



**Exclusion Policy**

**Ref. NGHS SO10**

**Document Control**

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In the schools' Behaviour Policy the governors of Newall Green High School have determined that pupil exclusion in appropriate circumstances is a sanction that can be used in the school.

The governing body has taken account of the DfE advice contained in 'Improving Behaviour and Attendance: guidance on exclusion from schools and Pupil Referral Units' and the 2012 'Guide to exclusion from maintained schools, Academies and pupil referral units'

The Head and members of the school senior leadership team are expected to acquaint themselves fully of their duties under the policy, and the relevant DfE guidance.

## 1. Aims

1.1 The DfE 2012 Guidance states;

*'Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to serious or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school'*

1.2 Newall Green High School sets out in the Behaviour Policy (S004) that the Governing Body and staff of Newall Green High School accept this principle and seek to create an environment in the school, which encourages and reinforces good behaviour. Furthermore, it is acknowledged that society expects good behaviour as an important outcome of the educational process. This Exclusion Policy supports the school's Behaviour Policy, however accepts that although the school aims to develop a positive ethos, supportive student support and a consistent behaviour management procedure, there may be occasions when students are excluded from the school for a fixed term or permanently.

1.3 The school aims:

- To create an environment, which encourages and reinforces good behaviour.
- To promote self-discipline and positive relationships.
- To ensure that the school's expectations and strategies are widely known and understood.
- To encourage the involvement of both home and school in the implementation of this policy

1.4 The governing body aims:

- To give appropriate support to the Head in exclusion issues;
- To use its best endeavours to ensure that the school does not interfere with the continuous education of a pupil beyond what is necessary to modify behaviour;
- To ensure that exclusion is used appropriately within the framework of the school's behaviour policy; and
- To discharge appropriately its statutory duties concerning the consideration of re-instatement of excluded pupils.

## 2. Types of Exclusion

There are three types of exclusion:

- Fixed term
- Lunchtime (which is deemed equivalent to one half-day fixed-term exclusion)- see p.14
- Permanent

## 3. The Decision to Exclude

3.1 Only the Headteacher (or the Deputy Headteacher in charge on the day, if the Head is absent from school) can exclude a pupil and this must be on disciplinary grounds. A pupil may be excluded for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently. A fixed period exclusion does not have to be for a continuous period. In exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion.

3.2 Pupils whose behaviour at lunchtime is disruptive may be excluded from the school premises for the duration of the lunchtime period. In such cases the legal requirements in relation to exclusion, such as the Headteacher's

duty to notify parents, still apply. Lunchtime exclusions are counted as half a school day for statistical purposes and in determining whether a governing body meeting is triggered.

3.3 The behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgement for the head teacher in accordance with the school's published behaviour policy.

3.4 The Headteacher may withdraw an exclusion that has not been reviewed by the governing body.

3.5 Any decision of a school, including exclusion, must be made in line with the principles of administrative law i.e. that it is: lawful (with respect to the legislation relating directly to exclusions and a school's wider legal duties, including the European Convention of Human Rights); rational; reasonable; fair; and proportionate.

3.6 When establishing the facts in relation to an exclusion decision the Headteacher must apply the civil standard of proof; i.e. '**on the balance of probabilities**' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt'.

#### 4. The Decision to Permanently Exclude

4.1 A decision to exclude a pupil permanently should only be taken:

- In response to serious or persistent breaches of the school's behaviour policy; and
- Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

4.2 If the context is **of persistent misbehaviour** it would be expected that a wide range of strategies had been used over time to address behaviour issues.

4.3 If it is following a serious first or '**one-off** offence' this may be assessed against the need to safeguard other students (see para 15, DfE Guidance on Exclusions).

4.4 The serious one-off incidents might include:

- Serious or actual or threatened violence (against another pupil or member of staff)
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon

4.5 Appendix A includes a 'Headteachers checklist for a decision to exclude' this is not statutory guidance, but is used to inform how the decision was arrived at.

4.6 Before deciding to exclude a pupil the Head will:

- will ensure that an appropriate **investigation** has been conducted;
- ensure that all the **relevant evidence** has been considered;
- give the pupil an opportunity to be heard; and
- consult other relevant people if necessary.

4.7 Having considered these matters the Head will make a decision based normally on the balance of probability, having regard to any current guidance from the Department for Education.

4.8. Factors to be considered before an exclusion

- An appropriate **investigation** has been conducted;
- All the **relevant evidence** has been considered;
- The pupil's version has been heard; and
- If appropriate, other people have been consulted (not a member of the Discipline Committee).

4.9 If **the balance of probabilities** has been established, the pupil may be excluded.

#### 5. Alternatives to Exclusion

5.1 Newall Green High School is aware of the potentially very negative outcomes for children and young people who are excluded. The school will endeavour to support pupils and families through a number of measures to prevent and avoid exclusion, and particular avoiding *permanent exclusion*.

5.2 In response to a serious breach of a school's behaviour policy, the school may consider the following alternatives to exclusion. For example:

- A mediation process;
- Internal
- A restorative justice process – whereby the harm caused to the 'victim' can be redressed; exclusion (using the school's exclusion room);
- Placing the students in L2L.
- Placing the student in an Alternative Education Provision
- A managed move to another school.

## 6. Fixed Term Exclusion

6.1 The Head is permitted to exclude a pupil for one or more fixed term periods **not exceeding 45 school days in any one school year.**

6.2 The school will continue to provide education for an excluded pupil (whilst he/she remains on roll) and, particularly in the case of an exclusion of more than 6 days, the Head in consultation with the relevant member of staff will consider the following:

- How the pupil's education will continue;
- How his/her problems might be addressed in the interim; and
- Reintegration post-exclusion.

## 7. Procedure for Excluding a Pupil

### 7.1 Informing Parents about the Exclusion

The school will inform parents without delay (by telephone, with a follow-up letter) and will give the following information;

- In cases of fixed term exclusions, the **length of the exclusion**;
- In cases of permanent exclusion, that **it is a permanent exclusion**;
- The **reasons for the exclusion**;

7.2 The letter to parents should also state:

- The reasons for the exclusion;
- The period of a fixed period exclusion or, for a permanent exclusion, the fact that it is permanent;
- Their **right to make representations** to the Discipline Committee;
- The **name of the person** to be contacted, if they wish to make representations.
- That for the first five school days of an exclusion (or until the start date of any alternative provision where this is earlier) parents are legally required to ensure that their child is not present in a public place during school hours without reasonable justification, and that parents may be given a fixed penalty notice or prosecuted if they fail to do so.
- The **date and time when the pupil should return to school** (with a fixed term exclusion) or the number of lunch-times for which the pupil is excluded (with lunch-time exclusions);

7.3 If alternative provision is being arranged then the following information must be included with this notice where it can reasonably be found out within the timescale:

- The start date for any provision of full-time education that has been arranged for the pupil during the exclusion;
- 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; and
- Any information required by the pupil to identify the person he / she should report to on the first day.

7.4 In the case of a permanent exclusion the letter will also state

- Its immediate effect and any relevant previous history;
- Arrangements for the setting and marking of work (it is the **parent's responsibility to ensure that work sent home is completed and returned to school**);

- The name and telephone number of the LEA officer to be contacted for advice; and
- The **telephone number of ACE** (the Advisory Centre for Education).

7.5 The school will use model letters in the DfES Guidance 'Improving Behaviour and Attendance', as exemplars.

## 8. Informing the Discipline Committee and the LEA

8.1 The head teacher will, without delay, notify the governing body and the local authority of:

8.1.1 A permanent exclusion (including where a fixed period exclusion is made permanent);

- Notifying the Local Authority of a permanent exclusion by completing the **Permanent Exclusion Reporting Form**.
- Notifying the governors of the exclusion – particularly the Chair and Clerk to the Discipline Committee – so that they can start preparing for a Governors' Meeting or sub-committee to review the exclusion.

8.1.2 fixed term exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes) in a term if this would mean the student had been excluded for more than 15 days in any one term; and

8.1.3 Exclusions which would result in the pupil missing a public examination or national curriculum test.

8.2 For all other exclusions the head teacher must notify the local authority and governing body once a term.

8.3 Notifications must include the reasons for the exclusion and the duration of any fixed period exclusion

8.4 In addition, within 14 days of a request, governing bodies must provide to the Secretary of State information about any exclusions within the last 12 months.

8.5 For a permanent exclusion, if the pupil lives outside the local authority in which the school is located, the Headteacher must also advise the pupil's 'home authority' of the exclusion without delay.

## 9. The Pupil's Education

### 9.1 First 5 days: Setting Work

For Looked After Children schools and LAs should work together to arrange provision from the first day following the exclusion.

9.2 School should take reasonable steps to set work and mark work for a pupil during the first 5 days of an exclusion, unless the pupil is attending alternative provision. Work that is provided should be accessible and achievable by pupils outside of school.

9.3 Parents are responsible for supervising their child during these 5 days and must ensure that the pupil is not present in a public place during normal school hours without reasonable justification.

### 9.4 6<sup>th</sup> Day Provision

The governing body must arrange suitable full-time educational provision from and including the sixth school day of a fixed period exclusion. It is suggested that provision should normally be off-site (except for on-site provision shared with the governing body of at least one other school, e.g., at an Inclusion Centre).

Examples of 6<sup>th</sup> day provision are:

- Reciprocal arrangements between schools
- Well-planned e-learning – with appropriate supervisory arrangements.
- Placement in a secondary school Inclusion Centre
- In some cases, 6<sup>th</sup> day provision may be part of arrangements made with the relevant PRU

9.5 For permanent exclusions, the Local Authority is responsible for the pupil's education from School Day 6 (or School Day 1 for LAC).

## 10. Local Authority Contact for Parents

10.1 Parents of permanently excluded pupils will be allocated a **caseworker** by the Local Authority to support them through the process. This caseworker will make contact with parents.

10.2 The leaflet, 'Where can parents get advice on exclusions?' Appendix 6 in this policy, provides contact details of organisations available to support parents.

## 11. Governors' Meetings to Review an Exclusion

11.1 Most fixed-term exclusions are not followed by a Governors' Meeting (GM). However, the governing body or sub-committee (minimum of three governors) must convene for the following:

- **All permanent exclusions:** the meeting must be held on the 6<sup>th</sup> to 15<sup>th</sup> school day after the governors were notified
- **Where the cumulative number of days of fixed-term exclusions is 16 days or more in one school term:** the meeting must be held on the 6<sup>th</sup> to 15<sup>th</sup> school day after the governors were notified
- **Where the exclusion would result in a pupil missing a public examination or national curriculum test**
- Where cumulative number of days of exclusions in a term is **6-15 days only if parents request a meeting:** meeting must be held on 6<sup>th</sup> to 50<sup>th</sup> day after the governors were notified

11.2 Where total number of days of exclusion in a term is 5 days or less in one term, governors must consider parental representations but are not required to meet with parents. For these exclusions, the governing body cannot reinstate the pupil but can place a copy of their findings on the pupil's school record.

11.3 Where a fixed-term exclusion falls on the day of a public examination or national curriculum test, schools usually make every effort for the pupil to attend the assessment, either by attending school for the examination on that day or by making arrangements with another centre.

11.4 A Governors' Meeting is held to review all permanent exclusions. A minimum of three governors are required if the exclusion is to be reviewed by a sub-committee. The parents, the pupil and a Local Authority representative should be invited. See relevant section in this guidance.

11.5 The governors appointed to hear the Headteacher's recommendation to exclude should not have prior knowledge of the details of the case. The appointed governors/ clerk or chair should have attended recent training on exclusions. Available online or through local governor support.

11.6 The governing body meeting must invite:

- **Headteacher**/teacher with that delegated responsibility
- **Parent**, who can be accompanied by a friend or representative
- **The pupil**, who should be allowed and encouraged to attend the meeting and to speak
- **For permanent exclusions only, an LA officer will attend or send written representations**
- For looked after children, a social worker may wish to be present.

11.7 The meeting should be organised at a time and place convenient to all parties but within legal time limits.

11.8 The Head teacher should start preparing their report straight away for the Governors Meeting. (See Appendix 5 for further information about the Head teacher's report.) As far as possible, the report should be circulated, with other papers, by the Clerk to Governors or other person at least 5 school days before the Governors Meeting

11.9 The role of the governing body is to review the Headteacher's decision.

This review will involve the following considerations, in the context of the DfE Guidance on Exclusions, appropriate school policies and the representations made:

- Where an allegation of misconduct against the pupil is in dispute, the standard of proof is the **balance of probabilities**
  - Whether correct procedure was followed – though a decision should not be overturned on a technical defect unless the process was so flawed that justice was clearly not done
  - Whether the exclusion was proportionate (fair and justified)
- The panel must balance the interest of the excluded pupil against the interests of all other members of the school community.

11.10 The Governors' Meeting or Sub-Committee to consider an exclusion must be minuted by the Clerk to the Governors or other person (see Appendix 4 for a model agenda). The governing body should ensure that all parties are supported to participate and have their views properly heard. This can be achieved by adopting a procedure such as the one suggested in the model agenda.

11.11 The governing body/sub-committee can:

- uphold an exclusion; or
- direct the pupil's immediate reinstatement; or
- direct the pupil's reinstatement by a particular date.

11.12 The governing body cannot:

- extend a fixed-term exclusion
- change a permanent exclusion into a fixed-term exclusion

## **12. The Governing Body's duty to notify people after their consideration of an Exclusion**

12.1. Where legally required to consider an exclusion, the governing body must notify parents, the head teacher and the local authority of their decision, and the reasons for their decision, in writing and without delay. Where the pupil resides in a different local authority from the one that maintains the school, the governing body must also inform the pupil's 'home authority'.

12.2 In the case of a permanent exclusion the governing body's notification must also include the information below.

- The fact that it is permanent.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel and the following information:
  - The date by which an application for a review must be made (i.e. 15 school days from the date on which notice in writing of the governing body's decision was given to parents – see paragraph 74);
  - The name and address to whom 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, this should include a reference to how the pupil's special educational needs are considered to be relevant to the exclusion;
  - That, regardless of whether the excluded pupil has recognised special educational needs, parents have a right to require the local authority / Academy Trust to appoint an SEN expert to attend the review;
  - Details of the role of the SEN expert and that there would be no cost to parents for this appointment;
  - That parents must make clear if they wish for a SEN expert to be appointed in any application for a review; and

## **13. Independent Review**

13.1 Parents have up to 15 school days after the receipt of the Governors Meeting to request an independent review with the Independent Review Panel for Manchester. See relevant section on Independent Review Panel.

13.2 Parents may request an independent review even if they did not attend the Governors' Meeting.

13.3 The Governing Body of Newall Green High School will make arrangements for the Independent Review Panel as detailed in the 2012 'Guide to exclusion from maintained schools, Academies and pupil referral units'. It should consist of a three-member panel comprising: a lay member (Chair), a school governor (or ex-governor), and a Headteacher (or recently serving Headteacher). Clear procedures are set out for appointing members of the Panels in the DfE Guidance on Exclusions, paras 93 to 126

13.4 If requested by parents, in their application for the review, the Governing Body must appoint a SEN expert to attend the review panel, whether or not the child has recognised special educational needs. (For statutory guidance for SEN experts see DfE Guidance on Exclusions, paras 155 to 158).

13.5 The role of the panel is to review the governing body's decision not to reinstate a permanently excluded pupil.

13.6 The panel must apply the civil standard of proof, i.e. on the **balance of probabilities** it is more likely than not that a fact is true.

13.7 Following its review the panel can decide to:

- **Uphold** the exclusion decision;
- **Recommend** that the governing body **reconsiders their decision**; or
- **Quash the decision** and **direct** that the governing body **considers the exclusion again**.

13.8 The panel may only **quash** the decision where it considers that it was flawed when considered in the light of the principles applicable on an application for judicial review (illegality, irrationality, procedural impropriety – see DfE Guidance on Exclusions, paras 148 to 151).

13.9 Where a panel **directs** a governing body to **reconsider an exclusion** it has the power to order that payment to LA of £4000 – in addition to any funding that would normally follow an excluded pupil – if the governing body does not offer to reinstate the pupil within 10 school days.

13.10 **Following an Independent Review Panel.** The panel must write to all parties without delay. This notification must include the panel's decision and reasons for it, details of any financial adjustments if the GB does not offer to reinstate a pupil and any information that should be recorded on a pupil's educational record.

#### **14. Taking Pupils off Roll**

The School can take the child off roll only in the following circumstances:

- If no appeal/review is requested, the pupil is taken off roll on expiry of the time allowed for an independent review (after 15 school days from the parents' receipt of the permanent exclusion letter from school)
- If an independent review is requested, the pupil can only be taken off roll when the review has been determined or abandoned.

- If the parent confirms in writing that they will not be applying for an independent review.

## 15. **Fixed-Term Exclusions**

15.1 Short-term exclusions should be as short as possible. (Evidence from Ofsted is that '1-3 days are often long enough to secure the benefits of exclusion without adverse educational consequences'.) Fixed-term exclusions of more than 15 days within a school term (cumulative) are automatically subject to review by the governing body.

15.2 A pupil cannot be excluded for more than 45 school days in any one school year.

15.3 Parents must be informed, in writing, with reasons, where a fixed period exclusion has been extended or converted to a permanent exclusion.

15.4 As Headteachers are already aware, exclusions must not be given for an unspecified period, for example, until a meeting can be arranged.

15.5 Pupils whose behaviour at lunchtimes is disruptive may be excluded during the lunch-break. Head teacher's still have a legal requirement to inform parents. Lunchtime exclusions are counted as half a school day for statistical purposes and in deciding whether a governing body meeting is required. It is good practice that where a pupil is entitled to free school meals, the school should make arrangements to provide a meal (such as a packed lunch).

15.6 Schools should have a strategy for reintegrating pupils that return to school. At Newall Green High School all students who have received a fixed term exclusion will return, with their parents/carer to a reintegration interview with their Head of Year or Assistant Headteacher. This is to enable staff, students and parents/care to agree a procedure for managing the excluded pupil's future behaviour.

## 16. **Reporting Fixed-Term Exclusions to Local Authority**

16.1 The Local Authority must be informed of all exclusions of more than 5 days or where a pupil would miss a public exam or NC test. In Manchester the LA is automatically informed of fixed-term exclusions through the agreed electronic data transfer. Schools, therefore, need to ensure that their exclusions data on SIMS/CMIS is accurate. The Local Authority **only needs to be notified separately about the fixed-term exclusions that include the date of a public examination**. The LA should be notified using the email address: [exclusions@manchester.gov.uk](mailto:exclusions@manchester.gov.uk)

16.2 For all other exclusions the Headteacher must notify the LA and governing body once a term.

16.3 In addition, within 14 days of a request, governing bodies must provide to the Secretary of State and the LA, information about any exclusions in the last 12 months.

## 17. **Equal Opportunities**

17.1 Under the Equality Act 2010 ("the Equality Act") schools must not discriminate against, harass or victimise pupils because of their: sex; race; disability; religion or belief; sexual orientation; because of a pregnancy / maternity; or because of a gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices

17.2. These duties need to be taken into account when deciding whether to exclude a pupil. Schools must also ensure that their policies and practices do not discriminate against pupils by unfairly increasing their risk of exclusion. Provisions within the Equality Act allow schools to take positive action to deal with particular disadvantages affecting one group, where this can be shown to be a proportionate way of dealing with such issues<sup>4</sup>.

17.3. In making decisions about exclusion the Head and Discipline Committee will take into account any special educational needs, disabilities, gender, and cultural differences that may be relevant to the case. The Head will consider the advice in the DfE 'Improving Behaviour and Attendance', and any published codes of practice.

17.4. The exclusion rates for certain groups of pupils are consistently higher than average. This includes: pupils with SEN; pupils eligible for Free School Meals; looked after children<sup>7</sup>; and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy / Roma; Travellers of Irish Heritage; and Black Caribbean communities.

17.5 In addition to the approaches on early intervention set out above, the schools Pastoral, Student Support and Access and Achievement Teams will consider what extra support might be needed to identify and address the needs of pupils from these groups in order to reduce their risk of exclusion.

17.6 As part of the school ongoing monitoring of behaviour patterns the school will monitor the needs of groups vulnerable to exclusion, and the effectiveness of measures put into place to support their needs

## 18. Monitoring and Review

18.1 The Head will report at least annually on the number and type of exclusions and their outcome.

18.2 The Discipline Committee will review the working of this policy, make an annual report to the governing body, and make recommendations as necessary to the governing body.

## Appendix 1 Headteachers checklist for a decision to exclude

The following are not all statutory requirements, however they are all essential to ensure best practice and to minimise the possibility of a decision to exclude being overturned or reversed at a later date. "The decision to exclude a pupil must be lawful, reasonable and fair" (see DfE, Guidance on Exclusions, Key Points).

### **AVOIDING 'HEAT OF THE MOMENT' UNLESS IMMEDIATE DECISION NECESSARY**

'Exclusion in the moment' should not be imposed, unless there is an immediate threat to the safety of others in the school or the pupil concerned' (DfE 2008. Part 2, para 12).

### **REQUIREMENTS FOR EXCLUSION**

Only the Headteacher can exclude (or in their absence, the person with that delegated responsibility)

#### **Decision to exclude (permanent or fixed-term) should be taken only:**

In response to serious breaches of the school's behaviour policy; AND  
If allowing pupil to remain would seriously harm the education/welfare of pupil or others in the school

#### **For exclusion on basis of persistent disruptive behaviour:**

Is this the last resort following a wide range of strategies that have been unsuccessful?  
Do you have evidence of the persistent disruptive behaviour, and the range of strategies used & their impact?

#### **For serious first offence or one-off incident:**

Is this a serious incident? (E.g. serious actual or threatened violence; sexual abuse or assault; supplying illegal drug; carrying an offensive weapon) Is there no other alternative which would be appropriate?

### **INVESTIGATION CONDUCTED**

Ensure a thorough investigation is carried out;  
Record actions taken to investigate  
Record interviews  
Interview records and statements must be dated and should be signed  
Allow/encourage the pupil concerned to give their version of events and record this  
Check whether incident may have been provoked (to get full picture of the situation)

### **SPECIAL CONSIDERATIONS FOR SPECIFIC GROUPS**

#### **Special Educational Needs** (DfE, Guidance on Exclusions, paras 8-10, 11, 18, 20-24)

Have the pupil's special educational needs been identified and addressed?  
For pupil with a statement, has the situation been discussed with the LA/early review been considered?  
For pupil with a statement, is exclusion undertaken only in exceptional circumstances?

#### **Pupil with Disability** (DfE, Guidance on Exclusions, paras 8-10, 12, 18)

They should not be excluded for behaviour relating to their disability.  
Have reasonable adjustments been made to ensure the pupil can fully participate and to ensure they are not placed at a disadvantage because of their disability?

**Looked After Children** (DfE, Guidance on Exclusions, paras 20, 22-24)

Have social workers (and other agencies) been involved from an early stage to avoid exclusion?  
 Is exclusion the 'absolute last resort'?  
 Have options other than exclusion been considered with the Local Authority?

**If Pupil is BME** (DfE, Guidance on Exclusions, paras 8-10, 20-21)

Has consideration been given to indirect or unintended discrimination? (See Equality Act 2010).

**CONSIDER, CONSULT AND DECIDE**

Have alternatives to exclusion been considered (e.g. internal exclusion, managed move etc)?  
 If attendance at a public examination or national curriculum test would be jeopardised by an exclusion, schools **must** inform the governing body and LA immediately (DfE, Guidance on Exclusions, para 38).

If it is a drug incident, refer to school's drug policy and consult with designated staff member  
 Consider the evidence of behaviour in the light of the school's behaviour policy and the impact on the education/welfare of others – the standard of proof is the **balance of probabilities** (DfE Guidance on Exclusions, para 7).

Consult with others; but not those that may be involved in reviewing the HT's decision, for example, the Governing Body as they need to be independent.

Consider child protection issues, bearing in mind the child's age and vulnerability, e.g. child not left to wander street, or enter an unsafe situation. (Ultimately, this may lead to LA/police involvement)  
 Make a decision

If the Governing Body Discipline Committee will need to meet to consider the decision to exclude you will need to have evidence of the following to support the case: recent dated IEPs/ PSPs /PEPs/ Statement reviews as appropriate to each case. These must evidence, in a chronology, targets, strategies offered and taken up / internal and external advice and support/ interventions, engagement with parents and pupils over time.  
 Record your consideration of the relevant issues above and of decision