

Suspension and Permanent Exclusion Policy

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Policy Information:

Date of last review	September 2025	Review period	Annual
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Updates made since the last review

Review date	Changes made	By whom
October 2023	Policy updated to reflect the new DFE guidance May 2023 - <i>'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'</i> . This guidance comes into force from 1 September 2023.	Director of Education Trust Safeguarding Lead
January 2025	Policy updated in line with DFE Statutory Guidance: <i>'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'</i> ., August 2024	Director of Governance and Development
September 2025	Pg 4: An explanation about the Trust behaviour and relationships policy Pg 5: Updated definition for off-rolling from the November 2025 Ofsted operating guide Pg 6: Reference to the updated Ofsted Information Guide; highlights both Trust and school policies now that the behaviour policy is a Trust one	Director of Education

	Pg 6: Changed the word 'school's' to 'trust's' in 2 places Pg 7: A new paragraph to explain the paperwork that must be uploaded to Cpoms Pg 7: A new paragraph to explain the law linked to converting suspensions into permanent exclusions Pg 7: A new paragraph to explain that a suspension can be for part of the school day Pg 9: A new sentence stating who HTs must consult with and inform of any permanent exclusion Pg 11: changes to be clear that the LAC will ensure that the Headteacher arranges suitable full-time education for the pupil. Pg 12: changed school's behaviour policy to the trust policy Pg 21 & 22: Additional information included on the checklist	
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Our Vision and Values

Forward Education Trust advocates a comprehensive inclusive education where all pupils are welcome regardless of their race, religion, culture, gender, sexual orientation, ability or disability, or social background.

We aim to include our pupils in all aspects of school life; suspension or permanent exclusion is a last resort.

On occasion our pupils may exhibit challenging behaviour and our approach to managing this is based on prevention first, de-escalation second, and finally legal physical restraint as a last resort. On rare occasions some of our pupils will exhibit behaviours which put others at risk, and this may warrant suspension or permanent exclusion.

We recognise that some behaviour can sometimes be symptomatic of a real, deeper need for our support and understanding.

The Trust recognises that suspension or exclusion from the school community are damaging to a pupil's self-esteem. They diminish the sense of belonging to the community. As such, they are used sparingly and only as part of an overall behaviour strategy which seeks to develop a culture of inclusion, ownership of and responsibility for one's own behaviour.

We have a Trust wide behaviour and relationships policy which reflects a restorative and relational approach centred on supporting every child, adult and family to feel recognised, safe and heard. Our schools implement a range of strategies which consider the cognitive ability of a pupil, their age and their special educational need. Staff are trained accordingly within their settings to support the pupils who are in attendance.

Aims

The Trust has created this policy to clearly define the legal responsibilities of the Headteacher, The Local Academy Council and the Local Authority when responding to pupil exclusions, to ensure that pupils are dealt with both fairly and lawfully, and in line with DfE statutory guidance. We are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

Our schools aim to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become 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:

- put pressure on a parent to home-school a pupil
- move a pupil to off-site AP where that is not in the best interests of that pupil
- encourage a post-16 student not to continue with their course of study when this is against the best interests of that pupil
- send a pupil home without a formal suspension
- place a pupil on a part-time timetable for behavioural reasons
- intentionally remove a pupil from the school roll without correctly following regulations

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

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

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil’s poor academic performance, or
- Because the pupil hasn’t met a specific condition, such as attending a reintegration meeting, or
- By exerting undue influence on a parent to encourage them to remove their child from the school during the course of the school day

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

Legislation and statutory guidance

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

It is based on the following legislation, which outlines schools' powers to 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](#)
- The [Ofsted Inspection information for state-funded schools](#), which defines 'off-rolling'

This policy will be implemented in conjunction with the following Trust and school policies and procedures and statutory guidance:

- Behaviour and Relationships Policy (Trust)
- Anti-Bullying Policy (School)
- Special Educational Needs and Disability (SEND) Policy (Trust) and information report (School)
- Safeguarding and Child Protection Policy (School)
- Use of physical intervention policy (School)

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

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 roll. This is sometimes referred to as an 'exclusion'.

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

Parent – 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 and the admission authority for the new school, should consent before a managed move occurs.

The decision to exclude

Only the Headteacher, or acting Headteacher, can suspend or exclude a pupil from school. A permanent exclusion will be taken as a last resort. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will consult with the Director of Education of Forward Education Trust **before** a pupil is excluded from their school permanently. Following this consultation, only the Headteacher can make the decision to permanently exclude a pupil.

A decision to suspend a pupil will be taken only:

- In accordance with the Trust's behaviour and relationships 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 exclude a pupil will be taken only:

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

A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. The legal requirements relating to the suspension, such as the headteacher's duty to notify parents, apply in all cases. Lunchtime suspensions are counted as half a school day in determining whether a Local Academy Council meeting is triggered.

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

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events
- Consider the pupil's 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:
 - For suspensions: detentions or other sanctions provided for in the behaviour policy
 - For exclusions: off-site direction or managed moves

The headteacher will consider the views of the pupil, considering 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 must complete Appendix 2: 'Making the Decision to Suspend or Permanently Exclude' to support the decision-making process. If the outcome is a suspension or permanent exclusion, the completed form must be uploaded to CPOMS along with any letters sent to parents, carers, or external agencies.

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

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Safeguarding

- An exclusion will not be enforced if in doing so it may put the safety of the pupil at risk of harm.
- In cases where parents/carers will not comply by, for example, refusing to collect the child, the child's welfare is the priority. In this situation, depending on the reason for exclusion, the school/academy may consider an internal exclusion until the end of the day, implementing the original exclusion decision from the time the child is collected from school/academy, or, in more severe circumstances the school/academy may contact Social Services and/or the Police to safely take the pupil off site.

Roles and responsibilities

The headteacher

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

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents/carers/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 headteacher decides to suspend or exclude a pupil, the parents/carers/pupil will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay verbally by phone or in person and a letter will follow. Both forms of communication will include:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about the parents'/carers'/pupil's 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/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/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 headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or 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 headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

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

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

Informing the Local Academy Council

The headteacher will immediately notify the Director of Education and the Chair of the Local Academy Council 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 headteacher will notify the Local Academy Council 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.

The headteacher will inform the Director of Education of any suspensions.

The headteacher will consult with the Director of Education (or the CEO, in the absence of the Director of Education), on any permanent exclusions. Following consultation, the headteacher will inform the Director of Education and the CEO of the decision to permanently exclude a pupil if that is the decision the headteacher has made.

Recording the suspension or permanent exclusion

The Headteacher will ensure that:

- All suspensions or permanent exclusions are recorded on the Bromcom MIS at the time each suspension/permanent exclusion decision is made, including the reason for the suspension or permanent exclusion and, in the case of suspension, the number of days.
- All suspensions or permanent exclusions are recorded on CPOMs.

Informing the local authority (LA)

The headteacher will notify the Local Authority 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 allocated social worker (if the pupil has one) and 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 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 allocated social worker and the VSH, as appropriate, without delay, that:

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

The social worker / VSH will be invited to any meeting of the Local Academy Council 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 has the ability to cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but this can only be done where it has not yet been reviewed by the Local Academy Council. Where there is a cancellation:

- The parents/carers (or pupil if they are 18 or older), Local Academy Council and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The Local Academy Council'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 discuss the cancellation, which will be arranged without delay
- As referred to above, the headteacher will report to the Local Academy Council once per term on the number of withdrawals
- The pupil will be allowed back in school without delay

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

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

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

- During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom or Oak Academy 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 Alternative Provision 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.

The Local Academy Council

Responsibilities regarding exclusions are delegated to the Local Academy Council.

The Local Academy Council has a duty to consider parents'/carers'/the pupil's (if they are 18 or older) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances – see 'Considering the reinstatement of a pupil', below.

Within 14 days of receiving a request, the Local Academy Council 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 LAC will ensure that the Headteacher arranges suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

For Secondary schools only:

The Local Academy Council 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 Local Academy Council will review, challenge and evaluate the data on the school's use of suspension and exclusion

The Local Academy Council will consider:

- How effectively and consistently the Trust's behaviour and relationships policy is being implemented
- 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 characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

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.

Considering the reinstatement of a pupil

The Local Academy Council will consider the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of 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 Local Academy Council must consider any representations made by parents/carers/the pupil (if they are 18 or older). However, it is not required to arrange a meeting with parents/carers/the pupil and it cannot direct the Headteacher 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/carers/pupil make representations to the board, the Local Academy Council 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/pupil do not make representations, the Local Academy Council is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test the Local Academy Council 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 Education 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 Local Academy Council 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 headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers, or pupils if they are 18 or older. See below for more details on remote access to meetings.

Note: LAC staff representatives will not be included in the meeting to consider the reinstatement of a pupil; nor will they be counted as members in terms of quoracy.

The Local Academy Council 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 Local Academy Council 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 Local Academy Council cannot do this, as outlined earlier)

In reaching a decision, the Local Academy Council will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties

- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the Local Academy Council

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

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

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

The Local Academy Council 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 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 Local Academy Council 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'/the 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 Local Academy Council'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/carers/the pupil have a right to require the academy trust to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents/carers/the pupil for this appointment
- That parents/carers/the pupil must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers/the pupil 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/the pupil 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

Independent review

If parents/carers/the pupil apply for an independent review within the legal timeframe, the academy trust will, at their own expense, arrange for an independent panel to review the decision of the Local Academy Council 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/pupil by the Local Academy Council of its decision to not reinstate a pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

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

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

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

- Are a Director of Forward Education Trust or member of the Local Academy Council of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of Forward Education Trust.
- Have, or at any time have had, any connection with the academy trust, school, Local Academy Council, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

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

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

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

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

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

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

- Uphold the Local Academy Council decision
- Recommend that the Local Academy Council reconsiders reinstatement
- Quash the Local Academy Council's decision and direct that they reconsider reinstatement (only when the decision is judged to be 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 Local Academy Council at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Local Academy Council and that it ought to have considered if it had been acting reasonably.

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

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

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

This notification will include:

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

School registers

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

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

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/carers with whom the pupil normally resides
- At least 1 telephone number at which any parent/carers 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/carers 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.

Returning from a suspension

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.

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 and welcoming the pupil back to school
- Daily contact with a designated pastoral professional
- Mentoring by a trusted adult

- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage.
- Informing the pupil, parents/carers and staff of potential external support

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

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

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.

Remote access to meetings

Parents/carers, or pupils if they are 18 or older, can request that a governing board meeting, or independent review panel be held remotely. If the parents/carers/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 governing board and the academy trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology 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

Monitoring arrangements

The headteacher monitors the number of suspensions and permanent exclusions every half-term and reports back termly to the Local Academy Council. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves

The data will be analysed every half term by the headteacher. The headteacher will report termly to the Local Academy Council

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

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

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

The multi-academy trust will work with its 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 Director of Education annually. At every review, the policy will be approved by the Board of Directors and shared with the Local Academy Councils.

Appendix 1: Independent review panel training

Forward Education Trust must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

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

Appendix 2: Making the Decision to Suspend or Permanently Exclude

Name of Pupil	
Previous number of suspensions this year	
Does the child have social worker? Are they LAC? PLAC?	
Summary of incident that has occurred including involvement of any staff/pupils(bullet points only)	
Reason for suspension/exclusion: e.g. physical assault	
Points to Consider	Response
Identify how the behaviour presented by the pupils meets the consequence of suspension/exclusion in the Behaviour & Relationships Policy.	
Are there any mitigating factors with regard to this incident?	
Are there any aggravating factors with regards to this incident?	
Are there any wider issues that pupil is experiencing which may have triggered the behaviour being considered for suspension/exclusion?	

Is there an appropriate alternative sanction given wider issues with the pupil and mitigating/aggravating circumstances?	
When did the most recent parental contact take place and what was agreed/discussed?	
Is an interim EHCP review required?	
Is a professionals meeting required?	
Was the pupil's Risk Reduction Plan followed? Does the pupil's Risk Reduction Plan need to be reviewed?	
Administration	
Suspension. Has the Director of Education been informed of this suspension?	
Suspension. Will this suspension take the pupil's total number of days missed above 5 in a term? If Yes, inform the Local Academy Council Chair and the Director of Education.	
Suspension. Will this suspension result in the pupil being absent from an examination or national curriculum test? If Yes, inform the Local Academy Council Chair and the Director of Education.	
Suspension. Will the suspension take the pupil's total number of days missed above 15 in a term? If Yes, an Suspension Review Panel meeting must be arranged. Inform the Local Academy Council Chair and the Director of Education.	
Suspension. Is this a suspension which is above 5 days? If Yes, inform the Local Academy Council Chair and the Director of Education.	

Exclusion. Is this a potential permanent exclusion? If Yes, has the Director of Education been consulted?	
Exclusion. Has a permanent exclusion been issued? If Yes, an Exclusion Review Panel meeting must be arranged. Inform the Director of Education, CEO and Local Academy Council Chair.	
Has the LA been informed?	

Appendix 3 – Specialist Independent Careers Advice

Where the Local Authority is unable to identify a placement for a pupil who is Post 14 following a permanent exclusion, Forward Education Trust will ensure that specialist independent careers advice is provided to support them in finding appropriate provision for the next stage in their learning.