



## GUILSBOROUGH MULTI ACADEMY TRUST

### Suspension and Permanent Exclusion Policy

Policy Name	Suspension and Permanent Exclusion
Committee	Standards and Curriculum Committee
Owner	Vice Principal (Pastoral)
Statutory	Yes
Standards and Curriculum Committee Trustees to ratify	

Date Ratified	Review Date
January 2024	January 2025

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## POLICY STATEMENT

***Pupil exclusion (either for a fixed period of time as a suspension or permanent exclusion) is considered a sanction within the Multi Academy Trust's Positive Behaviour Policy in response to a serious breach or persistent breaches of the behaviour code.***

Guilsborough Multi Academy Trust is committed to reducing the use of excluding students from lessons or school through behavioural systems that seek to identify and address poor behaviour before it reaches a crisis, in addition to the ongoing promotion of good behaviour for all of our students.

Students and parents/carers share a responsibility in maintaining positive behaviour in school and Guilsborough Academy seeks to encourage parents/carers to take a role in supporting the school in upholding its high standards. This includes ensuring that disruptive pupils recognise the effect of their behaviour on others (students and staff) and supporting the victims of antisocial or violent behaviour in school.



The use of suspension and permanent exclusion sits within the wider framework of the Academy's policies and practices to address poor behaviour. Suspensions are considered for serious one-off incidents or persistent disruptive behaviour. Permanent exclusions will be used only when absolutely necessary and will be a last resort.

Decisions to suspend or exclude will be made on a case by case basis in accordance with the best interests of staff, other pupils and the student involved. Whilst an investigation is occurring, students may be placed within the Re-Engagement Room (RER), which highlights the Academy's determination to protect the rights of students to learn undisturbed and for teachers to teach undisturbed.

National guidance on suspension and exclusion can be found via the website

<https://www.gov.uk/government/publications/school-exclusion>. Importantly, the 'government supports headteachers in using suspension and permanent exclusions as a sanction when warranted as part of creating calm, safe and supportive environments where both pupils and staff can work in safety and are respected. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes or consequences within the school'.<sup>1</sup> This reflects 'the government's ambition to create high standards of behaviour in schools so that children and young people are protected from disruption and are in a calm, safe and supportive environment that brings out the best in every pupil'.<sup>2</sup>

## AIMS

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

Our school aims to:

- 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
- Ensure that the exclusions process is applied fairly and consistently
- Help Trustees, staff, parents/carers and pupils understand the exclusions process

## A note on off-rolling

Guilsborough Academy is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

'The practice of removing a pupil from the school roll without using a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil.'

The 2023 Suspension and Permanent Exclusion Department for Education guidance states that:

'telling or forcing a pupil to leave school, or not allowing them to attend school, is a suspension (temporary) or permanent exclusion (if permanent). Whenever a pupil is made to leave school, or forbidden from attending school, on disciplinary grounds, this must be done in accordance with the School Discipline (Pupil Exclusions and Reviews) Regulations 2012.

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<sup>1</sup> Department for Education (2023) *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* (p. 11). Available at: [School suspensions and permanent exclusions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/school-exclusion) [Accessed 22.11.23].

<sup>2</sup> Department for Education (2023) *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* (p. 6). Available at: [School suspensions and permanent exclusions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/school-exclusion) [Accessed 09.11.23].



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 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

## 1. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

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 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](#)

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

## 2. Definitions

- **Suspension** – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period and can also be for parts of the school day (suspensions from the afternoon register are counted as half a school day). Most suspensions will be for between 1 and 5 days and parents/carers will be informed in writing of the duration of the suspension, as well as arrangements for the pupil's return. If the pupil is found in a public place during school hours whilst suspended or excluded, the parent/carer could be subject to a fixed penalty notice. At the readmission meeting, assurances from students and their parents/carers as to future conduct will be required if further suspensions are to be avoided. The school will set work for the pupil during the period of the suspension but the responsibility for supervision rests with the parent/carer. If the suspension is over 5 days, the school will make arrangements for the period at the end of the first 5 days. As appropriate, either on or off-site provision will be offered and will be considered on an individual basis.
- **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'. The decision to exclude a pupil permanently will only be taken:



- **In response to a serious breach or persistent breaches of the school's behaviour policy**
- **Where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school**
- **Off-site direction** – When students are required to attend another education setting temporarily in order to improve their behaviour.
- **Parent/carer** – any person who has parental responsibility and any person who has care of the child.
- **Governing Board** - At Guilsborough Academy, the Governing Board is the Board of Trustees. The Trustees are the accountable body for Guilsborough Academy, which acts as an advisory board to support and challenge academy leaders.
- **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.

### 3. Reasons for suspension and exclusion

The reasons below are examples of the type of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by Guilsborough Academy's behaviour policy (see below)
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Refusal to comply
- Persistent disruptive behaviour, including being internally suspended within the Re-Engagement Room three times within a term for the same offence

Should any of the following be found in students' possession, suspensions or permanent exclusion will apply:

- Knives, weapons or any kind of imitation weapon
- Alcohol
- Illegal drugs
- Stolen items
- Tobacco and cigarette papers (including e-cigarettes and lighters)
- Fireworks
- Pornographic images
- Any article that a member of staff reasonably suspects has been, or is likely to be, used:
  - To commit an offence
  - To cause personal injury to, or damage to the property of any person (including the student)
  - To sell for personal gain or profit (e.g. sweets, drinks, etc)
- Any item that the school's Positive Behaviour policy details as a prohibited item

Permanent exclusion is also considered following previous fixed-term suspensions when a student is receiving ongoing support but shows little or no improvement in behaviour such as persistent or defiant misbehaviour.



There will however be exceptional circumstances where it is appropriate to permanently exclude a child for a first or 'one off' offence. This might include, for example, offences such as:

- a) Serious actual or threatened violence against another pupil or member of staff
- b) Serious bullying for any reason, including disability, racism, homophobic or transphobic comments or actions
- c) Sexual abuse or assault
- d) Possession of, supplying of, or dealing an illegal drug
- e) Carrying an offensive weapon: this would include any gun, any knife, any item adapted for use or intended for use as a weapon.

If the exclusion is a permanent one, the responsibility for providing education from day 6 following the Principal's decision falls to the Local Authority (LA) who will provide the education through the Complementary Education Service. Placement with that service in no way affects parents' rights to make representations about the exclusion to the Governing Board or Independent Appeal Panel within the DfE's prescribed timescales.

All suspensions and exclusions are processed and reported using the approved DfE Guidelines and LA reporting procedures and internal records are kept by the school. Students identified as at risk of permanent exclusion will have a Pastoral Support Plan (PSP) in place. If not, a plan should be written as part of the readmission meeting with parents/carers.

## 4. Roles and responsibilities

### 4.1 The Principal

#### Deciding whether to suspend or exclude

Only the Principal, acting Principal, or in the absence of the Principal, the designated Vice Principal, can suspend or permanently exclude a pupil from school on disciplinary grounds. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year) or permanently excluded. The decision can be made in respect of behaviour inside or outside of school. The Principal will only use permanent exclusion as a last resort and when absolutely necessary.

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

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 the pupil 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))
- Consider whether all alternative solutions have been explored, such as off-site direction

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 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.



## 4.2 Informing parents/carers

If a pupil is at risk of suspension or exclusion, parents/carers will be informed 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 will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

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

- The reason(s) for the suspension or 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 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 (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

Parents/carers will also be notified without delay 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
- Parents/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' consent.

## 4.3 Informing the Governing Board

The Principal 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 that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam



The Principal will notify the Governing Board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

#### 4.4 Informing the Local Authority (LA)

The LA will be notified 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.

#### 4.4 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 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 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)

The social worker / VSH will be invited to any meeting that the Governing Board holds in regards to 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.

#### 4.5 Cancelling suspensions and permanent exclusions

The Principal may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the Governing Board. Where there is a cancellation:

- The parents/carers, Governing Board and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents/carers will be offered the opportunity to meet with the Principal to discuss the cancellation
- As referred to above, the Principal will report to the Governing Board once per term on the number of cancellations
- The pupil will be allowed back in school



## 4.6 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 LAC 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.

## 4.7 The Governing Board

### Considering suspensions and permanent exclusions

Responsibilities regarding exclusions may be delegated by the Governing Board to a sub-committee, who have a duty to consider parents/carers' representations about a suspension or permanent exclusion. The sub-committee consists of 3 Trustees and has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see section 4.9).

Within 14 days of receiving a request, the Governing 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 Governing Board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

The Governing Board 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.

### Monitoring and analysing suspensions and exclusions data

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

The Governing Board should 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 absolutely necessary and as the last resort
- 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

## 4.8 The Local Authority (LA)

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

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





## 4.9 Considering the reinstatement of a pupil

The Governing Board will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

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

Where the pupil has been suspended for more than 5 days, but less than 16 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/carers do not make representations, the board is not required to meet and it cannot direct the Principal to reinstate the pupil.

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 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 the Governing Board 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 VSH, if the pupil is looked after

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.

The Governing Board can either:

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

In reaching a decision, the Governing Board 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 Governing Board

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

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the pupil's educational record, and copies of relevant papers will be kept with this record. The Governing Board 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 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 Governing Board has decided not to reinstate the pupil, the notification of decision will also include the following:

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

## 5. Independent review

If parents/carers apply for an independent review within the legal timeframe, Guilsborough Academy will arrange for an independent panel to review the decision of the Governing Board 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 by the Board of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

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 Governing 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 Trustee or volunteer
- Current or former Trustee who have served as a Trustee 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 a Principal within the last 5 years

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

- Are a Director 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 Academy, 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, Governing 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

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

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

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

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

Where a VSH is present, the panel must have regard to any representation made by the 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 Governing Board' decision
- Recommend that the Governing Board reconsiders reinstatement
- Quash the Governing Board' 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 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.

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.

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

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

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the 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

The Governing Board do not need to comply with the Independent Review Panel's decision to reinstate a pupil if they do not agree with it.



## 6. School registers

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

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

Where an application for an independent review has been made within 15 school days, the Governing 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 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.

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

### 6.1 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
- The full name and address of any parent/carer with whom the pupil normally resides
- At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil is moving house

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

## 7. Returning from a suspension

### 7.1 Reintegration strategy

Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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

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

- 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
- Regular reviews with the pupil and parents/carers to praise progress being made and address any concerns



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

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

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

## 7.2 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.

## 7.3 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, Governing Board and other stakeholders on their perceptions and experiences

The data will be analysed termly and will be shared with the Governing Board.

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

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

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

## 8. Links with other policies

This exclusions policy is linked to our:

- Positive Behaviour Policy
- SEN and Equality Policies
- Anti-bullying Policy

Other useful information can be found at:

- Department for Education suspension guidance
  - <https://www.gov.uk/government/publications/school-exclusion>
  - [A guide for parents on school behaviour and exclusion - GOV.UK \(www.gov.uk\)](http://www.gov.uk).
- Information Advice Support Service (IASS)
  - [Education \(iassnorthants.co.uk\)](http://www.iassnorthants.co.uk)
- Educational Inclusion and Partnership Team (West Northamptonshire Council)
  - [Contact the Educational Inclusion and Partnership Team WNC - Introduction - Online form \(achieveservice.com\)](http://www.achieveservice.com)
- Coram's Children's Legal Centre service
  - [Coram Children's Legal Centre - Home \(childrenslegalcentre.com\)](http://www.childrenslegalcentre.com)
- Independent Provider of Special Education Advice (IPSEA)
  - Accessed via the link ([IPSEA](http://www.ipsea.org.uk)) [Independent Provider of Special Education Advice](http://www.ipsea.org.uk)