

## **Pupils Who Have a Permanent Exclusion Pending Secondary Pupils**

### **Permanent Exclusions Timeline**

- The governing board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the exclusion
- If the Governor's decision is not to reinstate, they must provide parents with information about their right to ask for the decision to be reviewed by an independent review panel and the following information:
  - the date by which an application for a review must be made (i.e. 15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The governing board must ensure that a pupil's name is removed from the school admissions register if:
  - 15 school days have passed since the parents were notified of the governing board's decision to not reinstate the pupil and no application has been made for an independent review panel; or
  - the parents have stated in writing that they will not be applying for an independent review panel where this is before the 15 days have passed
  - where there is a request for an independent review, school must wait until the review is determined and remove if unsuccessful when the parent, school, governing body and LA exclusions team are notified of the outcome OR, later when the governing board has completed any recommendations as directed or recommended by the review panel

### **First permanent exclusion**

The parent may choose to apply for another school and any such application for a secondary pupil would be considered by the Student Sharing Panel. If the parent does not agree to the LPS 6th day provision (and does not send the child) they are recorded as a guest pupil only by LPS. In this case, the mainstream school is responsible for recording the absence which will be unauthorised. A referral should be made to the school's EWO to address the absence. The school remains responsible for recording the child's attendance/absence until they are removed from roll in accordance with the timeline above.

If the parent agrees to the LPS 6th day provision, the pupil is dual registered pending the pupil's full transfer to LPS at the point of removal from the school roll (assuming the permanent exclusion is not overturned). If the parent has not agreed to the 6<sup>th</sup> day provision, the guest pupil status at LPS is ended at the same point the pupils is removed from the school roll. A pupil who is dual registered at LPS who is subsequently removed from the roll of the school (ie permanent exclusion is not rescinded), then moves onto the roll of LPS as Single Enrolment status.

The parent may apply for a mainstream school place at any point and the application will be considered under FAP.

## **Second permanent exclusion**

If the parent does not agree to the LPS 6th day provision (and does not send the child) they are recorded as a guest pupil only by LPS. In this case, the mainstream school is responsible for recording the absence which will be unauthorised. A referral should be made to the school's EWO to address the absence. The school remains responsible for recording the child's attendance/absence until they are removed from roll in accordance with the timeline above.

If the parent does apply for a place elsewhere, the school/s may refuse given the fact that this is a 2nd permanent exclusion. Any application would be considered at the SSP under FAP. If the school(s) does (do) not agree to take the child, the parent would then either need to make their own arrangements for the child's education, or, register the child at LPS. A pupil who is dual registered at LPS who is subsequently removed from the roll of the school (ie permanent exclusion is not rescinded), then moves onto the roll of LPS as Single Enrolment status.

If the parent does not make their own arrangements for the child to receive a suitable education and nor do they register the child at LPS, the EWS then follow the School Attendance Order procedure naming LPS as the school where the parent must register the pupil. At any point where the child is not receiving an education (including where there is a school application pending), it should be made clear to the parent that they should contact LPS to arrange for their child to be registered at LPS.

NB The usual time limit for a parent to take up the offer of a school is 10 days, however, where a parent is refusing a place at LPS, LPS may be able to extend this period should they start to engage.

### **Guidance to schools on enrolment status and marking attendance registers following permanent exclusion**

Whilst an excluded pupil's name remains on a school's admissions register, the pupil should be marked using the appropriate attendance code.

Where alternative provision has been made and the pupil attends it, an appropriate attendance code, such as Code D (if the alternative provision is at a PRU or independent school where the pupil is dual registered) or Code B (if the provision is an approved educational activity that does not involve the pupil being registered at any other school), should be used.

Where pupils are not attending alternative provision, they should be marked absent using Code E. The E code should only be recorded during the first 5 days of the date of the permanent exclusion (if no provision is arranged) as from day 6, provision must be available and non-attendance should be appropriately coded.