore trust where appropriate.
- Fostering a renewed sense of belonging within the Academy community.
- Identifying and addressing any barriers to learning, attendance or positive behaviour.
- Promoting positive engagement with education and future success

Where possible, a reintegration meeting will take place before or on the student's return to the Academy and should involve the student, their parent/carer and relevant members of staff. Any support, intervention strategies or reasonable adjustments will be discussed and agreed as part of the reintegration process.

Further information regarding reintegration meetings can be found in the Department for Education's *Suspension and Permanent Exclusion Guidance*.

7. Part-Time Timetables

A part-time timetable will not be used as a sanction or as a means of managing a student's behaviour. Any part-time timetable must be implemented only in exceptional circumstances and for the shortest period necessary.

Where a part-time timetable is agreed, it will form part of a planned intervention designed to support the student's return to full-time education. Any pastoral support plan, reintegration programme or other agreement will include clear objectives, identified support strategies and a specified timescale, after which the student will be expected to return to full-time education, either at the Academy or within an alternative provision.

The Academy will ensure that appropriate arrangements are in place to review the part-time timetable regularly with the student, their parent/carer and any relevant professionals. Reviews will consider the effectiveness of the support provided, the student's progress and whether a return to full-time education can be achieved.

Where a part-time timetable is agreed, any absence from school resulting from the arrangement will be recorded as **authorised absence** in accordance with statutory attendance guidance.

5. Responsibilities of the Principal

The Principal will follow the procedures set out in the **Department for Education (DfE) Suspension and Permanent Exclusion Guidance**, which is designed to ensure fairness, consistency and transparency in the administration of suspensions and permanent exclusions.

By adhering to statutory guidance and established procedures, the Academy seeks to ensure that all exclusion decisions are lawful, reasonable, proportionate and procedurally fair.

The DfE guidance makes clear that only the **Principal**, or a designated **Acting Principal**, has the authority to suspend or permanently exclude a student. Where the Principal is unavailable, the **Vice Principal** will act as the Acting Principal and may exercise these powers on the Principal's behalf.

The Principal will ensure that all exclusion decisions:

- Are made following a thorough consideration of the available evidence.
- Take account of any relevant safeguarding, SEND, equality and welfare considerations.
- Comply with the Academy's Behaviour Policy and relevant statutory guidance.
- Are communicated promptly and clearly to parents/carers and other relevant parties.

6. Role of the LGB (Local Governing Body)

The United Learning Trust Charity Board has delegated powers to the LGB to review exclusions and the LGB must consider any representations about an exclusion made by the parent/carer of the excluded student.

The LGB usually delegates some or all of its functions in respect of exclusions to a committee. Any such committee must consist of at least three governors, who are independent and have had no direct involvement with the case; such a committee is called a Behaviour Committee.

The role of the LGB, or the delegated Behaviour Committee, is to review suspensions and permanent exclusions where required by law or where representations have been made by a parent/carer.

Different requirements apply depending on the length and nature of the exclusion:

- Where a suspension does not result in the student being suspended for more than **five school days in a term**, the LGB must consider any representations made by the parent/carer but is not required to meet and cannot direct reinstatement.
- Where a suspension would result in the student being suspended for **more than five but not more than 15 school days in a term**, the LGB must consider whether the student should be reinstated if representations are received from the parent/carer. This consideration must take place within **50 school days** of receiving notification of the suspension. In the absence of representations, the LGB may still consider reinstatement if it considers it appropriate to do so.

The **LGB or Behaviour Committee** must, whether or not requested by the parent/carer, consider the reinstatement of a suspended or permanently excluded student within **15 school days** of receiving notification of the exclusion where:

- The exclusion is **permanent**.
- The suspension would bring the student's total number of suspended school days to **more than 15 in a single term**.
- The exclusion would result in the student missing a **public examination or national curriculum test**.

The Behaviour Committee must inform the parent, Principal and the Local Authority of their decision, in writing without delay, preferably within 2-3 school days, stating their reasons. Where the student resides in a different Local Authority to the one in which the school is based, they must also inform the student's 'home' authority.

A note of the Behaviour Committee's views on the suspension or permanent exclusion will be placed on the student's school record with copies of relevant papers.

If the Behaviour Committee directs reinstatement, this should take place as soon as possible. No conditions can be attached to any direction to reinstate the student save that the Committee can direct reinstatement on a particular date. However, the Behaviour Committee should not use this as a way of effectively imposing an alternative sanction, e.g. a suspension in place of a permanent exclusion. Future dates should be for purely practical purposes and be reasonable in all the circumstances.

Remote hearings

LGB / Behaviour Committee hearings and Independent Review Panels (IRP) can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied.

7. Role of the Clerk to the Behaviour Committee

The Behaviour Committee may appoint a Clerk. The Clerk must not be a member of the governing body or the Principal.

The role of the Clerk is to handle the administrative arrangements for considering permanent exclusions. The Clerk should not have taught the student or been involved in any of the incidents involved in the case and should not contribute to the meeting other than in an administrative capacity. Where possible the Clerk should be experienced in exclusion matters so that the meeting can progress smoothly.

8. The Role of the Local Authority

The Local Authority does not have a decision-making role in the exclusion process for any United Learning school. A representative from the LA can however attend the Behaviour Committee or the Independent Review Panel if requested by the parent. They can only make representations if invited to do so by the Chair of the respective bodies.

9. Education of excluded students

The Academy's obligation is to ensure education continues while the student is on roll. In all cases of suspension or permanent exclusion, work should be set from day one and marked. Any appropriate referrals to support services or notifying key workers (such as a student's social worker) should also be considered. During a suspension, the Academy's legal duties under the **Equality Act 2010** and in relation to **Special Educational Needs and Disabilities (SEND)** remain in place. This includes considering any reasonable adjustments and ensuring appropriate support continues to be provided to students with additional needs.

Where a student is suspended for **more than five consecutive school days**, the Academy will arrange suitable full-time educational provision from and including the **sixth school day** of the suspension. This provision will be appropriate to the student's age, ability, aptitude and any special educational needs they may have.

In cases of **permanent exclusion**, the Local Authority is responsible for arranging suitable full-time education from the **sixth school day** following the exclusion. The Academy will work collaboratively with the Local Authority, the student and their family to support a successful transition to alternative provision.

The student's name will be deleted from the school roll only if:

1. the student was permanently excluded; and
2. 15 school days have passed since the parent was notified of the Behaviour Committee's decision to uphold the permanent exclusion and no application has been made for an independent review panel; or
3. the parent has stated in writing they will not be applying for an independent review panel.

It is the responsibility of the Local Authority to offer an alternative school place.

10. Independent Review Panels (IRP)

Each Local Governing Body (LGB) is responsible for ensuring that any **Independent Review Panel (IRP)** is appropriately established and trained. The IRP only considers **permanent exclusions** and only where a review is requested by the parent/carers of the permanently excluded student, or by the student if they are aged **18 or over**.

1. Notification of Governors' Decision

Where the Local Governing Body (LGB) or Behaviour Committee considers a permanent exclusion, a suspension that brings the student's total number of suspended school days to more than 15 in a term, or a suspension of between 6 and 15 school days where representations have been made by the parent/carers, it must notify the parent/carers (or the student if they are aged 18 or over), the Principal and, where relevant, the student's social worker and/or Virtual School Head (VSH) of its decision and the reasons for that decision, in writing and without delay.

Where the decision relates to a permanent exclusion, the decision letter must also explain the right to request an Independent Review Panel (IRP), specify the deadline for submitting a review request (within 15 school days of receiving the decision), and explain that the grounds for review should be set out in writing.

If a request for an Independent Review Panel is not received within the specified timescale, the Local Governing Body is not required to accept the application.

2. The timing of the hearing

An independent review panel must meet to consider an exclusion no later than the 15th school day after the day on which the review was requested. However, only if strictly necessary, the panel may then decide to adjourn the hearing to a later date.

3. Composition of Independent Review Panels

Review panels must consist of 3 or 5 members.

A five-member panel must be constituted with two members from each of the categories of school governors and Principals.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer.
- School governors who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or Principals during this time.
- Principals or individuals who have been a Principal within the last five years.

All panel members, including the clerk, must have received training within the two years prior to the date of the review. The DfE statutory guidance details what this training must have covered (page 33).

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

- They are a member / director of the local authority / Academy Trust or governing body of the excluding school,
- are the Principal of the excluding school or anyone who has held this position in the last five years,
- are an employee of the local authority / Academy Trust, or the governing body, of the excluding school (unless they are employed as a Principal at another school),
- have, or at any time have had, any connection with the local authority / Academy Trust; school; parent or student; or the incident leading to the 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 a Principal at another school) or
- have not had the required training within the last two years (see paragraph 116 of Exclusion from maintained schools, academies and student referral units in England guidance)

Request for a SEN Expert

If requested by the parent, the person convening the panel must appoint a SEN Expert to attend the Independent Review Panel. The parent has a right to the above, regardless of whether their child has recognised or identified SEN.

11. Role of the Clerk to the Independent Review Panel

It is strongly advised that the independent review panel has a Clerk. The Clerk, if appointed, provides an independent source of advice on procedures and law for all parties.

12. Conduct and role of the Independent Review Panel

The role of the panel is to review the Behaviour Committee's decision not to reinstate a permanently excluded student. The panel must take account of the circumstances of the excluded student and all others in the school. The panel must apply the civil standard of proof (the balance of probabilities).

1. Reaching a decision

Information on what the panel should consider when coming to their decision can be found in section 9 of the [DfE Guidance on Exclusions](#)

2. The decision

An independent review panel can decide to:

- uphold the Behaviour Committee's decision;
- recommend that the Behaviour Committee reconsiders reinstatement; or
- quash the decision and direct that the Behaviour Committee reconsiders reinstatement.

The panel's decision can be decided by a majority vote. The panel can request that a copy of the decision letter is placed on the student's record and the school must comply with this request.

The panel may only quash a decision and direct reconsideration where it considers that the exclusion was flawed when considered in the light of one or more of the principles applicable on an application for judicial review, which are illegality, irrationality and procedural impropriety.

3. Financial Penalties

Where a panel directs the LGB to reconsider its decision it has the power to order that a readjustment of the academy budget be made if the governing body does not offer to reinstate the student within 10 school days of receiving notification. The sum of this adjustment must be £4000, payable within 28 days, and will be in addition to other monies that follow permanently excluded students.

4. After the Independent Review Panel

The independent review panel's decision is binding on the parent, the LGB and the Principal. The panel cannot revisit its decision once made.

The panel must let all parties know its decision without delay. The decision letter should give the panel's reasons for its decision in sufficient detail for the parties to understand why the decision was made.

The summary of the findings from the IRP must be given due consideration by Governors.

If the panel upholds the permanent exclusion, the Clerk should immediately report this to the Local Authority. If the student lives outside the area of the Local Authority, the Clerk should make sure that the home Authority is also informed immediately of the position. If the student is of compulsory school age, it is for the Local Authority in whose area the student lives to make arrangements as quickly as possible for the student to continue in suitable full-time education.

Where the permanent exclusion is upheld the Clerk should also advise the parent to contact the appropriate person at the home Local Authority about arrangements for their child's continuing education. The Principal should remove the student's name from the school roll the day after the conclusion of the independent review panel.

5. Reconvening a Behaviour Committee

If the independent review panel directs or recommends that the LGB reconsider the exclusion, the LGB must meet to reconsider within 10 school days of notification. This can be the same panel, if all members are available. Where the LGB has reconsidered an exclusion decision it must inform the relevant person, the Principal and the Local Authority of its reconsidered decision and the reasons for it without delay.

6. Remedies after the Independent Review Panel

A parent can complain to the Secretary of State via the Education and Skills Funding Agency at the Department for Education.

7. Claims of Discrimination in relation to exclusion

A parent can also apply to the First-tier Tribunal (SEND) on grounds of disability discrimination. In addition, they may bring a claim on other discriminatory grounds in the County Court under the Equality Act 2010. The First-tier Tribunal has a wide range of potential remedies it could order, if it finds discrimination has occurred, including reinstatement if appropriate.