Surrey County Council Inclusion Service

Permanent exclusion of pupils

Portesbery School

Reviewed: **September 2025**

Review period: **Annual**

Review date: **September 2026**

SURREY
COUNTY COUNCIL

Permanent Exclusion

Permanent exclusion from school has come under increasing scrutiny through a number of national reviews, and research projects, notably:

'Making The Difference: Breaking the link between school exclusion and social exclusion' Institute of Public Policy Research, October 2017

'Forgotten children: alternative provision and the scandal of ever-increasing exclusions' House of Commons Education Committee, July 2018

'The Relationship between Exclusion from School and Mental Health', University of Exeter, February 2019

'Timpson Review of Exclusions' Edward Timpson on behalf of UK Government, May 2020

Undertaken independently, each highlights the challenge for schools when faced with considering a school exclusion of balancing the support for individual vulnerable pupils with the safety and wellbeing of the whole school community. Nonetheless, each report raises concerns about the detrimental and often long term impact of permanent exclusion for children and young people on their future employment, personal relationships, and health, including mental health.

The aim of this guidance is to support headteachers in their decision making around the permanent exclusion of pupils from school and to embed a transparent and consistent, countywide approach in all schools.

It is important to remember that the decision to permanently exclude *always* lies with the school's headteacher and its Governing Body, not with the Local Authority, and this guidance should not be used as a substitute for the 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including pupil movement (May 2023)':

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1162401/Suspension_and_permanent_exclusion_guidance_May_2023.pdf

Clauses of which are referenced below as 'Guidance' with the relevant clause. The disproportionately high incidence of school exclusion amongst children and young people with some Special Educational Needs and other minority groups such as children from Traveller backgrounds and with Black and Minority Ethnic heritage makes it also important to consider the requirements of the SEND_Code_of_Practice_January_2015.pdf (publishing.service.gov.uk),and the Equality_Act_Advice_Final.pdf (publishing.service.gov.uk)

The ”Behaviour in schools guidance should also be considered in respect of all pupils - Behaviour in schools guidance (publishing.service.gov.uk)

It is recommended that any school that is concerned about a child at risk of exclusion contacts their Area Inclusion Service at the *earliest* opportunity, to ensure that services and correct procedures are being followed.

1. **Specific information in relation to Looked After Children**

Looked after children should be excluded only in the most exceptional circumstances. Before excluding a looked after child, please contact the Virtual School for advice. The role of the Virtual School is to work with school staff and other support teams to reduce exclusions and improve the life chances of some of our most vulnerable children and young people.

Exclusion can be a damaging event for any child or young person, but for the looked after child exclusion can place a great strain on care placements. Exclusion can be a significant contributory factor in the breakdown of a care placement. This will often result in a child moving away from a community which is their home. The suffering for the child is compounded if an exclusion leads to a breakdown in the care placement.

See statutory guidance: Promoting the Education of Looked After Children

If the child is in the care of another local authority the Virtual school of the home authority should be contacted. Surrey Virtual School will offer advice and support for any looked after child and will help to make the link with the Virtual School in the child’s home authority.

Schools should proactively cooperate with the child’s carers, social worker and local authority that looks after the child. If a school has concerns that a looked after child is at risk of exclusion, they should consider whether the provision of additional support would help or if an alternative educational placement is required. Virtual Schools will provide advice and support around specialist interventions and alternative provision. Pupil Premium Plus might be available to supplement costs

Internal exclusion

If internal exclusion is used with children and young people in care it is advisable to ensure that they can engage fully with other people, particularly those for whom they have an attachment, and are provided with meaningful and positive learning experiences that will keep them fully engaged.

Many schools have successfully reduced exclusions by the introduction of an “internal exclusion” provision. Consideration should be given about the suitability of this for some children in care, particularly if there is an “isolation” element to the punishment. A high proportion of children enter care because of neglect and abuse, often including forced isolation, which may have led them to a sense of overwhelming shame. With such children and young people, forced isolation with limited human interaction may trigger a sense of additional shame that could be experienced as 'toxic' in that it has the potential to cause significant damage and induce high levels of fear and panic.

First suspension
In the case of a first suspension a member of the Virtual School team must be invited to the re-integration meeting and will provide advice and support to the school**.**

Repeated suspensions

In the case of repeated suspension (perhaps indicating that the young person is at risk of permanent exclusion) an emergency PEP should be called (and if the young person has an Education, Health Care Plan this should be run alongside an emergency review of the plan**).**

Permanent exclusion

In the case of a proposed permanent exclusion, it is essential that the Virtual School is contacted prior to the issue of the exclusion notice/ letter. Where it is necessary to remove a child from the school site immediately head teachers should issue an initial five-day fixed term suspension that makes clear that they are considering making the suspension a permanent exclusion, however, this will be dependent on the further evidence gathered during that period to justify the permanent exclusion.

If a permanent exclusion is issued, then a senior leader from the Virtual School must be invited to the exclusion meeting along with the allocated social worker. The Virtual School leader attends with the social worker as a corporate parent, not as the representative of the LA. Statutory guidance makes clear that parents may bring a friend or representative to the meeting – in the case of a looked after child this representative is the Virtual School, representing the social worker or the birth parent or whoever has legal parental responsibility for the child.

2. Exclusion - key principles

Only a headteacher can exclude a pupil and this must be on disciplinary grounds. The decision to exclude should be one of 'last resort' and in line with the principles of administrative law that it is: lawful, rational, reasonable; fair and proportionate.

The September 2023 new Suspension and Permanent Exclusion guidance (as illustrated below) makes it mandatory for all schools to report to the Local Authority details of any suspension.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1162401/Suspension_and_permanent_exclusion_guidance_May_2023.pdf

To ensure compliance with the new DFE "Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement" all schools must ensure they report details of any suspension. Whilst Surrey County Council has installed a new central data system (EYES), the process for reporting permanent exclusions will remain the same in respect completing the **mandatory** EXC2, however, this should now be communicated through the Portal.

All suspensions **must** be recorded on your MIS, and if you are part of the automated school's data feed "Groupcall X-Porter", the details of the suspension will be pulled through automatically via the Groupcall feed.

Following a single incident

It is important to recognise the potential vulnerabilities of a child who commits a single offence and to explore the possibilities of stressors in their health and home lives including the possibility of their exploitation by others. Schools are expected to access the early help services provided the Children's Single Point of Access (C-SPA) to support the young person and their family.

Unlawful suspensions

'Informal' or 'unofficial' suspensions, such as sending pupils home 'to cool off', are unlawful regardless of whether they occur with the agreement of parents or carers.

If a pupil is sent home in response to a breach of the Behaviour Policy, even for a short period of time, this must be formally recorded as a suspension. Part-time timetables must not be used as a disciplinary sanction. They can be used as a strategy for successful planned reintegration but need to be time bonded and regularly reviewed with parents (e.g., weekly). Part-time timetables must not be used as a long term, alternative education.

It is unlawful to exclude or to increase the severity of a suspension for a non-disciplinary reason, for example,

- because the pupil has additional needs or disability that the school feels unable to meet.
- time needed to arrange a multi-agency, review or planning meeting.
- failure of a pupil/parent to meet specific conditions before the pupil is reinstated.

Notifying the LA in respect of suspensions.

The local authority must be informed without delay of all suspensions regardless of the length of the suspension. In the event, a student has accrued over 15 days suspension in any one term, either consecutively, or cumulatively, governors must ensure a hearing is convened within 15 days to consider whether the final suspension was fair, legal, and proportionate.

The DFE do not clarify whether all suspensions leading to the 15 day accumulation should be evaluated, or the final suspension, and we would encourage that governors ensure they look at all the relevant suspension information particularly in the event of thematic incidents e.g. repeated physical assaults, or persistent disruptive behaviour. The same applies to if a student has accrued 45 days suspension across the academic year, however, this would be the final meeting before the likelihood of permanent exclusion.

In the event there is a permanent exclusion of a student attending a Surrey school, but they reside out of county, the Headteacher must notify the pupil's home authority of the permanent exclusion, and the reasons for it, without delay.

Responsibility on Schools to implement alternative provision for lengthier suspensions.

Schools are **mandatorily** responsible for implementing alternative provision when a suspension equates to more than 5 consecutive days.

SEND reviews

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1162401/Suspension_and_permanent_exclusion_guidance_May_2023.pdf

The governing board must also comply with their statutory duties in relation to pupils with SEN when administering the exclusion process, using their 'best endeavours' to ensure the appropriate special educational provision is made for pupils and having regard to the Special Educational Need and Disability (SEND)

Code of Practice. The duty under section 66 of the Children and Families Act 2014 applies to Portesbery School.

SEND code of practice: 0 to 25 years - GOV.UK www.gov.uk

Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil's SEN or disability.

Where a pupil has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil's current package of support.

Family Resilience

Surrey County Council's ambition is that every child in Surrey should have the opportunity to reach their potential and that the best place for children to be supported to grow and achieve this is within their own families. Whilst many children will experience these things without support, some will need extra help, because of their own additional needs, their family circumstances, or the adversity they face. SCC want to help these children, and their families, at the earliest opportunity. Children at risk of or excluded from school are particularly vulnerable to poor outcomes and additional support needs should always be considered.

Early intervention to address underlying causes of behaviour should include an assessment of whether appropriate provision is in place to support the young person. The head teacher should refer to the Family Resilience Levels of need document and consider completing an Early Help Assessment for all children at risk of exclusion. Where necessary and when families consent, a request for support should be made to the Childrens Single Point of Access (CSPA).

Where children are at risk of exclusion, targeted help can be offered by the Targeted Youth Support (TYS) Teams within each quadrant area. Interventions will be informed by an Early Help Assessment and developed focusing on building family resilience and strengths.

Where there is police involvement because of a child's behaviour within school, community resolution and restorative approaches should be considered in the first instance. Should the behaviour amount to an offence that requires further criminal justice sanctions, Surrey Police should work with the school to consider the case being discussed at the joint decision-making panel or whether a charging decision is

appropriate. This approach does not negate the required early help and safeguarding response, which should be communicated via the Children's Single Point of Access.

3. Thresholds for Permanent Exclusion

This is not an exhaustive list, and we must point out that this is Surrey's interpretation, and ultimately, it is the Headteacher's decision as to when an incident, or incidents merit a permanent exclusion. The individual circumstances of each case must always be considered, so these threshold examples do not operate as a blanket policy, rather simply a guide.

	Threshold for permanent exclusion not met	Threshold for Permanent Exclusion met
Drugs & Alcohol (DA)	First incident of bringing a quantity of prohibited, toxic or harmful substances for personal use. Any situation in which the school cannot evidence that the education and/or the wellbeing of other students in the school has been directly compromised. Arriving to school in an intoxicated state as a first offence. First incident of bringing alcohol onto school site For all matters relating to drugs in school it is suggested that Headteachers refer to: DfE and ACPO Guidance on Drugs in Schools	Evidence of supply (selling, dealing, or sharing) or intent to supply a quantity of drugs, money, statements from pupils suggesting they were offered drugs / coerced into partaking. Bringing Class A drugs (Cocaine, Crack Cocaine, Ecstasy/MDMA, Heroin, Lysergic Acid Diethylamide (LSD), Magic Mushrooms, Methadone, Crystal Meth) on to the school site. Second incident of bringing a quantity of prohibited, toxic or harmful substances for personal use. Second incident of arriving to school in an intoxicated state. Second incident of bringing alcohol on to school site. Evidence of supply / coercing other pupils to drink alcohol. For all matters relating to drugs in school it is suggested that Headteachers refer to: DfE and ACPO Guidance on Drugs in Schools

Bullying (BU)	Parental pressure to have the child excluded. Low level unpleasant behaviour to others where evidence exists that it is not targeted towards one specific person or group. Altercations between friendship groups. Falling out between friends. Where there is evidence, the child has experienced significant trauma, abuse or neglect and behaviour stems from familial risks/disrupted attachment and targeted or specialist intervention has not been tried – the school need to be curious about what lies behind the behaviour	Evidence of repeated and targeted, verbal, physical, emotional, or cyber bullying incidents, directed towards one person or a specific group of individuals. Where interventions such as restorative practices have been tried and the behaviour has not ceased Evidence for bullying will need to be more in line with the evidence usually needed to support a permanent exclusion for persistent disruptive behaviour. A conversation with the Area Inclusion Manager is advised, as some of these incidents may overlap with verbal abuse/ threatening behaviour.
Inappropriate use of Social Media (SM)	Using electronic applications to insult, offend and abuse individuals, or groups. Sending of inappropriate images could overlap with sexual misconduct.	Repeated incidents as over and, or a specific targeted attempt to bully, inflict emotional and psychological harm whilst drawing in others to support that intent. Tangible evidence showing the school has been brought into disrepute.
Damage (DM)	Accidental damage to school or personal property of others. Where there is evidence, the child has experienced significant trauma, abuse or neglect and behaviour stems from familial risks/disrupted attachment and targeted or specialist intervention has not been tried – the school need to be curious about what lies behind the behaviour	Excessive, purposeful damage to school or personal property that school can evidence directly affects the wellbeing of others or causes disruption to the learning of others. The level of damage could equate to “criminal damage” and be subject to police investigation e.g., arson.
Racial abuse (RA)	First offence of deliberate and malicious direct racial	Repeated offences of deliberate and malicious racial abuse

	abuse towards staff or pupils where documented evidence is available.	towards staff or pupils where documented evidence is available.
Disability specific abuse	First offence of deliberate and malicious abuse specific to the victim's disability whether that be pupil or member of staff where documented evidence is available.	Repeated offences of deliberate and malicious abuse specific to the victim's disability whether that be pupil or member of staff where documented evidence is available.
Physical assault pupil/adult (PP or PA)	Any assault that may have been because of provocation, resulting in injuries that do not require external medical attention.	Purposeful and unprovoked physical assault against staff or pupils that results in the victim requiring external medical treatment. It must be significant injury to meet threshold for a serious one –off incident. The wishes and feelings of the victim should be considered, and restorative approaches should also be considered first. Headteachers should refer to Keeping children safe in education 2023 (publishing.service.gov.uk) Repeated and unprovoked less serious attacks on others. Clarity needs to be provided around the events that led to the incident. For children with SEN, there needs to be evidence of all reasonable adjustments made by the school.
Verbal abuse/ threatening behaviour against pupil/adult (VP or VA)	One-off incident of threatening or abusive behaviour. Not including threats of violence with weapons.	Persistent use of threatening and/or abusive behaviour against staff or pupils where intervention has been tried to address the behaviour. Use of any weapon to threaten or intimidate. Weapons include any implement that could cause harm or serious injury.
Persistent Disruptive Behaviour (DB)	Not low-level behaviour or issues.	There has to be a high number of suspensions/ internal exclusions evidenced Persistent Disruptive Behaviours (disrupting lessons,

		taking up staff time, comprehensive log of disruption, regular sanctions that affect the education and or/wellbeing of others in the school. Schools will need to log evidence of incidents and comprehensive information around appropriate support that has been put in place to support the child. PEX should be a last resort and therefore evidence of strategies/sanctions leading to permanent exclusion (i.e., suspensions, Managed Move, intervention at a PRU, PSP, reduced timetable) should be recorded.
Sexual Misconduct (SM)	For cases of sexual misconduct, a conversation needs to be had with Area Inclusion Manager to discuss the circumstances around the incident(s) to agree an appropriate course of action. For violent and sexually harmful behaviours headteachers should refer to Keeping children safe in education 2023 (publishing.service.gov.uk) Where there is an internal or external investigation being carried out, it is not necessary for pupils to be excluded from site. We would advise that a robust risk assessment is completed for all pupils involved. Consideration will also need to be made as to whether referrals are made/ advice sought from the Single Point of Access and Assessment Consultation Therapy Team.	
Theft (TH)	Theft is a criminal offence, however each incident will need to be dealt with in its own merit. Schools need to take in to account the following: the age of the child, aptitude of the child, familial circumstances for the child, items that have been stolen, evidence available.	
Wilful and repeated transgression of protective measures in place to protect public health (PH)	Refusing to comply with social distancing measures to protect both pupils and staff as set out by schools having been informed by Public Health England and the DFE. Schools need to ensure they have considered children's SEND, especially those who may struggle with social distancing specifically.	Repeatedly ignoring social distancing measures, deliberately compromising and endangering pupil, and, or staff safety by exhibiting behaviours such as spitting, coughing directly in someone's face.

4. The Headteacher's decision-making process

The decision to Permanently Exclude (PEX) a child from a school must be lawful, reasonable, and fair. All alternatives to Permanent Exclusion must be exhausted by a Headteacher before any decision to formally exclude can be made. It is recommended that Headteachers document **in writing** which alternative options have been considered, and any reasons these are rejected. It is imperative this exercise is carried out before the permanent exclusion is issued.

The Department for Education (DfE) Exclusion from maintained schools, academies and pupil referral units in England including pupil movement (May 2023) recommends that in addition to the strategies set out in initial intervention, page 29 of the Behaviour in Schools guidance, Behaviour in schools guidance (publishing.service.gov.uk)

Headteachers should also consider the following:

a) An off-site direction (temporary measure that maintained schools and academies for similar purposes can use)

b) Managed moves (permanent measure) as preventative measures to exclusion.

Any use of AP should be based on an understanding of the support a child or young person needs to improve their behaviour, as well as any SEND or health needs. Off-site direction may only be used to improve future behaviour and not as a sanction or punishment for past misconduct. Off-site direction should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate and should only be used to arrange a temporary stay in AP.

Good practice indicates that before any decision to Permanently exclude a child is made, a conversation, or professional meeting wherever possible between the Headteacher of the excluding school, the PRU and the LA should be convened to consider the evidence that the school have gathered, and crucially to explore what alternatives might be appropriate.

The meeting allows the Headteacher the opportunity to reflect on the decision to exclude and for the PRU and LA to coordinate and gather the possible alternatives that might be available to avoid the permanent exclusion.

If a headteacher is at a point where the only option is to Permanently exclude, they may, in the first instance, issue a Permanent exclusion letter to the parents/carers, but cancel that exclusion prior to the meeting of the Governors Disciplinary Committee following discussion between the LA, PRU, school, and parents to agree next steps.

Letter templates are available within a separate document: Surrey County Council Exclusion and Managed Move letters November 2023

5. Supporting evidence for persistent disruptive cases

Documentation completed	Please circle
Front cover with student name, date of birth, year group, student profile (e.g. CLA, CIN, CP, Pupil Premium, ethnicity, SEND including K)	Yes No
Copy of attendance data	Yes No
Copies of all suspension letters and permanent exclusion letter sent to parents	Yes No
Behaviour log and interventions	Yes No
Achievement log	Yes No
Copy of the Personal Education Plan (Pep) if the child is looked after	Yes No
Witness statements from students and staff relating to any serious incident (signed and dated). This can be scribed where necessary.	Yes No
Evidence of the excluded student's view/opinion taken either at the time, or, on reflection whilst ensuring the student is wherever possible, accompanied by parent/carer or non-school representative.	Yes No
Copy of PSP and minutes from review meetings	Yes No
Evidence of referrals/involvement of outside agencies to support child's behaviour (where relevant).	Yes No
Any action taken to support the child's behaviour prior to the permanent exclusion. The Supportive Interventions checklist (attached) is designed to help headteachers ensure all possible support has been provided.	Yes No
Details of any alternatives to permanent exclusion considered and reasons judged not to be appropriate e.g., Managed Move, suspension, use of alternative provision, reduced timetable, PSP.	Yes No
Copy of Request for Support (e.g., Social Care referral) where appropriate.	Yes No
SEND Support Arrangements document.	Yes No
Emergency Annual Review (student with EHCP). This review should be scheduled before the Governors Hearing.	Yes No
The school Behaviour Policy and any other relevant school policy. Within the pack it should be made clear how the behaviour policy has been breached and school need to be able to demonstrate that pupils are familiar with the content of such policies.	Yes No

Risk assessments – showing amendments if e.g., history of assaults, absconding.

6. Supporting evidence for one off cases

Documentation	Please circle
Front cover with student name, date of birth, year group, student profile (e.g., CLA, CIN, CP, Pupil Premium, ethnicity, SEND including K).	Yes No
Copy of attendance data.	Yes No
Copy of suspension letter(s), permanent exclusion letter sent to parents.	Yes No
Witness statements from students and staff relating to the serious incident (signed and dated). This can be scribed where necessary.	Yes No
Evidence of the excluded student's view/opinion taken either at the time, or, on reflection whilst ensuring the student is wherever possible, accompanied by parent/carer or non-school representative.	Yes No
Evidence of referrals/involvement of outside agencies to support child's behaviour (where relevant).	Yes No
Details of alternatives to permanent exclusion considered and reasons as to why they were deemed not to be appropriate e.g., managed Move, use of alternative provision.	Yes No
Copy of Request for Support (Social care referral) where appropriate.	Yes No
SEND Support Arrangements document.	Yes No
Emergency Annual Review (student with EHCP). This review should be scheduled before the Governors Hearing.	Yes No
The school Behaviour Policy and any other relevant school policy. Within the pack it should be made clear how the Behaviour Policy has been breached and school need to be able to demonstrate that pupils are familiar with the content of such policies.	Yes No

NB The pack for a serious one-off incident should only include details and statements relating to that one incident. There should not be a behaviour log or any evidence relating to other incidents that have occurred.

7. **Requirements for Witness Statements**:

- Signed and dated by the witness (and their representative if used) and the interviewer.
- Completed before the decision to permanently exclude if possible. If written statements are completed after the date of the permanent exclusion, the headteacher should include notes of verbal statements obtained as part of the evidence collection.
- Generally, provide the evidence that led to the decision to exclude. The headteacher should address any inconsistencies as part of the statement to governors at the Governors' Disciplinary Meeting.
- If an adult is writing down the statement of a young person, or asking a student to write their own statement, they must avoid using leading questions.
- Statements should be factual and in the words of the witness: 'I did this...', and 'I saw...' Statements could also include photos, maps, sketches, or diagrams.
- Be aware the Statement may need to be shared as part of the Governors Hearing and therefore consider using an alternative identifier (e.g., Pupil A) if pupils are involved but are not the pupil subject to the exclusion.

8. **Requirements for Governors Hearings:**

- Governor's hearings cannot go ahead without a trained clerk.
- There must be a quorate of Governors equalling no less than 3
- Current hearings should comply with the DFE recommendations in respect of COVID-19 safety by convening wherever possible, a virtual meeting.
- There should be no time limit for the hearing.
- It is **recommended** for Governors who sit on the panel to have completed Exclusions Training.
- Any Governor who sits on the panel may be required to attend the Independent Review Panel should the parents* appeal the decision, and in this instance those Governors **will be** required to have had exclusion training.
- The hearing pack should be sent to all parties 5 working days prior to the hearing.

9. Interventions that could be considered for students at risk of suspension/permanent exclusion:

- ✓ Social Care referral via Request for Support Form
- ✓ School Pastoral Support
- ✓ Additional group and /or 1:1 support
- ✓ Differentiated approaches for teaching and learning (Wave 1, 2 and 3 interventions as outlined in the school's Local Offer)
- ✓ Implementation of SEND Support Arrangements in line with SEN processes/reasonable adjustments (the Surrey Local Offer may be of use here)
- ✓ Consideration of application for an Education, Health, and Care Plan
- ✓ Pastoral Support Plan (with details of support for success and comprehensive reviews)
- ✓ Designated safe space
- ✓ Reintegration plan
- ✓ Internal exclusions/suspensions
- ✓ Restorative Approaches
- ✓ Educational Psychology referral
- ✓ Behaviour Support: Specialist Teacher for Inclusive Practice referral
- ✓ Learning and Language Support: Specialist Teacher for Inclusive Practice referral (where there are apparent or potential learning or language difficulties)
- ✓ CAMHS referral
- ✓ Referral to Physical and Sensory Support Team
- ✓ Medical referral for possible diagnosis of behaviour disorders or medical needs
- ✓ School counsellor referral
- ✓ Referral to Pupil Referral Unit for an intervention placement or outreach support
- ✓ Wellbeing assessment
- ✓ Managed Move to another school (refer to Managed Moves Protocol document)
- ✓ Alternative provision
- ✓ Online information resource: Schools Exclusion Hub

10. Advice on how a school's evidence complies with the standard of proof

1) The investigation should be carefully planned.

The headteacher should, where possible, delegate the investigation into an incident(s) and then decide about suspension/permanent exclusion from an arm's length position and not in the heat of the moment.

a) The investigation should be thorough ensuring that all evidence is gathered.
b) The investigator should be carefully chosen – a teacher who was involved in an incident should not be the investigator.
c) As many independent witness statements as possible should be gathered, as soon after the incident as possible.
d) The witnesses should be asked to write down what they saw in their own words, and to sign and date the account.
e) If, on reading the statement, further questions need to be asked (for example, to resolve inconsistencies) then the questions and the replies should be noted down and signed by the witness.
f) If it is not appropriate for the witness to write their own statement, careful notes should be taken of what they have to say and the witness should again sign the notes, after they have been read back to them if necessary.
g) Statements should not be anonymised unless there is a very good reason for it.
h) It goes without saying that no one should be pressured into giving a statement, but they might be asked why they are not prepared to do so.
i) Physical evidence may need to be dealt with. If it is to be used at a hearing, it will need to be kept safe.
j) Photographs (e.g., of injuries sustained) may be helpful. If so, a
b) They should be asked if there are any witnesses who can confirm their account, and those witnesses should be asked to give a statement.
c) Headteachers do not have to comply with PACE, but it is strongly recommended that a parent or appropriate adult (not a member of staff) should be present during any questioning.
d) They should be told the reason for the questioning and a note should be taken of the interview, which they should be asked to sign.

3) What NOT to do.

a) Question a child for an unreasonably long time.
b) Overwhelm a child with more than two adult interviewers.
c) Tell a child that they cannot leave the room, see a parent, or go home until they have 'told the truth'.

4) Evaluate what you have collated.

a) Are there any gaps? These may be gaps in the story - for example, a period that may be unaccounted for, or there may be statements missing from people who clearly might have witnessed part of the incident.
b) Can they be filled? If students or members of staff are named in a statement as having been present, they should be asked to give a statement of their own. An appeal could be made for further witnesses. If gaps remain, a note should be made of any reasons for them.
c) What weight do you give to each statement? For example, did the witness have a clear view of the incident? Is he/she reliable? Is he/she independent or part of the

careful record should be made of who took them, and when. k) A plan of the school site showing where a particular incident took place, and where any witnesses were at the time, can also be helpful. l) Witnesses - take as wide a range as possible from different friendship groups if the incident was a bullying situation so as not to appear to be one sided. If a statement identifies that another person was present, they should be approached for a statement too. m) CCTV should be checked and retained if it shows the incident. **2) Special care should be taken in interviewing those suspected of being responsible for the incident.** a) It is best that they are also asked to write their own version of events, at least in the first instance.	victim's/suspect's friendship group? Is the evidence direct or hearsay? d) Hearsay evidence is still admissible, but its weight is limited. e) What, having read all the statements and looked at all the evidence, do you think happened? f) Are you satisfied the balance or probabilities criteria has been in terms of what the student is accused of doing? It is only after you are satisfied about what the student did that you may go on to consider whether permanent exclusion is appropriate in all the circumstances.

Glossary of terms

Abbreviation	In full
SUS	Suspension
GDM	Governors Disciplinary Meeting
IRP	Independent Review Panel
CLA	Child Looked After
PEX	Permanent Exclusion
PRU	Pupil Referral Unit
SEN	Special Educational Needs