

## Essential Checklist: Step-by-Step Guide for Pupil Exclusions in Wales

### Step 1: Decision to Exclude

Assess seriousness: Exclude only for serious breaches of the behaviour policy and where allowing the pupil to stay would seriously harm the education or welfare of others.

Gather evidence: Conduct a fair investigation and apply the 'balance of probabilities' standard.

Consider mitigating factors: Use the non exhaustive list of mitigating factors in Sanction Guidelines.

Document actions: Keep written records of the incident; timelines, signed statements, and rationale of decision using Sanction Guidelines.

Note: Exclusion must not be used for minor incidents (e.g. uniform breaches, truancy, or academic performance).

### Step 2: Informing the Learner and Parent/Carer

Notify the 'relevant person' without delay:

1. First by phone, then in writing within one school day.
2. Letter must include:
  - Type and length of exclusion (fixed-term or permanent).
  - Reasons for exclusion.
  - Right to make representations to the discipline committee.
  - Work arrangements during exclusion.
  - Reintegration meeting invitation (for fixed-term).
  - Contact details for the LA officer and appeal options (if permanent).

### Step 3: Notify Discipline Committee and Local Authority

Within one school day, inform:

1. Discipline Committee of the governing body.
2. Local Authority (and 'home' LA if learner lives outside your LA).
3. Information to include: name, age, ALN/IDP status, care status, exclusion type, and code (e.g. physical assault, racism, drugs).

### Step 4: Discipline Committee Review

The governing body's Discipline Committee must convene a meeting:

1. Within 6–15 school days for permanent exclusions or where fixed-term exclusions exceed 15 days.
2. Between day 6–50 if fixed-term exclusions are over 5 days and the parent requests a meeting.
3. Invite: parent/carers and/or learner, headteacher, and LA officer.
4. Hear representations and evidence, and decide whether to uphold or overturn the exclusion.

### **Step 5: Appeal to Independent Panel (if permanent exclusion upheld)**

If the Discipline Committee upholds a permanent exclusion:

1. Parents/learners have 15 school days from written notification to appeal to the Independent Appeal Panel.
2. The LA must convene the panel within 15 school days of the appeal being lodged.
3. The panel may:
  - Uphold the exclusion.
  - Direct reinstatement.
  - Decide reinstatement would be justified but is not practical (with justification).

### **Step 6: After the Appeal Hearing**

1. Panel's decision is final and binding.
  2. LA arranges suitable full-time education within 15 days of final decision if exclusion is upheld.
  3. If reinstated, the headteacher must readmit the learner on the specified date.
- Parents/carers may complain to:
- Public Services Ombudsman for Wales (maladministration).
  - Judicial Review if the decision is unlawful.
  - Welsh Ministers (only for procedural issues at the committee level, not appeal outcomes).

### **Step 7: Reintegration and Post-Exclusion Planning**

Even before the appeal concludes:

1. Set and mark work from day 1 of exclusion.
2. Organise a reintegration meeting (statutory for exclusions of 6+ days in secondary schools).

Work with the LA to:

- Assess learner needs.
- Develop a pastoral support programme (PSP) and/or reintegration plan.
- Identify next educational setting.
- Prioritise reintegration to mainstream education where possible.