



Permanent exclusion

Permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school's Behaviour Policy, and where allowing the pupil to remain in school it would seriously harm the education, welfare of the pupil and others in the school.

11. A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated) The decision to exclude a pupil permanently should only be taken:

- 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.

[Suspensions and Permanent exclusion guidance - August 2024](#)

Schools should consider whether a pupil's SEND has contributed to the misbehaviour and if so, whether it is appropriate and lawful to sanction the pupil. In considering this, schools should refer to the Equality Act 2010 and schools guidance. The school should also consider whether any reasonable adjustments need to be made to the sanction in response to any disability the pupil may have. It is also important for the schools to seek to try and understand the underlying causes of behaviour and whether additional support is needed.

[Behaviour in schools guidance - Feb 2024](#)

Notification of permanent exclusion

When notifying a parent of a permanent exclusion a Head teacher must:

- Tell you as the parent (initially by phone or in person) why your child has been excluded and for how long.
- the local authority (LA) about the exclusion or suspension, again without delay
- the Governors, and
- if the pupil is a looked after child, the Head must tell the Virtual School Head and if the pupil has a social worker, the Head must tell the social worker about the exclusion/suspension – in both cases, without delay

The Head must write to you (can include electronic notification if parental permission) to confirm that your child has been excluded and why and explain that you have right to say what you think about the exclusion (this is called making representations) and how to do this.

Duty to provide education

For the first 5 days after the exclusion, school should take reasonable steps to send suitable work home. From day 6 onwards it is the local authority's responsibility to provide suitable full-time education. Within Essex this responsibility is held by the Education Access service.

Does your child have an EHC plan in place?

A Head Teacher has the right to exclude a child however, if a child with an EHC plan in place is at risk of exclusion a Head Teacher should consider what alternatives are available, and request that the Annual Review be brought forward.

When a child with an EHCP is permanently excluded the LA must review and amend the EHC plan, to ensure they continue to receive the education or training to meet their needs. This may include a change in placement if necessary. [Essex SENDIASS: Annual Review](#)

Governing body meeting

For a permanent exclusion the school must inform the governors and they must meet within 15 school days. Parents can attend this meeting and make written representations.

Our website contains further information on preparing your representations for a governing body meeting. [Essex SENDIASS: Advice on preparing your representations](#)

Governing body decide to reinstate the pupil

Yes

Pupil returns to school

No

If you have already made your representations to the Governing body and you do not agree with the decision not to reinstate your child, you may ask for an Independent Review Panel to take place.

[SENDIASS](#) may be able to support you to make written representations and we can help capture your child/young person's views

[Essex SENDIASS: Independent Review Panel](#)

Further Info:

[Essex SENDIASS: Suspensions and permanent exclusions](#)

[Essex SENDIASS: Exclusions frequently asked questions](#)