



Policy on Suspensions and Exclusions

This Policy has been adopted and approved by Oxlip Learning Partnership and is to be used by all members of the Trust.

History of Document:

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DfE Guidance updates with effect from September 2024:

Page number / section number	Update	Reason for update
Pg 3 / section 2	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.	Updated link to DfE statutory guidance
Pg 3 / section 3	Changed the definition of Permanent exclusion from “taken off the school roll” to “taken off the school admission register”	DfE updated their guidance and removed the references to “school roll”

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Please note that for the purposes of this policy:

- the term “pupil” refers to any learner on roll at a Trust school

I. 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.

The Trust aims to ensure that:

- The exclusion process (suspension and permanent) is applied fairly and consistently both within, and across, schools;

- The exclusion process (suspension and permanent) is understood by local board members, Trustees, staff, parents/carers and pupils;
- Pupils in school are safe and happy;
- Pupils are not at risk of becoming NEET (not in education, employment or training);
- 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
- Encourage a sixth-form student not to continue with their course of study, 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

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

- 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/carer to encourage them to remove their child from the school.

2. 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](#).

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](#).

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental/carer 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](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'

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

3. 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 local board of a 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.

4. Roles and Responsibilities

4.1 The Principal

4.1.1 Deciding whether to suspend or exclude

Principals are the only members of staff with the power to exclude pupils. The decision can be made in respect of behaviour inside or outside of school. Principals will only use permanent exclusion as a last resort.

A decision to suspend a pupil will only be taken:

- 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.

Where suspensions have become a regular occurrence, the Principal 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 only be taken:

- In response to serious or persistent breaches of the school’s behaviour policy, **and**
- If allowing the pupil to remain in the school would seriously harm the learning or welfare of the pupil, other pupils or staff in the school.

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked;
- Allow all pupils involved to give their version of events;
- 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 looked-after child (LAC) or previously looked-after child (PLAC));
- Consider whether all alternative solutions have been explored, such as:
 - For suspensions: detentions or other sanctions provided for in the school’s behaviour policy
 - For exclusions: off-site direction or managed moves.

The Principal 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.

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 Principal will not reach a 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.

Before deciding to exclude a pupil permanently, the Principal will first try a range of alternative strategies as outlined in the school's Behaviour Policy, including suspension. Only when other strategies have been tried without success, will the Principal consider permanent exclusion. The exception to this will be where a one-off incident of sufficient gravity has taken place.

When a serious incident occurs, a designated member of staff must interview pupils and produce a written record of the meeting. If the pupils are old enough, they should be encouraged to provide a written statement of what happened and offered the opportunity to sign this as an authoritative record of events. If the nature of the incident is extremely serious, then at least two staff members should be present to conduct the interviews and one should be a member of the senior leadership team. At this stage, the statements and record will help to enable the school to decide what, if any, further action should be undertaken.

Whilst a suspension or permanent exclusion may still be an appropriate sanction, the Principal will also take into consideration any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it is revealed a pupil has suffered bereavement, has mental health issues or has been the subject of bullying. In cases involving SEN and Looked After Child/ren (LAC) or Previously Looked After child/ren (PLAC) pupils, the Principal should also consider whether appropriate provision is in place to support their needs as well as the involvement of external agencies.

Where it is deemed a suspension or permanent exclusion is not appropriate or suitable, the school may arrange a Local Board warning meeting for the pupil with a member of the Local Board, in order to meet with a pupil and parent/carers/carers to remind them of the school's behaviour policies and the Trust's expectations. If the pupil then has further suspensions, the local member that attended this meeting would not be eligible to sit on the disciplinary panel.

In addition to the strategies outlined above, and prior to issuing a permanent exclusion, the Principal should consult the Chair of the Local Board. If a permanent exclusion is issued, the Chair of the Local Board will not subsequently be involved in the panel convened to consider the permanent exclusion.

The Principal may suspend a pupil for up to 45 school days in any academic year. For Any suspension beyond 45 school days, permanent exclusion will need to be considered. However, before that point is reached, the Principal, or their representative will have held discussions with the Local Authority (LA) with a view to arranging an appropriate placement in another school or Pupil Referral Unit (PRU).

From Day 6 of any suspension, pupils will access education at a designated centre and parent/carers will be advised of arrangements relating to this in the exclusion letter.

The Principal will aim for the shortest possible period of suspension. However brief the suspension, a plan will be made to:

- Enable the pupil to continue their education (through setting work or attending another school, for example);
- Use the time to address the pupil's problems;
- Examine the process of reintegration.

In exceptional circumstances, usually where more evidence has come to light, a second suspension can be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension period.

4.1.2 Informing parents/carers (or the pupil where they are 18 or older)

If a pupil is at risk of suspension or exclusion the Principal will inform the parents/carers (or pupil) 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 Principal decides to suspend or exclude a pupil, the parents/carers (or pupil) 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 (or pupil) 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'/carers' (or pupil's) right to make representations about the suspension or permanent exclusion to the Pupil Disciplinary Panel and how the pupil may be involved in this;
- How any representations should be made;
- Where there is a legal requirement for the Pupil Disciplinary Committee to hold a meeting to consider the reinstatement of a pupil, and that parents/carers (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend;
- That parents/carers (or the pupil) 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 Principal 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 an 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;
- Parent/carers/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

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.

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

4.1.3 Informing the Trust and Local Board

The Principal will, without delay, notify the Local Board and Trust 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.

The Principal will notify the Local Board and Trust once per term of any other suspensions of which they have not previously been notified. (The school management information system will allow the Trust to monitor the number of suspensions across its schools in real time.)

4.1.4 Informing the local authority (LA)

The Principal 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 Principal will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

With the exception of a serious "one-off" incident, it is likely that both the Trust and the Local Authority will already have been working with the school and will be aware of any pupil at risk of permanent exclusion.

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

4.1.5 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 Principal 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 Principal will inform **the VSH** as early as possible.

This is so that 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.

If the Principal 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 pupils' 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 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.

4.1.6 Cancelling suspensions and permanent exclusions

The Principal may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but this will only be done where it has not yet been reviewed by the Pupil Disciplinary Committee. This situation will usually occur where the school has been in discussion

with the Local Authority and the LA is able to provide more appropriate provision for the pupil in question. Where there is a cancellation:

- The parent/carers/carers (or pupil if they are 18 or older), local board, Trust and LA will be notified without delay;
- Where relevant, any social worker and VSH will notified without delay;
- The notification must provide the reason for the cancellation;
- The Local Board's duty to hold a meeting and consider reinstatement ceases;
- Parents/carers (or pupil if they are 18 or older) will be offered the opportunity to meet with the Principal to discuss the cancellation, which will be arranged without delay;
- As referred to above, the Principal will report to the local board and Trust once per term on the number of cancellations;
- The pupil will be allowed back in school.

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.

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

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the Principal will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom or Oak Academy may be used for this. If the pupil has a special educational need or disability, the Principal 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.

4.2 Parents/Carers

Parents/carers have a responsibility to ensure that pupils are not seen in a public place during the period of suspension. Any pupil who tries to attend school during a period of suspension or exclusion is trespassing and legal action can be taken.

Parents/carers are responsible for pupils' welfare and well-being during any period of suspension or exclusion.

4.3 The Trust Board (or delegated Committee)

4.3.1 Considering suspensions and permanent exclusions

Responsibility regarding exclusions is delegated to the Pupil Disciplinary Committee of the Trust—the committee hearing any representation **should comprise two or more Trustees or local board members** (please refer to the Trust's scheme of delegation).

The Committee has a duty to consider parents'/carers' (or pupil's if they are 18 or over) 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 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 Principal on behalf of the Local Board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth

day of the suspension. Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

4.3.2 Monitoring and analysing suspensions and exclusions data

The Trust / local 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.

They 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.

4.4 The Local Authority (LA)

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

For pupils who are 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

5.1 The Pupil Disciplinary Committee of the Trust (which will include Local Board members) will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the 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 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 Pupil Disciplinary Committee must consider any representations made by parents/carers (or pupil if aged 18 or over). However, it is not required to arrange a meeting with parents/carers (or pupil) and it cannot direct the Principal to reinstate the pupil.

5.3 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 (or pupil) make representations to the board, the Pupil Disciplinary Committee 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 (or pupil) do not make representations, the board is not required to meet and it cannot direct the Principal to reinstate the pupil.

5.4 Where a suspension or permanent exclusion would result in a pupil missing a public examination or National Curriculum test, the Pupil Disciplinary Committee will, as far as reasonably practicable, consider and decide the reinstatement of the pupil before the date of the examination or test. If

this is not practicable, the Pupil Disciplinary Committee 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 Pupil Disciplinary Committee and allowed to make representations or share information:

- Parents/carers, 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 Principal;
- The pupil's social worker, if they have one;
- The Virtual School Principal, if the pupil is looked after.

5.5 The Pupil Discipline Committee meeting can be held remotely at the request of parents/carers (or pupil if they are age 18 or over). See section 9 for more details on remote access to meetings.

5.6 The Pupil Disciplinary Committee 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 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 Committee cannot do this - see earlier in this section).

5.7 In reaching a decision the Pupil Disciplinary Committee will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable and procedurally fair;
- Whether the Principal followed their legal duties;
- The welfare and safeguarding of the pupil and their peers;
- Any evidence that was presented to the Pupil Disciplinary Committee.

The Trust Committee will decide whether or not a fact is true based on "the balance of probabilities", which differs from the criminal standard of "beyond reasonable doubt".

The clerk will be present when the decision is made.

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

5.9 The Pupil Disciplinary Committee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers, or the pupil, if they are 18 or older;
- The Principal;
- The pupil's social worker, if they have one;
- The Virtual School Principal, if the pupil is looked after;
- The local authority;
- The pupil's home authority, if it differs from the school's.

5.10 Where an exclusion is permanent and the Pupil Disciplinary Committee has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that the exclusion is permanent;
- Notice of parents'/carers' (or pupil's if they are 18 or older) 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 Pupil Disciplinary Committee’s decision is given to parents/carers);
- The name and address to whom 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, 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 school 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 parent/carers/carers for this appointment;
- That parents/carers must make clear if they wish 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. A 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

6.1 Applying for an Independent Review

If parents/carers (or pupil if they are 18 or older) apply for an independent review within the legal timeframe, the Trust will, at their own expense, arrange for an independent panel to review the decision of the Pupil Disciplinary Committee not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents/carers (or pupil) by the Pupil Disciplinary Committee of its decision not to 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.

Independent reviews can be held remotely at the request of parents/carers (or pupil if they are 18 or older). See section 9 for more details on remote access to meetings.

6.2 The Panel

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 Local Board category and 2 members will come from the Principal 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 local board governor or volunteer;
- Current or former Local Board 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 Principals during this time;
- Principals or individuals who have been in headship posts within the last 5 years.

A trained clerk will be appointed to the panel.

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

- Are a member of the Trust of the excluding school;

- Are the Principal of the excluding school, or have held this position in the last 5 years;
- Are an employee of the Trust, or the Local Board, of the excluding school (unless they are employed as Principal at another school);
- Have, or at any time have had, any connection with the Trust, the school, the Local 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 A for what training must cover).

6.3 Considerations and representations

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

6.4 The decision

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

- Uphold the Pupil Disciplinary Committee's decision;
- Recommend that the Pupil Disciplinary Committee reconsiders reinstatement;
- Quash the Pupil Disciplinary Committee's 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 Pupil Disciplinary Committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Committee 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 Pupil Disciplinary Committee 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 Committee 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.

6.5 Notifying all parties

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 Pupil Disciplinary Committee does not subsequently decide to offer to reinstate the pupil within 10 school days;
- Any information that the panel has directed the Pupil Disciplinary Committee to place on the pupil's educational record.

7. School registers

7.1 Removing a pupil's name from the register

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

- 15 school days have passed since the parents/carers (or pupil if they are 18 or older) were notified of the Pupil Disciplinary Committee's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents/carers (or pupil) 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 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.

7.2 Making a return to the Local Authority (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
- The full name and address of any parent/carer with whom the pupil normally resides
- At least one 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.

8. Returning from a suspension

8.1 Reintegration strategy

Following suspension, 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 and, 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;
- Agreeing a behaviour contract;
- Putting a pupil 'on report';
- A direction to Alternative Provision in order to moderate behaviour;
- Other suitable tracking/ behaviour modification strategies.

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.

8.2 Reintegration meetings

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.

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.

Notes will be taken at the reintegration meeting and a copy will be provided to the parents/carers and also kept by the school.

9. Remote access to meetings

Parents/carers, (or pupils if they are 18 or older), can request that a local board meeting, or independent review panel be held remotely. If the parents/carers (or pupil) 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 board and the 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.

Social workers and the Virtual School Principal 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.

10. Monitoring arrangements

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, local board, trustees and other stakeholders on their perceptions and experiences.

A member of the senior team monitors the number of exclusions regularly (fortnightly as a minimum) and reports back to the Principal regularly and the Local Board via the School Improvement Report.

Exclusions will be reported to the Trust as set out through the Scheme of Delegation and in real time through the Trust's management information system.

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, seeking support from the Trust as appropriate.

The 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 may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Trust every three years. At every review, the policy will be approved by the Trust Board and shared with Local Boards.

11. Links with other policies

This exclusions policy is linked to:

- the school Behaviour Policies
- SEND Policy
- SEN Information Reports in place at each school

Appendix A: Independent Review Panel Training

The Trust must make sure that all members of an independent review panel and clerks have received training within the two 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 of a review panel
- The duties of principals/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