



storyybrook

Exclusions and Suspensions Policy





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1. Aims

Storyybrook is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe, trauma-informed and relational environment.

Our school aims to:

- ensure that the exclusions process is applied fairly and consistently
- help governors, staff, parents and pupils understand the exclusions process
- ensure that pupils in school are safe and happy
- prevent pupils from becoming NEET (not in education, employment or training)
- ensure all fixed-term exclusions/ suspensions and permanent exclusions are carried out lawfully

Storyybrook is committed to a relational, trauma-informed and inclusive approach in which suspension and permanent exclusion are used lawfully, fairly and only as a last resort, following robust, evidence-based consideration of each pupil's individual needs and the safety and wellbeing of the whole school community.

2. Introduction

Storyybrook School is a specialist SEMH setting where behaviour is understood as communication. We create a safe, predictable and nurturing environment where all pupils are supported to thrive socially, emotionally and academically. Our school aims to promote equality in all aspects of school life. This policy is to be read alongside the school's Behaviour and Relationships Policy, Use of Reasonable Force and Other Restrictive Interventions Policy, Equality and Accessibility Policy, Anti-Bullying Policy, Safeguarding and Child Protection Policy, and the DfE guidance, 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' (DfE 2012, updated 2023-2025). Where relevant, this policy references other school policies but is not intended to provide detailed information regarding these; the policies referenced can be found on the school website.

The school takes a positive approach to encouraging good behaviour, however recognises that discipline in the school is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using fixed-term exclusions/ suspensions or permanent exclusion as a sanction where it is warranted. Nevertheless, it is important to say that the exclusion of a pupil, either for a fixed period or permanently, from Storyybrook will only be used as a last resort.

Storyybrook recognises that it is responsible for communicating to pupils, staff and parents, its expectations for standards of behaviour. The school has a range of policies and procedures





in place to promote good behaviour and appropriate conduct and strives to foster good parental engagement.

Our school is able to access a range of services to support pupils who are at risk of exclusion. These include, but are not limited to:

- Behaviour Support Specialists
- Educational Psychologists
- Attendance Officers
- Children's Social Care (where appropriate)
- Occupational Therapists
- Speech and Language Therapists

All Local Authorities who place children at Storybrook have an expectation that the school will have employed a range of measures to prevent the need for exclusion. It is the responsibility of all individuals working with pupils within the school to ensure that no exclusion will be initiated without first exhausting all other strategies or, in the case of a serious incident, a thorough investigation. Whilst exclusion may still be an appropriate response, the Headteacher should investigate whether any contributing factors may have led to the incident of poor behaviour e.g. pupil has suffered bereavement, has mental health issues or has been subject to bullying. With this in mind, Storybrook encourages a range of strategies to be employed within the school and information on these can be found detailed in the school's Behaviour and Relationships Policy.

Within the school environment there are a range of resources available that can assist in the assessment and management of behavioural issues some of which are listed below:

- Pupil behaviour risk assessments (reviewed at least half-termly unless heightened risk levels)
- Individual Education Support Plans (reviewed termly)
- Behaviour Support Plans
- Policy
- Common Assessment Framework (Early Help)
- Team Around the Child
- Early intervention to address underlying causes of potentially disruptive behaviour
- Assessments of appropriate provision of support within the school
- Professional meetings





Storybrook is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment. A decision to suspend a pupil will be taken only:

- in response to serious or persistent breaches of the school's values, rules or policies, and
- if allowing the pupil to remain in school would seriously harm the education or welfare of others

3. Principles

Storybrook is a specialist SEMH setting committed to inclusion, relational practice and the understanding that behaviour is a form of communication. All decisions regarding suspension or permanent exclusion will be made lawfully, fairly and proportionately, with full regard to the individual needs, vulnerabilities and rights of each pupil. The school will take all reasonable steps to identify and meet underlying needs, including through appropriate support, intervention and reasonable adjustments, before considering exclusion. Exclusion will only be used as a last resort, where it is necessary to protect the safety, welfare and education of the pupil or others. At all times, the school will act in accordance with its duties under safeguarding legislation, the Equality Act 2010 and SEND frameworks, ensuring that decisions are transparent, evidence-based and demonstrably in the best interests of all members of the school community.

4. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#).

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 In addition, the policy is based on:
- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out 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](#)
- [The Equality Act 2010](#)





- [Children and Families Act 2014](#)

5. Definitions

Fixed-Term Exclusion/ Suspension - when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion - when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction - when a governing body of a school requires a pupil to attend another education setting temporarily, to support and improve their behaviour.

Parent/ carer - any person who has parental responsibility and any person who has care of the child.

Managed move - when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

6. Roles and Responsibilities

The Headteacher

Deciding whether to suspend or exclude

Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.

A decision to suspend or exclude a pupil will be taken only:

- in response to serious or persistent breaches of the school's behaviour policy, **and**
- if allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, the Headteacher will:

- consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- allow the pupil to give their version of events
- consider whether the pupil has special educational needs or disabilities (SEND). Please note: all learners at Storybrook would fall under this category
- consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker,





or is a looked-after child (LAC))

- consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The Headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/ carer or social worker.

The Headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

Informing parents

If a pupil is at risk of fixed-term exclusion/ suspension or exclusion the Headteacher will inform the parents/carers as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the fixed-term exclusion/ suspension or exclusion and the reason(s) for it, without delay.

The parents will also be provided with the following information in writing, without delay:

- The reason(s) for the fixed-term exclusion/ suspension or exclusion
- The length of the fixed-term exclusion/ suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the fixed-term exclusion/ suspension or permanent exclusion to the governing body and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing body to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The Headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:





for the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the fixed-term exclusion/ suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies. Parents/ carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

- the start date for any provision of full-time education that has been arranged
- the start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- the address at which the provision will take place
- any information the pupil needs in order to identify the person they should report to on the first day

If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the fixed-term exclusion/ suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a fixed-term exclusion/ suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Informing the governing body

The Headteacher will, without delay, notify the governing body of:

- any permanent exclusion, including when a fixed-term exclusion/ suspension is followed by a decision to permanently exclude a pupil
- any fixed-term exclusion/ suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- any fixed-term exclusion/ suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam

The Headteacher will notify the governing body once per term of any other suspensions of which they have not previously been notified, and the number of fixed-term exclusion/ suspension and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.





Informing the local authority (LA)

The Headteacher will notify the LA and any other key professionals supporting our pupils (i.e., The Virtual School or Children's Social Care) of all fixed-term exclusion/ suspension and permanent exclusions without delay, regardless of the length of this.

The notification will include:

- the reason(s) for the fixed-term exclusion/ suspension or permanent exclusion
- the length of a fixed-term exclusion/ suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- **pupil with a social worker** is at risk of suspension or permanent exclusion, the Headteacher will inform **the social worker** as early as possible
- **pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the Headteacher will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Headteacher decides to suspend or permanently exclude a pupil with a social worker/ a pupil who is looked after, they will inform the pupil's social worker/ the VSH, as appropriate, without delay, that:

- they have decided to suspend or permanently exclude the pupil
- the reason(s) for the decision
- the length of the suspension or, for a permanent exclusion, the fact that it is permanent
- the fixed-term exclusion/ suspension or permanent exclusion affects the pupils' ability to sit a National Curriculum test or public exam (where relevant)

The social worker/ VSH will be invited to any meeting of the governing body about the fixed-term exclusion/ suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.





Cancelling suspensions and permanent exclusions

The Headteacher may cancel a fixed-term exclusion/ suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing body. Where there is a cancellation:

- the parents/ carers, governing body and LA will be notified without delay
- where relevant, any social worker and VSH will notified without delay
- parents/ carers will be offered the opportunity to meet with the Headteacher to discuss the cancellation
- as referred to above, the Headteacher will report to the governing body once per term on the number of cancellations
- the pupil will be allowed back in school

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a fixed-term exclusion/ suspension, if the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways suitable for pupils with SEMH needs and other SEND, may be used for this; the Headteacher will ensure all reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with all key stakeholders, namely the child's Local Authority, to arrange AP from the first day following the fixed-term exclusion/ suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

The governing body

Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and permanent exclusions are delegated to the Governors Discipline Panel consisting of at least 3 governors.

The Governors Discipline Panel has a duty to consider parent/ carers representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the governing body will provide the secretary of state and Bracknell Forest Borough Local Authority with information about any suspensions or exclusions within the last 12 months.





For any suspension of more than 5 school days, the governing body will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

Monitoring and analysing suspensions and exclusions data

The governing body will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing body will consider:

- how effectively and consistently the school's behaviour policy is being implemented
- the school register and absence codes
- instances where pupils receive repeat suspensions
- interventions in place to support pupils at risk of suspension or permanent exclusion
- any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- the characteristics of suspended and permanently excluded pupils, and why this is taking place
- whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- the cost implications of directing pupils off-site

The local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are LAC or have social workers, the LA and the school will work together arrange suitable fulltime education to begin from the first day of the exclusion.

7. The Decision to Suspend or Permanently Exclude

Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil. A permanent exclusion will only be used as a last resort.





Legal threshold

A decision to suspend or permanently exclude a pupil will only be taken:

- in response to a serious or persistent breach 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

Consideration of individual circumstances

Before making a decision, the Headteacher will consider:

- all available evidence, using the balance of probabilities
- the pupil's voice, in line with their age and understanding
- whether the incident was provoked or influenced by external factors
- the pupil's special educational needs and/or disability (SEND)
- any safeguarding concerns or vulnerabilities (e.g. looked-after child, child with a social worker)

In this specialist SEMH setting, behaviour will be understood as communication, and decisions will take account of underlying need, trauma and emotional regulation.

Use of exclusion as a last resort

Storybrook is committed to using exclusion only as a last resort.

Prior to any decision to exclude, the school will have:

- implemented and reviewed appropriate support strategies and reasonable adjustments
- considered interventions such as:
 - behaviour support plans
 - individual timetables
 - additional adult support
 - external professional advice
- explored alternatives such as off-site direction or managed moves, where appropriate

Exclusion will not be used solely because a pupil's needs are not being met or because the placement is under pressure.





Fixed-term exclusion/ suspension

Suspensions will:

- be used sparingly and proportionately
- be for the shortest possible period
- provide an opportunity to review risk, provision and support

Permanent exclusion

Storybrook is clear that the decision to permanently exclude a pupil will only be taken as a last resort; this is in line with all legal and statutory frameworks.

Criteria:

- there has been a serious one-off incident or persistent breaches of the school's behaviour policy; and
- allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others; and
- there is clear evidence that:
 - extensive support, intervention and reasonable adjustments have been implemented and reviewed, and
 - the pupil's behaviour continues to present a significant risk to the safety or wellbeing of others; and
- all appropriate alternatives have been explored, including:
 - support strategies
 - external professional advice (where appropriate)
 - off-site direction or managed move (where appropriate)

In this specialist SEMH setting, decisions will take full account of the pupil's needs, and exclusion will not be used solely because those needs are complex or difficult to meet.

Examples of behaviour that may lead to permanent exclusion include:

- serious actual or threatened violence towards pupils or staff
- behaviour that places others at significant risk of serious harm
- persistent and severe disruptive behaviour despite sustained intervention
- bringing illegal drugs or offensive weapons into school with intent to cause harm
- significant damage to property or the school environment





- behaviour that remains persistently unsafe or unmanageable despite extensive support

These examples are not exhaustive. Each case will be considered individually, taking into account the full context and circumstances.

Prohibition of informal exclusion

The school will not use:

- informal or unofficial exclusions
- sending a pupil home without formally recording it as a suspension

All exclusions will follow statutory procedures.

Once a decision to issue a suspension has been made, work should be set for the pupil and sent home; this is the responsibility of the class teacher who may seek support from the Deputy Headteacher and SENDCo. Storybrook will inform parents in writing of the exclusion and a reintegration interview will be arranged for the child's return. The school will also inform the referring LA of the fixed term exclusion/ suspension.

Special Educational Needs and Disabled pupils

Storybrook is a specialist setting and therefore must always take account of any special educational needs when considering whether or not to exclude a pupil. We have a duty under the Equality Act 2010 not to discriminate against disabled pupils by excluding them from school for behaviour related to their disability. Headteachers and the governing body must take into account their statutory duties in relation to SEN when administering the exclusion process. This includes having regard to the SEN Code of Practice and a Duty of Care.

The Headteacher will take reasonable steps to ensure that the school responds to a pupil's disability or needs so that the pupil is not treated less favourably, this includes a duty to make reasonable adjustments to policies and practices.

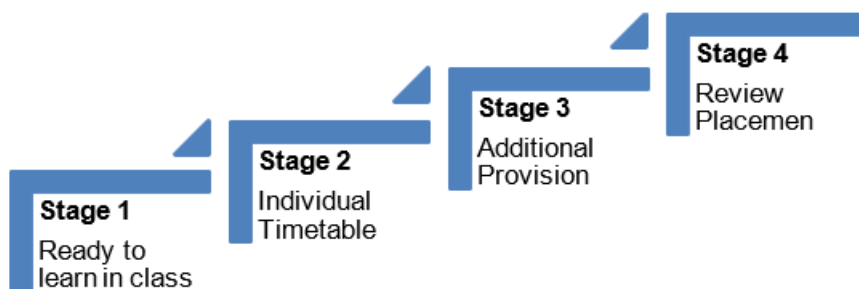
Reasonable adjustments could include:

- a personalised and individualised timetable
- a higher level of adult support and intervention
- additional advice sought from professionals and the implementation of recommendations
- adaptations and increase to staff training
- alternative provision (AP)





When considering reasonable adjustments and adaptations, Storyybrook will follow the stages of support below:



Stage 1: Ready to learn in class: All pupils benefit from a high-quality Stage 1 provision (See Teaching and Learning Policy and Special Educational Needs and Inclusion Policy for further information)

Stage 2: Individual Timetable: If a pupil presents persistent unsafe behaviours despite benefiting from a high-quality Stage 1 provision then a behaviour review will be arranged. The senior leadership team will work together to co-ordinate all Stage 2 Individual Timetables and keep them under constant review (i.e., weekly). Additional resources maybe allocated to support the pupil e.g. 1:1 adult support where possible. External motivators are used to encourage safe behaviours. Safe behaviour is then acknowledged and celebrated. Pupils at Stage 2 are not placed in situations or environments where their anxieties or triggers, and consequently their challenging behaviours, escalate; these may include: whole school assemblies, off-site visits etc. Their progress is monitored and reviewed every half term (or before).

Stage 3 - Additional or Alternative Provision: To support the ongoing placement of a pupil at Storyybrook, there may be occasions when they may require additional provision to provide themselves and others respite from their ongoing unsafe behaviours. Pupils may access additional provision. More information regarding alternative provision (AP) can be found on the Bracknell Forest website; please note, we may refer to out of borough APs where necessary and appropriate.

Stage 4 - Review of Placement: Despite the extensive efforts of Storyybrook staff, parents and other professionals, there may be occasions when the school is no longer the right setting for a pupil. In such circumstances, Storyybrook will work with parents and the LA to ensure a positive transition to an alternative full-time placement. Any request to change educational provision for a pupil will be made at either an annual review or an interim annual review of the pupil’s Education and Health Care Plan (EHCP). The LA will be informed of the escalating support and resources the pupil has received, the advice Storyybrook has sought and the impact this advice has had on the pupil and the wider. Please refer to our admissions policy for further information.





Any decision made by Storyybrook to request a change of provision will be made with regard to the ongoing significant risk to the health and safety of the:

- pupil
- other pupils
- staff

Storyybrook is passionate about engaging proactively with parents/ carers in supporting the behaviour of its pupils, and is aware that all parents have a right to request the presence of an SEN(D) expert if their case is to be reviewed by an independent panel.

8. Considering the reinstatement of a pupil

The Governors Discipline Panel will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- the exclusion is permanent
- it is a suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- it would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been issued a fixed term exclusion/ suspension, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Governors Discipline Panel must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the body, the Governors Discipline Panel will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the Headteacher to reinstate the pupil.

Where a fixed-term exclusion/ suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Governors Discipline Panel will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing body (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing body and allowed to make representations or share information:





Parents/ carers, or the pupil if they are 18 or over (and, where requested, a representative or friend).

The pupil, as long as it is appropriate to their age and understanding (they may, where requested, invite a representative or friend).

- The Headteacher
- The pupil's Social Worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

The governing body will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Governors Discipline Panel can either:

- decline to reinstate the pupil, or
- direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this - see earlier in this section)

In reaching a decision, the Governors Discipline Panel will consider:

- whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- whether the Headteacher followed their legal duties
- the welfare and safeguarding of the pupil and their peers
- any evidence that was presented to the governing body
- they will decide whether or not a fact is true 'on the balance of probabilities'.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The Governors Discipline Panel will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after





- The local authority
- The pupil's home authority, if it differs from the school's

Where the level of suspension has exceeded 15 days in a term, or the exclusion is permanent and the Governors Discipline has decided not to reinstate the pupil, the notification of decision will also include the following:

- the fact that the level of suspensions has exceeded 15 days in a term, or that it is a permanent exclusion
- notice of parents' right to ask for the decision to be reviewed by an independent review panel
- the date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing body's decision is given to parents/ carers)
- the name and address to which an application for a review and any written evidence should be submitted
- that any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- that parents/ carers have a right to require the Local Authority to appoint an SEN expert to advise the review panel
- details of the role of the SEN expert and that there would be no cost to parents for this appointment
- that parents/ carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- that parents/ carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- that, if parents/ carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

9. An Independent Review

If parents/ carers apply for an independent review, the Bracknell Forest Local Authority will arrange for an independent panel to review the decision of the governing body not to





reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Governors Discipline Panel of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the Headteacher category. At all times during the review process there must be the required representation on the panel.

This may include:

- 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
- current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been Teachers or Headteachers during this time
- Headteachers or individuals who have been a Headteacher within the last 5 years

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

- are a member of the LA of the excluding school
- are the Headteacher of the excluding school, or have held this position in the last 5 years
- are an employee of the LA, or the governing body, of the excluding school (unless they are employed as a Headteacher at another school)
- have, or at any time have had, any connection with the LA, school, governing body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- have not had the required training within the last 2 years (see appendix 1 for what training must cover)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school. Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made





by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the Headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

- Uphold the governing body's decision
- Recommend that the governing body reconsiders reinstatement
- Quash the governing body's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing body at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing body and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing body to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing body reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- the panel's decision and the reasons for it
- where relevant, details of any financial readjustment or payment to be made if the governing body does not subsequently decide to offer to reinstate the pupil within 10 school days
- any information that the panel has directed the governing body to place on the pupil's





educational record

10. School registers

A pupil's name will be removed from Storybrook's admission register if:

- 15 school days have passed since the parents were notified of The Governing Discipline Panel decision to not reinstate the pupil and no application has been made for an independent review panel, or
- the parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing body will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- the pupil's full name
- the full name and address of any parent with whom the pupil normally resides
- at least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- the grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the





removal of the pupil's name.

11. Returning from a fixed-term suspension

Reintegration strategy

Following suspension, Storybrook will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any further unmet special educational and/or health needs which may impact their ability to regulate.

Part-time timetables will be used sparingly as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties; the timeline for this will be dependent on individual cases.

Reintegration meetings

Storybrook will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community. Our aim is to take a supportive, trauma-informed and understanding approach to welcoming the pupil back to school, offering them the opportunity to reset.

The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parents/carers, in the event that they cannot or do not attend; however, our preference would always be for them to join us to take a holistic, informed and pupil-centred approach to the meeting.

Storybrook expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

12. Monitoring arrangements

The Chair of Governors monitors the number of exclusions every term and reports back to the FGB. They also liaise with the local authority to ensure suitable full-time education for suspended pupils.

The Headteacher monitors the number of exclusions every term and reports back to the governors. They also liaise with the local authority to ensure suitable full-time education for suspended pupils.





This policy will be reviewed annually, or sooner if required. At every review, the policy will be approved by the governing body.

The school will collect data on the following:

Attendance, permanent exclusions and suspensions.

Use of pupil referral units, off-site directions and managed moves.

Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

13. Links with other policies

- Behaviour and Relationships Policy
- Curriculum Policy
- Admissions Policy
- Use of Reasonable Force and Other Restrictive Interventions Policy
- Equality and Accessibility Policy
- Anti-Bullying Policy
- Safeguarding and Child Protection Policy





Appendix 1: Independent review panel training

The proprietor and LA must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- the requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- the need for the panel to observe procedural fairness and the rules of natural justice
- the role of the chair and the clerk of a review panel
- the duties of Headteachers, governing body and the panel under the Equality Act 2010
- the effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

