# Suspensions and Exclusions policy

Elements Diocesan Learning Trust

Rushwick CE Primary School

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# 1. Vision and Values

## Vision

***Together we flourish in the love of God***

Elements Diocesan Learning Trust values the individual nature of each school within the Trust family. We believe that every person is a unique and precious gift, created with purpose and value. We nurture each person as a child of God and recognise their inherent potential. Through our collective efforts, we inspire hope, nurture faith, and promote the flourishing of each school.

We ensure that every person is seen, valued, and empowered to succeed, regardless of their background or circumstances. Through justice and equity, we foster an inclusive environment where diversity is celebrated, and every person's unique gifts are honoured.

By embracing these principles, we create a culture where every person values themselves, their community, and the world around them to become compassionate, confident, and responsible individuals.

## Values

***To love, to learn, to serve – through collaboration, honesty and hope.***

Our core values underpin all aspects of our Trust as we strive to make a positive difference to the lives of all pupils whilst they are at school and in later life. Through these values, we can be sure our community is one of hope; a place of transformation and trust, where all are treated with respect and dignity.

### Love

We are committed to Compassion and Care: As Christ commands, we strive to love one another deeply, fostering empathy, respect, and kindness. We create a culture where we genuinely care for each other, supporting personal, professional and spiritual growth, as we walk in His love.

### Learn

We are committed to Continuous Growth and Wisdom: Following the call to grow in knowledge and understanding, we cultivate a culture of curiosity, adaptability, and continual improvement. We encourage all to seek wisdom and learning, guided by God's truth, that we might serve more effectively.

### Serve

We are committed to Service and Impact: Inspired by Christ's example of humble service, we dedicate ourselves to serving others, contributing to the well-being of our schools, communities, and beyond, bringing His light and love into all we do.

### Collaboration

We are committed to Unity in Purpose: We value working together in mutual respect, knowing that through collaboration, we can have a greater impact supporting each other to achieve our shared vision.

### Honesty

We are committed to Integrity and Truth: Following Christ's call to live in truth, we foster a culture of honesty, transparency, and trust, ensuring that our actions reflect His integrity in all dealings, upholding the highest ethical standards.

### Hope

We are committed to Inspiring Hope and Faith: As bearers of Christ's hope, we instil in every individual the belief in their God-given potential to achieve great things, trusting in His plan to bring good out of all circumstances, and inspiring hope for a future filled with His promises.



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## 2. Aims

We are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents/carers and pupils understand the exclusions process
- Make sure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully

**A note on off-rolling**

'Off-rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension or
- Move a pupil to alternative provision (AP) where this is not in their best interests, or
- Send a pupil home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
- Place a pupil on a part-time timetable for behavioural reasons
- Remove a pupil from the school roll without following due process

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

## 3. Legislation and statutory responsibilities

This policy is based on statutory guidance from the Department for Education (DfE): Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.

It is based on the following legislation, which outlines schools' powers to suspend and permanently exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'

  The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014 and as modified and amended by The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.
- The Equality Act 2010
- Children and Families Act 2014
- The Inspection information for state-funded schools, which defines 'off-rolling'

This policy also complies with our funding agreement and articles of association.

## 4. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent/carer – any person who has parental responsibility and any person who has care of the child.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs. Managed moves cannot be used on a trial basis.

Cancelled exclusion – an exclusion that has been cancelled before the local governing board has met to consider whether the pupil should be reinstated.

## 5. Roles and responsibilities

### 5.1 The headteacher

#### Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion



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Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or of others such as staff or pupils in the school

Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events considering these in light of their age and understanding, unless it would not be appropriate to do so
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a child in care (Child looked after, CLA) or a previously looked-after child
- Consider whether all alternative solutions have been explored, such as:
    - For suspensions: detentions or other sanctions provided for in the behaviour policy
    - For exclusions: off-site direction (for temporary placements) or managed moves (which are permanent and not used as trial placements)

When considering off-site direction, the school complies with the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, and has regard to the Arranging alternative provision: a guide for local authorities and schools.

Before directing a pupil off-site or agreeing a managed move, the school will:

- Ensure the pupil's views are sought and considered
- Be able to evidence that appropriate interventions have already been implemented
- Share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments and support strategies

Where a managed move is being considered for a pupil with a social worker, the school will inform, at the earliest opportunity:

- The social worker
- The DSL
- Parents/carers (unless this would create a safeguarding risk)
- For looked after children: the virtual school head (VSH)
- The CEO of the Trust

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or permanently exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

If it is decided that a managed move is in the pupil's best interests, the original school and new school will work together to make sure that any personal education plan (PEP) that the pupil has is reviewed and amended to reflect the move.

Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan ,the school will, in partnership with others (including where relevant, the LA), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the pupil's SEN or disability.

Where a pupil has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the pupil.

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil, or if a pupil has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

**Deciding whether to temporarily remove a pupil from the school site for safeguarding reasons**

In exceptional circumstances, the headteacher may decide to temporarily prevent a pupil from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.

This measure will only be used when:

- It is necessary to separate pupils to ensure safety, and
- There is no reasonable alternative that would allow all pupils to remain on site

Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate (e.g children's social care or the police).

Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the governing board without delay
- Notify the CEO of the Trust
- Provide work for the pupil to complete at home, or work with the LA to ensure suitable education is arranged
- Support the pupil's reintegration, as soon as it is safe to do so

**Informing parents/carers**

If a pupil is at risk of suspension or exclusion, the headteacher will inform the parents/carers as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the headteacher decides to suspend or exclude a pupil, the parents/carers will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents'/carers' right to make representations about the suspension or permanent exclusion to the Local School/Academy Board and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made



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- Where there is a legal requirement for the Local School/Academy Board Panel to hold a meeting to consider the reinstatement of a pupil, and that parents/carers have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- That parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged to improve behaviour, the written notification will include:

- The start date for any provision of full-time education that has been arranged
- The address at which the provision will take place
- The name of the person the pupil should report to on arrival
- The duration of the placement
- The reasons for, and objectives of, the placement
- The start and finish times of any such provision
- Where 2 sessions per day are provided:
    - What time the morning sessions starts
    - What time the afternoon session ends
    - What time the break between them starts and ends
- Where a single session per day is provided:
    - What time the session starts and ends

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers without delay, and provide a reason for the cancellation.

**Informing the Local School Board**

The headteacher will, without delay, notify the Local School/Academy Board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam

- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

**Informing the local authority (LA)**

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

The current pathway for informing Worcestershire Local Authority of any suspension or exclusion can be accessed and recorded via the Worcestershire Portal on their website.

**Informing the pupil's social worker and/or virtual school head (VSH)**

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible
- **Pupil who is a child in care (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is so they can work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

Where a looked-after child is at risk of suspension or permanent exclusion, the school will consider:

- How effectively the current personal education plan (PEP) is being implemented, and
- Whether an interim review of the PEP needs to take place
- How the school is using Pupil Premium Plus

If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the Local School/Academy Board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background

and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the pupil's welfare are taken into account.

**Cancelling suspensions and permanent exclusions**

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the Local School Board. Where there is a cancellation:

- The parents/carers, Local School/Academy Board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The Local School/Academy Board's duty to convene a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school without delay

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

**Providing education during the first 5 days of a suspension or exclusion**

If the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online resources may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

## 5.2 The Local School/Academy Board

**Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Local School/Academy Board who will form a Panel of 3 governors.

The Panel has a duty to consider parents'/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the Local School/Academy Board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the Local School/Academy Board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

**Monitoring and analysing suspensions and exclusions data**

The Local School/Academy Board will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The Local School/Academy Board will:

- Closely scrutinise patterns of all pupil movement, including suspensions, permanent exclusions, off-site direction and managed moves
- Ensure these measures are only used as a last resort
- Review any use of separation from site for safeguarding purposes
- Challenge the school's leadership team to identify and address emerging trends

The Local School/Academy Board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

Performance data and benchmarking:

Governors will hold leaders to account and make informed decisions. To enable them to do so, they'll make use of performance data in the following areas:

- Pupil numbers, attendance and exclusions
- Attainment and progress
- Curriculum planning and class sizes
- Financial management and governance
- Quality assurance
- Safeguarding and wellbeing
- The school community, including staff, pupils, parents/carers and the Local School/Academy Board

## 5.3 The local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are looked after or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## 6. Considering the reinstatement of a pupil

A panel of 3 governors from the Local School/Academy Board will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

The exclusion is permanent

It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term; or

It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, The Local School/Academy Panel must consider any representations made by parents/carers, it is not required to arrange a meeting with parents/carers and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the board, the Local School/Academy Panel will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Local School/Academy Board will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the Panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the Governor Panel and allowed to make representations or share information:

Parents/carers (and, where requested, a representative or friend)

The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)

The headteacher

The pupil's social worker, if they have one

The VSH, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers. See section 10 for more details on remote access to meetings.

The Local School/Academy Board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Governor Panel can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the Governor Panel will consider:

Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair

- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the Local School/Academy Board



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They will decide whether or not a fact is true 'on the balance of probabilities'.

The clerk/governance professional will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record.

The Local School/Academy  Board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the Governors Panel has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents'/carers' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the Local School/Academy Board's decision is given to parents/carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the academy trust to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents/carers for this appointment
- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 7. Independent review

If parents/carers apply for an independent review within the legal timeframe, the academy trust will, at their own expense, arrange for an independent panel to review the decision of the Governor Panel not to reinstate a permanently excluded pupil.



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Applications for an independent review must be made within 15 school days of notice being given to the parents/carers by the Governor Panel of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers. See section 10 for more details on remote access to meetings.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a director of the academy trust of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the academy trust, or the Local School/Academy Board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the academy trust, school, Local School/Academy Board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents/carers will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the VSH of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

- Uphold the Governors Panel decision
- Recommend that the Local School/Academy Board reconsiders reinstatement

Quash the Governor Panel decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the Governor Panel at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Governor Panel and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the Local School/Academy Board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the Local School/Academy Board reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the Local School /Academy Board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the Local School/Academy Board to place on the pupil's educational record

## 8. School registers

A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents/carers were notified of the Governor Panel decision to not reinstate the pupil, and no application has been made for an independent review panel, or
- The parents/carers have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the Local School/Academy Board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

A pupil will be registered at 1 school only. Where a managed move is agreed, the pupil's name will be removed from the admission register when the move becomes permanent. Where a pupil attends off-site provision, the original school retains responsibility for the pupil's registration unless and until a permanent move is agreed.

### Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name and address
- The full name and address of any parent/carer with whom the pupil normally resides



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- At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

## 9. Returning from a suspension

### 9.1 Reintegration strategy

Following suspension, period of off-site direction, separation for safeguarding purposes, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life for the pupil:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents/carers and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers and other relevant parties.

### 9.2 Reintegration meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## 10. Remote access to meetings

Parents/carers can request that a Local School board meeting, or independent review panel be held remotely. If the parents/carers don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The Local School/Academy Board and the academy trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

## 11. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors, directors and other stakeholders on their perceptions and experiences

The data will be analysed every term and will be reported back to the Local School/Academy Board.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

The multi-academy trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

## 12. Links with other policies

This policy is linked to our:

- Behaviour policy
- SEND policy

- SEN information report



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## Appendix 1: independent review panel training

The academy trust must make sure that all members of an independent review panel and clerks/governance professionals have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk/governance professional of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act



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