

How to review suspensions and exclusions

Questions an Exclusion Review Panel might ask

The questions that need to be asked will depend entirely on the circumstances of each case and it will be for the panel members to identify where it needs more information and from whom. Here are examples of the sorts of question that might be suitable.

1. Was the exclusion rational, proportionate, and fair?

- Did the headteacher undertake a thorough investigation before deciding to exclude, interviewing all parties in an unbiased manner and was the pupil given the opportunity to give their own account of what took place?
- On the balance of probabilities, does the evidence submitted prove that the pupil committed the alleged offence?
- Were any other pupils involved and if so were they treated in the same way or was there an apparent bias against the excluded pupil?
- How has the school supported the pupil with their behaviour and were their specific needs and circumstances taken into account prior to excluding?
- Did the school take advice before permanently excluding?
- What is the likely impact on the pupil of the decision to exclude them?
- Would the pupil remaining in the school seriously harm the education or welfare of others?
- Prior to excluding were any extenuating circumstances taken into account e.g. pupil being bullied, poor home life?
- Was the exclusion proportionate to the incident?

2. Was the exclusion lawful?

- In what way did the excluded pupil seriously or persistently breach the school's behaviour policy and what evidence is there to support this?
- Were correct exclusion procedures followed? This might include whether parents were informed of the exclusion in writing and given the reasons and their right to make representations, timeframes were adhered to etc
- Did the school meet its duties under the Equality Act and work with external agencies to support the pupil if they have SEND and/or are vulnerable to exclusion?
- Was the school's behaviour policy followed and did the pupil commit a serious breach or persistent breaches of this policy?
- Were parents and the pupil aware of the behaviour policy?
- If the pupil has an Education, Health and Care Plan, was this reviewed to see what further support could be given?