



Isle of Man
Government

Reiltys Ellan Vannin

Department of Education, Sport and Culture
Rheynn Ynsee, Spoyrt as Cultoor

Suspension of Pupils: Policy and Procedures

July 2019

Policy in Suspensions

Purpose

To ensure that the formal suspension of a pupil is only taken as a final step of managing challenging behaviour, and that the periods of suspension for serious violations of the school's behaviour policy are applied consistently across all our schools.

Throughout this document, reference to 'parents' includes persons or organisations with legal responsibility and any person with whom a child is living and who has care of the child.

Policy

The decision to formally suspend a pupil for a fixed period of time is only taken either;

- 1) In response to the most serious violations of a school's behaviour policy or code of conduct

Or;

- 2) If allowing the pupil to remain in school risks serious harm to the education or welfare of the pupil or others in the school.

In the vast majority of cases, suspension will be the final step in a process for managing challenging behaviour, and should only be sought following;

- a) The imposition of appropriate sanctions relating to the school's behaviour policy;
- b) The application of restorative processes involving pupils, teachers and parents;
- c) The application of intervention programmes aimed at positively reintegrating pupils in learning.

Other than in these exceptional circumstances, both pupil and parents will have received early warning by the school that the pupil's behaviour is persistently unacceptable or deteriorating, so that pupil, parents, and the school have the opportunity to improve matters. Such early actions will be linked to the school behaviour policy and may take the form of internal sanctions, phone calls/letters home, or mentoring/support programmes for pupils.

Examples of the kinds of actions a school may reasonably take are listed below as i) to xx) and are listed in the school's Articles of Governance:

- i) A requirement that the pupil apologise for the behaviour incident;
- ii) A warning, reprimand or caution, either oral or written;
- iii) Appropriate and proportionate work recovery; a requirement that the pupil completes work missed during any absence, proportionate to the need and circumstances;
- iv) Informal detention (i.e. keeping in at break or lunchtime);
- v) Temporary removal from a class or group;
- vi) The application of a recorded behaviour sanction (de-merit or behaviour point);
- vii) Formal detention, at break or lunchtime or, after due notice to the pupil's parent, after the end of the school day;
- viii) Placing on report (i.e. a requirement to report at the commencement of each lesson or session, as appropriate);

- ix) With due notice to the pupil's parents, a requirement to leave the premises at lunchtime;
- x) Approach to parents/carers for payment for damage caused to property or belongings;
- xi) A requirement to complete reasonable tasks of benefit to the school or community;
- xii) A requirement that the pupil, supported by parents, enters into an appropriate and proportionate behaviour contract;
- xiii) Review of curriculum plan for that pupil;
- xiv) Informal suspension (i.e. sending the pupil home for the rest of the school day);
- xv) The seeking of appropriate and relevant support from external agencies;
- xvi) The application of a programme of restorative justice involving pupils, teachers, parents and, if necessary, external agencies;
- xvii) Regular meetings and communication with parent/carers;
- xviii) If the pupil appears on the SEND register, consultations with SENCO/ESO/SESOs working with pupils;
- xix) Semi-permanent suspension;
- xx) Facilitated move to another school or educational establishment

However, there will occasionally be exceptional circumstances where the Headteacher judges that the behaviour is so serious as to warrant a suspension for a 'one-off' incident/event.

The formal suspension of a pupil ranks as one of the most serious sanctions to be applied by a school. Suspending a pupil from school is a regrettable, but in exceptional cases, necessary action. It obliges the school, pupil and his/her parents to reappraise very carefully the conduct of the pupil and his/her ability to adhere to the school's behaviour policy.

PROCEDURE TO BE FOLLOWED TO SUSPEND A PUPIL

The School's Articles of Government (articles 17019), made under section 5(3) of the Education Act 2001 allows -

- The Headteacher to suspend any pupil from attendance for a period or periods not exceeding 10 school days in any term. In the normal course of events, there is an obligation on the school to provide means and resources for the continuation of the learning process (in whatever form that may take) for suspended pupils during this time.
- The Governors to extend the period of suspension beyond 10 school days in any term. The school continues to be responsible for the provision of 'appropriate' education for that child.
- The Governors to approve the headteacher's recommendation that a pupil be educated through a 'modified timetable', on or off-site as deemed appropriate
- The Governors to recommend to the Department that a suspended pupil should be suspended on a semi permanent basis and referred to DESC's 'facilitated move' panel, that will collaboratively decide:
 - (i) Whether the Governors' recommendation for a 'facilitated move' is justified, and, if found to be justified:
 - (ii) The form of provision of 'appropriate' education for that child. This provision will be offered, through an agreed resource commitment, either by remaining on the roll

of the school presently attended and partly educated at another educational establishment, or through a move to another school or educational establishment.

- Parents the right to appeal against the suspension –
 - (i) to the school Governors, in the case of suspensions by the Headteacher which do not exceed 10 school days in total in any term; and
 - (ii) to the Director of Education (Department of Education, Sport and Culture) in the case of continued or further suspensions beyond that limit.

It requires:

- The Headteacher and Governors to maintain appropriate educational provision for pupils suspended for longer than 10 school days in any term.
- The Headteacher and Governors to arrange such provision with the aim of preparing the pupil for eventual re-inclusion into learning at the school.
- The Headteacher to notify the Department of Education, Sport and Culture immediately of any formal suspensions.
- The Headteacher to notify the pupil's parents immediately of the suspension and of their right of appeal to either the school Governors or the Department of Education, Sport and Culture.
- The school to meet the cost of providing educational provision for pupils suspended as a result of stages 1 and 2.
- The school to meet the cost of providing educational provision for pupils that are either permanently, or semi permanently suspended as a result of stage 3.
- The school Governors to review long-term suspensions on a monthly basis (i.e. 'before the expiration of 30 days') and parents and pupils to be invited to attend such reviews.
- The Department of Education, Sport and Culture to ensure that adequate arrangements exist to safeguard the provision of education to pupils semi permanently suspended from school.
- The Department of Education, Sport and Culture to ensure all processes will be completed as expediently as possible, and all efforts made to ensure decisions are reached without undue uncertainty or distress to the parties involved.

At all times and stages in dealing with the suspension of a pupil, it is vital that the precise legal status of the pupil is clear and known by all parties.

PROCEDURES TO BE FOLLOWED

Stage 1 - The Headteacher's suspension of a pupil for up to 10 school days in any term

1.1 The Headteacher must immediately notify the pupil's parents in writing.

A pro forma letter is shown at Appendix 1 to this document. The pro forma should be adapted to suit the circumstances of the suspension but **must** include the following information:

- detailed reason(s) for the suspension;
- duration of the suspension;
- to whom the pupil should report on return to school;
- a reminder of the parents' right of appeal to the school Governing body
- the date, time and venue of any school Governors' meeting which will be called to consider the extension of the pupil's suspension beyond 10 school days in the term, if this seems likely.

1.2 The Headteacher must immediately report the suspension to the Director of Education (Department of Education, Sport and Culture.)

A copy of the letter to the pupil's parents should also be sent to the Director of Education.

1.3 Robust, accurate and timely record keeping is expected from this stage onwards, making use of both written records and those held on school's management information systems.

Appeals against stage 1 measures

Please refer to '**Appeals against formal suspensions**'

Stage 2 - The school's request and subsequent Governors' meeting to consider extending a suspension beyond 10 school days in a term

2.1 Should the Headteacher wish to extend the period of suspension beyond 10 school days in a term, they should ensure this is communicated formally, in writing, and with due notice, involving Governors and pupils' parents.

2.2 In line with 2.1, a meeting of the school's Governors must be called to consider the request for an extended period of suspension.

2.3 The Headteacher must copy notice of the request and subsequent meeting to the Director of Education, with a copy of the letter to the pupil's parents advising them of the date, time and venue of the meeting, the reason for it and their right to attend.

2.4 The Headteacher must ensure that minutes of the meeting are kept as an official record.

2.5 The Headteacher must ensure that a copy of the minutes is forwarded to the Director of Education, together with a copy of the letter to the pupil's parents advising them of the Governors' decision. Pro forma letters (Stage 2) are shown at Appendix 2 to this document.

2.6 The pupil's parents may make representations against extension of the suspension to the school Governors in writing or by attendance at the school Governors' meeting.

- 2.7 At any such meeting, an appropriate member of staff should present the reason(s) for the suspension, in the presence of the pupil's parents, and if appropriate, the pupil themselves. The parents should then make their representations. The school Governors should ask such questions of either the member of staff, parents, or pupil as will help them to gain a clear understanding of the issues and to agree a course of action to be followed.
- 2.8 The Chair of the Governors must ensure that the conduct of such meetings is likely to be conducive to the aim of reaching an agreement between parents and school rather than the enforcement of one view over another. The meeting should also be conducted fairly and in accordance with the principles of this policy, which require that both sides of the case are heard fully and that the accuracy of statements is challenged. New information should not be introduced after the parents have withdrawn.
- 2.9 The parents, pupils and staff member presenting the case will leave the meeting while the Governors consider their decision, which may be communicated to them orally at the close of the meeting but must, in any case, be communicated to the parents in writing by the headteacher as soon as possible afterwards (see pro forma letter at Appendix 2).
- 2.10 If the school Governors have consented to the extension of a suspension, they must specify its duration and agree a date for reviewing their decision. This information must be included in the written notification to the pupil's parents. The review must take place no later than 30 days from the date of the Governors' decision.
- 2.11 The Headteacher must continue the provision of an appropriate educational programme for the suspended pupil when the pupil's suspension has lasted over 10 days in any term. A work experience placement on its own will not meet the requirement for educational provision, but may form part of it.
- 2.12 Such teaching may be provided by the school's own staff or by staff engaged by the school from the Department's Supply List. **In all cases, the school at which the suspended pupil is presently registered is responsible for meeting the costs of such teaching as is required from its own budget.**
- 2.13 The Headteacher remains responsible for making a Risk Assessment for the educational provision to the suspended pupil in order to fulfil the school's duty to protect its staff. This Risk Assessment will need to consider factors such as the venue and timing of the teaching, the availability of additional support, the experience and suitability of the teachers concerned, as well as the nature of the pupil and his/her records.
- 2.14 The Headteacher must ensure that the educational programme is appropriate to the pupil's age, current level of attainment, and level of need, whether that is universal, additional or complex, and that it will contribute to preparing the pupil for eventual re-inclusion into learning at the school. Appropriate attempts to partially reintegrate the pupil to the school should be made. The programme should be constructed and provided through partnership between schools, parents and Inclusion and Safeguarding.
- 2.15 Parents have a statutory duty to ensure that their child attends any educational provision provided by the school whilst he/she is suspended. The school should keep a record of the pupil's attendance at the provision made for him/her. If he/she fails

to attend without any satisfactory explanation being offered, the school should refer the matter to the Education Welfare Officers, who will make appropriate enquiries.

- 2.16 If the programme encounters severe difficulties which are beyond the control of the Headteacher, there is recourse to review, and if necessary, the programme can be amended accordingly.

Appeals against stage 2 measures

Please refer to '**Appeals against formal suspensions**'

Stage 3 - The school's request, and subsequent Governors' recommendation to the Department that a pupil be suspended on a semi permanent basis, and referred to the DESC 'facilitated move' panel.

- 3.1 Should the Headteacher request that a suspended pupil be suspended on a semi permanent basis beyond the parameters of both Stages 1 and 2, they should ensure this is communicated formally, in writing, and with due notice, involving Governors and pupils' parents.
- 3.2 In line with 3.1, a meeting of the school's Governors must be called to consider the request for a pupil to be suspended on a semi permanent basis and referred to the DESC 'facilitated move' panel.
- 3.3 The Headteacher must copy notice of the request and subsequent meeting to the Director of Education, with a copy of the letter to the pupil's parents advising them of the date, time and venue of the meeting, the reason for it and their right to attend.
- 3.4 The Headteacher must ensure that minutes of the meeting are kept as an official record.
- 3.5 The Headteacher must ensure that a copy of the minutes is forwarded to the Director of Education, together with a copy of the letter to the pupil's parents advising them of the Governors' decision. Pro forma letters are shown at Appendix 4 to this document
- 3.6 The Headteacher must present to the meeting the full written case history of the pupil (including any previous suspensions) and the reasons for the breakdown of the school's teaching provision for the pupil while suspended.
- 3.7 The Governors' meeting should be conducted in a way similar to that described in paragraphs 6-9 of Stage 2.
- 3.8 If the school Governors decide that the situation cannot be retrieved by the school's own efforts, they may recommend to the Department that the pupil be considered by the Department's 'facilitated move' panel.

The Department will only consider such a recommendation when it has clear written evidence that the school Governors –

- have considered and endorsed the pupil's suspension on a number of occasions, and

- are able to demonstrate that all other possible strategies aimed at providing the pupil with an education have failed.

The evidence required is therefore quite comprehensive and should include –

From the school governors:

- The pupil's –
 - full name
 - date of birth
 - home address
 - date of admission to the school
 - year group/form
 - attendance record (i.e. attendance register print outs since date of admission)
 - academic record, including curriculum followed and any modifications
 - attainment record and copies of school reports to parents
 - behaviour log, including number of suspensions and reasons for them
- A record of all the interventions made by the school
- A record of all referrals to Inclusion and Safeguarding and the results therefrom
- A record of the school's involvement with the parents
- A summary of the parents' views on the school's recommendations for a semi permanent suspension and referral for a 'facilitated move' to another school or educational establishment
- A full assessment of the pupil's additional needs

3.9 The school Governors may communicate their decision to parents orally at the end of their deliberations and, in any case, must communicate it in writing as soon as possible, notifying the parents of their right to make representations to the Director of Education, regarding the Governors' decision. Pro forma letters (Stage 3) are shown at Appendix 4 to this document.

3.10 Following the Governors' recommendation that a pupil be suspended on a semi permanent basis, a panel will be convened, consisting of

- Headteacher or senior leader from the school at which the pupil is registered (who will recuse themselves from the decision about whether to approve a facilitated move or not);
- Headteacher or senior leaders from other appropriate schools;
- A member of the Department's Inclusion and Safeguarding division;
- A member of the Department's Education Improvement Service.

The panel may, if required, also include;

- Principal or senior leader from the University College, Isle of Man;
- Members of other relevant agencies involved with the pupil.

The panel will be quorate if attended by two officers and two Headteachers or senior leaders.

The panel will meet to decide if a facilitated move is justified and, if so, whether the pupil remains on the roll of the school at which he/she is registered, but is partly educated at another educational establishment, or to which other school or educational establishment the pupil should be moved.

- 3.11 A pro forma letter to inform parents of this process is included as Appendix 4.
- 3.12 A pro forma letter to invite parents to attend the meeting of the facilitated move panel is included as Appendix 5.
- 3.13 A pro forma letter to inform parents of the facilitated move panel's decision is included as Appendix 6.

APPEALS AGAINST FORMAL SUSPENSIONS

- A1 - An appeal against a formal suspension may be submitted by the parent of the pupil or by the pupil (if he/she is over compulsory school age). The appeal must be in writing and submitted within seven days of receipt of notification of the suspension.
- A2 - In accordance with article 18 in schools' Articles of Government, appeals are heard either by the Governing Body or by the Department.
- A3 - Where a suspension has not required the Governors' approval (i.e. the suspension and any previous suspensions during the term have not exceeded a total of 10 school days), the appeal will be heard by the Governing Body. Once the Governors have become involved, however, appeals are to the Department instead.

Appeals to the Governing Body

- A4 - On receipt of an appeal, arrangements will be made by the Headteacher, in consultation with his/her Chair of Governors, for an appeal hearing to be held and invitations to attend the hearing and to submit representations will be extended, in writing, to the parties listed in article 18(2) of the school's Articles of Government.

These letters will include details of the date, time and venue of the hearing, together with a reminder of its purpose.

- A5 - The appeal hearing will be conducted in accordance with the procedure set out at Appendix 8 and the Headteacher must ensure that minutes are kept as an official record.
- A6 - The Governors' decision will, if possible, be given orally to the various parties immediately after the hearing and, in any case, will be communicated to them in writing within seven calendar days of the hearing.

A copy of the letter to the parents must be sent to the Director of Education.

- A7 - The Governors' decision is final.

Appeals to the Department

- A8 - Responsibility for the hearing of suspension appeals and the constitution of the appeals panel lies with the Department.
- A9 - Appeal panel appointments are made by the Department of Education, Sport and Culture and are subject to the proviso that no Board member may be involved in the hearing and determination of an appeal involving the suspension of a pupil at a

school of which he/she is a Governor.

A10 - On receipt of an appeal, arrangements will be made by the Department for an appeal hearing to be held and invitations to attend the hearing and to submit representations will be extended, in writing, to the parties listed in article 18(2) of the school's Articles of Government. These letters will include details of the date, time and venue of the hearing, together with a reminder of its purpose.

A11 - The appeal hearing will be conducted in accordance with the procedure set out in Appendix 8 and the Department must ensure that minutes are kept as an official record.

A12 - The appeal panel's decision will, if possible, be given orally to the various parties immediately after the hearing and, in any case, will be communicated to them in writing within seven calendar days of the hearing.

A13 - The appeal panel's decision is final.

MODIFIED EDUCATION PROGRAMMES

Article 21 in the school's Articles of Government allows the Headteacher to make arrangements for a pupil **who is not suspended** to receive less than full-time education at the school for up to four weeks (or longer with the approval of the school Governors).

Both the Governing Body and the Director of Education, should be notified when such arrangements are made.

Often, a modified programme is appropriate when a pupil has a clear issue/s which necessitate a temporary programme of part-time education or alternative provision. It is implicit in such situations that the pupil's parents are supportive of such arrangements and that the arrangements are not viewed as constituting a sanction.

A modified programme may also be applied in the case of a pupil who is at risk of suspension or one who has returned to school following a suspension. In both cases, a modified programme of part-time education or alternative provision may be appropriate so that the pupil's issues can be addressed by other means so as to facilitate the pupil's full inclusion as soon as is appropriate.

The school Governors are required to review modified education programmes on a monthly basis and parents must be invited to attend such reviews.

Whereas a suspension is a sanction, a modified education programme is not.

CONFIDENTIALITY

Professionalism and data protection legislation require careful treatment of pupils' identification details. This is particularly relevant to the minuting of Governing Body meetings when suspensions are considered.

Care should be taken to label such items 'confidential' so that there is no uncertainty about the nature of the information in the minds of those who have the right to read it.

Appendix 1

STAGE 1

PRO FORMA LETTER FOR USE AT THE TIME OF THE HEADTEACHER'S DECISION TO SUSPEND FOR UP TO 10 DAYS IN A TERM

<<Date>>

<<Name & Address of Parents>>

Dear

FORMAL NOTIFICATION OF SUSPENSION FROM SCHOOL

Student's name Date of birth Form

Number of days previously suspended this term

I am writing to notify you that your son/daughter has been suspended from school today, for a period of He/she will be expected to return to school on <<date>> and report to <<name>> at <<time>>.

DESCRIPTION OF INCIDENT LEADING TO SUSPENSION - THIS SHOULD BE CLEAR AND SPECIFIC

During this extended period of suspension, the school is obliged to provide your son/daughter with the means and resources for the continuation of the learning process (in whatever form that may take) to prepare him/her for a return to school. This package should be made available and sent through by the school.

The period of this suspension is conditional upon the following requirements:

EXAMPLES

1. An appointment is made with a senior member of staff to discuss the student's future education before re-admittance.
2. The student agrees to follow the school's Code of Conduct/Behaviour policy (attached).
3. The student stays away from the school and its students during school hours (including lunchtimes) for the period of his/her suspension.
4. The student re-enters the school's Behaviour Management Plan.

It is my duty to inform you that you have the right to appeal to the Governors of the school with regard to this decision to suspend your son/daughter. An appeal should be submitted in writing, within seven days of receipt of this letter, addressed to me at the School.

**I shall be seeking the Governors' consent to extend this suspension and a Governors' meeting is to be held for this purpose on <<date>> at <<time>> at <<location>>. You have the right to attend this meeting and to make representations to the Governors against your son's/daughter's extended suspension. Please let me know if you wish to attend.*

A copy of this notification of suspension is being forwarded to the Director of Education, and the Chair of the Governors.

Yours sincerely,

Headteacher

cc Director of Education / Chairman of Governors

**Include, if needed*

.....
REPLY SLIP

I, the parent/guardian of <<name of student>>, acknowledge receipt of the letter informing me of his/her suspension from <<name of school>> from <<date>> for <<duration of suspension>>.

Signed: (Person with parental responsibility)

Date:

NB In the case of a suspension or extended suspension which requires the approval of the school's Governing Body, the penultimate paragraph of this letter will need to be changed to read as follows:

It is my duty to inform you that you have the right to appeal to the Department with regard to this decision to <<suspend>>/<<extend the suspension>> of your son/daughter. An appeal should be submitted in writing, within seven days of receipt of this letter, addressed to the Director of Education, Hamilton House, Peel Road, Douglas IM1 5EZ.

Appendix 2

STAGE 2

PRO FORMA LETTER FOR USE AT THE TIME OF THE SCHOOL GOVERNORS' DECISION TO CONFIRM THE PUPIL'S SUSPENSION FOR LONGER THAN A PERIOD OF 10 DAYS IN A TERM

<<Date>>

<<Name & address of parents>>

Dear

SCHOOL GOVERNORS' CONSENT TO SUSPEND A PUPIL FROM SCHOOL

Student's name Date of birth Form
.....

Number of days previously suspended this term

I write to notify you that the Governors of School have agreed to the continued suspension of your son/daughter for a further period until <<date>> when they will review their decision in the light of your son's/daughter's progress.

During this extended period of suspension, the school will provide your son/daughter with a programme of teaching in order to continue his/her education and to prepare him/her for a return to school. This education programme will be available each day of the week at <<location>>. Please ensure that he/she attends these sessions and that he/she is willing to try to achieve the following:

LIST OF POSITIVE, REALISTIC TARGETS FOR THE PUPIL

It is my duty to inform you that you have the right of appeal to the Director of Education, regarding the School Governors' decision to extend your son's/daughter's suspension. If you wish to do so, you should, within seven days of receipt of this letter, write to:

Director of Education,
Department of Education, Sport and Culture
Hamilton House
Peel Road
Douglas IM1 5EZ

If you wish to attend the School Governors' meeting on <<date >> at <<time>> at <<location>>, when your son's/daughter's suspension will be reviewed, please let me know.

A copy of this letter is being forwarded to the Director of Education,

Yours sincerely

Headteacher

cc Director of Education (DESC)

Appendix 3

STAGE 2

PRO FORMA LETTER FOR USE AT THE TIME OF THE SCHOOL GOVERNORS' DECISION TO REFUSE TO EXTEND THE PUPIL'S SUSPENSION FOR LONGER THAN A PERIOD OF 10 DAYS IN A TERM

<<Date>>

<<Name & address of parents>>

Dear

SCHOOL GOVERNORS' REFUSAL TO EXTEND THE SUSPENSION OF A PUPIL FROM SCHOOL

Student's name Date of birth Form

Number of days previously suspended this term

I write to notify you that the Governors of School refused to consent to the extension of your son's/daughter's suspension beyond <<date>>.

He/she should therefore return to school on <<date>> at <<time>> and report to <<name>>.

A copy of this letter is being forwarded to the Director of Education (DESC)

Yours sincerely

Headteacher

cc Director of Education (DESC)

Appendix 4

STAGE 3

PRO FORMA LETTER FOR USE AT THE TIME OF THE SCHOOL GOVERNORS' DECISION TO RECOMMEND A SUSPENDED PUPIL BE SUSPENDED ON A SEMI PERMANENT BASIS, AND REFERRED TO THE DESC 'FACILTATED MOVE' PANEL

<<Date>>

<<Name & address of parents>>

Dear

RECOMMENDATION THAT (NAME) BE SUSPENDED ON A SEMI PERMANENT BASIS, AND REFERRED TO THE DESC 'FACILTATED MOVE' PANEL

Student's name Date of birth Form

Number of days previously suspended this term

I write to notify you that the Governors of School agreed at the meeting on <<date>> to recommend that your son/daughter should be suspended on a semi permanent basis, and referred to the DESC 'faciltated move' panel.

As a result of the meeting, an appropriate alternative education provision for your son/daughter will be offered, through an agreed resource commitment, either:

- **by remaining on the roll of the school presently attended and partly edcuated at another educational establishment;**
- **or through a move to another school or educational establishment.**

The reasons which have led to this recommendation are:

GIVE REASONS FOR THE BREAKDOWN OF THE SCHOOL'S PROGRAMME

Representatives of the the Department of Education, Sport and Culture will meet soon to consider this recommendation and whether or not to refer the case to the facilitated move panel. I have to inform you that you have the right to make representations to the school's Governing Body. Should you wish to attend the meeting, please contact the Department of Education, Sport and Culture, Hamilton House, Peel Road, Douglas IM1 5EZ, or tel 685801, who will inform you of the date and time to attend.

A copy of this letter is being forwarded to the Director of Education (DESC) and the Chair of Governors

Yours sincerely

Headteacher

cc Director of Education (DESC)/Chair of Governors

Appendix 5

STAGE 3

DESC's FACILITATED MOVE PANEL

CONSIDERATION AND RECOMMENDATION OF APPROPRIATE ALTERNATIVE EDUCATION PROVISION FOR A PUPIL SUSPENDED ON A SEMI PERMANENT BASIS

<<Date>>

<<Name & address of parents>>

Dear

THE CONSIDERATION AND RECOMMENDATION OF 'APPROPRIATE' ALTERNATIVE PROVISION FOR (NAME)

Student's name Date of birth Form

I write to notify you that the Department of Education, Sport and Culture's 'Facilitated Move' Panel are meeting on *agreed date* to consider a suitable alternative education programme for your son/daughter. The panel consists of senior representatives from either primary or secondary schools (dependent on where your child is educated) and senior Departmental officers. The panel will meet to consider if a 'facilitated move' is justified and, if so, to determine the future appropriate educational provision for your son/daughter. You are invited to attend this meeting with or without your son/daughter.

You have the right to make representations to the Department in respect of your son/daughters continuing education provision. Should you wish to attend the meeting, please contact the Department of Education, Sport and Culture, Hamilton House, Peel Road, Douglas IM1 5EZ, or tel 685801, who will inform you of the date and time to attend.

Once the panel has met and made its recommendation, it will be communicated orally (should parents be present at the meeting) and through formal written notification, no later than 5 working days following the meeting.

A copy of this letter is being forwarded to the Director of Education (DESC).

Yours sincerely

Headteacher

cc Director of Education (DESC)

Appendix 6

STAGE 3

DESC's FACILITATED MOVE PANEL

RECOMMENDATION OF APPROPRIATE ALTERNATIVE EDUCATION PROVISION FOR A PUPIL SUSPENDED ON A SEMI PERMANENT BASIS

<<Date>>

<<Name & address of parents>>

Dear

THE RECOMMENDATION OF SUITABLE ALTERNATIVE PROVISION FOR (NAME)

Student's name Date of birth Form

I write to notify you that the Department of Education, Sport and Culture's 'Facilitated Move' Panel met on *insert date* to consider and recommend appropriate alternative education provision for your son/daughter. The panel consisted of senior representatives from either primary or secondary schools (dependent on where your child is educated) and senior Departmental officers.

The panel recommended that *insert child's name* (delete as appropriate) **remain on the roll of the school at which he/she currently attends and be partly educated at another educational establishment or transferred to *insert school or educational establishment on a semi permanent basis***. This decision was made following representations from *insert as appropriate* and fulfills the commitment set down in DESC's suspensions policy (2019) to offer provision '*through an agreed resource commitment, either by remaining on the roll of the school presently attended and partly educated at another educational establishment, or through a move to another school or educational establishment.*'

It is my duty to inform you that you have the right of appeal to the Department of Education, Sport and Culture regarding the panel's decision. If you wish to do so, you should, within seven days of receipt of this letter, write to:

Department of Education, Sport and Culture
Hamilton House
Peel Road
Douglas IM1 5EZ

A copy of this letter is being forwarded to the Chief Executive Officer (DESC)

Yours sincerely

Headteacher

cc Director of Education (DESC)

Appendix 7

GUIDANCE NOTES ON THE PROCEDURE FOR THE CONDUCT OF THE DEPARTMENT'S 'FACILITATED MOVE' PANEL TO CONSIDER AND RECOMMEND 'APPROPRIATE' EDUCATION PROVISION FOR PUPILS SUSPENDED ON A SEMI PERMANENT BASIS

BEFORE THE MEETING

1. The time, date, venue, and chairperson for the meeting will be arranged by the Department.
2. The school at which the pupil is currently on roll will prepare their case for a 'facilitated move' to either remain on the roll of that school, but be partly educated at another educational establishment, or move to another school and/or educational establishment.
3. All other relevant and appropriate details regarding the pupil's education needs will be provided, where possible, in advance of the panel meeting.

STARTING THE MEETING

4. At the beginning of the meeting, the Chair will make introductions of the various parties and remind the meeting of the nature of the recommendation to be considered by the Department.

The Chair will outline the procedure for the conduct of the meeting.

PRESENTATION OF CASES

5. The case for a 'facilitated move' to another school or educational establishment will be presented by the school at which the pupil is currently on roll.
6. After this, all other relevant and appropriate details regarding the pupil's education needs will be presented to the panel. These may be presented by adults or professionals involved with the child's education or welfare (including the child's parents).
7. At the conclusion of the presentation, any of the panel members may ask questions of the school and of any other relevant information presented.

RE-EXAMINATION

8. Following the presentation of cases all parties will be asked if they wish to re-examine any of the evidence by asking questions of the others.

FINAL STATEMENTS

9. All parties will then be asked if they wish to make a final statement, which should summarise their case already presented.

CONSIDERATION OF THE CASES

10. All parties will then be asked to withdraw so that the case can be considered by the Panel, excluding the representative from the school at which the pupil is currently on roll and the

child's parents (if present). The Director of Education or his representative will advise on legal or procedural matters at this time.

11. The panel will then be asked to enter a period of deliberation, the outcome of which will inform a final decision on whether the request for a facilitated move is justified.

DECISION

12. Once a final decision has been made as to whether the request for a 'facilitated move' is justified, the decision will be communicated to the full panel, who will then move to the process outlined in 13.
13. The full panel will then discuss options and arrive at a final decision for the appropriate ongoing education provision for the child.
14. The final decision on appropriate education provision for the child will be communicated to the child's parents orally (if present) and through formal written notification within 5 working days of the meeting.
15. Should the panel be unable to arrive at a unanimous decision, or there exists a split within the panel over the recommended provision for the child, a final decision will be made by the Director of Education or his representative.
16. The decision of either the panel (in the event of full agreement), or the Director of Education or his representative (in the event of a split within the panel) is final.

Appendix 8

GUIDANCE NOTES ON THE PROCEDURE FOR THE CONDUCT OF APPEAL HEARINGS BY A PANEL APPOINTED BY THE DEPARTMENT TO HEAR APPEALS AGAINST A SUSPENSION

BEFORE THE HEARING

1. The time, date and venue for the hearing will be arranged by the Department.
2. All parties to the appeal will be asked to provide a written submission of their case.
3. If any of the parties wishes to be accompanied by another person as a friend or adviser they may do so, but each of the parties is expected to present their own case and answer any questions put to them. There is no requirement for each of the parties to attend if the parties involved are content that their written submission is sufficient.
4. If any of the parties wish to call another person as a witness to attend the hearing they may do so and make arrangements for that person to attend the part of the hearing in which they give their evidence and leave the meeting immediately thereafter.
5. During the appeal hearing meeting if new evidence not previously disclosed or shared prior to the meeting is presented, any of the parties may request an adjournment whilst the new evidence is considered by the other parties. It is in the interests of everyone that any such adjournment is avoided and, if one is requested, that it should only be for a short period of time.

STARTING THE HEARING

6. At the beginning of the appeal hearing meeting the Chair of the Panel will make introductions of the various parties and remind the meeting of what decision had previously been taken.

The Chair of the Panel or his representative will outline the procedure for the conduct of the meeting.

PRESENTATION OF CASES

7. After this the case for the appellant will be made and any witnesses called.
8. At the conclusion of this presentation any of the parties to the appeal, the Panel may ask questions of the appellant and of any witnesses before they withdraw.
9. After the case for the appellant has been made the case for the school will be presented and any witnesses may be called.
10. Following this presentation, again any questions may be asked and afterwards witnesses will withdraw.
11. Following this presentation, again questions may be asked and afterwards witnesses will withdraw.

RE-EXAMINATION

13. Following the presentation of cases all parties to the appeal will be asked if they wish to re-examine any of the evidence by asking questions of the others.

FINAL STATEMENTS

14. All parties to the appeal will then be asked if they wish to make a final statement, which should summarise their case already presented.

CONSIDERATION OF THE CASES

15. All parties to the hearing will then be asked to withdraw so that the case can be considered by the Panel.
16. If it is necessary to recall either party or witnesses in order to resolve any points of uncertainty, all parties to the appeal will be recalled notwithstanding the fact that only one may be concerned with the point giving rise to doubt.

DECISION

17. After the case has been considered the decision will, if possible, be given orally immediately after the hearing but, in any case, such decision will be confirmed in writing within seven calendar days of the hearing, with copies being sent to all those who have attended the hearing.
18. The decision of the panel is final.

The information in this document can be provided in large print or on audio tape, on request.

Department of Education, Sport and Culture
Hamilton House, Peel Road
Douglas, Isle of Man, IM1 5EZ

www.gov.im/education

