



## Suspensions and Permanent Exclusions Policy

<b>Policy area:</b>	Education & Standards
<b>Approved by:</b>	CEO
<b>Approval date:</b>	31.03.25
<b>Implementation date:</b>	Immediate
<b>Version:</b>	V2
<b>Review cycle:</b>	Annual
<b>Date of next review:</b>	Autumn 25
<b>Publication:</b>	Public

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## Associated Documents:

It is recommended that staff access the relevant Local Authority guidance and template letters.

**This policy MUST be read in conjunction with the latest statutory guidance when implementing a suspension OR a permanent exclusion.**

[Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement – updated August 2024.](#)

## 1. Introduction

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- 1.1 Good behaviour is central to all we do at our schools. High standards of behaviour are expected and promoted throughout every aspect of school life. All members of staff set high standards and pupils are given clear guidance on what is expected of them. It is a primary aim of ONE Academy Trust that every member of our school communities feels valued and respected; and that each person is treated fairly and well.
- 1.2 We have a range of policies and procedures in place to promote good behaviour and appropriate conduct. These include:
  - Behaviour Policy
  - Anti-Bullying Policy
  - Home-School Agreement
  - PSHE (personal, social, health and economic) lessons and activities
- 1.3 Our schools are committed to approaching and managing challenging behaviour in a positive and supportive way, recognising the needs of individual children and supporting them to make their own unique contribution to school life and reach their potential.

- 1.4 We seek to work in partnership with parents<sup>1</sup> to ensure that expectations are clear and parents can reinforce them with their children. This includes ensuring that parents are kept informed about decisions made in response to a child's inappropriate behaviour so that we can work together in the best interests of pupils.
- 1.5 Pupils identified as 'at risk' of suspension or permanent exclusion will have a risk assessment in place. Staff consider the child's daily routines and carefully plan their experiences in school in order to reduce anxiety and opportunities for inappropriate behaviour. Staff make use of relevant support to help them to plan and implement strategies to support the child in order to avoid escalation of the negative behaviour and avoid the need for exclusion.
- 1.6 This policy outlines our approach to the use of suspension or permanent exclusion where it proves to be necessary. It is underpinned by the shared commitment of all members of the school community to achieve two important aims:
1. To ensure the safety and well-being of all members of the school community
  2. To maintain an appropriate educational environment in which all children can learn and succeed

### **Legislation and statutory guidance**

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from August 2024.](#)

- 1.7 It is based on the following legislation, which outlines schools' powers to 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
- 1.8 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](#)
  - [The Equality Act 2010](#)
  - [Children and Families Act 2014](#)
  - [School Attendance \(Pupil Registration\) \(England\) Regulations 2024.](#)
- 1.9 This exclusion policy acknowledges the school's legal duties under the Equality Act 2010, in respect of safeguarding and in respect of pupils with special educational needs.
- 1.10 This policy reflects legislation at the time when it was last reviewed. Any changes in legislation will take precedence over anything printed in the policy.
- 1.11 This policy complies with our funding agreement and articles of association.
- 1.12 This policy should be read in conjunction with the following documents and school policies:

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<sup>1</sup> In this policy the term 'parents' refers to parents, carers, and guardians.  
ONE58 - Suspensions & Permanent Exclusions Policy

- DfE document: Exclusion from maintained schools, Academies and pupil referral units in England - A guide for those with legal responsibilities in relation to exclusion (statutory guidance) [School suspensions and permanent exclusions - Publications - GOV.UK](#)
- Local Authority guidance on exclusions
- School Behaviour Policy
- School Anti-bullying Policy
- School Equality and Diversity Policy and Equality Duty Report
- School SEND Policy and Information Report

1.13 In addition, parents will find the following guidance from charities useful:

- Coram Children's Legal Centre <http://www.childrenslegalcentre.com/favicon.ico>
- ChildLaw Advice [School exclusion](#)
- Contact a Family (for families with disabled children) [Exclusions | Contact a Family](#)

1.14 For the purposes of suspensions and permanent exclusions, a school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

## 2. Aims and scope

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

2.2 ONE Academy Trust aims to:

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

### A note on off-rolling

2.3 ONE Academy Trust is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

2.4 We will not suspend or exclude pupils unlawfully by directing them off-site, or not allowing pupils 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, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting

- By exerting undue influence on a parent to encourage them to remove their child from the school

### 3. Definitions

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- 3.1 **Suspension** – when a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.
- 3.2 **Permanent exclusion** – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.
- 3.3 **Off-site direction** – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.
- 3.4 **Parent** – any person who has parental responsibility and any person who has care of the child.
- 3.5 **Managed move** – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

### 4. Roles and responsibilities

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#### Responsibility of the headteacher

##### Deciding whether to suspend or exclude

- 4.1 Only the headteacher, or an 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.
- 4.2 A decision to suspend or 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 others
- 4.3 Before deciding whether to exclude a pupil, either permanently or for a fixed period, the headteacher will:
- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
  - Allow the pupil to give their version of events
  - Consider if 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 looked-after child (LAC))
  - Consider whether all alternative solutions have been explored, such as off-site direction or managed moves
- 4.4 The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so, e.g. after a violent outburst meeting the threshold for exclusion or suspension.
- 4.5 Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

- 4.6 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.

### **Informing parents**

- 4.7 If a pupil is at risk of suspension or exclusion the headteacher will inform the parents 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.
- 4.8 If the headteacher decides to suspend or exclude a pupil, the parents will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.
- 4.9 The parents will also be provided with the following information in writing, without delay:
- The reason(s) for the suspension or exclusion
  - The length of the suspension or, for a permanent exclusion, the fact that it is permanent
  - Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil is attending alongside parents, how the pupil may be involved in this
  - How any representations should be made
  - Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend
  - That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request
- 4.10 If the pupil is of compulsory school age, the headteacher will also notify parents 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 an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents 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 may be given a fixed penalty notice or prosecuted if they fail to do this
- 4.10 If alternative provision is being arranged, the following information will be included, if possible:
- The start date for any provision of full-time education that has been arranged
  - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
  - The address at which the provision will take place
  - Any information the pupil needs in order to identify the person they should report to on the first day
- 4.11 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' consent.

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

### **Informing the governing board**

- 4.13 The headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which 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 which 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)**

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

- 4.15 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

- 4.16 For a permanent exclusion, if the pupil lives outside the Local Authority 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.

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

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

- 4.18 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 looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform **the VSH** as early as possible

This is 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.

- 4.19 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)

4.20 The social worker/VSH will be invited to any meeting of the governing 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 that safeguarding needs and risks and the pupil's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

4.21 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 governing board. Where there is a cancellation:

- The parents, governing board and Local Authority will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reasons for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents 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

4.22 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.

4.23 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 permanent exclusion**

4.24 During the first 5 days of a suspension, 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 pathways such as Google Classroom, Oak Academy or the school's online learning arrangements 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.

4.25 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.

## **Responsibility of the governing board**

### **Considering suspensions and permanent exclusions**

- 4.26 Responsibilities regarding exclusions are delegated to an Exclusion Committee formed for the purpose. This will usually consist of a minimum of 3 governors but can be constituted with a smaller number.
- 4.27 The governing board has a duty to consider parents' 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.
- 4.28 Within 14 days of receipt of a request, the governing board will provide the secretary of state with information about any suspensions or exclusions in the last 12 months.
- 4.29 For any suspension of more than 5 school days, the governing 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**

- 4.30 The governing 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.
- 4.31 The governing 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
  - Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
  - The characteristics of suspended and permanently excluded pupils, and why this is taking place
  - Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
  - The cost implications of directing pupils off-site

### **Responsibility of the Local Authority (LA)**

- 4.21 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.
- 4.22 For pupils who are looked after (LAC) 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.

## **5. Considering the reinstatement of a pupil**

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- 5.1 The Local Governing Body (LGB) 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 which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
  - It would result in a pupil missing a public examination or National Curriculum test
- 5.2 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 governing board must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.
- 5.3 Where the pupil has been suspended for more than 5 days, but not more than 15 school days, in a single term, and the parents make representations to the board, the governing board will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.
- 5.4 Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the governing 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 governing board may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.
- 5.5 The following parties will be invited to a meeting of the governing board and allowed to make representations or share information:
- Parents, or the pupil if they are 18 or over (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
- 5.6 Governing board meetings can be held remotely at the request of parents. See section 9 for more details on remote access to meetings.
- 5.7 The governing 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.
- 5.8 The governing board (Exclusion Committee) 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)
- 5.9 In reaching a decision, the governing board (Exclusion Committee) 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 governing board

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

5.10 The clerk will be present when the decision is made.

5.11 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.

5.12 The Exclusion Committee of the governing board will notify, in writing, the following stakeholders of its decision, along with the reasons for its decision, without delay:

- The parents
- 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

5.13 Where exclusion is permanent and the governing board (Exclusion Committee) 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' 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 governing board's decision is given to parents)
- 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 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 for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents 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

## 6. An independent review

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- 6.1 If parents 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 governing board not to reinstate a permanently excluded pupil.
- 6.2 Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing board (Exclusion Committee) of its decision to not reinstate a 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.
- 6.3 Independent reviews can be held remotely at the request of parents/pupils. See section 9 for more details on remote access to meetings.
- 6.4 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's 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
- 6.5 A person may not serve as a member of a review panel if they:
- Are a member/trustee of the academy trust
  - 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 governing 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, governing board, parents 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 the training must cover.
- 6.6 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.
- 6.7 Taking into account the pupil's age and understanding, the pupil or their parents 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.
- 6.8 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.

- 6.9 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.
- 6.10 Where a VSH is present, the panel must have regard to any representation made by the social worker 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.
- 6.11 Following its review, the independent panel will decide to do one of the following:
- Uphold the governing board's decision
  - Recommend that the governing board reconsiders reinstatement
  - Quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)
- 6.12 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.
- 6.13 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 governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.
- 6.14 If evidence is presented that the panel considers it is unreasonable to expect the governing 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 governing board reconsider reinstatement.
- 6.15 The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.
- 6.16 Once the panel has reached its decision, the panel will notify all parties in writing without delay.
- 6.17 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 governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
  - Any information that the panel has directed the governing board to place on the pupil's educational record

## **7. School registers**

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- 7.1 A pupil's name will be removed from the school admissions register if:
- 15 school days have passed since the parents were notified of the exclusion panel'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

- 7.2 Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.
- 7.3 While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.
- 7.4 Where excluded pupils are not attending alternative provision, code E (absent) will be used.

### **Making a return to the LA**

- 7.5 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
  - The full name and address of any parent with whom the pupil normally resides
  - At least one telephone number at which any parent 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 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(s) the pupil is going to live there with, and the date when the pupil is going to start living there if the parents have informed the school that the pupil is moving house
- 7.6 This return must be made as soon as the grounds for removal are met and no later than the removal of the pupil's name.

## **8. Returning from a suspension**

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### **Reintegration strategy**

- 8.1 Following the suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.
- 8.2 Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.
- 8.3 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 to praise progress being made and raise and address any concerns at an early stage

- Informing the pupil, parents and staff of potential external support

- 8.4 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.
- 8.5 The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

### **Reintegration meetings**

- 8.6 The school will 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.
- 8.7 The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.
- 8.8 The meeting can proceed without the parents in the event that they cannot or do not attend.
- 8.9 The school expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## **9. Remote access to meetings**

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- 9.1 Parents, or pupils if they are 18 or older, can request that a governing board meeting, or independent review panel be held remotely. If the parents/pupil don't express a preference, the meeting will be held in person.
- 9.2 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.
- 9.3 Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.
- 9.4 The governing 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 which 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
- 9.5 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.
- 9.6 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

## **10. Monitoring and review**

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- 10.1 The school will collect data on the following:
- Attendance, permanent exclusions and suspensions



- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors/trustees and other stakeholders on their perceptions and experiences

10.2 School data will be analysed by the headteacher at the end of each term and reported to the Local Governing Body.

10.3 The school data will be submitted to Chief Executive Officer at the end of each term. Trust level data will be analysed termly by the Chief Executive Officer. The Chief Executive Officer will report back to the Board of Trustees.

10.4 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

10.5 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.

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

10.7 This policy will be reviewed by the CEO annually or whenever legislation or statutory guidance changes. At every review, the policy will be approved by the CEO.

## Independent review panel training

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The academy trust must ensure that all members of an independent review panel and clerks 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 exclusions, 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 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

Template – Insert school/trust header etc. Adapt to suit.

## EXCLUSION COMMITTEE PROCEEDINGS & AGENDA

**Date:**

**Time:**

**Location:**

Members of the Committee:	
Name	Role
Clerk to the Committee:	
Headteacher:	
	Headteacher at [insert name of school]
Parents & friend/representative	
	Parent
	Parent
	Parent's friend/representative

## AGENDA

Item	Action
1	<p><b>Introductions, purpose and remit of the Permanent Exclusion Committee meeting</b></p> <p>The chair will:</p> <ul style="list-style-type: none"> <li>• Explain the purposes and conduct of the meeting</li> <li>• Confirm that the committee: <ul style="list-style-type: none"> <li>○ received the same written evidence as all other parties.</li> <li>○ will be making their decision based on the written evidence provided and the points made during the meeting.</li> <li>○ have had no previous involvement or knowledge about the pupil that might affect their ability to act impartially as part of the committee.</li> </ul> </li> <li>• Explain the remit of the committee</li> </ul>
2	<p><b>Parents' views and questions</b></p> <p>The parents/parent are/is invited to present their views about the exclusion and submit any questions they wish to raise of the headteacher and/or the committee</p>
3	<p><b>Questions</b></p> <p>The committee and headteacher may ask questions of the parent(s)</p>
4	<p><b>Headteacher's evidence</b></p> <p>The headteacher presents the reason for the permanent exclusion and the written evidence and relevant information on which the decision was based.</p>
5	<p><b>Questions</b></p> <p>The committee and parent(s) may ask questions of the headteacher.</p>
6	<p><b>Summary</b></p> <p>The chair will summarise the next steps and advise how the decision of the committee will be communicated.</p>
<p><i>The headteacher and the parent(s) (and their friend/representative if accompanied) will leave the room/leave the building</i></p>	
7	<p><b>Decision making</b></p> <p>Only the committee members and the clerk will attend this part of the meeting. The committee members will discuss the evidence and make their decision. The clerk stays with them to advise on guidance and procedures.</p> <p>In the light of its consideration, the committee can either:</p> <ul style="list-style-type: none"> <li>• decline to reinstate the pupil; or</li> <li>• direct reinstatement of the pupil immediately or on a particular date.</li> </ul>
8	<p><b>Communicating the decision</b></p> <p>If appropriate, the decision may be communicated verbally to both parties following the meeting.</p> <p>All parties and the Local Authority will be advised in writing of the decision of the committee without delay. This will usually be within one school day of the meeting. If the committee declines to reinstate the pupil, the parent will be advised of the appeal process.</p> <p>Minutes of the meeting will be placed on the pupil's record with a copy of the headteacher's exclusion letter and relevant papers. A copy will be made available to all parties upon request.</p>

**Code of Conduct**

- All parties are expected to conduct themselves in a respectful manner. If the chair does not consider that an individual's behaviour is appropriate, they will be required to leave the meeting immediately.
- Electronic recordings of meetings or conversations are not normally permitted unless a complainant's disability or special needs require it. The consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in the minutes.

**Role of the clerk**

- The clerk is the point of contact for everyone involved
- The clerk will take minutes of the meeting to capture the main points of discussion and decisions. These will be made available on request.
- The clerk will notify all parties of the Exclusion Committee's decision without delay

**Evidence**

- All records, correspondence and evidence will be treated as confidential and processed only as necessary for purposes relating to the exclusion.