Shropshire Council

Supporting Guidance for Headteachers and Governors

School Suspension and Permanent Exclusion

Introduction

The DFE Guidance for Head Teachers and Governors was updated for July 2026 Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement

Head Teachers and Governors are required to follow the DFE Guidance, this document is a guide to support actions, including for when recording findings and examining paperwork before a Pupil Disciplinary Committee (PDC).

Shropshire Council's vision is for an inclusive system where every child and young person can thrive, be positively engaged, feel they belong and be included in suitable education. Schools need to make best endeavours and reasonable approaches to support pupils who are at risk of suspension or exclusion in line with Guidance. An exclusion is always a last resort and should be avoided unless no other options are available. This includes making use of support from the Council and effective use of resources.

This document should be read in conjunction with other key guidance, including but not limited to

- Working together to improve school attendance - GOV.UK
- Keeping children safe in education 2026 (comes into force from 1 September 2026)
- SEND_Code_of_Practice_January_2015.pdf (publishing.service.gov.uk)
- Equality Act 2010: guidance - GOV.UK
- Arranging Alternative Provision - guide for LAs and schools

August 2026

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1. Key Terminology

Must: Refers to what Headteachers, governing boards, academy trusts, local authorities, parents, and others are required to do by law and must have regard to when carrying out their duties.

Should: Refers to recommendations for good practice as mentioned in the suspension and permanent exclusion guidance and should be followed unless there is good reason not to.

Pupil Disciplinary Committee (PDC): A formal, statutory subcommittee of the Governing Board (GB), with delegated GB authority to act as an independent reviewing body.

Rules of Natural Justice: Principles ensuring the hearing is independent, impartial, and transparent for all parties, as required by the Right to a Fair Hearing.

Civil Standard of Proof (Balance of Probabilities): The panel must decide if it is "more likely than not" (>50% probable) that the alleged incident occurred (more probable than not). If the evidence is exactly 50/50, the decision must fall in favour of the pupil.

The "Two Limbs" Test (for Permanent Exclusion): A permanent exclusion is only lawful if it meets both criteria: 1) it is in response to a serious breach or persistent breaches of the school's behaviour policy, AND 2) allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school community.

The Five-Point Lawfulness Test (PDC's Mandate): The decision must be tested against these points: Lawful, Reasonable, Procedurally Fair, Proportionate, and In accordance with legitimate expectations (aligned with published school policies).

Off-rolling: The exclusion is unlawful if it is used as a form of off-rolling, such as a result of an unlawful part-time timetable or for failure to meet conditions prior to reinstatement.

2. General Guidance

2.1 The Decision to Suspend or Permanently Exclude

A Headteacher/Principal can suspend or permanently exclude a pupil on disciplinary grounds. This may be for one or more fixed periods, up to a maximum of 45 school days in a single academic year, or it may be a permanent exclusion. The headteacher's decision must be made in line with administrative law principles, ensuring it is lawful, reasonable, fair, and proportionate, and can include consideration of the pupil's behaviour outside of school. When establishing the facts of the case, the headteacher should apply the civil standard of proof, meaning they must decide if it is more likely than not ('on the balance of probabilities') that the incident occurred. The decision to exclude a pupil permanently should only be taken by the Headteacher / Principal:

- in response to a serious breach 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, such as staff or pupils in the school.

2.1.1 Headteacher Duties Under the DfE Suspension and Permanent Exclusion Guidance

The DfE statutory guidance effective from 26 July 2026 sets out legal responsibilities for Headteachers, governing bodies, local authorities and related parties when suspending or permanently excluding pupils. This Headteacher briefing summarises the key duties to support lawful, fair and proportionate decision-making.

Duty Area	Key Headteacher Duties
Before any suspension or permanent exclusion	Ensure decisions are lawful, reasonable, fair and proportionate. Only suspend or permanently exclude on disciplinary grounds. Consider all available evidence and apply the civil standard of proof: "on the balance of probabilities". Take account of relevant factors, including SEND, vulnerability, safeguarding concerns and any contributing circumstances.
When making a suspension or permanent exclusion	Inform parents without delay, explaining the reason for the suspension or exclusion, the length of any suspension, arrangements for education during the exclusion period, and their rights to make representations or seek reviews where applicable.
Notification responsibilities	Notify the governing board and local authority of exclusions in accordance with statutory timescales.

	Notify the child's social worker and Virtual School Head where the pupil is looked after, previously looked after or has a social worker.
Education during exclusion	Set and mark work for the first five school days of a suspension. Work with the local authority and other providers to ensure suitable education is arranged where required from the sixth school day. Where the child has a social worker or is looked after the school and the local authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion
Working with Governors	Provide governors with all relevant evidence and information needed to review the decision. Attend governing board meetings considering exclusions and answer questions about the decision-making process.
Reintegration	Take reasonable steps to support the pupil's successful reintegration following a suspension. Consider pastoral support, behaviour support, reasonable adjustments and any SEND needs when planning a return to school.
Managed moves and alternative provision	Consider early intervention, managed moves and alternative provision where these may prevent exclusion and better meet the pupil's needs. Ensure any use of off-site direction or alternative provision complies with statutory requirements.
Cancelling an exclusion	A Headteacher may withdraw or cancel an exclusion before governors have met to consider reinstatement. Parents, governors, the local authority and other relevant parties must be informed without delay.

2.2 The Pupil Disciplinary Committee's Duty to Review

A Pupil Disciplinary Committee (PDC) is a formal, school-managed statutory process governed by public law principles and DfE guidance. Its core purpose is to act as an independent reviewing body to determine whether a Headteacher's decision to permanently exclude or suspend a pupil should be upheld or overturned. All governors attending a PDC must have regard to the statutory guidance Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (new guidance was issued in 2026; ensure you use the correct applicable version from 26 July 2026 onwards).

The PDC must apply the rules of natural justice (unbiased, evidence-based, fair hearings) and use the civil standard of proof (the balance of probabilities: is it more likely than not to be true?). If the evidence is exactly 50/50, the decision must fall in favour of the child. Permanent exclusion must always be demonstrated as an absolute last resort, particularly for vulnerable student groups.

To withstand any legal challenge, the PDC must exhaustively test if the Headteacher's decision was:

- **Lawful:** Compliant with statutory duties, including the “Two Limbs” test, and the Equality Act 2010.
- **Reasonable:** Rational, fair, and objective.
- **Procedurally fair:** Correct timelines, unbiased panel, and identical evidence shared with all parties.
- **Proportionate:** The sanction fits the seriousness of the breach.
- **In accordance with legitimate expectations:** Aligned with published school policies.

2.3 Statutory Compliance: Rigorous Checks on the Exclusion Decision

The Governing Board must rigorously scrutinise the Headteacher's decision against these standards, paying particular attention to the following statutory pitfalls:

2.3.1 The “Two Limbs” Test for Permanent Exclusion

1) it is in response to a serious breach or persistent breaches of the school's behaviour policy, AND

2) allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school community.

2.3.2 Standard of Proof

The panel must decide if it is "more likely than not" (>50% probable) that the alleged incident occurred. If the evidence is exactly 50/50, the decision must fall in favour of the pupil.

2.3.3 Unlawful Exclusions and Disproportionality

- The exclusion was not used as a result of an unlawful part-time timetable or for failure to meet conditions prior to reinstatement.
- The school made all mandatory reasonable adjustments under the Equality Act 2010 for a disabled pupil's behaviour. Panels must be hyper-vigilant regarding disproportionality to ensure all mitigating factors were fully considered.

2.3.4 Suspension “Conversion Myth”

A Headteacher cannot issue a suspension with the intent of it "converting" into a permanent exclusion. Any permanent exclusion must be a separate, independent decision based on the evidence gathered.

2.3.5 Last Resort

The PDC must robustly "test" whether the exclusion truly represents an absolute last resort. In practice, this means governors must scrutinize the school’s evidence to confirm that all alternative behaviour management strategies (managed moves, directions off site), interventions, and reasonable adjustments (especially for pupils with Special Educational Needs or Disabilities) were completely exhausted. A graduated response, over time, must be demonstrated.

2.3.6 Public Sector Equality Duty (PSED)

- Under the Equality Act 2010, schools must eliminate discrimination. National data consistently highlights significant over-representation among vulnerable groups.
- **Scrutinising disproportionality:** If internal school data shows disproportionate exclusions of a specific cohort, this acts as an analytical trigger. Governors are expected to question whether school interventions were sufficiently tailored.

2.3.7 SEND

When reviewing an exclusion involving a pupil with Special Educational Needs or Disabilities (SEND), the PDC must rigorously scrutinise whether the school met its legal duties under the Children and Families Act 2014 and the Equality Act 2010 before taking action. Governors should demand evidence that the school proactively identified the pupil's needs and implemented reasonable adjustments to prevent the behaviour from escalating.

For a student with an Education, Health and Care Plan (EHCP), the school must demonstrate that they actively engaged with the local authority to trigger an **interim or emergency EHCP review** as soon as the pupil became at risk of exclusion, rather than treating permanent exclusion as an immediate fallback. Governors need to see a clear paper trail proving the school audited its own provision, considered if the behaviour could be a sign of unmet needs, used external expertise (such as educational psychologists), and exhausted all adapted behaviour plans; if the school failed to call an emergency review or implement documented adjustments, the governors should conclude that the exclusion was not a last resort and direct reinstatement.

2.3.8 Using Data on Suspensions and Permanent Exclusions

DfE guidance states that governors should be challenging and evaluating their school's data and what it tells them. Governing boards should consider:

- effectiveness and consistency in implementing the school's behaviour policy;
- the school register and absence codes;
- instances where pupils receive repeat suspensions;
- interventions in place to support pupils at risk of suspension or permanent exclusion;
- any variations in the rolling average of permanent exclusions, to ensure they are only used when necessary;
- the timing of moves and permanent exclusions, and whether there are patterns indicating policies or support are not working; and
- the characteristics of excluded pupils, and why exclusions are taking place.

2.3.9 Reinstatement

The governing board must:

● Be notified of all reinstatement considerations within the statutory timescales defined in government guidance.

● Establish whether the duty to consider reinstatement is contingent upon the receipt of parental representations or specific lengths of exclusion.

3. Roles and Responsibilities

3.1 The Governing Board Panel

● **Pre-Hearing Scrutiny**: Should undergo exclusion training every 2 years. Before the meeting, they must review the school's behaviour management strategies, examine the evidence bundle, and proactively request any missing data or seek clarity needed to make an informed decision.

● **Conflict Checking**: Must declare any personal knowledge of the pupil, the incident, or case management using the conflict template prior to being appointed.

● **Staff Governor Exclusion**: Staff governors cannot sit on these panels due to inherent conflicts of interest (e.g., bias toward their manager, the Headteacher, or vested interest in staff welfare).

● **Independent Reviewing:** Listen to and question all representations sensitively and without prejudgment.

● **Decision-Making**: Weigh the school's duties against the welfare of the school community. Deliberate in private to either uphold the exclusion or reinstate the pupil, taking full accountability for the final decision.

● **Review and approve** the official records of the meeting: the minutes and outcome letter (notification of decision)

3.2 The Headteacher / School Leadership Team

● **Burden of Proof:** Assume the responsibility to demonstrate that the exclusion was thoroughly considered, compliant with school policy, and executed as a necessary last resort.

● **Graduated Response Evidence**: Provide explicit, documented evidence of early interventions, expert advice sought, and proactive multi-agency/parental engagement—especially if the pupil belongs to a vulnerable group (e.g., SEND, FSM, Looked-After, or high-risk ethnic demographics).

● **Process Management:** Own and administer the hearing process, ensuring all school-level policies (Safeguarding, SEND, Behaviour) are up-to-date and accessible to the panel.

3.3 The Clerk to the PDC

● **Procedural Safeguarding:** Conduct an early appraisal of the evidence bundle to check for completeness and compliance before the hearing.

● **Independent Legal Advice and Governance Expertise**: Act as the governance expert, guiding the governors on DfE statutory guidelines, public law principles, and data compliance (GDPR) before and during the hearing. The Clerk takes no part in the active decision-making or voting; they are present solely to provide advice on points of law and procedure and to document the panel's independent reasoning. Any specific advice given by the Clerk on a point of law or procedure (e.g., advising on the Two Limbs Test during deliberation) must be explicitly noted in the minutes to create a robust audit trail for any subsequent IRP.

● **Structured Deliberation**: Must guide the panel's private deliberation using a structured questioning framework and mandating the use of DfE national data benchmarks to rigorously test for disproportionality and ensure compliance with the Equality Act 2010.

● **Administration & Dispatch**: Ensure the indexed bundle, official invitation letters, and the agenda are securely dispatched to all parties at least 5 school days in advance (safeguarding sensitive data and managing physical/digital distribution preferences).

● **Official Record Keeping**: Minute the closed and open proceedings accurately. Draft the highly detailed formal decision letter—explicitly breaking down how the panel tested the lawfulness, reasonableness, and fairness of the case—for the panel's final approval.

3.4 External Parties

● **Parents/Carers & Pupils**: Have the right to attend, bring a friend or formal representative, submit independent letters or supporting evidence in advance, and present their unfiltered oral representations to the panel.

● **Local Authority (LA) Representative:** Attends to provide neutral context on borough-wide standards, ensure compliance with local education frameworks, and verify that alternative provision is securely arranged and in timescales

● **Social Workers & Virtual School Heads (VSH)**: Mandated to provide expert safeguarding context, outline systemic vulnerabilities, and advise on the wider impact of the exclusion on a vulnerable child's care framework.

3.5 Separating Pupils for Safeguarding Purposes

A school must consider safeguarding separation as outlined in the Suspensions and Exclusions Guidance 2026. If a child is temporarily not able to attend the school site due to a significant safeguarding situation and investigation, they remain on the school roll and the school must promptly inform the Education Access Service via a S19 notification form. The school would need to undertake a Risk Assessment which will inform planning and arrangements for education.

The school must keep the arrangement under frequent review, safeguard all affected children and make suitable educational arrangements. The LA role is to work collaboratively with the school to trigger the S19 duty under the reason of “Other” as a temporary measure if the school itself or the pupil’s parent does not arrange education.

The school should consider the Human Rights Act, the Equality Act and their safeguarding duties outlined in KCSIE. A focus on the pupil reintegrating back into school is essential as outlined in the DFE Guidance.

Any use of AP or education at another site must consider the risk assessment. The LA will discuss recoupment of funds with the school if the LA needs to plan alternative arrangements for education.

This action is not an exclusion on disciplinary grounds and it is only for exceptional reasons. The Governing Board must be notified without delay.

3.6 Headteacher Notification Duties

Guidance to the Headteacher on informing the Governing Board about an exclusion. Check whether there are clear processes in place for considering suspensions and permanent exclusions, such as:

- Ensuring parents and pupils are aware of their right to consideration by the governing board
- Ensure that Corporate Parent is informed, this includes Virtual School Head (VSH) and Social Worker where a child is looked after; that the VSH is also informed if the child is previously looked after.
- Ensure the Social worker and DSL are informed if the child/young person has a Social Worker
- Ensure that the EHCP team are notified where the child has an Education Health and Care plan
- Asking whether the Governing Board have taken steps to find a convenient date that the parent, other relevant parties, the local authority representative (if relevant) and the Headteacher can attend, within the legal time limits
- Asking the governing board whether they have considered how to involve the pupil in the consideration process
- Collecting all relevant documents, anonymising them, if required, and providing them to all parties

3.7 Cancelling / Withdrawing Exclusions

The Headteacher can cancel/ withdraw any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. The Headteacher must:

● Notify parents, the governing board, the LA, the social worker (if relevant), and the VSH (if relevant), without delay.

● Offer parents the opportunity to meet to discuss the cancellation.

The Headteacher should report the number and circumstances of cancelled exclusions to the governing board at least once per term.

3.8 Attendance Register Guidance for Permanently Excluded Pupils

Following a decision to uphold an exclusion, the pupil's name should only be removed from the Admission Register once all statutory review processes are concluded.

● Code D (Dual Registered - at another educational establishment).

● Code B (Off-site educational activity - if the provision is not another registered school).

● Code E (Absent - where no alternative provision is yet in place).

4. Statutory Timelines

Governors should be supported to meet legal deadlines and should consider whether additional training is needed in implementing behaviour policies, the Equality Act 2010, or SEND provision. The governing body must consider all permanent exclusions and some suspensions:

Suspensions of 5 days or less: If the suspension is five school days or fewer, the governing body must consider any representations from the parent. However, governors are not required to arrange a formal meeting with parents, and they do not have the legal power to overturn the Headteacher's decision or reinstate the pupil. In practice, parents can submit a letter or email outlining their perspective to the Clerk to the governing board, who will pass it to a designated PDC for review. While this paper-based review will not change the suspension itself, parents can expect governors to read their comments, add them to the pupil's official school record, and share any feedback or recommendations directly with the Headteacher.

Suspensions of 5–15 days: If the suspension is more than five school days but not more than 15 school days in a term, governors must convene a meeting to consider the matter if the parent requests one. If no meeting is requested, the response will be provided by letter. The meeting must be held within 50 school days.

15 + days / Exam If the pupil is suspended for more than 15 days in a term, or misses the opportunity to take a public examination, the governing body must consider the suspension and decide on reinstatement. The governing board must meet and decide on reinstatement within 15 school days of receiving notice of the suspension.

Permanent exclusions: For pupils who are permanently excluded, the governing board must meet within 15 school days to consider the exclusion. A permanent exclusion means the pupil is no longer allowed to attend the school unless they are reinstated.

The Suspension / Exclusion Statutory Window Review Calculator:

Suspension/Exclusion Type	Statutory Deadline Window	School Day Target Calculator
Permanent exclusion	15 school days from notice	Meeting must be held by exclusion date + 15 school days.
Suspension over 15 days in a term	15 school days from notice	Meeting must be held by suspension date + 15 school days.
Public exam/national test missed	15 school days, and before the exam date if feasible	Meeting should be held before the exam date wherever possible.
Suspension of 5–15 days in a term	50 school days, only if parent requests review	Meeting must be held by request date + 50 school days.
Outcome notification letter	Without delay	Letter should be emailed/sent without delay, usually within 1–2 school days from the decision.

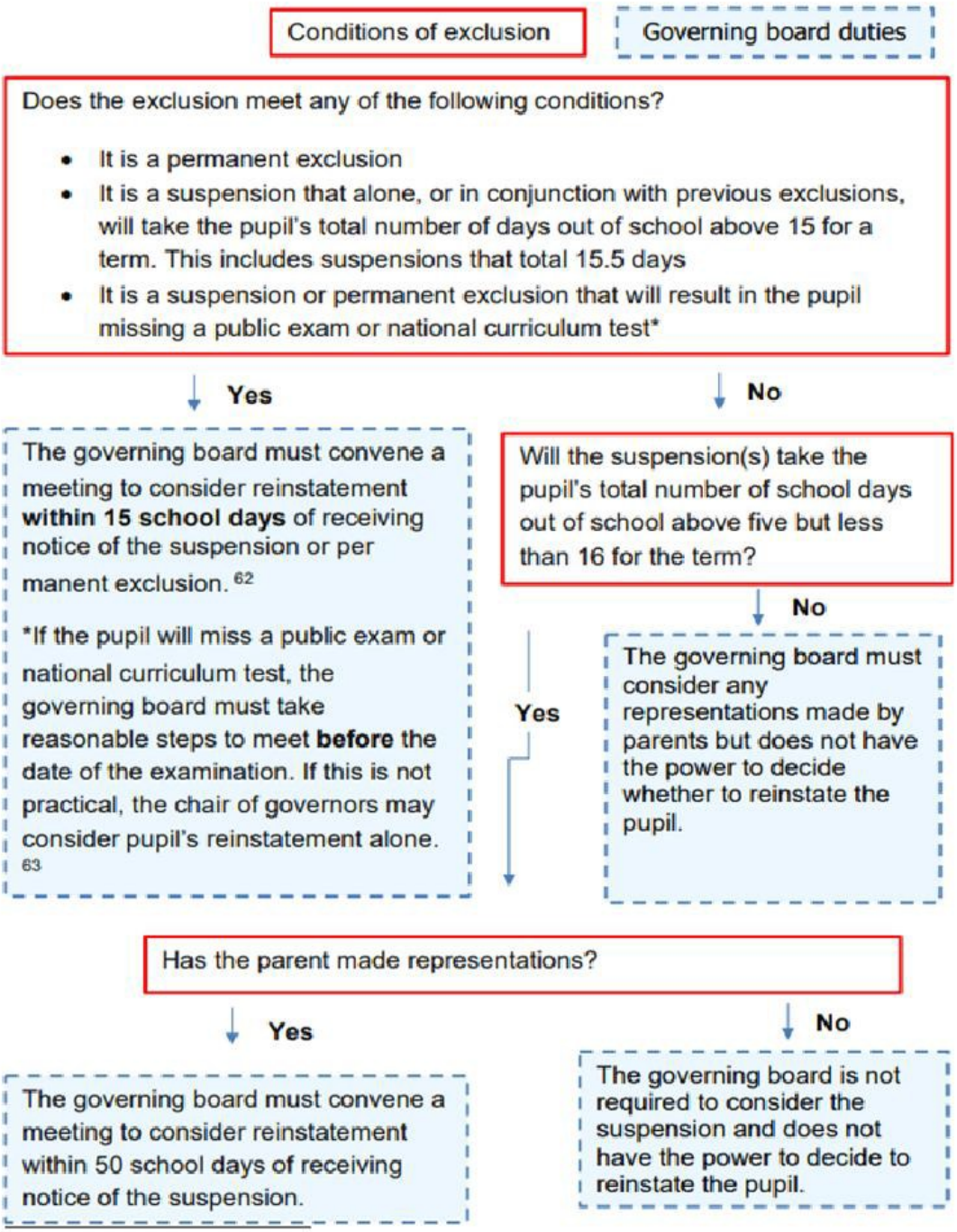
Duty for Alternative Provision

For a permanent exclusion, the Local Authority (LA) must arrange suitable, full-time education for the pupil as part of Section 19 duties. This duty begins no later than the sixth school day of the exclusion and continues unless and until the pupil is reinstated at the school. For looked-after children or children with a social worker, the Local Authority has an immediate duty to arrange alternative educational provision to begin from the first school day following the suspension or permanent exclusion.

For suspended pupils, the school (not the LA) must arrange alternative provision from the sixth school day of a suspension.

IRP Financial Sanction Risk: The Governing Board must be aware that the £4,000 alternative provision payment is automatically levied against the school's budget line if the IRP quashes a decision and directs reconsideration, but the school's internal panel subsequently chooses to uphold the permanent exclusion upon second review.

A summary of the governing board's duties to consider reinstatement[61]



[61] Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

[62] The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

[63] The ability for a chair to review in the case of public exams refers only to maintained schools.

5. Deliberations

Please confirm how the PDC applied the statutory guidance in its decision-making and how this is evidenced.

5.1 The Five Limbs

The PDC must test whether:

The decision to exclude was **lawful**. There was no evidence to suggest that the Headteacher had acted outside the scope of their legal powers.

The decision was **reasonable**. The Headteacher considered the decision carefully and objectively, taking account of all relevant mitigating circumstances. The decision was balanced and based on evidence.

The decision was **procedurally fair**. The Headteacher observed the procedural rules set out in the relevant guidance. There were no breaches of procedure which affected the outcome of the Headteacher's decision.

The decision was **proportionate**, taking account of the seriousness of the behaviour, the circumstances of the case, and any potential future risk to pupils or staff.

The decision was in line with **legitimate expectations**, including the school's published policies and the information made available to pupils and parents.

5.2 Deliberation Flowchart

Step	Focus Area	Key Question
1	Factual test	On the balance of probabilities, did the pupil commit the alleged incident?
2	Policy test	Did the proven action constitute a serious breach or persistent breaches of the school's behaviour policy?
3	Equality and SEND test	Did the school implement all mandatory reasonable adjustments, and could the behaviour reflect unmet or unsupported special educational need?
4	Second limb test	Would allowing the pupil to remain seriously harm the education or welfare of others in the community?
5	Proportionality test	Is permanent exclusion a definitive last resort, and have alternative strategies been fully exhausted?

5.3 The Pupil Disciplinary Committee Meeting

The Chair of the PDC should explain the role of governors at the exclusion meeting. It is good practice for the Chair to explain to parents, and for the minutes to show, that panel members:

▪ received the same paperwork as all other parties, ensuring all parties have the paperwork with them to refer to;

▪ will be making their decision based on the evidence presented in the paperwork and the points made during the meeting; and

▪ have had no previous involvement or knowledge about the pupil, nor any involvement in the decision to exclude or the case management leading up to it, that might affect their ability to act impartially as part of the panel.

▪ make note where remote access to the meeting has been utilised.

5.3.1 Adjournment of the PDC Meeting

Occasionally, it may be necessary to adjourn a meeting if governors request further documents, if significant new evidence arises that needs further investigation, or if undisclosed child protection issues come to light. If the Committee agrees that more information is needed, or that further questions need to be answered, all parties attending the meeting should be recalled. It is not appropriate for the Committee to recall the Headteacher without giving parents the right to ask questions or respond to new information. Wherever possible, the reconvened meeting should be arranged at a time convenient for all parties.

5.3.2 Dealing with Difficult or Aggressive Behaviour at a Hearing

Good chairing is essential when a hearing is affected by challenging or aggressive behaviour. The Chair should intervene promptly and clearly if behaviour becomes unacceptable. If the behaviour continues, the Chair may call a short recess to reset expectations, adjourn the hearing to a later date, or stop the hearing if safety becomes a concern. Please refer to Appendix H for live scripts.

If aggressive behaviour requires an adjournment, or if a hearing becomes difficult to conduct safely, the board should seek advice from the Local Authority (LA) or legal representatives. Advice may include alternative formats, such as written representations or a virtual hearing, to ensure the process can be completed safely and fairly. To minimise risk, the school should set clear expectations for parent/carer

conduct in the suspensions and exclusions policy, the invitation letter, and in a statement delivered by the Chair at the start of the hearing.

6. PDC Decision Testing and Questioning Matrix

Note: The agenda stages referenced below refer to the numbered steps in the Appendix B Agenda.

The Philosophy of PDC Questioning

An exclusion panel does not sit to "rubber-stamp" a school's disciplinary choices. Under administrative and public law, the Pupil Discipline Committee (PDC) acts as an independent, quasi-judicial tribunal.

There can be a significant imbalance of information and experience between the school leadership team and an excluded family. The school will usually have experienced staff, administrative systems and a full evidence bundle. Parents may feel overwhelmed, distressed, and unfamiliar with education law or statutory guidance.

To support a fair hearing, in line with natural justice principles, the panel—and particularly the Chair—should actively work to balance this dynamic. Questions are not only used to gather information; they also help the panel to:

1. Actively test the school's case against strict statutory thresholds.

2. Empower and support the parental and pupil voice, ensuring their perspective is fully integrated into the evidence.

3. Establish a clear, defensible record of decision-making that can withstand an Independent Review Panel (IRP) or Upper Tribunal challenge.

This matrix breaks down every phase of questioning, explaining **When** to ask, **Why** the legal standard demands it, and **How** to support the family through the process.

6.1 Findings of Fact and Procedural Fairness

The Chronological "When"

● Agenda Stage: Agenda Item 2a (Questions to the school immediately after their presentation) and Agenda Item 3a (Questions to the family/pupil immediately after their presentation).

● The Deliberation Stage: Step 1 of private panel deliberations.

The Legal "Why"

Before governors can evaluate whether an exclusion is proportionate, they must determine whether the incident occurred as described. They must apply the civil standard of proof: the balance of probabilities, meaning whether it is more likely than not to have happened.

If the evidence is evenly balanced, the decision should fall in favour of the child. Where an allegation is less inherently likely, governors should expect stronger evidence before concluding that it is more likely than not to have occurred.

Examples of how to support Parent & Pupil Voice

● Frame questions respectfully: Avoid accusatory language. Do not ask, "Why did you attack the teacher?" Instead, ask, "We have read the school's log, but we want to understand your view of what happened. Can you talk us through your recollection of those minutes?"

● Validate their presence: Acknowledge that parents may disagree with the school's paperwork and make clear that their oral evidence will be considered alongside the school's written evidence when applying the balance of probabilities.

● Support the pupil: If the pupil is present, allow them to speak first, speak slowly, or write down their answer if the room feels too intimidating.

Evidence Verification Checklist

● [ ] Basis for Exclusion: Have you isolated the exact date, location, and behaviour category within the school's behaviour policy?

● [ ] Corroborating Statements: Are student/staff witness statements signed, dated, and kept securely on file?

● [ ] Peer Redaction: Are all references to other children's names and identities completely blacked out?

● [ ] Pupil's Voice: Is there an unfiltered statement from the pupil taken immediately after the incident, before they were sent home?

● [ ] Procedural Letters: Did the school issue the statutory notification letter "without delay" to the parents, detailing their legal rights?

Additionally, consider the following:

- How pupils' unfiltered views are recorded prior to a decision being made
- How any conflicting accounts were reconciled

- Whether a lesser consequence was considered and what the reason was for not applying this instead of an exclusion
- A formal Risk Assessment explores and demonstrates rational health and safety measures to having the pupil on site
- Reasonable time has been given for strategies to be put into place so there is a rational chance to allow them to succeed.
- How extenuating circumstances or mitigating factors (including equality, SEND and vulnerability) were considered by the Headteacher and how these factored into the final decision

7. Independent Review Panel (IRP)

IRPs contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable, and procedurally fair. This section sets out how and when local authorities and academy trusts should organise such reviews when requested.

If parents apply within 15 school days of receiving the governing board's decision not to reinstate a permanently excluded pupil, the local authority—or academy trust for an academy—must arrange and fund an Independent Review Panel (IRP). If no application was made within that period, parents may apply within 15 school days of the final determination of a related Equality Act 2010 discrimination claim; applications outside these periods must be rejected. A discrimination claim to the First-tier Tribunal (SEND) or County Court must not delay the IRP. Parents may request a review whether or not they attended or made representations at the governing board meeting. The authority or trust must take reasonable steps to find a date that all parties and any appointed SEN expert can attend. The review must begin within 15 school days of the application, although the panel may adjourn it. The hearing must be private and held at a reasonably accessible venue unless the authority or trust directs otherwise.

The form for the IRP is available on the Shropshire Learning Gateway
Contact details for The Clerk to the Independent Review Panel:

01743 252924
democracy@shropshire.gov.uk
Clerk to the Independent Review Panel, Shropshire Council, Guildhall, Shrewsbury, SY3 8HQ

8. Useful Shropshire Contacts

Education Access Service: Eas@shropshire.gov.uk
(01743) 254397

Supporting attendance, engagement and inclusion | Shropshire Council
Education Access Service | Shropshire Learning Gateway

The Education Access Service helps prevent exclusions, ensure legal requirements are met and facilitate reintegration into education. This includes offering advice on the exclusion process, coordinating with other services, and ensuring appropriate support is in place for pupils returning to school.

EHCP Team | Shropshire Council

Governors' Services

- For clerking:
- Any other matters including governor training:
- Shropshire SENDIASS - a free, impartial, and confidential service offering information to young people with special educational needs and disabilities (SEND) and to their parents and carers Shropshire SENDIASS | SEND help shropshire | Shropshire, UK
- Shropshire Independent Review Panel Team,

9. Appendix A: Suspension Letter Template

Dear [Parent's Name]

I am writing to inform you of my decision to suspend [Child's Name] for a fixed period of [specify period]. This means that he/she will not be allowed in school for this period. The suspension begins/began on [date] and ends on [date].

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend [Child's Name] has not been taken lightly. [Child's Name] has been suspended for this fixed period because [reason for exclusion].

[for pupils of compulsory school age]
You have a duty to ensure that your child is not present in a public place in school hours during this exclusion on [specify dates] unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for [Child's Name] to be completed during this suspension. Please ensure that work set by the school is completed and returned to us promptly for marking. [detail the arrangements for this]

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact [the school governing body] on/at [contact details — address, phone number, email], as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal. (http://www.justice.gov.uk/tribunals/send/appeals). Making a claim would not affect your right to make representations to the governing body.

You [and your child or pupil's name] are requested to attend a reintegration interview with me [alternatively, specify the name of another staff member] at [place] on [date] at [time]. If that is not convenient, please contact the school [within the next ten days] to arrange a suitable alternative date and time. The purpose of the reintegration interview is to discuss how best your child's return to school can be managed.

You also have the right to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of [Child's Name]'s school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying.

Statutory guidance on exclusion can be found at:
http://www.gov.uk/government/publications/school-exclusion

There are a number of organisations that provide free information, support and advice to parents on exclusion matters:

• Coram Children's Legal Centre can be contacted on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.

• ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. Information can be found on the website: http://www.ace-ed.org.uk/.

• The National Autistic Society (Schools Exclusion Service (England) can be contacted on 0808 800 4002 or through:
http://www.autism.org.uk/services/helplines/school-exclusions.aspx

• Independent Parental Special Education Advice http://www.ipsea.org.uk/

[Insert reference to local sources of independent advice if known.]

You may wish to contact the local authority's Education Access Service to discuss this or if you have any questions about the exclusion procedures on 01743 254397 or by email to eas@shropshire.gov.uk.

[Child's Name]'s suspension expires on [date] and we expect [Child's Name] to be back in school on [date] at [time].

Yours sincerely

[Name]
Head teacher/Principal

10. Appendix B: Permanent Exclusion Letter Template

Re: Permanent exclusion – [Child's Name]

Dear [Parent/Carer name],

I regret to inform you of my decision to permanently exclude [Child's Name] with effect from [date]. This means that [Child's Name] will not be allowed in this school/setting unless he/she is reinstated by the governing body/the discipline committee or following direction to reconsider by an Independent Review panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude [Child's Name] has not been taken lightly. [Child's Name] has been excluded because [reasons for the exclusion — include any other relevant previous history].

This breach / these breaches mean that allowing [Child's Name] to return to school would seriously harm the education or welfare of [Child's Name] or others at the school. I therefore consider permanent exclusion to be a lawful, reasonable and proportionate sanction.

For the first five school days of the exclusion (from [date] to [date] inclusive), the school will set work for [Child's Name]. Please ensure that this work is completed and returned promptly for marking. During these first five school days, you have a duty to ensure that your child is not present in a public place during school hours unless there is reasonable justification. If this requirement is not followed, you may be prosecuted or receive a penalty notice from the local authority.

From the sixth school day of the exclusion (from [date]), Shropshire Council will arrange suitable full-time education. I have today informed Shropshire Council Education Access Service (EAS), who will contact you about these arrangements. You can contact EAS on 01743 254397 or by email to eas@shropshire.gov.uk. *[If [Child's Name] lives outside Shropshire, replace "Shropshire Council" with the home local authority and send a copy of this letter to both local authorities.]*

All decisions to permanently exclude must be reviewed by the Governing Board/Management Committee. You have the right to make representations to the panel about my decision to exclude. Your child is encouraged to attend the meeting (if appropriate for their age) and may make written and/or oral representations. Please tell us if you would like an interpreter, or if you have a disability or other needs that may affect your ability to attend, so that we can consider reasonable adjustments.

The Clerk will write to you separately to confirm the date, time and location of the review meeting, and to explain your rights of attendance and representation, in line with statutory guidance.

If you believe this exclusion is linked to your child's disability and that disability discrimination has occurred, you may have the right to make a claim to the First-tier Tribunal (Special Educational Needs and Disability) (SEND). Information on how to do this can be found on GOV.UK. (If needed, insert local information/contacts for support.)

You can request to see a copy of [Child's Name]'s school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy.

If you have any questions about this letter, please contact [name/role] on [telephone] or [email].

Statutory guidance on exclusion can be found at:
http://www.gov.uk/government/publications/school-exclusion

There are a number of organisations that provide free information, support and advice to parents on exclusion matters:

• Coram Children's Legal Centre can be contacted on 0345 345 4345 or through http://www.childrenslegalcentre.com/index.php?page=education_legal_practice.

• ACE education runs a limited advice line service on 0300 0115 142 on Monday to Wednesday from 10 am to 1 pm during term time. Information can be found on the website: http://www.ace-ed.org.uk/.

• The National Autistic Society (Schools Exclusion Service (England) can be contacted on 0808 800 4002 or through:
http://www.autism.org.uk/services/helplines/school-exclusions.aspx

• Independent Parental Special Education Advice http://www.ipsea.org.uk/

Yours sincerely,

[Name]
Headteacher
[School name]

CC: [Social worker – if applicable]; [Virtual School Head – if pupil is looked after; is a previously looked after child (PLAC); looked after under a kinship arrangement or has a Social Worker]; Shropshire Council Education Access Service (EAS) – eas@shropshire.gov.uk ; [Home local authority – if pupil lives outside Shropshire]

11. Appendix C: PDC Invitation Letter Template

Dear [Name of Parent/Carer],

Re: Notice of Governing Board Pupil Discipline Committee (PDC) Meeting

- **Pupil name:** [Pupil Name] (DOB: [DD/MM/YYYY])
- **Sanction under review:** [Permanent Exclusion / Suspension of X school days]
- **Effective date of sanction:** [Date sanction commenced]

I am writing to formally notify you that the Governing Board's Pupil Discipline Committee (PDC) will meet to consider the [permanent exclusion / suspension] of your child, [Pupil Name].

The details of the meeting are as follows:

- **Date:** [Date of Hearing]
- **Time:** [Time of Hearing]
- **Venue:** [Insert School Room/Location OR Virtual Meeting Link if requested]

Why Is This Meeting Taking Place?

The Headteacher made the decision to [permanently exclude / suspend] [Pupil Name] on the grounds of [insert explicit grounds, e.g. persistent disruptive behaviour / a serious physical assault]. Specifically, it is alleged that on [Date], [Pupil Name] [briefly describe behaviour in objective terms], which represents a serious breach of the school's Behaviour Policy under category [Insert Category].
The independent duty of the PDC is to act as an impartial reviewing body. The PDC will examine all available documentation, listen to what you and others have to say, and decide whether the Headteacher's decision was legal, fair, and followed the correct process. The PDC has the power to either uphold the decision or overturn it and reinstate your child.

Who Will Attend?

To ensure procedural fairness, the meeting will be attended by:

- Three impartial school governors who have no prior personal knowledge of your child or the incident.
- The Headteacher and/or senior school representatives.
- A representative from the Local Authority's Exclusions Team.

- [Optional] Your child's allocated social worker and/or the Virtual School Head, if applicable.
- The Clerk to the Governing Board, who remains strictly neutral and minutes the proceedings.

Your Rights of Attendance, Representation and Evidence

You and your child are warmly invited and strongly encouraged to attend. You have the absolute right to:

- **Bring support:** You can be accompanied by a friend, family member, or a formal legal/alternative representative to speak on your behalf.
- **Submit evidence:** You have the right to submit written representations, witness statements, or letters. Please send these to me as soon as possible so they can be included in the PDC's review.
- **Receive information:** An identical copy of the full evidence hearing bundle, known as the PDC pack, will be circulated to you and all other parties five school days before the meeting.

Action Required: Please Respond Within 3 Working Days

To allow the school and the PDC to make the necessary arrangements, please contact me at [Clerk Email Address / Phone Number] within the next three working days to confirm:

- whether you and/or your child will attend the meeting in person;
- whether you would like to participate virtually via a remote video link;
- the name and role of any friend, family member, or representative who will accompany you;
- the names of any witnesses you intend to call to provide evidence;
- whether you require a professional interpreter and your preferred language;
- whether you have any disability or access needs requiring reasonable adjustments at the venue; and
- your preferred format for receiving the PDC evidence pack, for example printed hardcopy by post or secure digital PDF by email.

Sources of Impartial Advice and Support

For local operational support regarding your child's continuing education arrangements, please contact the Education Access Service at eas@shropshire.gov.uk.

For free, expert, legal and procedural advice external to the school or Local Authority, you can contact the following organisations:

- **Coram Children's Legal Centre:** independent national advice and information about education law, including school exclusion.

- **Shropshire SENDIASS:** free, impartial and confidential information for young people with SEND and their parents/carers. Shropshire SENDIASS
- **IPSEA:** independent advice on SEND law. www.ipsea.org.uk

DfE Guidance: A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at www.education.gov.uk.

We look forward to receiving your confirmation.

Yours sincerely,
[Printed Name]
Clerk to the Pupil Discipline Committee

Cc: Chair of the PDC, Headteacher/Principal

Encl: Agenda, Local Venue Map (Note: Hearing bundle to follow 5 school days prior to the session)

12. Appendix D: Pupil Disciplinary Committee Hearing Agenda

Date	
Time	
Venue	
Type of Meeting	Pupil Disciplinary Committee [Permanent Exclusion / Suspension Review]
Attendees	

Stage	Section	Description	Lead
Pre-meeting	PDC briefing	Clerk and PDC review procedure and legal tests.	Clerk/Chair
1	Introductions and preliminaries	Chair welcomes attendees, introduces PDC, confirms roles and identical bundle.	Chair
2	School case	Headteacher presents case for exclusion, including incident and interventions.	Headteacher
3	Parent/pupil case	Parent/pupil presents their views.	Parent/Pupil
4	Agency input	LA, social worker or Virtual School Head input where relevant.	Agencies
5	School summing up	Headteacher summarises with no new evidence.	Headteacher
6	Parent summing up	Parents summarise with no new evidence.	Parent/Pupil
7	Final checks	Chair confirms there are no further questions.	Chair
8	Next steps	Chair explains how the decision will be communicated.	Chair/Clerk
9	Close	All parties leave together.	Chair
10	Deliberation	PDC deliberates privately; clerk advises and records reasoning.	PDC

13. Appendix E: Clerk's Bundle Checklist

Section/Bundle	Ref	Item/Description
Part 1: Administrative Documents	1.1	[ ] Cover Page and Index: clear page numbering mapped to bundle sections.
	1.2	[ ] Order of Proceedings: step-by-step agenda detailing the meeting structure, rights of audience and questioning order.
	1.3	[ ] Direct Evidence Sharing Confirmation: written confirmation that parents/carers have seen the same correspondence, bundle and evidence in advance.
	1.4	[ ] Parent/Carer Submissions: submission letters, written statements or supporting evidence provided by the parent, carer or pupil's representative.
	1.5	[ ] Local Venue Map: location of the school or alternative PDC venue.
Bundle A: Triggering Incident	A1	[ ] Legally Binding Notification Letter: original letter from the Headteacher/Principal notifying the parent/carer of the exclusion.
	A2	[ ] Headteacher's Formal Case Report: comprehensive narrative detailing the explicit reasons for the exclusion.
	A3	[ ] Comprehensive Witness Statements: signed and dated accounts from staff members and student witnesses.
	A4	[ ] Factoring Pupil Voice: evidence showing how the pupil's views were obtained and considered.
	A5	[ ] Video/CCTV or Digital Evidence: securely logged footage, screenshots or photographs used during the investigation.
	A6	[ ] Chronological Timeline of Interventions and Support: sequential record of all support provided to the pupil.

Section/Bundle	Ref	Item/Description
Bundle B: Pupil Profile & History	B1.1	[ ] "The Pupil's Story": holistic summary contextualising the pupil's personal circumstances and contributing factors.
	B1.2	[ ] Pupil Chronology & Academic Profile: timeline of key events and current academic progress records.
	B1.3	[ ] Comprehensive Attendance Breakdown: registration certificates identifying attendance patterns and persistent absence.

	B2.1	[ ] Chronological Behaviour Log: comprehensive summary of previous incidents.
	B2.2	[ ] Isolation Records: summary log of removals to internal isolation and total days spent out of class.
	B2.3	[ ] History of Fixed-Term Suspensions: complete summary including dates, reasons and copies of notification letters.
	B3	[ ] Pastoral Support Plan (PSP) & Parental Log: documentation of PSP reviews and parental engagement.
	B4	[ ] Graduated External Response Records: evidence of multi-agency response over time.
	B5	[ ] EHCP, if applicable: current EHCP document alongside proof of review within the last 12 months.
	B6	[ ] Managed Move Documentation: full record of any attempted or considered managed move.

Section/Bundle	Ref	Item/Description
Bundle C: School Policies	C1	[ ] Whole-School Behaviour Policy
	C2	[ ] Special Educational Needs and Disabilities (SEND) Policy
	C3	[ ] Safeguarding and Child Protection Policy

14. Appendix F: Model Decision Letter (Permanent Exclusion Upheld)

Dear [Name of Parent/Carer],

[Date of Sending - Must be sent within 1 school day of the decision and within 15 school days of the initial notification]

HAND DELIVERED / SENT VIA FIRST CLASS POST & EMAIL

STATUTORY NOTICE: Outcome of the Governing Board Discipline Committee Regarding the Permanent Exclusion of [Pupil Name]

I am writing to you in my capacity as Clerk to the Governing Board to formally notify you of the decision made by the Pupil Discipline Committee at its meeting on [Date of Meeting].

The PDC met to carefully consider the decision made by the [Headteacher/Principal] to permanently exclude [Pupil Name] from [School/Academy Name] on [Date of Exclusion]. After fully considering the written and oral representations made by you, [Pupil Name, if applicable], the school leadership team, and [the Local Authority / social worker representative, if present], the PDC has decided to **uphold the permanent exclusion**.

Reasons for the PDC's Decision

In accordance with the Department for Education's (DfE) statutory guidance, the PDC applied the civil standard of proof (the balance of probabilities) to evaluate whether the Headteacher's decision was lawful, reasonable, and procedurally fair. The PDC concluded that:

- **Serious breach of policy:** [Pupil Name] committed a serious breach/persistent breaches of the school's Behaviour Policy, specifically: [detail the explicit incident/behaviour here; name the rules broken and actions proven].
- **Harm to the school community:** Allowing [Pupil Name] to remain in school would seriously harm the education or welfare of the pupil or others in the school community because: [detail explicitly why alternative, inclusive options inside the school were unviable].

In reaching this conclusion, the PDC meticulously analysed historical interventions and potential mitigating factors:

- **Review of interventions:** The PDC satisfied itself that the school implemented a robust graduated response over [timeframe], including [mention PSPs, mentoring, alternative provisions, or external agency help tried], which unfortunately did not lead to sustained behavioural improvement.
- **Consideration of SEND and vulnerabilities:** [Select option A or B below.]
- **Option A – No SEND:** The PDC confirmed that [Pupil Name] has no identified Special Educational Needs or Disabilities and found no evidence of an unidentified need that could explain the behaviour.
- **Option B – Has SEND/vulnerabilities:** The PDC carefully weighed [Pupil Name]'s [SEND profile/EHC Plan/vulnerabilities]. However, it determined that the school had recognised all mandatory reasonable adjustments under the Equality Act 2010, and that the severity of the incident ultimately overrode these considerations.

Your Right to a Review by an Independent Review Panel (IRP)

You have the statutory right to have this decision reviewed by an Independent Review Panel (IRP). A form (AC1) is enclosed for your use.

The IRP is independent of the school and is tasked with re-hearing all the facts of the case. If you have fresh evidence to present, you may do so. The panel must meet no later than the 15th school day after the date on which your review application is lodged. In exceptional circumstances, panels may adjourn a hearing until a later date.

Panel Composition and Decisions

● Composition: The panel consists of three members: one serving (or recently retired) Headteacher, one serving (or recently serving) experienced governor, and one lay member who will chair the panel.

● Outcomes: In reviewing the decision, the panel can make one of three decisions: uphold your child's exclusion; recommend that the Governing Body reconsiders their decision; or quash the decision and direct the Governing Body to reconsider the exclusion again.

Application, Attendance and Adjustments

● Application Grounds: You must set out the grounds for the review in writing, including, if applicable, details of how the pupil's Special Educational Needs (SEN) may be considered relevant to the exclusion.

● Representation: You can make representations to the review panel and may, at your own expense, appoint someone to make written and/or oral representations on

your behalf. You may also bring a friend. [Pupil's name] is also able to attend and participate in the review if you feel it is appropriate for them to do so.

● Virtual Meetings: Under current statutory options, you have the right to request that the Independent Review Panel meeting be held via remote video link. If you prefer a virtual hearing, you must explicitly state this request within your application.

Your Right to a Special Educational Needs (SEN) Expert

Regardless of whether your child has recognised SEN, you have a statutory right to request that the Local Authority appoints an independent SEN expert to attend the IRP hearing at no cost to you.

The role of the SEN expert is to provide impartial advice to the panel on:

● How SEN might be relevant to the exclusion.

● Whether the school's policies or the application of those policies were legal, reasonable, and procedurally fair.

● Note: It is not the SEN expert's role to make an assessment of your child's special educational needs.

Please make it clear to the recipient of your application if you would like an SEN expert to be appointed.

Requesting Reasonable Adjustments and Interpreters

Please also advise the recipient of your application if you have a disability or special needs which would affect your ability to attend the hearing, or if it would be helpful for you to have an interpreter present at the hearing.

Deadlines and How to Apply

Your written application for an Independent Review must be received no later than 15 school days from the date you receive this notification.

Your final legal deadline to lodge an application is [Insert Date - calculate exactly 15 school days from expected receipt] at 5:00 PM. If your application is not received by this date, you will lose your right to a review.

Discrimination Claims and Further Advice

If you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act 2010 to the First-tier Tribunal (Special Educational Needs and Disability).

Guidance is available at www.justice.gov.uk/tribunals/send/appeals. For all other claims of discrimination, contact the County Court.

Note: Making a claim would not affect your right to have a decision reviewed by an Independent Review Panel.

Other Complaints

For general complaints, for example if you do not want to challenge the suspension but are unhappy with the way the school handled it, please follow the normal school complaints procedure.

For free, expert, legal and procedural advice external to the school or Local Authority, you can contact the following organisations:

● Coram Children's Legal Centre: an independent national advice centre that offers information and support on state education, including exclusion from school.

● Shropshire SENDIASS - a free, impartial, and confidential service offering information to young people with special educational needs and disabilities (SEND) and to their parents and carers Shropshire SENDIASS | SEND help shropshire | Shropshire, UK

● IPSEA (Independent Provider of Special Education Advice / SEND law): www.ipsea.org.uk

DfE Guidance: A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at www.education.gov.uk.

Yours sincerely, [Your Signature]

[Printed Name] Clerk to the Governing Board / Pupil Discipline Committee

CC: Headteacher / Principal, Pupil Discipline Committee, eas@shropshire.gov.uk

15. APPENDIX G: MODEL DECISION LETTER (REINSTATEMENT)

RE: Decision of the Governing Board Discipline Committee Regarding the Permanent Exclusion of [Pupil Name]

I am writing as the Clerk to the Governing Board to formally notify you of the decision made by the Pupil Discipline Committee at its meeting on [Date of Meeting]. The PDC met to consider the decision of the Headteacher/ Principal [Name] to permanently exclude [Pupil Name] from [School/Academy Name].

After carefully reviewing the oral and written representations made by yourself, [Pupil Name, if applicable], the school management team, [and the Local Authority / Social Worker representative, if present], alongside the full bundle of evidence, the Governing Board PDC has decided to e [**overturn the permanent exclusion and reinstate** Pupil Name] to the school.

Reasons for the PDC's Decision
The PDC evaluated the case based on the civil standard of proof (the balance of probabilities) and focused on whether the exclusion was lawful, reasonable, and procedurally fair.
The PDC arrived at the decision to reinstate based on the following findings:

- [Reason 1 - e.g., Insufficient Evidence / Procedural Flaw]: Example: The PDC found that while the incident was serious, the school's investigation did not conclusively prove on the balance of probabilities that [Pupil Name] was the instigator, contrary to the school's Behaviour Policy. 44
- [Reason 2 - e.g., Failure to Consider Mitigating Factors or SEND]: Example: The PDC concluded that the school did not fully take into account [Pupil Name]'s recognized Special Educational Needs and failed to implement the mandatory reasonable adjustments outlined in the SEND Code of Practice prior to escalating to an exclusion.
- [Reason 3 - e.g., Not a Last Resort]: Example: The PDC noted that the school had not exhausted all alternative intervention strategies, such as an off-site direction or a managed move, meaning permanent exclusion could not be justified as a necessary last resort.

Arrangements for Return to School [Pupil Name] is legally entitled to return to full-time education at the school on [Date - must be immediate or a specifically agreed near date]. The school is deeply committed to ensuring that [Pupil Name]'s return is smooth, positive, and robustly supported. To facilitate this, [Name of Staff Member,

e.g., Assistant Headteacher / SENDCO] will contact you by [Date/Time] to arrange a formal Reintegration Meeting.

A copy of this decision letter and its accompanying minutes will be added to [Pupil Name]'s educational record, and the Local Authority [and Social Worker / Virtual School Head, if applicable] have been notified.

Yours sincerely,

16. Appendix H: Model Decision Letter (Suspension Review)

Dear [Name of Parent/Carer],

RE: Outcome of the Governing Board Discipline Committee Regarding the Review of the Fixed-Term Suspension of [Pupil Name]

I am writing to you in my capacity as Clerk to the Governing Board to formally notify you of the decision made by the Pupil Discipline Committee at its meeting on [Date of Meeting].

The PDC met to consider the decision made by the Headteacher to suspend [Pupil Name] for a fixed term of [Number of days] days.

After carefully considering the written and oral representations made by you, [Pupil Name, if applicable], and the school leadership team, the PDC has decided to [uphold the suspension / overturn the suspension] (delete as appropriate).

Reasons for the PDC's Decision

The governing body, after carefully considering all the evidence and representations, determined the following:

● Decision: The Governing Body has decided to [uphold/overturn] the Headteacher's decision.

● Reasons: The reasons for this decision are as follows: [set out the reasons for the decision in sufficient detail to enable all parties to understand why the decision was made. If upheld, detail why the severity of the breach merited the length of the suspension and why school policy/law was followed. If overturned, detail any procedural flaws, lack of evidence on the balance of probabilities, or failure to consider mitigating factors.]

Next Steps

The arrangements for [Pupil Name]'s education will continue as planned. Please note that for suspensions, there is no further right of appeal to an Independent Review Panel (IRP).

Discrimination Claims and Further Advice

● If you think the exclusion relates to a disability your child has, and you think disability discrimination has occurred, you have the right to make a claim under the Equality Act (2010) to the First-tier Tribunal (Special Educational Needs and Disability). Guidance on making a claim to the First-tier Tribunal can be found at www.justice.gov.uk/tribunals/send/appeals. For all other claims of discrimination contact the County Court.

● All claims of discrimination should be lodged within six months of the date on which the discrimination is alleged to have taken place i.e. the day on which the pupil was excluded.

Other Complaints

For general complaints, for example if you do not want to challenge the suspension but are unhappy with the way the school handled it, please follow the normal school complaints procedure.

● Education Access Service eas@shropshire.gov.uk

For free, expert, legal and procedural advice external to the school or Local Authority, you can contact the following organisations:

● Coram Children's Legal Centre: an independent national advice centre that offers information and support on state education, including exclusion from school.

● Shropshire SENDIASS - a free, impartial, and confidential service offering information to young people with special educational needs and disabilities (SEND) and to their parents and carers Shropshire SENDIASS | SEND help shropshire | Shropshire, UK

● IPSEA (Independent Provider of Special Education Advice / SEND law): www.ipsea.org.uk

○ DfE Guidance: A copy of the Government's guidance, 'Exclusion from maintained schools, Academies and Pupil Referral Units in England', can be downloaded from the Department for Education's website at www.education.gov.uk.

Yours sincerely,

[Your Signature]

[Printed Name] Clerk to the Governing Body

CC: Headteacher/ Principal, Pupil Discipline Committee, eas@shropshire.gov.uk

17. Appendix I: PDC Composition Conflict of Interest Check

When checking for conflicts of interest with a PDC member sitting on a PDC for a pupil's exclusion, the primary goal is to ensure the PDC is impartial and that the member has no personal or professional interest that could bias their decision. The clerk should check for any connection a member has with the pupil, the pupil's family, the school, or any individuals involved in the original exclusion decision. The general rule is that a PDC member must not have had any involvement in the matters leading up to the exclusion or in the decision-making process at any previous stage. All PDC members are typically required to declare any potential conflicts of interest before the review hearing begins.

PDC Impartiality & Conflict of Interest Clerk's Checklist

Use this checklist for every potential PDC member prior to confirmation. Record the outcome to create a robust audit trail.

1. Relationship with the Pupil or Family
   - Is the PDC member a relative, close friend, or neighbour of the pupil or their family?
   - Do they have any personal or business dealings with the pupil's family?
2. Connection to the School or Governing Body
   - Were they involved in the original decision to exclude the pupil in any way? (If yes, they must be excluded.)
   - Are they closely related to or working directly with key school staff involved in the incident (e.g., Headteacher, witnesses)?
   - Are they an employee of the school or the Local Authority in a role directly related to the pupil or the exclusion process?
3. Pre-Existing Bias or Knowledge
   - Have they had previous involvement with this case or the pupil that could lead to a pre-formed view?
   - Do they have a known or stated personal interest in the outcome? (e.g., they have a child at the same school and have expressed a strong view on the exclusion).
4. Final Certification
   - Have all potential conflicts of interest been declared by the member?
   - Is the final PDC composition balanced, impartial, and free from any prior knowledge/involvement?

18. Appendix J: Model PDC Meeting Minutes Template

[School Name]
Pupil Discipline Committee Hearing Minutes Date: [Date]
Time: [Start Time – End Time]
Venue: [Location/Platform]
Attendees: PDC: [Name], [Name], [Name] (Chair) Clerk: [Name] School: [Name & Role] Parents/Representatives: [Name] Agencies (if present): [Name & Role]

Procedural Fairness & Impartiality Identical Bundles
The Chair confirmed all PDC members and parties received identical evidence packs.
Conflict Declaration The PDC confirmed they had no prior knowledge or involvement in the case management.
Nature of Hearing The Chair set expectations regarding conduct and the formal process.

Summary of Proceedings (Note: Summarise themes and arguments, questions and answers, not verbatim speech)

Proceeding Area	Summary Notes
School's Case	[Key arguments, evidence points and behaviour policy breaches cited.]
Parent/Pupil Representation	[Key challenges raised by the family, mitigating factors presented and pupil's views.]
Agency Input	[Summary of contributions from LA, social worker or Virtual School Head.]

Clerk's Procedural & Legal Advice (Audit Trail)
Clerk Legal/Procedural Advice Given

Item/Topic	Clerk Advice Given / Action Taken
[e.g., Two Limbs Test, Equality Act duties, hearsay evidence]	[Record advice given and any action taken.]

PDC Deliberation (Decision Testing Matrix)
(Record the PDC's discussion structured against the five-point lawfulness test)

Decision Test	Panel Discussion / Evidence Considered
Facts & Procedure	[Assessment of evidence and procedural adherence.]

SEND Compliance	[Discussion of reasonable adjustments and SEND considerations.]
Graduated Response	[Review of previous interventions, support and whether exclusion was a last resort.]
Disproportionality Check	[Record of benchmark comparisons or equality considerations, if applicable.]

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Decision

Decision Area	Record
Final Outcome	[Reinstatement / uphold suspension / uphold permanent exclusion]
Reasoning	[Clearly detail why the decision was reached.]

Signed:

[Chair's Signature] / [Date] [Clerk's Signature] / [Date]

19. Appendix K: Live Hearing Chair Script and Intervention Phrase Sheet

Professional phrasing for the Chair to use to manage the room firmly, calmly and neutrally.

Part 1: Official Hearing Opening Script

The Chair should read this at the start of the meeting to establish expectations, explain the process and anchor the legal framework.

Good morning/afternoon everyone. Welcome to this meeting of the Pupil Discipline Committee. My name is [Your Name], and I am the Chair of today's panel. Joining me as panel members are Governors [Name] and [Name].
Our Clerk is [Clerk's Name], who acts as our independent advisor and will be recording the minutes.
Before we begin the formal agenda, I must confirm for the record that all panel members have received identical paperwork in their evidence bundles. I also confirm that no member of this panel has any prior knowledge, personal interest, or involvement in this case. We sit today as an entirely impartial, independent reviewing body.
Our purpose today is to carefully review the Headteacher's decision to [permanently exclude / suspend] [Pupil's Name]. We will listen objectively to the evidence from the school, the representations from the family, and any relevant input from Local Authority colleagues.

This is a formal, statutory proceeding. To ensure fairness and respect for everyone in the room, all questions and contributions must be directed through me as the Chair. Cross-talking, shouting, or direct arguments between parties will not be permitted.
Thank you for your cooperation. Headteacher, please begin by presenting the school's case."

Part 2: Live Intervention Phrase Sheet

Keep these precise phrases printed on your desk. Use them calmly and firmly the moment professional or procedural boundaries are crossed.

Category A: Halting Cross-Talk and Direct Confrontation

Use these phrases when the Headteacher and parent/carer begin speaking directly to each other rather than through the Chair.

● **Enforcing the agenda order:** “Headteacher, please pause. This is the parent/carer’s statutory opportunity to speak and share their perspective. You had your opportunity to present without interruption, and the family must be given the same courtesy. You will have an opportunity to clarify facts through me later.”

● **Responding to muttering or background comments:** “I am noticing some interruptions and reactions across the table. To ensure a fair hearing, every person must be able to speak without background commentary. Let’s keep the focus on the evidence.”

Category B: Managing Mission Creep and New Evidence

Use these phrases when a party tries to introduce unrecorded historical behaviour or documents that have not been shared with all parties.

● **Stopping unshared written evidence:** “Clerk, please advise on this point. At present, this document does not appear to have been shared with all parties five school days in advance. For reasons of procedural fairness, the panel will not consider this evidence today unless all parties agree and the Clerk confirms it is appropriate to do so.”

● Stopping Irrelevant Historical Character Attacks: "Headteacher, I need to bring you back to the specific incident under review today. The panel is here to evaluate the events of [Date of Trigger Incident]. Let's restrict our discussion strictly to the proven evidence in the bundle regarding this specific breach."
● Managing Word-for-Word Reading of the Bundle: "Thank you for your detail, however, I am going to ask you to summarise your next points. I reassure you that the governors have spent hours reading every single page of this bundle in advance. We are fully aware of the written text; we want to use this time to hear your core summary arguments."

Category C: De-escalating Distress or Defensive Responses

Use these when a parent becomes highly distressed, or a school representative becomes overly defensive.
● **Calling a short recess:** “I can see that emotions are understandably running high, and we are dealing with a difficult situation. I am calling a 10-minute recess so everyone can pause and reset. Clerk, please support the school team and the family to move to separate waiting areas at the same time.”

● **Supporting a distressed parent/carer:** “We want to hear what you have to say, and your contribution is important to the panel. Please take your time. Would you like a glass of water or a five-minute pause before you continue?”

● Re-Centring a Defensive Professional: "We appreciate the school's position, but the governors are legally required to thoroughly test the evidence and check our statutory benchmarks. Our questions are a mandatory part of our public duty, and we require objective answers to help us reach a lawful decision."

Part 3: Closing Script

Read this immediately after summing-up concludes to ensure all parties leave at the same time and no party remains alone with the panel.

"Thank you, everyone. We have now concluded the evidence part of this hearing. Both the school and the family have fully summarised their cases, and the panel has no further questions. The panel will now sit in private deliberation, guided by our Clerk, to make our final decision based on the legal tests discussed today. Our decision will be formulated into a full statutory outcome letter detailing our complete reasons.
The Clerk will ensure this formal notice is emailed and posted to all parties within one school day—which means you will receive it by [Day of Week / Tomorrow].
To maintain procedural neutrality, all parties must leave the meeting room at the same time. No one may remain behind with the panel. Thank you for your time today. Clerk, please escort everyone out."

20. Appendix L: Legislation and Resources

School Suspensions and Permanent Exclusions Statutory Guidance

This is the key statutory guidance document for exclusion and discipline committees. It outlines legal timelines, governing board duties, and arrangements for Independent Review Panels (IRPs).

- Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (effective from 26 July 2026).
- Link: GOV.UK - School Suspensions and Permanent Exclusions Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement

The Equality Act 2010 and Schools

Discipline committees must consider whether the school has complied with its Equality Act duties, including whether reasonable adjustments were made for a disabled pupil and whether the exclusion may be connected to a protected characteristic.

Further Legislation and Resources

Core Behaviour and Discipline

- Behaviour in Schools 2024 (relevance: high)
- Restrictive interventions, including use of reasonable force, in schools April 2026 (relevance: critical)
- The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026 (relevance: high)
- Mental health and behaviour in schools, and promoting and supporting mental health and wellbeing in schools and colleges (relevance: high).

Alternative Provision and Attendance

- Alternative provision - Statutory guidance for local authorities, headteachers and governing bodies of settings providing alternative provision (relevance: high)
- Working together to improve school attendance (Statutory) (relevance: high)
- Education for children with health needs who cannot attend school (relevance: medium)
- Children missing education (relevance: medium).

SEND: Special Educational Needs and Disabilities

● Children with special educational needs and disabilities (SEND) (relevance: high).

● Special Educational Needs and Disabilities (SEND) code of practice: 0 to 25 years (relevance: high).

Safeguarding and Vulnerable Children

● Keeping children safe in education (KCSIE) (relevance: critical)
● Working together to safeguard children (relevance: high)
● Promoting the health and wellbeing of looked-after children (relevance: high)
● Designated teacher for looked-after and previously looked-after children (relevance: high)
● Adverse childhood experiences training and resources (funded by the Home Office) (relevance: medium/good practice)

Governance Frameworks

● Maintained schools governance guide / Academy trust governance guide (relevance: medium).