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Trust suspension and permanent exclusion policy

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1.Aims

The Kent Catholic Schools' Partnership ('the Trust') aims to ensure that:

- all Trust schools provide a consistent approach to **behaviour management** through a school specific behaviour policy and associated policies such as an anti-bullying policy
- the **roles and responsibilities** with regards to behaviour management and the suspensions and permanent exclusions process is understood by governance gommittee members, staff, parents and pupils
- where **suspensions and permanent exclusions** are used that the process is applied fairly and consistently
- all **suspensions and permanent exclusions** are carried out lawfully
- Pupils in our schools are safe and happy
- Pupils do not become NEET (not in education, employment or training).

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 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, the Trust 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 in accordance with this policy, 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 permanently excluded on the above grounds, this will also be considered as 'off-rolling'.

2. Legislation and statutory guidance

This policy, and the requirements it refers to, is based on statutory guidance and advice from the Department for Education as follows.

Behaviour management

Advice from the Department for Education (DfE) and others on:

- Behaviour and discipline in schools
- Searching, screening and confiscation at school
- The Equality Act 2010
- Use of reasonable force in schools
- Keeping Children Safe in Education
- Supporting pupils with medical conditions at school
- Special educational needs and disability (SEND) code of practice.
- Teaching and support staff union guidance on behaviour and discipline.

In addition, this statement is based on:

- Schedule 1 of the Education (Independent School Standards) Regulations 2014; paragraph 7 outlines a school's duty to safeguard and promote the welfare of children, paragraph 9

requires the school to have a written behaviour policy and paragraph 10 requires the school to have an anti-bullying strategy

- DfE guidance explaining that academies should publish their behaviour policy and anti-bullying strategy online

Suspensions and Permanent Exclusions

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.
- Children and Families Act 2014
- The Inspection information for state-funded schools, which defines 'off-rolling'

3. Behaviour Management

The headteacher must, using the Trust's model behaviour policy, develop, approve, implement and review a behaviour policy that is compliant with the DfE guidance and advice set out in Section 2 and that:

- Provides a consistent approach to behaviour management
- Defines what the school considers to be unacceptable behaviour, including bullying in the school as well as online
- Outlines how pupils are expected to behave in general, as well as promoting their good behaviour for learning
- Summarises the roles and responsibilities of different people in the school community with regards to behaviour management
- Outlines the school's system of rewards and sanctions.

The local governance committee will monitor the effectiveness of the school's behaviour policy and hold the headteacher to account for its consistent implementation.

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.

Off-site direction – when 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. Managed moves cannot be used on a trial basis.

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

5. Roles and responsibilities

5.1 Headteacher

Deciding whether to suspend or permanently exclude

Only the headteacher, or acting headteacher, can permanently exclude a pupil from the school on disciplinary grounds. The decision can be made in respect of behaviour both 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

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 permanently 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 permanently 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 suspension or exclusion 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) or a disability and, in the case of permanent exclusion, whether the school has done all it can and is unable to meet the pupil's needs
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked after child (LAC) 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)
- consult the Chief Executive Officer (CEO) and the Local Authority Inclusion Team on any cases of doubt and **always before any permanent exclusion**.

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 Headteacher 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 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.

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, for example, due to an allegation of harm by one pupil against another which might require physically separating a pupil from one or other pupils. 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 CEO (who will notify the Trust Board) without delay

- 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 (or the pupil if aged 18 or over)

If a pupil is at risk of suspension or permanent 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 permanently exclude a pupil, the parents will be informed, in person or by telephone, of the period of 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 permanently exclusion, the fact that it is permanent
- Information about the parents' (or pupil's if aged 18 or over) right to make representations about the suspension or permanent exclusion to the governance committee and, where the pupil is attending alongside parents/carers, how they may be involved in this
- That it is the parent/carers' right to make a request that the meetings be held remotely, and how and to whom they should make this request
- How any representations should be made
- Where there is a legal requirement for the governance 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 bring a friend (and, where appropriate, more than 1, subject to reasonable limits set by the governance committee)

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 session starts
    - What time the afternoon session ends
    - What time the break between them starts and ends

- Where a single session 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 dayof 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 parent/carer without delay, and provide a reason for the cancellation.

Informing the CEO, the Trust Board and the Governance Committee

The headteacher will, without delay, notify the CEO (who will notify the Trust Board) and the governance gommittee 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 permanently exclusion which would result in the pupil missing a National Curriculum test or public examination
- Any suspension or permanent exclusion that has been cancelled including the reason for the cancellation.

In all suspension and exclusions cases, headteachers must follow the Trust's reporting procedures using the Suspensions and Exclusions Triage Form. This is to enable monitoring and understanding of trends/patterns and where necessary, the provision of additional support to schools.

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.

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 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.

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 pupils ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and the reason for that cancellation

The social worker / VSH will be invited to any meeting of the governance gommittee 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 governance committee. Where there is a cancellation:

- The parents (or the pupil if they're 18 or older), the CEO, the governance committee 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 governance committee's duty to hold a meeting and consider reinstatement ceases
- Parents/carers (or the pupil if they are 18 or older) will be offered the opportunity to meet with the headteacher to the cancellation which will be arranged without delay.
- The pupil will be allowed back without delay.

Any days spent out of school as a result of any suspension or 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 a pupil has already been suspended/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.

The headteacher will report to the governance committee and Executive team once per term on the number of cancellations.

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 pathways such as Google Classroom or Microsoft Teams 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.

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.

Providing education for suspensions of more than 5 school days

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

The headteacher does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

5.2 The governance committee

Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and exclusions are delegated by the Trust Board of Directors to the governance committee of each school.

The governance committee 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 6 and 7) in certain circumstances.

For a suspension of more than 5 school days, the governance committee will ensure that the headteacher has arranged suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension. For secondary schools, the governance committee does not have to ensure that such provision is arranged for pupils in their final year of compulsory education who do not have any further public exams to sit.

Monitoring and analysing suspensions and exclusions data

The governance committee will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves. The governance committee 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 governance committee 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 whether pupils who share any particular characteristics are suspended or permanently excluded more than others
- 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.

5.3 The Trust Board

The Trust Board will challenge and evaluate the data on the use of suspension, exclusion, off-site direction to alternative provision and managed moves across Trust schools.

The Trust Board will consider:

- 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.

Within 14 days of receiving a request, the Trust will provide the Secretary of State with information about any suspensions or exclusions within the last 12 months.

5.4 The Local Authority (LA)

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

6. Considering the reinstatement of a pupil

A Panel of three governance committee members will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a suspension which 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.

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 governance committee must consider any representations made by parents. However, it is not required to arrange a meeting with parents and cannot direct the Headteacher to reinstate the pupil.

Where a pupil has been suspended for more than 5 days but not more than 15 school days in a single term. and if the parents make representations, the governance committee must 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 governance committee is not required to meet and it cannot direct to reinstatement of the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or National Curriculum test, the governance committee will, as far as reasonably practicable consider and decide on the reinstatement of the pupil before the date of the examination or test. If this is not practicable, the Chair of the governance committee (or the Vice-Chair if necessary) 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 with a panel of three members of the governance committee (or the governance committee of another Trust school) and be allowed to make representations or share information:

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend, and where appropriate, more than 1, subject to reasonable limits set by the governance committee)
- 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 and where appropriate, more than 1, subject to reasonable limits sent by the governance committee)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The Local Authority Inclusion team
- Any other relevant party such as the school's SENCO.

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

The Clerk to the governance 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 governance committee 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, governance committee 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 panel.

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

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

Minutes will be taken of the meeting which state clearly how decisions have been reached, 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 governance committee panel will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- 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 governance committee 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' 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 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.

7. An independent review

If parents apply for an independent review within the legal timeframe, the Clerk to the governance committee notify the Chief Operating Officer and arrange for an independent panel to review the decision of the governance committee panel 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 by the governance committee panel of its decision not to reinstate a pupil **or** if after this time, within 15 school days or the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside 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 governors 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 Member or Director of the Trust or are a governance committee member of any Trust school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Trust
- Have, or at any time have had, any connection with the Trust, school, governing body, 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

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 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 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.

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

- Uphold the governance committee panel's decision
- Recommend that the governance committee panel reconsiders reinstatement
- Quash the governance committee panel'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 governance committee panel at the time of making its decision. This includes any evidence that the panel

considers would, or should, have been available to the governance committee panel and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the independent review panel considers it is unreasonable to expect the governance committee panel 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 governance committee panel reconsider reinstatement.

The independent review 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 governance committee panel does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governance committee panel to place on the pupil's educational record.

8. School registers

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 governance committee 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.

Where an application for an independent review has been made within 15 school days, the headteacher 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 suspended or 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
- At least 1 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.

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, off-site direction or separation for safeguarding purposes

9.1 Reintegration strategy

Following a 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 unmet special educational needs and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintregration into school life. They can include:

- 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.

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, and other relevant parties.

9.2 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, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

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

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.

10. Remote access to meetings

Parents/carers, or pupils if they are 18 or older, can request that a governance committee meeting, or independent review panel be held remotely. If the parents/carers/pupil don't express a preference, the meeting will be held in person.

Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.

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 governance committee 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 headteacher 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, governance committee members and other stakeholders on their perceptions and experiences.

The data will be analysed every term by the headteacher and this will be reported to the governance committee and the Trust Executive team.

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 headteacher 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 headteacher will inform the CEO and the school policies will be reviewed in order to tackle it.

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 1 school may be too low to allow for meaningful statistical analysis.

12. Links with other policies

This policy is linked to each Trust school's:

- Behaviour policy
- SEN policy and information report.