Wolverdene Special School
Exclusions Policy 2026

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Approved by Governing Body: Chair: Jo Lloyd Date: 17th March 2026	Signature: 
This policy will be reviewed annually. The next review date is March 2027	

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1. Introduction

Wolverdene School believes that:

- we should develop a supportive culture where any exclusion is seen as an absolute final resort and where best endeavours are used to avoid permanent exclusion from school
- suspensions should be viewed not as a sanction, but as a mechanism to provide support and to plan interventions.

We also understand that exclusions can be viewed as a form or rejection by many pupils within the school and this can undermine the therapeutic ethos of the school and progress that pupils may have made in trusting adults and sharing their concerns. It is important that families work with us in the event of suspensions so that children can re-integrate safely back into school.

2. Legal Framework

2.1 This policy has due regard to the related statutory legislation, including, but not limited to, the following:

- The Education Act 2002 (as amended by The Education Act 2011)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education Act 1996
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 (as amended 2014)
- The European Convention on Human Rights (EHCR)
- The Equality Act 2010.

2.2 This policy has due regard to statutory and non-statutory guidance including, but not limited to, the following:

- DfE (2017) *Exclusion from maintained schools, academies and pupil referral units in England*
- DfE (2016) *Behaviour and discipline in schools*
- DfE (2015) *Special educational needs and disability code of practice: 0 to 25 years*

2.3 This policy will be implemented in conjunction with the school's Relationship and Positive Behaviour Policy and procedures.

3 Grounds for suspensions and exclusion

3.1 There are 16 legal reasons for suspension, and within any suspension up to 3 reasons may be listed.

3.2 Only the Headteacher has the power to exclude a pupil from the school and is able to decide whether this is on a fixed-term or permanent basis.

3.3 The Headteacher will only exclude a pupil when it is absolutely necessary and where all other possible disciplinary sanctions, as detailed in the school's Relationship and Positive Behaviour Policy, or options within the child's PBS (positive behaviour support) plan have failed to be successful.

3.4 Pupils can be excluded on a fixed-term basis, i.e. up to 45 school days in total within an academic year, and this will be referred to as a suspension.

3.5 In all cases the Headteacher will decide which exclusion period a pupil will be subject to, depending on what the circumstances warrant.

3.6 In some cases the Headteacher may decide to suspend over consecutive parts of a week, for example a 1 day suspension but over 2 afternoons.

3.7 All exclusions will be formally recorded, and the Local Authority will be informed.

3.8 At all times the Headteacher will take into account their legal duties under the Equality Act 2010 and the Special Educational Needs and Disability Code of Practice: 0 to 25 Years, ensuring that they do not discriminate on any grounds, e.g. race, sex or disability and will not increase the severity of a pupil's exclusion on these grounds.

3.9 The Headteacher will not issue any 'informal' or 'unofficial' exclusions, such as sending a pupil home to 'cool off', regardless of whether or not the parents/carers have agreed to this. This is illegal. A child sent home during the course of a school day must be recorded as having received a suspension for half a day.

4 Factors to Consider in relation to suspensions

4.1 When considering excluding a pupil the Headteacher will consider what additional support may be available, particularly for vulnerable pupil groups, in order to reduce their risk of exclusion.

4.2 Before deciding to exclude any pupil, the Headteacher will:

- allow the pupil the opportunity to present their case.
- take into account any contributing factors.

5 Duty to Inform Parents/Carers, Governors and the Local Authority

5.1 Following a Headteacher's decision to exclude a pupil they will immediately inform the parents/carers either in person or by telephone and confirm the length of the exclusion and the reasons for it. In the event that the main carer is not available to talk through the suspension, the headteacher will contact other responsible adults listed on the child's contact details, provided by the parents during the admission process. This is to ensure a timely response to the suspension.

5.2 The Headteacher will also confirm the exclusion in writing, including the following information:

- the reason for the exclusion.
- the length of any suspension.
- their right to make representations about the exclusion to the Governing Body's (LGB's) Pupil Exclusion Panel, information regarding how the pupil can be involved in this and how the representations will be made. (See Section 7)
- their right to attend a meeting where there is a legal requirement for the Pupil Exclusion Panel to consider the exclusion (i.e. in instances outlined in Clause 7.4 or in the case of a permanent exclusion) and the fact that the parents/carers are able to bring an accompanying individual.
- the arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision or the pupil's return to school.
- relevant sources of free, impartial information.
- indicating that for the first five days of the exclusion, or until the start date of any alternative provision, or the end of the exclusion (whichever is earlier), parents/carers are legally required to ensure that their child is not present in a public place during school hours without justification and that parents/carers may receive a penalty fine if they fail to do so.

Notices can be given electronically if the parents/carers have agreed that correspondence can be sent in electronic form.

The headteacher will also inform the Chair of Governors.

5.3 Where the Headteacher has arranged for alternative provision for a pupil, they will inform the parents/carers of the following information:

- the start and end date for any provision of full-time education
- the address at which the provision will take place
- any information necessary for the pupil to identify the person they should report to on the starting date.

5.4 The Headteacher will also inform the Local Authority and the Chair and Clerk to the Governing Body immediately of the following:

- any suspensions which result in the pupil being excluded for more than five school days in any one term;
- any exclusions which would result in the pupil being absent from an examination or national curriculum test.

5.5 The Headteacher will report data relating to exclusions to the Governing Body on a half-termly basis.

6 Arranging Education for Excluded Pupils

6.1 For any suspension of more than five days, the school will arrange suitable full-time education for the pupil, which will begin no later than the sixth day of exclusion.

6.2 Where it is not possible to arrange alternative provision during the first five days of suspension the school will ensure that reasonable steps are taken to set and mark work for the excluded pupil.

6.3 As all Wolverdene pupils have SEND the following must take place in all cases:

- when identifying alternative provision, the Education & Health Care Plan (EHCP) is reviewed and/or the pupil's needs are reassessed in consultation with his/her parents or carers.

7 The Pupil Exclusion Panel

7.1 As indicated in Clause 5.2, parents/carers are able to make representations about exclusions to the Governing Body's Pupil Exclusion Panel.

7.2 In the case of a suspension where the pupil's total number of excluded days **does not amount to more than five** school days within a term, the Panel is not required to consider the matter.

7.3 In the case of suspensions where the pupil's total number of excluded days is **more than five but less than 15** school days within a term, *if requested by the parents/carers* the Panel will consider exclusions within 50 school days of receiving notification.

7.4 The Panel is required to meet within 15 days to consider the reinstatement of an excluded pupil in certain instances, i.e.:

- Where a suspension would bring the pupil's total number of excluded school days to **more than 15** in any given term.
- Where the exclusion would result in the pupil missing a public examination.
- Where the exclusion is permanent.

7.5 Where a Panel is convened, parents/carers and the Headteacher will be invited to make representations to it.

7.6 Where the exclusion would result in a pupil missing a public examination/test the Panel will consider the exclusion before that takes place, to decide whether the pupil should be reinstated in time to take it. The Panel will also consider whether it would be appropriate to allow the excluded pupil to enter the premises to take the examination/test.

7.7 When considering the reinstatement of an excluded pupil the Panel will:

- only discuss the exclusion with the parties present at the meeting
- ask for any written evidence in advance of the meeting

- circulate any written evidence and information to all parties at least five school days in advance of the meeting
- allow parents/carers and pupils to be accompanied by a person of their choice at the meeting
- consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting
- identify the steps needed to enable and encourage the excluded pupil to attend the meeting to speak on their behalf, or how they may contribute personal views by other means if attendance is not possible
- consider the interests and circumstances of the excluded pupil, including the grounds for exclusion.

7.8 The Panel will ensure that clear minutes are taken of the meeting as a record of the evidence that was considered. The minutes should be made available to all parties on request.

8 Meetings of the Panel

(Refer to Appendix 2 – Terms of Reference)

8.1 Minutes will be taken of all Pupil Exclusion Panel meetings. The Clerk to the GB will usually clerk the Panel meetings, though meetings may be clerked by another member of the school's staff, unless this is deemed inappropriate in the particular circumstances.

8.2 The Clerk will notify the parent/carer, Headteacher and Local Authority of the Panel's decision, including the reasoning for this, without delay. The written notification can be delivered directly to parents, or hand-delivered, or posted first class to their last known address.

8.3 In the event of a permanent exclusion, where the Panel decides not to reinstate the pupil they will notify the parents/carers of the following:

- that the exclusion is permanent and inform them of their right for it to be reviewed by an independent review panel (IRP). The school will adhere to all statutory guidelines when conducting an independent panel review, as outlined in the DfE's statutory guidance document 'Exclusion from Maintained Schools, Academies and Pupil Referral Units in England 2017'
- the date by which an application for review must be made
- the name and address of whom the review application should be submitted to
- indicate that any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a pupil's Special Education Needs and Disabilities are considered relevant to the exclusion
- that the parents/carers have a right to the attendance of a SEND expert at the review and that no charge will be made for this

- that the parents/carers are required to make it clear if they wish for a SEND expert to attend the review
- that the parents/carers may appoint someone at their own expense to make representations to the Panel.

8.4 The Panel will inform the parents/carers that, if they believe an exclusion has been issued as a result of discrimination, they are required to make a claim under the Equality Act 2010 to the First-tier Tribunal (SEND) and that this should be within six months of when the discrimination allegedly took place. A link to the following guidance should be included in the letter to parents notifying them of a decision to uphold an exclusion:

- Statutory guidance on exclusions https://www.gov.uk/government/publications/school-exclusion
- Guidance on making a claim of discrimination to the First-tier Tribunal (Special Educational Needs and Disability) https://www.gov.uk/courts-tribunals/first- tier-tribuna-special-educational-needs-and-disability
- Impartial advice for parents such as the Coram Children's Legal Centre www.childrenslegalcentre.com or ACE Education http://www.ace-ed.org.uk and their limited advice line service on 03000 115 142 on Monday to Wednesday from 10am to 1pm during term time
- Any links to local services which the Headteacher considers appropriate.

9 Permanent Exclusions

9.1 Given that all children come to Wolverdene because of their significant behavioural, social, emotional and mental health needs and that many of our pupils have already been permanently excluded from one or more schools in the past it is the position of the school that we do everything we can to support our pupils to overcome difficulties and to help them and their families. We take a reflective, repairing and developmentally appropriate approach and commit to every young person in our care. Permanent exclusion is an absolute last resort after all other avenues have been pursued.

10 Equality Impact Statement

10.1 The Equality Act 2010 requires public bodies, in carrying out their functions, to have due regard to the need to:

- eliminate discrimination and other conduct that is prohibited by the Act
- advance equality of opportunity between people who share a protected characteristic and people who do not share it
- foster good relations across all characteristics - between people who share a protected characteristic and people who do not share it.

In the development of this policy due regard has been given to achieving these objectives.

EQUALITIES, SAFEGUARDING AND EQUAL OPPORTUNITIES STATEMENT

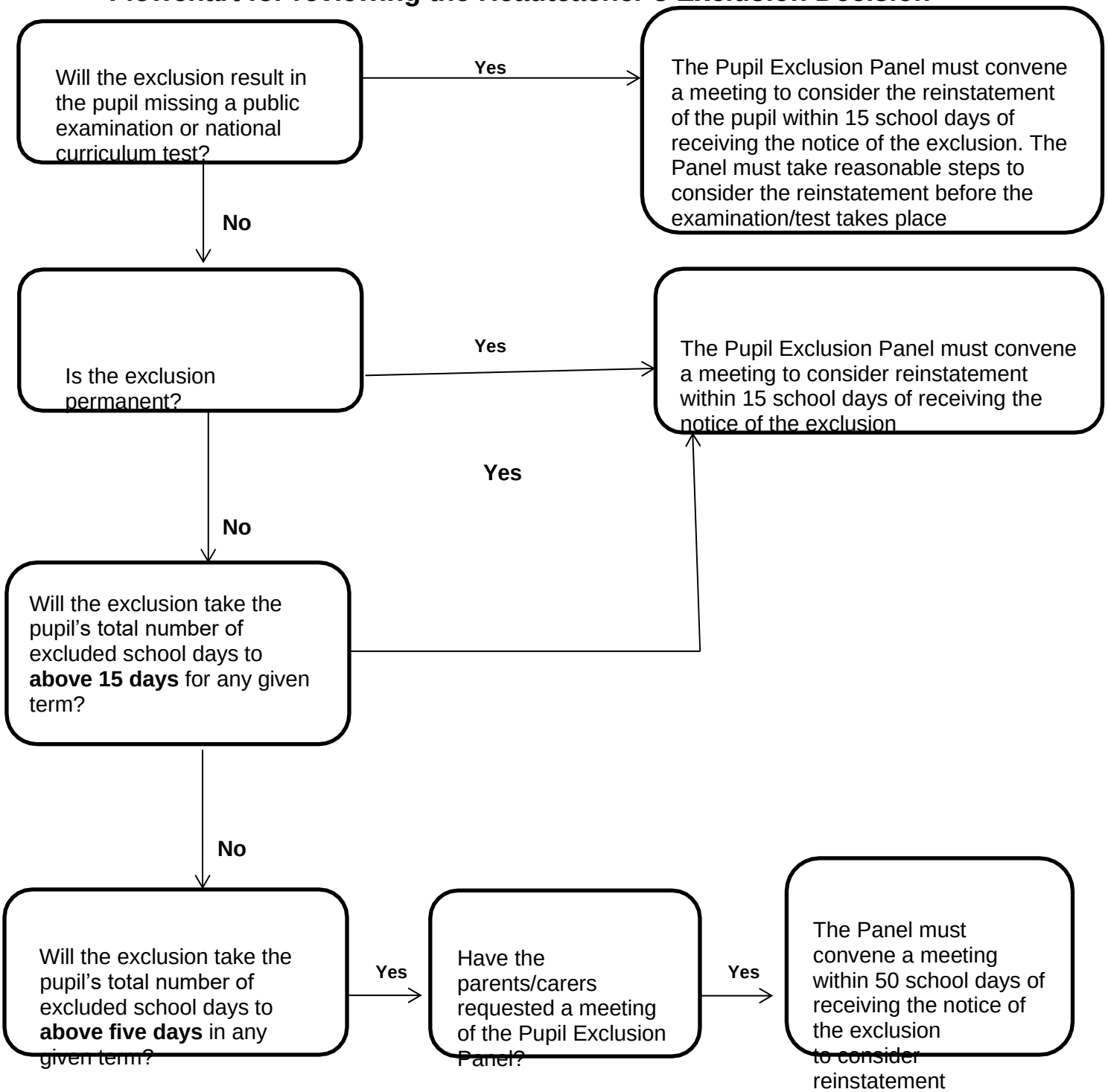
Wolverdene School, in all policies and procedures, will promote equality of opportunity for children and staff from all social, cultural and economic backgrounds and ensure freedom from discrimination on the basis of membership of any group including gender, sexual orientation, family circumstance, ethnic or national origin, disability (physical or mental) religious or political beliefs.

As part of our commitment to meet the Public Sector Equality Duty (PSED), Wolverdene School aims to:

- Provide opportunity to all
- Foster good relations, and create effective partnership with all sections of the community
- Only take actions which do not discriminate unlawfully in service delivery, commissioning and employment
- Provide an environment free from fear and discrimination, where diversity, respect and dignity are valued
- Demonstrate zero tolerance to any form of bullying, harassment or abuse.

Appendix 1

Flowchart for reviewing the Headteacher's Exclusion Decision



Appendix 2

Pupil Exclusion Panel Meetings - Terms of Reference and Procedure

1. PURPOSE

1.1 To operate within the statutory guidelines issued by the Department for Education (DfE) relating to pupil exclusions and in accordance with the school's Exclusions Policy and Behaviour Policy:

- to consider the actions of the Headteacher in excluding the pupil
- to consider representations made by the parent/carer
- to determine whether the Headteacher's decision to exclude the pupil should be upheld, or whether the pupil should be re-instated immediately or by a particular date.

1.2 The panel will convene within **15 school days** to consider:

- all fixed-period exclusions of pupils who have been excluded for more than 15 school days in the term
- All fixed-period exclusions that would result in a pupil missing a public examination or National Curriculum test
- Permanent exclusions, should these occur.

The panel will convene within **50 school days** to consider:

- Any fixed-term exclusion that will take the pupil's total days excluded above 5 for the term **and** the parents have requested a review panel.

2. CONSTITUTION

2.1 Pupil Exclusion Panel Hearings will be convened as and when required and within the statutory timeframes.

2.2 All Pupil Exclusion Panel Hearings will consist of a minimum of three Panel members.

2.3 In all Pupil Exclusion Panel Hearings, the Panel will comprise of at least three members of the Governing Body.

2.4 Staff governors are not permitted to join the Panel as it is likely they will have prior knowledge of the pupil and/or the incident.

2.5 Parent governors with a child in the same class as the pupil are not permitted to join the Panel as it is likely they will have prior knowledge of the pupil and/or the incident.

2.6 Parent governors with a child in a different class to the pupil are permitted to join the Panel providing they have no prior knowledge of the pupil or the incident that could affect their ability to act impartially.

2.7 In all instances, if any Panel member has any prior knowledge of the pupil or the incident that could affect their ability to act impartially they must step down.

3. FORMAT OF THE PANEL MEETING

3.1 The Chair and other attendees introduce themselves.

3.2 The Chair explains how the meeting will be conducted and the purpose of the meeting:

- to review the exclusion;
- to consider the views of parents and pupil;
- to check that the Headteacher has had regard to current DfE guidance and whether the Headteacher's decision to exclude was lawful, rational, reasonable, fair and proportionate.

3.3 The Chair explains possible outcomes of the meeting, i.e.:

- whether the Headteacher's decision to exclude the pupil should be upheld;
- whether the pupil should be re-instated immediately or by a particular date.

3.4 The Chair invites the Headteacher to present their case in support of the exclusion. This is followed by questions from the pupil, parents, LA representative and governors.

3.5 The Chair invites the pupil and parents/carers to present their views on the exclusion. This is followed by questions from the Headteacher, LA representative and governors.

3.6 The Chair invites the Headteacher to summarise their case in support of the exclusion.

3.7 The Chair invites the pupil and parents/carers to summarise their views on the exclusion.

3.8 The Chair checks that everyone has said what they want to say.

3.9 The Chair informs the parents that the decision will be sent to them in writing without delay.

3.10 The Headteacher, staff, pupil and parents/carers leave the meeting.

3.11 The Panel make its decision with the Clerk in attendance.

4. REACHING A DECISION

4.1 The Panel should ask all parties to withdraw before making a decision. The Clerk will stay to support the Panel by referencing earlier notes of the meeting and assisting with the decision letter.

4.2 In order to reach a decision the Panel will check if the Headteacher has had regard to current DfE guidance and whether the Headteacher's decision to exclude was lawful, rational, reasonable, fair and proportionate.

4.3 The Chair has the casting vote in all cases where an even number of Panel members are considering the case.

4.4 The Pupil Exclusion Panel must consider, on a balance of probability:

- whether the pupil did what he/she is alleged to have done, and which behaviour policies were not followed
- whether the correct procedures were followed
- the seriousness of the incident and the appropriateness of the length of the sanction
- the likelihood of the incident being repeated if the pupil was allowed to return
- the fairness of the exclusion in relation to any other pupils involved in the same incident
- any relevant previous behaviour concerns
- the support provided by the school and for how long it was provided
- any SEN and/or disabilities the pupil may have
- any mitigating circumstances – for example, the child having been bullied.

4.5 After considering exclusions the Panel will either:

- uphold the exclusion
- direct the reinstatement of the pupil immediately, or on a specified date.