

Suspension and Permanent Exclusion Policy

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Policy Information:

Date of last review	July 2026	Review period	Annual
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Updates made since the last review

Review date	Changes made	By whom
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 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	Director of Education
July 2026	A range of changes have been made to reflect both the changes in DfE guidance and the Trust wide change from local governance to a resolutions team model.	

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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 only when necessary to ensure the safety of the pupil or others. 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 Board of Trustees 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'

- [Behaviour in Schools - Advice for headteachers and school staff Feb 2024](#)
- [The Education \(Educational Provision for Improving Behaviour\) \(Application to Academies and Pupil Referral Units and Minor Amendments\) Regulations 2026](#)
- [Working together to improve school attendance \(applies from 19 August 2024\)](#)

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 (Trust)
- Use of Restrictive Interventions Policy (Trust)

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 – is when a pupil is required to attend another education setting temporarily to improve their behaviour.

Safeguarding separation - a school can temporarily forbid a pupil from attending its premises, for example, due to an allegation of harm by one pupil against another individual which might require physically separating a pupil from that individual/s whilst it is investigated.

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 resolutions team panel 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/carers 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.

Off-site direction

The school may use off-site direction as a time-limited intervention to support a pupil whose behaviour is placing them at risk of suspension or permanent exclusion. This involves requiring a pupil to attend another educational setting, such as alternative provision or another school, in order to improve their behaviour.

Off-site direction will only be used where appropriate in-school interventions and targeted support have not been successful, and where it is in the pupil's best interests.

Off-site direction will:

- be used to improve future behaviour and not as a sanction or punishment
- be time-limited with clearly defined objectives
- be planned with parents/carers and relevant professionals
- be regularly reviewed to evaluate impact and next steps including successful reintegration
 - take account of the pupil's SEND and, where applicable, the requirements of their EHCP

Where appropriate, off-site direction may form part of a graduated response to behaviour and a strategy to prevent suspension or permanent exclusion.

Responsibilities

Headteacher

The Headteacher is responsible for:

- Making the decision to direct a pupil off-site for educational provision
- Ensuring the placement has clear objectives, linked to improving behaviour and supporting reintegration
- Ensuring the provision delivers a broad and balanced curriculum and meets the pupil's needs, including SEND and Equality Act duties
- Informing the Governing Board of the arrangement

School (Administration/Leadership Team)

The school must:

- Notify parents (or the pupil if aged 18 or over) and the local authority (where the pupil has an EHC plan) in writing as soon as practicable and no later than two school days before the placement begins
- Provide written details including:
 - Address of the off-site provision
 - Named contact the pupil must report to on the first day
 - Duration of the placement (number of days)
 - Reasons for the placement and intended objectives
 - Daily timetable:
 - Where two sessions are provided: start/end of morning session, start/end of break, and end of afternoon session
 - Where one session is provided: start and end times

Trustee Board Responsibilities

The Board must:

- Ensure statutory requirements are met in relation to notification, monitoring and review
- Keep the placement and reintegration plan under regular review

- Consider any written request from parents (or a pupil aged 18+) or the local authority (for pupils with an EHC plan) to hold a review meeting, unless one has already been held within the previous 10 weeks
- Arrange and conduct review meetings at appropriate intervals, based on the pupil's needs

Review Meetings

- The Governing Board must invite parents (and the local authority where applicable) at least six days in advance of any review meeting
- Parents/pupils must be given the opportunity to attend or submit written views
- Meetings should be scheduled at a time and date that is reasonably convenient

Review meetings should include, where appropriate:

- The school
- Parents/carers and the pupil
- External professionals (e.g. social workers, CAMHS, MASH, Youth Justice Services)
- The local authority (for pupils with an EHC plan)

The purpose of review meetings is to:

- Assess progress against the stated objectives
- Monitor behaviour and engagement
- Agree next steps and any adjustments to provision
- Determine whether the placement should continue and for how long

All review discussions and decisions must be formally recorded in writing.

Decision-Making Following Review

After each review meeting, the Trustee Board must:

- Decide whether the off-site direction should continue
- Determine the duration of any continued placement
- Confirm review arrangements going forward

Written notification of the decision must be sent to parents (and the local authority where applicable) within six days of the meeting, including reasons for the decision.

Ongoing Monitoring

- The placement must be reviewed frequently enough to ensure it is achieving its intended outcomes
- Clear monitoring points must be established
- Provision must remain suitable, safe, and appropriate

Reintegration

- A reintegration plan must be in place from the outset
- The focus of off-site provision must remain on:
 - Maintaining access to a broad and balanced curriculum
 - Addressing the underlying causes of behaviour
- For pupils with SEND or disabilities:
 - The school must continue to meet duties under the Equality Act 2010 and Children and Families Act 2014, including reasonable adjustments and SEN support

Headteachers must complete appendix 4 in relation to any decision to use off-site direction.

The headteacher must be able to demonstrate that all reasonable alternatives to exclusion have been explored and that appropriate support has been put in place. This includes pastoral interventions, reasonable adjustments for SEND, multi-agency support and consideration of off-site direction or a managed move.

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.

Safeguarding separation (Not a suspension)

Safeguarding separation is a measure that may be used where a pupil is required to be temporarily absent from the school site for safeguarding reasons. This may include situations where there is an allegation of harm, risk to others, or where it is necessary to separate pupils while an issue is investigated. Safeguarding separation is not a disciplinary sanction and must not be recorded or treated as a suspension.

Definition

Safeguarding separation is the temporary removal of a pupil from the school premises for safeguarding purposes, where their continued presence on site may present a risk to themselves or others, or where safe management of that risk cannot reasonably be achieved within the school environment. It is not a response to poor behaviour and must not be used as a substitute for suspension or permanent exclusion.

Safeguarding separation must not be used as a substitute for suspension or permanent exclusion, nor to avoid following the statutory exclusion process.

It must only be used in exceptional circumstances, where:

- there is a clear safeguarding risk, and
- the school can demonstrate that the risk cannot be safely managed on site, despite reasonable adjustments and available resources.

Where a safeguarding separation results in a pupil being unable to attend school, this will normally trigger the Local Authority's duty under Section 19 of the Education Act 1996 to arrange suitable education. The school will liaise with the Local Authority to ensure appropriate provision is in place as soon as possible.

Safeguarding separation arrangements must be:

- time-limited,
- proportionate to the level of risk, and
- subject to regular review to determine whether the pupil can safely return to school.

The school will ensure that a clear plan is in place which includes:

- the reasons for the separation,
- the intended duration,
- arrangements for the pupil's education during this period, and
- actions required to enable a safe and timely return to school.

Parents/carers and, where appropriate, relevant professionals (e.g. social worker, virtual school head) will be informed without delay and involved in planning and review.

Safeguarding separation will always be used in a manner that prioritises the safety, welfare and educational entitlement of all pupils, and will operate alongside the school's safeguarding, behaviour and inclusion policies.

The Headteacher will inform the Director of Education of all safeguarding separation cases and complete appendix 3.

Roles and responsibilities in the case of suspensions and exclusions

(Roles and responsibilities for informing parents of a safeguarding separation are included in appendix 3)

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

If **alternative provision or another off-site direction is being arranged**, the following information will be included in writing to the parent as soon as practicable after the direction has been made and no later than two school days before the relevant day.

- the address at which the educational provision is to be provided for the pupil
- the person to whom the pupil should report to on first attending that address for the purposes of receiving the educational provision
- the number of days for which the requirement is to be imposed
- the reasons for, and objectives of, imposing the requirement; and in relation to the educational provision:
 - where two sessions per day are provided, the times at which the morning session commences, the afternoon session ends and the break between them commences and ends, or where a single session per day is provided, the times at which the session commences and ends

Informing the Education Committee

The headteacher will immediately notify the Director of Education who will notify the Chair of the Education Committee of:

- Any suspensions
- 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 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. The Director of Education will notify the Chair of the Education Committee.

Recording the suspension or permanent exclusion

The Headteacher will ensure that:

- All suspensions, permanent exclusions, safeguarding separation or off-site direction 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, permanent exclusions, safeguarding separation or off-site direction 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.

Where a pupil has a social worker or is looked after, decisions on suspension or permanent exclusion must be treated as a safeguarding decision as well as a disciplinary one, and the school must involve relevant professionals at the earliest opportunity.

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 resolutions team. Where there is a cancellation:

- The parents/carers (or pupil if they are 18 or older), Director of Education (who will inform the Chair of the Education 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 resolutions team'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 Director of Education, via the pastoral data dashboard, 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.

Education Committee

Responsibilities regarding exclusions are delegated to the Education Committee. For the creation of panels when needed, the Education Committee sub-delegates to the resolutions team. A panel to consider the decision will be formed from the resolutions team.

The Trust 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 Trust 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 Trust 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 Trust 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 Education Committee will review, challenge and evaluate the data on the school's use of suspension and exclusion

The Education Committee 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. The extent to which headteachers are able to demonstrate that all reasonable alternatives to suspension or permanent exclusion have been explored prior to the decision
- 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
- SEND, vulnerability and equality considerations - Whether reasonable adjustments have been made and appropriately recorded
- The experiences of vulnerable groups, including pupils with a social worker, looked-after and previously looked-after children, and whether exclusion is being used appropriately in these cases
- Any evidence of disproportionate impact on pupils with protected characteristics, and the actions taken to address this
- Safeguarding and welfare - Whether suspension or permanent exclusion decisions appropriately take account of safeguarding risks and pupil welfare, including the impact on the pupil and others
- The use of safeguarding separation, including whether it is being applied appropriately, proportionately, and not as a substitute for suspension
- Early intervention and prevention - The effectiveness of early intervention and preventative strategies in reducing the need for suspension and permanent exclusion and whether there is evidence of multi-agency working (e.g. involvement of social workers, VSH, external services) prior to exclusion decisions
- Communication and statutory compliance - Whether all statutory duties are being met, including timely notification of parents, the local authority, social workers and the VSH. The quality and completeness of record-keeping, including documentation of reasons for decisions, support provided, and consideration of alternatives
- Pupil experience and reintegration - The effectiveness of reintegration planning and support following suspension or cancelled exclusion
- Whether pupils are able to access and sustain full-time education following suspension or permanent exclusion

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

A panel formed from the resolutions team 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, a panel formed from the resolutions team 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 resolutions team panel, they 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 resolutions team panel 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 resolutions team panel 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 panel meeting arranged by the resolutions team 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.

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

In reaching a decision, the resolutions team 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 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 resolutions team panel 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 resolutions team 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'/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 resolutions team 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/carers/pupil by the resolutions team panel 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 **resolutions team**
- 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, Academy Community Council, resolutions team, 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 resolutions team panel decision
- Recommend that the resolutions team reconsiders reinstatement
- Quash the resolution team panel'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 resolutions team panel at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the resolutions team panel 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 resolutions team 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 resolutions team reconsider reinstatement.

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

Specialist Independent Careers Advice

The Trust will identify a placement for a pupil who is Post 16 following a permanent exclusion and will work with the local authority to ensure that specialist independent careers advice is provided to support them in finding appropriate provision for the next stage in their learning.

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 resolutions team panel's 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 Board of Trustees 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/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.

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 resolutions team panel 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 resolutions team panel 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 TS&L and the Director of Education. The Education Committee monitors and scrutinises the data at every meeting. 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 TS&L and the Director of Education via the pastoral data dashboard.

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 resolutions team.

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

Section	Key Questions / Prompts	Response / Evidence		
Pupil Information	Name, DOB, Year Group			
	EHCP / Social Worker / LAC status			
History	Previous suspensions (dates, days, reason)	Date	Num Days	Reason
Incident	Summary of incident (bullet points)			
	Who was involved			
Risk	Immediate risk and impact			
Intervention	What early intervention and prevention strategies have you put in place? (e.g. involvement of social workers, VSH, external services) prior to exclusion decisions			
	Impact of interventions			
Alternatives	Evidence alternatives considered (off-site, internal etc.)			
	Why not suitable			
HT decision (suspension or PEx)				
Reason	Reason for suspension/exclusion decision			
Duration	Number of days (if suspension)			
Mitigation	Mitigating factors			
	Aggravating factors			
	Wider context			
Safeguarding	Safeguarding considerations			
Engagement	Parental contact summary			

	Need for EHCP review / professionals meeting	
Risk Plan	Risk plan followed / review needed	
Decision	Is decision lawful, reasonable, proportionate	
Checks	Threshold checks (5, 15, 45 days, exams)	
	LA informed	
	Director of Education informed	
	Upload the checklist to CPOMS	
Approval	Headteacher name and signature	
	Date	

Appendix 3 – Making the decision to use Safeguarding Separation

This form must be completed by the Headteacher (or delegated senior leader) before implementing safeguarding separation, or as soon as reasonably practicable afterwards in emergency situations.

Section	Key Questions / Prompts	Headteacher response
Pupil Information	Name, DOB, Year Group/Age	
	Does the pupil have a social worker? Yes / No (details)	
	Is the pupil LAC / PLAC? Yes / No	
Nature of Safeguarding Concern	What is the safeguarding risk?	
	Who is at risk? (pupil, peers, staff)	
	Is this linked to an allegation? Yes / No (details)	
Rationale	Why can risk not be managed on site?	
	What adjustments have been attempted?	
	Why insufficient?	
	Is this clearly safeguarding (not sanction)? Yes / No	
Alternatives	What alternatives considered?	
	Why not suitable?	
	Has off-site direction been considered? Yes / No	
Legal Check	Is this proportionate? Yes / No	
	Confirm not suspension/exclusion	
Education	Will pupil be absent? Yes / No	
	LA contacted (Section 19)? Yes / No	
	Education arrangements	
Duration	Start date	
	Intended duration	
	Review date	
	Frequency	
	End criteria	
Communication	Parent informed?	
	Social worker informed?	
	VSH informed?	
	Other professionals	
Reintegration	Return plan	
	Support/interventions	
	Reintegration meeting?	
Approval	Headteacher signature	
	Date	
	Director of Education informed	

Appendix 4 – Making the Decision to use Off-site Direction

Section	Key Questions / Prompts	Headteacher response
Pupil Information	Name, DOB, Year Group/Age	
	Does the pupil have a social worker? Yes / No (details)	
	Is the pupil LAC / PLAC? Yes / No	
Nature of Behaviour of concerns		
	Who is at risk? (pupil, peers, staff)	
Rationale	Why is an off-site direction needed?	
	What adjustments have been attempted?	
	Why insufficient?	
Alternatives	What alternatives considered?	
	Why not suitable?	
Legal Check	Is this proportionate? Yes / No	
	Confirm not suspension/exclusion	
Education	Address of off-site direction	
	LA contacted (Section 19)? Yes / No	
	Education arrangements	
Duration	Start date	
	Intended duration	
	Review date	
	Frequency	
	End criteria	
Communication	Parent informed?	
	Social worker informed?	
	VSH informed?	
	Other professionals	
Reintegration	Return plan	
	Support/interventions	
	Reintegration meeting?	
Approval	Headteacher signature	
	Date	
	Director of Education informed	
	Inform Education Committee of the timescales and agree a review date	