

Exclusions Policy

Responsible person: Pastoral Leads (Colwin Bristol - Prep, Stuart Bridge - Year 8/9, Jessica Phillips - KS4), Steve Proctor (Head of Sixth Form)

Last review date: August 2022

New review date: August 2023

“Burlington House School” refers to Burlington House Prep, Burlington House Senior and Burlington House Sixth Form.

Burlington House School is owned and operated by Cavendish Education.

This Policy is one of a series of Burlington House School Policies that, taken together, are designed to form a comprehensive, formal Statement of Burlington House School’s aspiration to provide an outstanding education for each and every one of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this Policy should be read alongside all of these Policies in order to get the full picture. In particular it should be read in conjunction with the Equality Policy, the Health and Safety Policy and the Safeguarding Children and Child Protection Policy.

All of these Policies have been written, not simply to meet statutory and other requirements, but to evidence the work that the whole School is undertaking to ensure the implementation of its core values: At Burlington House School we aim to focus on promoting positive behaviour, helping to build self-discipline and encouraging respect for others.

In all Burlington House School’s Policies, unless the specific context requires otherwise, the definition of a parent based on the Education Acts is as follows: in addition to the child's birth parents, references to parents include any person who has parental responsibility (which includes the local authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives.

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Burlington House School employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula HROnline
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)
- Educare (online CPD)

1 Exclusion Definitions

An exclusion may be temporary, *sine die* (meaning “without a fixed return date”) or permanent.

- A temporary exclusion is the requirement for a pupil not to attend the School for a defined period of time, usually counted in full days.
- An exclusion which is “*sine die*” is one that has an undefined end date up to an accumulated maximum of 45 days’ exclusion for the individual pupil in a school year, the aim of which is to allow for the conclusion of investigations or other necessary activities the length of which cannot be defined.
- A permanent exclusion is the required ending of a pupil’s place at the School marked by the removal of their name from the School roll.

‘Informal’ or ‘unofficial’ exclusions: the School does not adopt the practice of ‘Informal’ or ‘unofficial’ exclusions, such as requiring a pupil to go home ‘to cool off’; such exclusions do not feature in this Policy.

For clarity, the document [Exclusion from maintained schools, academies and pupil referral units in England](#) does not apply to Burlington House School.

2 The Decision to Exclude: Introduction

Burlington House School is mindful that, nationally, young people with certain characteristics (e.g. gender, ethnicity or the presence of additional needs) experience a disproportionately high rate of school exclusion, and of the impact of exclusion on pupils and their families and so seeks to avoid exclusion wherever possible.

Only the Principal or, in their absence, a member of staff acting formally as their deputy can temporarily or permanently exclude a pupil.

A decision to exclude a pupil is considered only:

- in response to a serious breach or repeated breaches of the School’s Behaviour Management Policy
- if allowing the pupil to remain in School would significantly harm the education or welfare of the pupil or others in the School
- where there is no reasonably practicable alternative

A decision to consider excluding a pupil permanently is characteristically the final step in a process for dealing with disciplinary offences following a wide range of other strategies which have been tried without success.

There may however be circumstances where, in the Principal's judgement, it is appropriate to consider the permanent exclusion of a pupil for a highly significant first or 'one off' offence.

The Policy does not apply to a so-called "internal exclusion", in which a pupil who is attending school is temporarily restricted in where they may be or what activities they may participate in.

3 Factors considered before making a decision to exclude

Pupil behaviours that may trigger an exclusion rarely occur 'out of the blue'. The School endeavours to identify and engage with the early stages of a pupil's changing presentation, with the aim of proactively modifying approaches to meet need.

In all cases of consideration of any exclusion the Principal will broadly consult within the School and beyond before taking the process any further. This consultation may include School and governance colleagues and relevant external professionals or agencies.

Where a pupil's needs change such that there is a prospect that their placement in the School may or has become less appropriate, this will be addressed jointly with the pupil, parents and (if relevant) the Local Authority and other appropriate professionals or agencies, if possible in advance of the requirement for exclusion.

Unless there is an immediate threat to the safety or education of others in the School or of the pupil concerned, before deciding whether to consider the exclusion of a pupil, whether permanently, *sine die* or for a fixed period, the Principal endeavours to:

- ensure that an appropriate investigation has been carried out
- consider all the evidence available to support the allegations, including taking account of the School's behaviour management and equality and diversity policies, and, where applicable, the Race Relations Act 1976 as amended and the Disability Discrimination Act 1995 as amended
- consider a pupil's EHCP (if applicable)
- allow the pupil the opportunity to give their version of events through their preferred method of communication, with support in line with their needs
- check whether the incident may have been provoked, for example by bullying or by racial or sexual harassment; it should be noted that, while provocation may sometimes result in a reduced or nil sanction, it will not necessarily do so
- as appropriate, consult others, but not anyone who may later have a role in reviewing the decision
- take into account both the best interests of the pupil concerned and the best interests of other members of the School community and the School community as a whole

If satisfied that on the balance of probabilities the pupil did what they are alleged to have done, after due process the Principal may decide to exclude them temporarily or *sine die*.

The School is obliged to consider whether to inform the police where a criminal offence appears to have potentially taken place, and has regard to [When to call the police](#), non-statutory guidance from the National Police Chiefs' Council. Where a police investigation leading to possible criminal proceedings has been or may be initiated, the evidence available may be limited. This does not of itself necessarily preclude the Principal from making a judgement on whether to exclude the pupil, but may delay finalisation of that judgement.

Where appropriate, the School considers whether to inform other agencies e.g. Children's Services, the Local Authority, etc.

Where the incident has safeguarding implications, the School follows its Safeguarding Policy.

4 Length and character of fixed period exclusions

The regulations allow the Principal to exclude a pupil permanently or for one or more fixed periods not exceeding 45 School days in any one School year. Individual exclusions are for the shortest time appropriate in the judgement of the Principal. After a 45 day exclusion, the School must either permanently exclude the pupil involved or readmit them.

It is unusual for the School to issue a fixed period exclusion for longer than one or two days. A fixed period exclusion is not a punitive action but rather is a formal marker of concern to the pupil and those with responsibility for them, and an opportunity for the pupil to reflect constructively upon and learn from their situation.

In all cases of more than a day's exclusion, where practicable, work is set and marked. It is the parent / guardian's responsibility to ensure that work sent home is completed and returned to School. It is the pupil's responsibility to ensure that they take home the materials necessary for work.

The Principal may, at their complete discretion, issue a "partial exclusion", for example by excluding a pupil from some or all regular aspects of School but allowing them to attend for public examinations under regulated circumstances, or by making "internal exclusion" arrangements.

The Principal may, at their complete discretion, attach conditions to a pupil's return to School.

Following an exclusion, the pupil, accompanied by a parent / guardian, has a reintegration meeting with a member of the Senior Leadership Team and/or Pastoral Lead in their stead prior to returning to lessons.

A pupil who receives a succession of fixed period exclusions might reasonably expect to have their place at the School reviewed.

Any exclusion of a pupil, even for short periods of time, are formally recorded.

5a Potential permanent exclusion of a pupil with an EHCP	5b Potential permanent exclusion of a pupil without an EHCP
<p>In the event of an incident (or a series of incidents) occurring that may trigger a permanent exclusion for a pupil wholly or partly funded by a Local Authority via an EHCP (Education, Health and Care Plan), the Principal will call an EAR (Emergency Annual Review), if necessary excluding the pupil <i>sine die</i> pending the outcome of the EAR.</p> <p>The process of decision-making over the pupil's placement at the School will then follow the relevant EAR protocol to ensure that, as far as the responsibilities of the School are concerned, the needs of the pupil and the requirements of the School are met.</p> <p>Where appropriate, if a post-EAR outcome is a decision to find another placement for the pupil, and that decision may be supported by a parallel decision pending that change of placement, such as:</p> <ul style="list-style-type: none"> • keeping the pupil in the School whilst a new placement is found • moving the pupil to an alternative provision whilst a new placement is found • permanent exclusion 	<p>In the event of an incident (or a series of incidents) occurring that may trigger a permanent exclusion for a pupil without an EHCP (Education, Health and Care Plan), if necessary excluding the pupil <i>sine die</i> pending the outcome of this process, on the earliest mutually convenient occasion the Principal will ask the parents / guardians and the pupil to discuss the offence and the continuation or otherwise of the pupil's place in the School, ensuring that the family have been properly heard when the place is reviewed.</p> <p>No disciplinary decision is made at this stage.</p> <p>Following this meeting, if any further investigations are needed, they are undertaken, and the meeting may be reconvened if appropriate.</p> <p>The Principal considers the facts of the matter and all representations that have been made, consulting and otherwise taking advice as appropriate.</p> <p>The Principal will notify the parents / guardians of the decision, which may be one of:</p> <ul style="list-style-type: none"> • exoneration and immediate return to school • return to school under certain conditions following temporary exclusion, with right of appeal for an exclusion of more than 15 days • permanent exclusion with right of appeal <p>A permanent exclusion is not finalised until any invoked appeal process has been completed.</p>

6 Procedures for review and appeal

Parents / guardians of an excluded pupil have the right to appeal a permanent exclusion and a fixed period exclusion in excess of 15 days. The parents / guardians must request the appeal, by writing to the School's Governance Lead at the School's address, within three calendar days of receipt of notification of the exclusion.

Regardless of whether an appeal is invoked, the School's Governance Lead and one other member of the Executive Management Team operate arrangements to review promptly all permanent exclusions from the School, and all fixed period exclusions that would lead to a pupil being excluded for over 15 days in a School term, or missing a public examination. They consider whether or not to reinstate the pupil is appropriate, whether the Principal's decision to exclude the pupil was justified or whether to adjust any conditions attached to the return of a pupil to the School.

7 Admissions register procedure following permanent exclusion

In the case of a permanent exclusion the pupil remains on the School roll until

- an appeal is determined,
- the time limit for an appeal has expired without an appeal being brought
or
- the parent / guardian has informed the School that no appeal is to be brought

8 Behaviour outside School

Pupils' behaviour outside School while under the authority of the School (e.g. on School business, School trips, "away" School sports events, or work experience placements) is subject to the School's Behaviour Management Policy. Behaviour in these circumstances is dealt with as if it had taken place in School.

For behaviour outside School but not on School business, the Principal may exclude a pupil if there is a link between that behaviour and maintaining good order and discipline among the pupil body as a whole or parts thereof. This is a matter of judgement for the Principal. Pupils behaviour in the immediate vicinity of the School or on a journey to or from School, or behaviour anywhere which is capable of bringing the School into disrepute, can be grounds for exclusion.

9 Disabled pupils

The School is mindful of its duty under the Disability Discrimination Act 1995 not to discriminate against disabled pupils by excluding them because of their disability. This applies to permanent and fixed period exclusions. The definition of disability under the Act covers pupils with certain physical, sensory, intellectual or mental impairments. Discrimination means treating disabled pupils less favourably than other pupils without justification. It also means failing to take reasonable steps to ensure that disabled pupils are not placed at a substantial disadvantage compared to their non-disabled peers. What constitutes a reasonable step will depend on the circumstances of each case.

10 PROCEDURE FOR CONSIDERING EXCLUDING A pupil

10a Informing parents / guardians about a temporary and *sine die* exclusion

The outline of the process undertaken in the event of a possible temporary or permanent exclusion is set out in the flow diagram at the end of this Policy.

Whenever the Principal temporarily or *sine die* excludes a pupil, the parent / guardian is notified at the earliest opportunity, usually by telephone by the Principal or a member of staff acting on their behalf, followed up by an emailed letter from the Principal or their Deputy as soon as possible and within one working day.

See the exclusion letters template at Annex B below.

10b Forming the Exclusion Appeal Panel

The Principal informs the School's Governance Lead of all exclusions at the earliest opportunity within one School day; in particular they inform the Executive Management Team via the School's Governance Lead of:

- a permanent exclusion
- an exclusion which will result in the pupil being excluded for more than fifteen School days in any one term
- an exclusion which will result in the pupil missing a public examination

All serious sanctions, including fixed period exclusions totalling fifteen or fewer School days in any one term are reported to the Executive Management Team on a termly basis.

Exclusion reports include:

- the pupil's name
- the length of the exclusion
- the reason for the exclusion
- the pupil's age, gender and ethnicity

- whether the pupil has an EHCP, together with a summary of its details, or is being assessed for one
- a brief behaviour management history

11 Expectations of parent / guardian and student / pupil during temporary or *sine die* exclusion

Parents / guardians have a duty to ensure that their child is not present in a public place in school hours during a temporary or *sine die* exclusion, unless there is reasonable justification for this. Parents / guardians are advised that they may receive a penalty notice from the Local Authority if their child is present in a public place during school hours during the exclusion. If so, it will be for the parent / guardian to show reasonable justification.

The School will set work for the pupil to be completed on the days specified in the exclusion notification. In order to support the pupil's engagement, the School asks that the work set is completed and returned promptly to the relevant member of staff for marking.

12 EXCLUSIONS – YEAR 11 / 13 PUPILS

In the event of a pupil in Year 11 or Year 13 presenting in a way that in a single extreme incident that the School would expect to permanently exclude them, or in a cumulatively unacceptable if minor series of incidents, one of the following outcomes may occur:

- permanent exclusion
- withdrawal from the School's public examination cohort if the incident occurs before 31 December
- permission to remain in the School's public examination cohort, but as an external candidate, if the incident occurs after 31 December, with restrictions on the movement on / off / within campus while attending public examinations, with no academic support from the School (eg work set / marked) in the period during or following exclusion
- permanent exclusion effective from the end of the academic year, but the pupil on permanent long-term study leave, with study material sent home and work marked during the remaining period
- permanent exclusion effective from the end of the academic year, but if any further problems occur then the pupil is subsequently put on permanent long-term study leave, with study material sent and work marked during the remaining period

In the case of a pupil involved in a cumulatively unacceptable if minor series of incidents, the School's non-acceptance of their return must take account of the following considerations:

- the relatively greater impact on the pupil should the School decide after Easter to refuse re-entry in September

- the relatively lesser impact on the pupil should the School decide before Easter to refuse re-entry in September

In the case of a cumulative series of incidents, a due accumulative process of communicated sanctions must have been undertaken over a period of time in order reasonably to justify the final decision. This means that the sustained sequence of recorded sanctions clearly communicated to parents must have begun before Christmas.

Burlington House School is aware of the practice outside Cavendish Education of off-rolling: the practice of removing a pupil from the school roll, often in Year 11 or 13, without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil. The School does not engage in such practice.

Annex A Serious Behavioural Incident Procedure Flowchart	
A serious incident occurs, and staff are aware of it.	
↓	
The incident is reported to a member of SLT, the DSL or a Pastoral Lead. The Principal is made aware.	
↓	
A relevant member of senior staff investigates, collecting evidence and taking (usually signed) statements as appropriate from the alleged offender and witnesses (who may be kept incommunicado during the investigation and should expect to be interviewed separately).	
↓	↓
<i>Where a pupil has an EHCP and a temporary exclusion is deemed appropriate by the Principal</i>	<i>Where a pupil does not have an EHCP and a temporary exclusion is deemed appropriate by the Principal</i>
The Principal informs the parent(s) / guardian(s) of the timing and duration of the temporary exclusion, which is not normally more than one or two days, and of any conditions attached to the exclusion. The LA is notified of this outcome.	The Principal informs the parent(s) / guardian(s) of the timing and duration of the temporary exclusion, which is not normally more than one or two days, and of any conditions attached to the exclusion.
↓	↓
<i>Where a pupil has an LA-funded EHCP and a permanent exclusion is deemed potentially appropriate by the Principal</i>	<i>Where a pupil has no LA-funded EHCP and a permanent exclusion is deemed potentially appropriate by the Principal</i>
If appropriate, the offender is excluded <i>sine die</i> ; the parents / guardians are notified that an Emergency Annual Review has been called by the School to consider the placement of the pupil. No disciplinary decision is made at this stage.	If appropriate, the offender is excluded <i>sine die</i> ; the parents / guardians are notified that the offender's place in the School is under review and are asked to come with the offender to see the Principal to consider the situation. No disciplinary decision is made at this stage.
↓	↓
The Emergency Annual Review is held. The School and parents / guardians act in accordance with the outcome of the Review.	Parents / guardians and the offender meet the Principal who listens carefully. The Principal may adjourn this meeting and seek further investigation or consultation if appropriate; if so,

	the meeting is then reconvened.
	↓
	At the conclusion of the meeting, the Principal explains to the parents / guardians the range of possible outcomes viz (a) exoneration and immediate return to school, (b) return to school following temporary exclusion under certain conditions with right of appeal, (c) permanent exclusion
	↓
	The Principal takes any further advice they deem appropriate and reflects. The Principal makes a decision on behalf of the School and formally informs the parent(s) / guardian(s). This decision is contingent upon possible appeal.
	↓
	If the parent(s) / guardian(s) appeal, the appeal process is followed as detailed in this Policy.

Annex B Exclusion Letter Templates

Annex B1 Temporary exclusion

Dear xxx

I write to confirm the decision of XXXX School, that NAME is to be temporarily excluded on DATE / from DATE to DATE.

The reason for this exclusion is

[In the event of this exclusion bringing the accumulated exclusion period above 15 days in a twelve month period] You are entitled to appeal this exclusion, which brings NAME's accumulated exclusion to above 15 days in a twelve month period. To appeal, you should request the appeal by writing to the School's Governance Lead at the School's email address, within three calendar days of receipt of this notification of the exclusion. This right of appeal falls outside the School's Complaints Policy, and is dealt with under the Exclusions / Behaviour Management Policy.

[In the event of this exclusion being for more than one day] The School will set work for NAME to be completed and returned promptly to the relevant member(s) of staff for marking during the notified exclusion period.

You are advised that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours during the exclusion; if so, it will be for you to show reasonable justification.

A reintegration meeting has been scheduled for TIME on DATE with STAFF NAME. You are invited to join that meeting, but it is not essential if you are unable to attend. On their return to school, NAME will be expected to xxxxx

This exclusion is a matter of regret for everyone involved. We want it to be a positive learning experience for NAME .

Yours sincerely

Annex B Exclusion Letter Templates

B2 *Sine die* exclusion because an EAR is due

Dear xxx

I write to confirm the decision of XXXX School, that NAME is to be excluded with effect from DATE; because an Emergency Annual Review has been requested at which their placement is being reviewed, we are unable to provide a specific end date to the exclusion, which will be ended at the earliest practicable date, but in any event no later than DATE *[this date to be at the maximum of 45 days' exclusion in a twelve month period]*.

As soon as the Emergency Annual Review has been completed, we shall be directly in touch to confirm with you what the next steps for NAME will be, and shall take the matter forward as efficiently as possible.

This exclusion is because xxx.

The School will set work for NAME during the period of exclusion, to be completed and returned promptly to the relevant member(s) of staff for marking.

You are advised that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours during the exclusion; if so, it will be for you to show reasonable justification.

You are also advised that you have the right of appeal against exclusion when an exclusion reaches 15 days, in this case on DATE. If you choose to do so, please write within three calendar days, by DATE, to NAME at email address, setting out the grounds of your appeal. The appeal, which may or may not result in this exclusion decision being upheld, will be heard in accordance with the Exclusions Policy. This right of appeal falls outside the School's Complaints Policy, and is dealt with under the Exclusions / Behaviour Management Policy.

Yours sincerely

Annex B Exclusion Letter Templates

B3 *Sine die* exclusion because of further investigations

Dear xxx

I write to confirm the decision of XXXX School, that NAME is to be excluded with effect from DATE; because further investigations [by xxx] are in train, we are unable to provide a specific end date to the exclusion, which will be ended at the earliest practicable date, but in any event no later than DATE *[this date to be at the maximum of 45 days' exclusion in a twelve month period]*.

As soon as the progression of the investigations enables us to, we shall be in touch to let you know what the next steps for NAME will be, and shall take the matter forward as efficiently as possible.

This exclusion is because xxx.

The School will set work for NAME during the period of exclusion, to be completed and returned promptly to the relevant member(s) of staff for marking.

You are advised that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours during the exclusion; if so, it will be for you to show reasonable justification.

You are also advised that you have the right of appeal against exclusion when an exclusion reaches 15 days, in this case on DATE. If you choose to do so, please write within three calendar days, by DATE, to NAME at email address, setting out the grounds of your appeal. The appeal, which may or may not result in this exclusion decision being upheld, will be heard in accordance with the Exclusions Policy. This right of appeal falls outside the School's Complaints Policy, and is dealt with under the Exclusions / Behaviour Management Policy.

Yours sincerely

Annex B Exclusion Letter Templates

B4 *Sine die* exclusion during consideration of the place on the School roll

Dear xxx

I write to confirm the decision of XXXX School, that NAME is to be excluded with effect from DATE.

This exclusion is because xxxx.

As you have been told, we are reviewing NAME's place at XXXX School; this means that we are unable to provide a specific end date to this exclusion, which will be ended at the earliest practicable date, but in any event no later than DATE *[this date to be at the maximum of 45 days' exclusion in a twelve month period]*.

You are advised that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours during the exclusion; if so, it will be for you to show reasonable justification.

The School will set work for NAME during the period of exclusion, to be completed and returned promptly to the relevant member(s) of staff for marking.

You and NAME are invited to a meeting with me at PLACE on DATE at TIME, where we can discuss NAME's situation in detail, in order to help reach a decision about the continuation of their place on the school roll.

Yours sincerely

Annex B Exclusion Letter Templates

B5 Permanent exclusion following a *sine die* exclusion and due deliberation

Dear xxx

Having deliberated following our meeting at PLACE on DATE, I write to confirm the decision of XXXX School, that NAME is to be permanently excluded.

You have the right to appeal this decision. If you choose to do so, please write within three calendar days to NAME at email address, setting out the grounds of your appeal. The appeal, which may or may not result in this exclusion decision being upheld, will be heard in accordance with the Exclusions Policy.

NAME will remain on the school roll until the appeal process has been completed. The School will set work for NAME during this time, to be completed and returned promptly to the relevant member(s) of staff for marking.

Should you choose not to appeal, or in the event of the permanent exclusion being upheld by the appeal, the School will use its best endeavours to advise and assist you in finding alternative schooling for NAME, seeking to minimise the impact on their educational progress if you so wish.

You are advised that you may receive a penalty notice from the Local Authority if your child is present in a public place during school hours while NAME remains on the XXX School roll; if so, it will be for you to show reasonable justification.

Annex C POTENTIAL PERMANENT EXCLUSIONS

Summary Procedure for parents, in the event of a pupil's *sine die* exclusion because of a prospective permanent exclusion

The decision to consider moving towards the permanent exclusion of a pupil or the request for their withdrawal is never taken lightly, and is always set in the context of the situation of the pupil involved and their family, other pupils / students and their families, the staff (teaching and non-teaching) staff and the wider community. Before this decision is made, the School will endeavour if and when possible to explore all other appropriate alternatives. This takes place in response to serious, repeated or persistent breach(es) of the School's expected standard(s) of behaviour. The aim of the School is to act in a way that respects the dignity of all involved.

If, in the Principal's opinion, there is a prospect of a pupil's permanent exclusion, the Principal or another member of staff acting on their behalf will promptly contact the parent / guardian(s) to discuss their concerns, together with any actions they are either required to take or feel are necessary and appropriate.

The Principal may, if the circumstances are sufficiently serious, immediately exclude the pupil for either a specific period or *sine die* [an exclusion which is "*sine die*" is one that has an undefined end date up to an accumulated maximum of 45 days' exclusion for the individual student / pupil in a school year, the aim of which is to allow for the conclusion of investigations or other necessary activities the length of which cannot be defined]. The purpose of the exclusion may be to allow adequate time for a full investigation and consideration of the facts. During such exclusion, the School endeavours to make whatever arrangements are practicable to minimise the impact on the pupil's educational progress.

When the Principal is confident that all the relevant facts have been ascertained, they will consider these, form a preliminary judgement after taking advice from relevant staff and / or other relevant authorities, and arrange a meeting with the pupil's parent / guardian(s) to acquaint them of their findings and of the possible outcome(s). The Principal will take due account of parent / guardian(s)' views. They will advise them that their decision will be notified in writing, if appropriate after due consultation with the School's Governance Lead or their nominated deputy. The decision is nevertheless the Principal's acting on behalf of the School, and not the Governance Lead or their deputies.

The Principal advises the parents / guardian of the School's decision in writing. If this involves either permanent exclusion or a requirement of the parent(s) / guardian(s) for the pupil's withdrawal, the School uses its best endeavours to advise and assist parents/guardian in finding alternative schooling, seeking to minimise the impact on the pupil's educational progress.

At the same time the Principal will advise parent(s) / guardian(s) of their right, if in disagreement with the School's decision, to appeal, in writing, to the Cavendish Education Executive Management Team,

by writing to the School's Governance Lead at info@cavendisheducation.com within three working days of receipt of the exclusion decision. An appeal against an exclusion falls outside the School's Complaints Procedure. Parents / guardians should note that at the conclusion of their deliberations the Executive Management Team's Exclusion Appeal Panel may reduce, ratify or increase an exclusion sanction imposed by the Principal.

On receipt of notice expressing an intention to appeal against the School's decision, the Exclusion Appeal Panel will acquaint themselves with all the relevant facts. The parent(s) / guardian(s) may make additional representations in writing to the Panel in advance of their meeting. They will take due account of the interests of the pupil, their parent(s) / guardian(s), the School and any other relevant parties; if necessary, they will consult more widely before reaching a conclusion.

The conclusion of the Appeal Panel may include:

- reinstatement of the excluded pupil
- confirmation of the exclusion of the pupil
- an increase of the excluded pupil's exclusion sanction

Having reached a conclusion, the Exclusion Appeal Panel will advise parent(s) / guardian(s) in writing of their conclusion, which shall be added to the school record of the pupil, along with a copy of relevant documentation; such conclusion is considered final, as far as the School procedures are concerned.

Annex C GUIDANCE NOTES FOR THE PANEL HEARING OF EXCLUSION APPEALS

The School's Governance Lead (or another member of Cavendish Education) assembles an Exclusion Appeal Panel, normally comprising three members of the Executive Management Team but in any event not less than two.

A member of the school's administrative department is normally the Secretary to the Exclusion Appeal Panel.

The Panel does not include a member of the Executive Management Team who has been part of the original exclusion decision.

On receipt of a parental request for an Appeal Hearing the Panel receives and reviews all relevant documentation from the Principal. Prior to the Hearing the Secretary ensures that copies of all such documentation are provided to the parent / guardian of the pupil.

A date, time and location for the Appeal Hearing is agreed with the parent / guardian of the pupil, normally with at least three working days' notice.

Prior to the Hearing the Secretary invites the parent / guardian to make any further representations to the Panel.

The parent / guardian may be accompanied by a companion at the Hearing, but the Panel would not expect them to be formally or legally accompanied or represented other than in exceptional circumstances and by prior agreement.

The Principal would normally attend the Hearing, in order to be available to the Panel for consultation.

Procedure at the Hearing

The Chair of the Panel shall:

- thank the parent / guardian for coming, and explain that this is an Appeal Hearing following the Principal's exclusion decision
- formally introduce him/herself and the other Panel members
- if applicable, note that the parent / guardian is accompanied, by whom, and in what capacity their companion is present
- advise the parent / guardian of their rights, namely:
 - to present their Appeal
 - to ask questions on matters of fact
 - to take notes
 - to consult with their companion, and
 - to request adjournments

- note that at the conclusion of their deliberations the Exclusion Appeal Panel may reduce, ratify or increase an exclusion sanction imposed by the Principal

During the Hearing

- The Chair of the Panel shall:
 - ensure that all documentation relevant to the Appeal have been copied to the parent(s) / guardian(s)
 - avoid reference to any matter that is not directly related to the Appeal
 - maintain an open mind
 - summarise factually and briefly the events that lead to the exclusion, and the reason given by the Principal for the exclusion
 - ask if the parent(s) / guardian(s) need further explanation of any point of fact
 - ask the parent(s) / guardian(s) to amplify the grounds of the Appeal, if they have any other questions relating to the Principal's decision, and to submit any further information
 - ensure that adequate notes are taken of the representations of the parent(s) / guardian(s)
 - not hesitate to adjourn at any time (and to take advice where necessary) to consider any difficult or unusual points raised by the parent(s) / guardian(s), or to research any issue on behalf of the pupil; an adjournment can be for a few days if necessary
 - when all the points have been aired, ask the Principal and the parent(s) / guardian(s) if they wish to add anything further before the Hearing is closed and the Panel consider their decision
 - explain that the decision of the Panel may include:
 - reinstatement of the excluded pupil
 - confirmation of the exclusion of the pupil
 - an increase of the excluded pupil's exclusion sanction
 - explain that the Panel will communicate their decision in writing to the parent(s) / guardian(s) within five working days
- explain that that decision is considered final, as far as the School procedures are concerned

After the Hearing

- The Chair of the Panel shall:
 - ensure that the notes of the meeting fairly reflect the matters raised
 - after due consideration by the other Panel Members and after a conclusion has been reached, draft, agree and send a letter to the parent(s) / guardian(s) communicating the Panel's decision; the letter should include brief reasons for the decision, and be copied to the Principal
 - arrange for the conclusion of the Exclusion Appeal Panel to be added to the school record of the pupil, along with a copy of relevant documentation

Note: Nothing which is undisclosed to the parent(s) / guardian(s) may be taken into account by the Panel in reaching their decision, and in the event that anything comes to light prior to the decision

being made that the Panel regards as relevant to their decision such information must be disclosed to the parent(s) / guardian(s) who should be given the opportunity to comment.