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Foundations for LIFE School is owned and operated by Omega Life Education Ltd part of the Omega Life Group.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school’s aspiration to provide an outstanding education for each of its students and of the

mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. It should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding, and child protection.

All these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core value of building confidence and preparing students for life.

While this current policy document may be referred to elsewhere in Foundations for LIFE School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the words "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance Understanding and dealing with issues relating to parental responsibility considers a 'parent' to include:

- all biological parents, whether they are married or not.
- any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a stepparent, guardian or other relative.
- any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person.
- A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The term 'carer' is also used to include the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Mentor HR
- Compliance Health and Safety
- U-Check
- The Safeguarding Company (online CPD)
- Markel Care (Insurance)
- B11 Education Consultancy
- KCFM (Facilities Management)

Foundations for LIFE School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils, and visitors to share this commitment.

All outcomes generated by this document must take account and seek to contribute to safeguarding and promoting the welfare of children and young people at Foundations for LIFE School.

The policy documents of Foundations for LIFE School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although circulated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

1. Suspension and Exclusion Definitions

In line with the updated guidance for the maintained education sector, **School suspensions and permanent exclusions**, this document uses the terms “suspension” and “permanent exclusion”.
A suspension is a “temporary-restricted” or “temporary-up-to-45-days” (as explained below) suspension, and an exclusion is a “permanent” exclusion.

- for a student not to attend the School for a defined period of time, usually counted in full days.
- A **temporary-up-to-45-days** is one that has an end date at an accumulated 45 school days’ exclusion for the individual student in a school year, the aim of which is to allow for the conclusion of more complex investigations or other necessary activities the length of which cannot be defined, and which will be concluded within that period of an accumulated 45 days at the earliest practicable opportunity. The purpose of utilising such an exclusion is to avoid having to use multiple, shorter temporary exclusions, where this would create additional uncertainty for those involved.
- A **permanent** exclusion is the required ending of a student’s place at the School marked by the removal of their name from the School roll.

  For clarity: the government guidance document School suspensions and permanent exclusions does not apply to independent schools.

2. The Decision to Suspend or Exclude: Introduction

Foundations for LIFE School is mindful that, nationally, young people with certain characteristics (eg gender, ethnicity or the presence of additional needs) experience a disproportionately high rate of school suspension and

exclusion, and so seeks to avoid suspension or exclusion wherever possible.

The school believes that suspensions and exclusions should be considered only as a last resort and that the decision to suspend, even for short periods, is to be taken deliberatively.

Only the Headteacher or, in their absence, a member of staff acting formally as their deputy can suspend or permanently exclude a pupil / student.

A decision to exclude a student is considered only:

- in response to a serious concern or repeated significant concerns regarding breach of the school's Behaviour Management Policy
- if allowing the student to remain in School would significantly and unreasonably harm the education or welfare of the student or others in the School
- where there is no reasonably practicable or suitable alternative

To consider suspending or excluding a student permanently is highly regrettable. Characteristically it is the final step in a sustained process of responding to significant matters of concern and follows a period where a wide range of other strategies, designed to stabilise and sustain the place in the school, have been tried without success.

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

3. Factors considered before making a decision to exclude

Student behaviours that may trigger a suspension or exclusion rarely occur 'out of the blue'. The school endeavours to identify and engage with the early stages of a pupil's / students' changing presentation, with the aim of proactively modifying approaches to meet need.

In cases of consideration of any suspension or exclusion, the Headteacher will appropriately consult within the school and (if relevant) beyond before making any decisions. This consultation may include school and governance colleagues and relevant external professionals or agencies. Particular attention is given where there are specific vulnerabilities (such as a child who is looked after by a Local Authority or is in some other way in a disadvantaged category) that mean a suspension or exclusion will have a more significant impact upon the student and their family.

Whilst every effort will always be made to minimise suspensions or exclusions and to sustain every school place, where a pupil's / students' needs change such that there is a prospect that their place in the School

may or has become less appropriate, this will be addressed jointly with the pupil / student, parents and (if relevant) the Local Authority and other appropriate professionals or agencies.

If it is concluded by the school that a place cannot be sustained, where reasonably practicable this should be managed in a planned and constructive way.

Unless there is an immediate and/or significant risk to the safety or education of others in the School or of the student concerned, before deciding whether to consider the suspension or permanent exclusion of a pupil / student, the Headteacher will reasonably endeavour to:

- ensure that an appropriate fact-finding exercise has been carried out
- consider the evidence available to establish the facts, 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 / student's EHCP (if applicable) and the way in which any of the needs outlined therein may have impacted the matter of concern
- allow the student the opportunity to give their version of events through their preferred method of communication, with support in line with their needs if necessary
- 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 an amended consequence, it will not necessarily do so
- as appropriate, consult others, where possible avoiding detailed consultation with anyone who may later have a role in reviewing the decision
- take into account both the best interests of the student 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 matter(s) of concern did happen, after due and careful process the Headteacher may decide to suspend the student "temporarily-defined" or "temporarily-up-to-45-days".

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.

The Headteacher need not postpone taking a decision on a suspension or exclusion solely because a police investigation is underway and/or any

criminal proceedings may be brought. In such circumstances, the Headteacher will need to take a decision on the evidence available to them at the time. Where the evidence is limited by a police investigation or criminal proceedings, the Headteacher should consider any additional steps they may need to take to ensure that the decision to exclude is fair.

Where appropriate, the school considers whether to inform other agencies eg Children's Services, the Local Authority etc. If a student has a social worker, or is looked-after, the Headteacher notifies the social worker without delay after their decision.

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

4. Length and character of fixed period suspensions

Whilst suspensions or exclusions are a last resort at our school, regulations allow the Headteacher to exclude a student permanently or suspend them for one or more fixed periods not exceeding 45 school days in any one school year.

Individual suspensions are for the shortest time appropriate in the judgement of the Headteacher.

After a cumulative 45 days of suspension in any one school year, the school is required to either permanently exclude the student involved or readmit them.

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

In cases of more than a day's suspension, where practicable, work is set and marked. It is the parent's responsibility to ensure that work sent home is completed and returned to school.

The Headteacher may, at their complete discretion, issue a "partial suspension", for example by excluding a student from some or all regular aspects of school but allowing them to attend for public examinations under regulated circumstances, or by making certain "internal suspension" arrangements. Any such "partial suspension", with its detailed information, is recorded clearly as such in the school's Suspension and Exclusion Log.

The Headteacher may, at their complete discretion, attach conditions to a pupil's / student's return to school.

Following a suspension, the student, who may be accompanied by a parent, has a reintegration meeting with a member of the Senior Leadership Team prior to returning to lessons.

A student who receives a succession of fixed period suspensions can reasonably expect to have their place at the school reviewed.

Any suspension of a pupil / student, even for short periods of time, is formally recorded in the school's Suspension and Exclusion Log.

5. Potential permanent exclusion of a student with an EHCP

In the event of an incident (or a series of incidents) occurring that may potentially trigger a permanent exclusion for a student wholly or partly funded by a Local Authority via an EHCP (Education, Health and Care Plan), the Headteacher will call an EAR (Emergency Annual Review), if necessary suspending the student "temporarily-up-to-45-days" pending the outcome of the EAR.

The aim of this approach is to formally consider the matter within a multi-professional setting and to ensure due exploration of strategies that could still stabilise and sustain the school place.

The school will immediately notify in writing to the proprietor of Omega Life Education Ltd of the intention to call any such EAR. The school will actively keep the Director of Compliance aware of the development of the case, but the Director of Compliance will not take part in any decision-making in the matter.

The school will approach the EAR with openness and will be receptive to consider the views of relevant parties.

At the end of the EAR, after due consideration of the views shared, the School will clearly communicate whether they can or cannot meet needs, which will be recorded clearly in the meeting notes. The ideal scenario is that a unanimous decision is reached in the EAR regarding the best way forward.

Following the EAR, the responsibility for decision-making over the pupil's school place at the school will sit with the relevant Local Authority.

If the LA concludes that the student requires a new placement, the school will support that decision and will assist the family and LA in facilitating the move.

During the interim period, whilst a new placement is found by the LA, the school may decide to:

- allow the student to return to school temporarily (but only if a safe and workable plan can be agreed with relevant parties).
- work with parents/carers and other agencies to implement temporary arrangements whereby the student does not attend the school campus but remains on roll (e.g. alternative provision, remote learning or elective home education).
- end the placement, meaning the pupil / student's educational provision will become the responsibility of the LA in this interim period.

Whichever option is chosen, care is taken to consider all relevant factors, particularly those surrounding safeguarding.

If the LA decides that the student should return to the school and that a new placement is not required, the "temporary-up-to-45-days" suspension will end. The school will decide whether to conclude the "temporary-up-to-45-days" suspension by supporting a return to School for the student or if this is incompatible with the Headteacher's assessment of the school's capacity to maintain the school place and the views shared at the EAR, the "temporary-up-to-45-days" suspension will be concluded and a permanent exclusion will be implemented.

6. Procedures for review and appeal

Parents/carers of an excluded student have the right to appeal a permanent exclusion or a fixed period suspension in excess of 15 school days. The parents/carers must request the appeal, by writing to the Proprietor of Omega Life Education Ltd at the school's address, within three calendar days of receipt of notification of the suspension or exclusion.

Regardless of whether an appeal is invoked, Omega Life Education Ltd operate arrangements to review promptly all permanent exclusions from the school, and all fixed period suspension that would lead to a student being suspended for over 15 days in a school term, or missing a public examination.

They consider whether or not to reinstate the student is appropriate, whether the Headteacher's decision to suspend or exclude the student was justified or whether to adjust any conditions attached to the return of a student to the school.

7. Admissions register procedure following permanent exclusion

In the case of a permanent exclusion the student remains on the school roll until

- an invoked appeal is determined

- the time limit for an appeal has expired without an appeal being brought or
- the parent has informed the school that no appeal is to be brought

8.Behaviour outside school

Pupils' / students' behaviour outside school while under the authority of the school (eg 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 Headteacher may suspend or exclude a student if there is a link between that behaviour and maintaining good order and discipline among the student body as a whole or parts thereof. This is a matter of judgement for the Headteacher.

Pupils' / students' 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 suspension or exclusion.

9. Disabled students

The school is mindful of its duty under the Disability Discrimination Act 1995 not to discriminate against disabled pupils / students by suspending or excluding them because of their disability.

This applies to permanent exclusions and fixed period suspensions. The definition of disability under the Act covers pupils / students with certain physical, sensory, intellectual or mental impairments.

Discrimination means treating disabled pupils / students less favourably than other pupils / students without justification. It also means failing to take reasonable steps to ensure that disabled pupils / students 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 student

Informing parents about a "temporary-restricted" and "temporary-up-to-45-days" exclusion

Whenever the Headteacher temporarily suspends a pupil / student, the parent is notified at the earliest opportunity, usually by telephone by the

Headteacher or a member of staff acting on their behalf, followed up by an emailed letter from the Headteacher or their Deputy as soon as possible and within one working day.

See the suspension and exclusion letters template below.

Forming the Exclusion Appeal Panel

The Headteacher informs the Proprietor of Foundations for Life School and the Chair of Governors of all exclusions at the earliest opportunity within one school day.

All serious sanctions are reported to the Proprietor of Foundations and the Chair of Governors on a termly basis as part of the school's governance arrangements.

Suspension and exclusion reports include:

- the pupil's / student's name
- the length of the suspension
- the reason for the suspension or exclusion
- the pupil's age, gender and ethnicity
- whether the student 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 and student during temporary-restricted or temporary-up-to-45-days suspensions

In line with the government document School discipline and exclusions, parents have a duty to ensure that their child is not present in a public place in school hours during a "temporary-restricted" or "temporary-up-to-45-days" suspension, unless there is reasonable justification for this.

Parents 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 to show reasonable justification.

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

12 Review of implementation

The implementation of this Policy is reviewed annually by the school's Senior Leadership Team in consultation with staff and a report is made to the Governance Body.

The school may submit to Omega Education Ltd proposals for amendments to this Policy.

Annex A Suspension and Exclusion Letter Templates

Annex A1 Temporary suspension

Dear xxx

I write to confirm the decision of Foundations for LIFE School, that NAME is to be temporarily suspended on DATE / from DATE to DATE.

The reason for this suspension is ….

In the event of this suspension bringing the accumulated suspension period above 15 days in a twelve month period: You are entitled to appeal this suspension, which brings NAME's accumulated suspension to above 15 days in a twelve month period. To appeal, you should request the appeal by writing to the Proprietor of Foundations for Life school at hello@foundationsforlifeschool.co.uk, within three calendar days of receipt of this notification of the suspension.

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 suspension 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 suspension 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 suspension is a matter of regret for everyone involved. We want it to be a positive learning experience for NAME, which we will discuss further when we meet.

Yours sincerely

Annex A Exclusion Letter Templates
A2 “Temporary-up-to-45-days”suspension because an EAR is due

Dear xxx

I write to confirm the decision of Foundations for LIFE School, that NAME is to be suspended with effect from DATE; because an Emergency Annual Review has been requested at which their school place is being reviewed. We are unable to provide a specific end date to the suspension, 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 school 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 suspension is because xxx.

The school will set work for NAME during the period of suspension, 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 suspension; if so, it will be for you to show reasonable justification.

You are also advised that you have the right of appeal against a suspension when it reaches 15 days, in this case on DATE. If you choose to do so, please write to the Proprietor of Foundations for LIFE School within three calendar days, by DATE, 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 Suspensions and 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 A Exclusion Letter Templates
A3 “Temporary-up-to-45-days”exclusion because of further fact-finding exercises

Dear xxx

I write to confirm the decision of Foundations for LIFE School, that NAME is to be suspended with effect from DATE. Because further fact-finding exercises [by xxx] are imminent or under way, we are unable to provide a specific end date to the suspension, 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’ suspension in a twelve month period].

As soon as the progression of the fact-finding exercises 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 suspension 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 a suspension when it 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 suspension decision being upheld, will be heard in accordance with the Suspensions and 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 A Exclusion Letter Templates

A4 “Temporary-up-to-45-days”exclusion during consideration of the place on the School roll

Dear xxx

I write to confirm the decision of Foundations for LIFE School, that NAME is to be suspended with effect from DATE.

This suspension is because xxxx.

As you have been informed, we are reviewing NAME’s place at Foundations for LIFE School. This means that we are unable to provide a specific end date to this suspension, 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 suspension; if so, it will be for you to show reasonable justification.

The school will set work for NAME during the period of suspension, 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 A Exclusion Letter Templates
A5 Permanent exclusion following a"temporary-up-to-45 days" exclusion and due deliberation

Dear xxx

Having deliberated following our meeting at PLACE on DATE, I write to confirm the decision of Foundations for LIFE 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 the Proprietor of Omega Life Education Ltd at hello@foundationsforlife.co.uk 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 reasonable 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.

Yours sincerely

Annex B POTENTIAL PERMANENT EXCLUSIONS

Summary Procedure for parents, in the event of a pupil's / student's "temporary-up-to-45-days" suspension because of a prospective permanent exclusion

The decision to consider moving towards the permanent exclusion of a pupil / student or the request for their withdrawal is never taken lightly, and is always set in the context of the situation of the pupil / student 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 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 those involved.

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

The Headteacher may, if the circumstances are sufficiently serious, immediately suspend the pupil / student for either a specific restricted period or for a period-up-to-45-days [that is, a suspension that has an end date up to an accumulated maximum of 45 days' exclusion for the individual student in a school year, the aim of which is to allow for the conclusion of fact-finding exercises or other necessary activities the length of which cannot be defined].

The purpose of the suspension may be to allow adequate time for a full fact-finding exercise and consideration of the facts. During such suspension, the school endeavours to make whatever arrangements are practicable to minimise the impact on the pupil's / student's educational progress.

When the Headteacher is confident that 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 / student's parent(s) to acquaint them of their findings and of the possible outcome(s).

The Headteacher will take due account of parent(s)' views. They will advise them that their decision will be notified in writing, if appropriate after due consultation with a Director of Omega Life Education Ltd or their nominated deputy. The decision is nevertheless the Headteacher's, acting on behalf of the school, and not the Director's.

The Headteacher will advise the parents of the school's decision in writing.

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

At the same time the Headteacher will advise parent(s) of their right, if in disagreement with the school's decision, to appeal, in writing, to the Proprietor of Omega Life Education Ltd, by writing to hello@foundationsforlife.co.uk within three working days of receipt of the suspension or exclusion decision. An appeal against a suspension or exclusion falls outside the School's Complaints Procedure. Parents should note that at the conclusion of their deliberations the Suspension and Exclusion Appeal Panel may reduce, ratify or increase a suspension / exclusion sanction imposed by the Headteacher.

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

The conclusion of the Suspension and Exclusion Appeal Panel may include:

reinstatement of the suspended pupil / student
confirmation of the suspension or exclusion of the pupil / student
an increase of the suspended / excluded pupil's / student's sanction

Having reached a conclusion, the Suspension and Exclusion Appeal Panel will advise parent(s) in writing of their conclusion, which shall be added to the school record of the pupil / student, 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 SUSPENSION / EXCLUSION APPEALS

The proprietor of Omega Life Education Ltd assembles a Suspension and Exclusion Appeal Panel, normally comprising three members but in any event not less than two.

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

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

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

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

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

The parent 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.

Procedure at the Hearing

The Chair of the Panel shall:

- thank the parent/carer for coming, and explain that this is an Appeal Hearing following the Headteacher's suspension / exclusion decision
- formally introduce him/herself and the other Panel members
- if applicable, note that the parent is accompanied, by whom, and in what capacity their companion is present
- advise the parent 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 Panel may reduce, ratify or increase a sanction imposed by the Headteacher

During the Hearing

The Chair of the Panel shall:

- ensure that documentation relevant to the Appeal has been copied to the parent(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 suspension / exclusion, and the reason given by the Headteacher for the exclusion
- ask if the parent/carers(s) need further explanation of any point of fact
- ask the parent(s) to amplify the grounds of the Appeal, if they have any other questions relating to the Headteacher's decision, and to submit any further information
- ensure that adequate notes are taken of the representations of the parent(s)
- not hesitate to adjourn at any time (and to take advice where necessary) to consider any complex or unusual points raised by the parent(s), or to research any issue on behalf of the pupil / student; an adjournment can be for a few days if necessary

When the points have been aired, ask the Headteacher and the parent(s) if they wish to add anything further before the Hearing is closed and the Panel considers their decision. Explain that the decision of the Panel may include:

- reinstatement of the excluded pupil / student
- confirmation of the exclusion of the pupil / student
- an increase of the excluded pupil's / student's exclusion sanction
- explain that the Panel will communicate their decision in writing to the parent(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) communicating the Panel's decision;
- the letter should include brief reasons for the decision, and be copied to the Headteacher
- arrange for the conclusion of the Panel to be added to the school record of the pupil / student, along with a copy of relevant documentation

Note: Nothing which is undisclosed to the parent(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) who should be given the opportunity to comment.