



Suspensions and Exclusions Policy

Author/Owner (Name and Title)	Beryce Nixon
Version Number	V2
Date Approved/Reviewed	April 2023
Date of Next Review	April 2024
Approved By	Board of Directors

Policy Category (Please Indicate)	1	Academy to implement without amendment
	2	Academy specific appendices
	3	Academy personalisation required (in highlighted fields)

Summary of Changes from Previous Version

Version	Date	Author	Summary of Updates
V1	01/02/2023	B Nixon	New Policy based on integration of Secondary Academy Updated against DFE Guidance Document Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022
V2	12/06/2023	R McCleod	Pages 8 & 9 have been updated following recent DFE guidance on cancelling exclusions and suspensions.



Contents

Contents	3
1. Aims	4
2. Legislation and Statutory Guidance.....	4
3. Definitions.....	5
4. Roles and Responsibilities	5
Principal	5
Deciding whether to suspend or exclude.....	5
Informing Parents/Carers.....	6
Informing the Trust.....	7
Informing the Local Governing Board	7
Informing the Local Authority	8
Informing the pupil/student’s social worker and/or Virtual School Head (VSH)	8
Cancelling suspensions and permanent exclusions	8
Providing education during the first 5 days of a suspension or permanent exclusion	9
The Local Governing Board (LGB)	9
Considering suspensions and permanent exclusions.....	9
Monitoring and analysing suspensions and exclusions data.....	10
The Local Authority (LA) Statutory Responsibilities	10
5. Considering the reinstatement of a pupil/student.....	10
6. Independent Review.....	12
7. Academy Registers.....	14
8. Returning from a Suspension	15
Reintegration Strategy	15
Reintegration Meetings.....	15
9. Monitoring Arrangements.....	15
Post-16.....	16
Areas of Divergence – where policy areas differ.....	16
10. Links with other Policies	17
Appendix 1 : Independent Panel Review Training	17
Appendix 2: Template Letters to Inform Parent/Carers	18
Appendix 3: Reintegration Strategy example (Behaviour Contract)	21
Appendix 4: Primary: Reintegration Behaviour Contract.....	31
Appendix 5: Positive Handling Plan	33
Appendix 6: LGB Panel Meeting Outline	37



1. Aims

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

Our Academies aim to:

- Ensure that the exclusions process is applied fairly and consistently
Help governors, staff, parent/carers and pupils/students understand the exclusions process
- Ensure that pupils / students in school are safe and happy
- Prevent students from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully.

Our Academies are aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a pupil/student from the school roll without a formal, permanent exclusion or by encouraging a parent/carer to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the student.”

We will not suspend or exclude pupils/students unlawfully by directing them off site, or not allowing pupils/students to attend the academy:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the academy feels unable to support
- Due to poor academic performance
- Because they have not met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent/carer to encourage them to remove their child from the academy.

2. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education:

[Suspension and permanent exclusion from maintained schools, academies and student referral units in England, including student movement.](#)

It is based on the following legislation, which outlines schools' powers to exclude pupils/students:

- Section 51(a) of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Student 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 students
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Student\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Student\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- [Behaviour in schools: advice for Principals and school staff 2022](#)



- [Searching, screening and confiscation at school 2018](#)
- [Searching, screening and confiscation: advice for schools 2022](#)
- [Keeping Children Safe in Education](#)
- [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - 2022](#)
- [Use of reasonable force in schools](#)
- [Supporting pupils with medical conditions at school](#)
- https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1069687/Mental_health_and_behaviour_in_schools.pdf
- <https://www.gov.uk/government/publications/inspecting-teaching-of-the-protected-characteristics-in-schools/equality-and-diversity-impact-assessment-inspecting-protected-characteristics>
- <https://www.gov.uk/government/publications/inspecting-teaching-of-the-protected-characteristics-in-schools/equality-and-diversity-impact-assessment-inspecting-protected-characteristics>
- <https://www.gov.uk/government/publications/education-inspection-framework/education-inspection-framework>

This policy complies with our Funding Agreement and Articles of Association.

3. Definitions

Suspension	When a pupil / student is removed from the academy for a fixed period. This was previously referred to as a 'fixed-term exclusion'.
Permanent exclusion	When a pupil / student is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.
Off-site direction	When the Governing Board of an academy requires a pupil / student to attend another education setting temporarily, to improve their behaviour.
Parent/Carer	Any person who has parental responsibility and any person who has care of the child.
Managed move	When a pupil / student is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

4. Roles and Responsibilities

Principal

Deciding whether to suspend or exclude

Only the Principal or acting Principal, can suspend or permanently exclude a pupil / student from the academy on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of the academy. The Principal will only use permanent exclusion as a last resort.



A decision to suspend or exclude a pupil / student will be taken only:

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

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil / student to give their version of events
- Consider whether the student has special educational needs (SEND)
- Consider whether the pupil / student is especially vulnerable (e.g. the pupil/student has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves.

The Principal will consider the views of the pupil / student, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils / Students who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

The Principal will not reach their decision until they have heard from the pupil / student and will inform the pupil / student of how their views were considered when making the decision.

Informing Parents/Carers

If a pupil/student is at risk of suspension or exclusion, the Principal will inform the parent/carers as early as possible, in order to work together to consider what factors may be affecting the behaviour, and what further support can be put in place to improve the behaviour.

If the Principal decides to suspend or exclude a pupil / student, the parents/carers will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

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

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents'/carers' right to make representations about the suspension or permanent exclusion to the Local Governing Board and how the pupil / student may be involved in this
- How any representations should be made
- Where there is a legal requirement for the Local Governing Board to hold a meeting to consider the reinstatement of a pupil / student, and that parent/carers (or the student 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.

The Principal will also notify parent/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parent/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 student needs in order to identify the person they should report to on the first day.

If the Principal does not have the 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 parent/caress' consent.

Informing the Trust

The Principal will notify the Trust of all suspensions and permanent exclusions, without delay, regardless of the length of suspension. This would be the process to follow:

Suspension for Isolated events / Incidents	Report the Trust on a half-termly basis during academy visits. Liaise with the Trust to reduce any escalation for individual pupil / student (Preventative measures)
Suspension 15 days in one term for a Pupil / Student	Inform the Trust – Case supervision will be implemented
Permanent Exclusion	Notify the Trust, without delay

Informing the Local Governing Board

The Principal will, without delay, notify the Local Governance Committee of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil / student
- Any suspension or permanent exclusion which would result in the pupil / student 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 / student missing a National Curriculum test or public exam.

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

Informing the Local Authority

The Principal 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 / student lives outside the Local Authority in which the Academy is located, the Principal will also, without delay, inform the student's 'home authority' of the exclusion and the reason(s) for it.

Informing the pupil/student's social worker and/or Virtual School Head (VSH)

If a pupil/ student:

- With a social worker is at risk of suspension or permanent exclusion, the Principal will inform the social worker as early as possible
- Who is a looked-after child (LAC) is at risk of suspension or exclusion, the Principal will inform the VSH as early as possible.

This is in order to work together to consider what factors may be affecting the pupil / student's behaviour, and what further support can be put in place to improve the behaviour.

If the Principal decides to suspend or permanently exclude a pupil / student with a social worker or a pupil / student who is looked after, they will inform the pupil / student's social worker / the Virtual School Head, as appropriate, without delay, informing them that:

- They have decided to suspend or permanently exclude the pupil / student
- 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 student's ability to sit a National Curriculum test or public exam (where relevant)

The social worker / Virtual School Head will be invited to any meeting of the Local Governing Board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil /student'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, risks and the pupil / student's welfare are taken considered.

Cancelling suspensions and permanent exclusions

If a Principal decides to exclude a pupil, the Principal may cancel the exclusion:

- a) either before or after it has begun; and
- b) whether or not the pupil has been admitted to another school following their exclusion.

The Principal may not cancel an exclusion if, by the time the Principal comes to make the decision to cancel an exclusion, the pupil:

- a) has already been excluded for more than 45 school days in any school year; or
- b) would have been excluded for more than 45 school days in any school year when the cancellation took effect.

The Principal may not cancel an exclusion if, by the time the Principal comes to make the decision to cancel an exclusion, the Local Governing Board has commenced a meeting for the purpose of making a decision regarding reinstatement of the pupil.

Where an exclusion is cancelled in accordance with legislation, the Principal must, without delay:

- (i) inform the relevant person, the governing body, the trust, the local authority, the social worker and the virtual school head of the cancellation and the reasons for it in writing; and
- (ii) reinstate the pupil;

The Local Governing Board are not required to consider reinstatement of the pupil under regulation 6.

Where an exclusion is cancelled in accordance with legislation:

- The parents/carers, Local Governing Board, the Trust and Local Authority will be notified without delay
- Where relevant, any social worker and Virtual School Head will be notified without delay (in writing)
- Parents/Carers will be offered the opportunity to meet with the Principal to discuss the cancellation
- As referred to above, the Principal will report to the Local Governing Board once per term on the number of cancellations
- The pupil / student will be allowed back in school.

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

During the first 5 days of a suspension, if the pupil / student is not attending alternative provision, the Principal will take steps to ensure that achievable and accessible work is set and marked for the pupil / student. Online pathways such as Google Classroom, Seesaw Programme or Oak Academy may be used for this. If the pupil / student has a special educational need or disability, the Principal will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil / student is looked after or if they have a social worker, the academy will work with the Local Authority to arrange Alternative Provision from the first day following the suspension or permanent exclusion. Where this is not possible, the Academy will take reasonable steps to set and mark work for the pupil / student, including the use of online pathways.

The Local Governing Board (LGB)

Considering suspensions and permanent exclusions

Responsibilities regarding exclusions are delegated to the Local Governing Board from the Exceed Directors Board. Exclusions are considered by a group of three or more Local Governing Board members from across the Trust, who have been fully trained in this role. In the event, that no Local Governing Board members are available, then the Trust Directors (preferably link Director) will undertake this role.

The Local Governing Board members have a duty to consider parent/carer representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil / student (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the Local Governing Board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, the Local Governing Board (Via academy leaders) will arrange suitable full-time education for the pupil / student. This provision will begin no later than the sixth day of the suspension.

For secondary schools only:

The Local Governing Board does not have to arrange such provision for students 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 Governing Board will challenge and evaluate the data on the Academy's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The Local Governing Board will consider:

How effectively and consistently the Academy's Behaviour Policy is being implemented

- The Academy register and absence codes
- Instances where pupil / student receive repeat suspensions
- Interventions in place to support pupil / students 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 pupil / students, and why this is taking place
- Whether the placements of pupils / students directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that students are benefiting from it
- The cost implications of directing a pupil / student off-site

The Local Authority (LA) Statutory Responsibilities

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

For pupils / students who are Looked After Children or have social workers, the Local Authority and the Academy will work together to arrange suitable full-time education to begin from the first day of the exclusion.

5. Considering the reinstatement of a pupil/student

The Local Governing Board will consider and decide on the reinstatement of a suspended or permanently excluded pupil/student 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 student's total number of days out of school to more than 15 in a term; or
- It would result in a student missing a public exam or National Curriculum test

Where the pupil / student has been suspended, and the suspension does not bring the pupil / student's total

number of days of suspension to more than 5 in a term, the Local Governing Board must consider any representations made by parent/carers. However, it is not required to arrange a meeting with parent/carers, and it cannot direct the Principal to reinstate the pupil / student.

Where the pupil / student has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents/carers make representations, the Local Governing Board will consider and decide on the reinstatement of a suspended pupil / student within 15 school days of receiving notice of the suspension. If the parent/carers do not make representations, the Local Governing Board is not required to meet and it cannot direct the Principal to reinstate the student.

Where a suspension or permanent exclusion would result in a student missing a public exam or National Curriculum test, the Local Governing Board will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil / student before the date of the exam or test. If this is not practicable, the Local Governing Board will consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil / student.

The following parties will be invited to a meeting of the Local Governing Board and allowed to make representations or share information:

- Parent/Carers, or the student if they are 18 or over (and, where requested, a representative or friend)
- The student, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Principal
- The student's social worker, if they have one
- The Virtual School Head, if the student is looked after
- A representative of the Local Authority.

The Local Governance Committee will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Local Governance Committee can either:

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

In reaching a decision, the Local Governance Committee will consider:

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

They will decide whether or not a fact is true 'on the balance of probabilities. Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the student's educational record, and copies of relevant papers will be kept with this record.

The Local Governance Committee will notify, in writing, the following stakeholders of its decision, along with reasons



for its decision, without delay:

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

Where an exclusion is permanent and the Local Governing Board decided not to reinstate the pupil / student, the notification of decision will also include the following:

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

6. Independent Review

If parent/carers apply for an independent review within the legal timeframe, the Academy/Trust will arrange for an independent panel to review the decision of the Local Governing Board not to reinstate a permanently excluded pupil / student.

Applications for an independent review must be made within 15 school days of notice being given to the parent/carers by the Local Governing Board of its decision to not reinstate the student **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

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

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

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

- Are a Local Governing Board, Director or Trust Member of the Academy Trust of the excluding academy
- Are the Principal of the excluding academy, or have held this position in the last 5 years
- Are an employee of the Academy/Trust, of the excluding academy (unless they are employed as a Principal at another school)
- Have, or at any time have had, any connection with the Academy Trust, school, Local Governance Committee, parent/carers or student, 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 / student, including the circumstances in which the pupil / student was permanently excluded, and have regard to the interests of other pupil / students and people working at the academy.

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

Where a SEND expert is present, the panel must seek and have regard to the SEND expert's view of how SEND may be relevant to the student'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 / student's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil / student's permanent exclusion.

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

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

- Uphold the decision
- Recommend that the Local Governing Board reconsiders reinstatement
- Quash the decision and direct that the Local Governing Board to reconsider reinstatement (only if it judges that the decision was flawed).

New evidence may be presented, though the Academy 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 Governing Board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the LGB 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 LGB 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 they 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 Governing Board does not subsequently decide to offer to reinstate the student within 10 school days
- Any information that the panel has directed the Local Governing Board to place on the pupil / student's educational record.

7. Academy Registers

A pupil / student's name will be removed from the Academy admission register if:

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

Where an application for an independent review has been made within 15 school days, the Local Governing Board will wait until that review has concluded before removing a pupil / student's name from the register.

While the pupil/student's name remains on the Academy's admission register, the pupil/student's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil / student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

Making a return to the Local Authority (LA)

Where a pupil / student's name is to be removed from the Academy admissions register because of a permanent exclusion, the Academy will make a return to the LA. The return will include:

- The pupil / student's full name
- The full name and address of any parent/carer with whom the student normally resides
- At least 1 telephone number at which any parent/carer with whom the student 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 / student will attend, including the name of that school and

the first date when the pupil / student attended or is due to attend there, if the parent/carers have told the school the pupil / student is moving to another school

- Details of the pupil / student's new address, including the new address, the name of the parent/carer(s) the pupil / student is going to live there with, and the date when the pupil / student is going to start living there, if the parents have informed the academy that the student 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 student's name.

8. Returning from a Suspension

Reintegration Strategy

Following suspension, the Academy will put in place a strategy (Behaviour Plan in Primary) to help the pupil / student reintegrate successfully into academy life and full-time education.

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

Once a pupil / student has returned from a suspension, the following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Daily contact in the academy with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil / student and parent/carers to praise progress being made
- To raise and address any concerns at an early stage
- Informing the pupil / student, parent/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 (Behaviour Plan) will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil / student, parent/carers, and other relevant parties.

Reintegration Meetings

The Academy will explain the reintegration strategy (Behaviour Plan) to the pupil / student in a reintegration meeting before or on the pupil / student's return to the Academy. During the meeting the Academy will communicate to the pupil / student that they are getting a fresh start and that they are a valued member of the academy community.

The pupil / student, parent/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parent/carers in the event that they cannot or do not attend.

The Academy expects all returning pupils/ students and their parent/carers to attend their reintegration meeting, but pupils / students who do not attend will not be prevented from returning to the classroom. The reintegration meeting will be adjusted and undertaken by senior staff during the academy day at an appropriate time with the pupil/student.

9. Monitoring Arrangements

The Academy will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of student referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupil / student, Local Governing Board members and other stakeholders on their perceptions and experiences.

The data will be analysed every term by each Academy's Senior Leadership team. The Principal (and/or Senior Leader) will report back to the Local Governing Board. The data will be analysed from a variety of perspectives including:

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

The Academy 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 / students are identified by this analysis, the Academy/Trust will review its policies in order to tackle it.

Exceed Learning Partnership will work with its Academies to consider this data, and to analyse whether there are patterns across the Trust, recognising that numbers in any one Academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Trust Executive Team every 2 years. (Or when any new DFE Guidance documents are published) At every review, the policy will be approved by the CEO and shared with the Directors and Local Governing Boards.

Post-16

Sixth Form is an inclusive learning community committed to making outstanding provision for all learners. Much of the Suspensions and Exclusion Policy above applies in exactly the same way at Key Stage 5. There are also areas of divergence where expectations and/or procedures are different.

Areas of Divergence – where policy areas differ

Rewards

The Rewards policy in Sixth Form is solely based on learner profile data. Following tracking rounds, the Sixth Form team review learner profile data and then the Head of Sixth Form will write letters of commendation for students whose learner profile is consistently outstanding. Vouchers and/or other rewards might also be issued.

Sanctions

The Trust has high expectations of each sixth form student's behaviour for learning. If a Sixth Form student disrupts the learning of others, they will be asked to leave the lesson immediately and report to their Year Manager. The student will usually be asked to apologise to the teacher and improve their conduct. If a student were to be asked to leave a lesson more than once, parents/carers will be invited into a meeting at which the Head of Sixth will issue a formal warning. If a student were to be removed from a lesson beyond that point, the Head of Sixth will consider that as an extreme circumstance, in so far as it is highly unusual for a Sixth Former to be required to leave a lesson at all. The Head of Sixth Form will then make any necessary changes to the student's programme of study, which could include removal from a particular course, or if there were further instances without reasonable explanation, permanent exclusion.

Permanent exclusion

The Suspensions and Exclusion policy applies to Sixth Formers. Sixth Form students can be removed from roll if their conduct repeatedly falls below the academy's expectations. The Sixth Form does not work with the Junction provision or any other alternative provision. In circumstances where a student is removed from roll, the Sixth Form team will seek to secure (depending on the age of the student) appropriate education, employment or training.

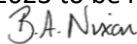
10. Links with other Policies

This exclusion/suspension policy is linked to our:

- Behaviour Strategy
- SEND policy and information report.
- Academy Behaviour Policy
- Anti-Bullying Policy
- Trust Safeguarding Policy
- Academy Child Protection Policy
- Managing medicines at School
- Data Protection Policy

Policy Agreed: June 2023 to be reviewed April 2024

Signed CEO:



Signed: Chair of Directors:



Appendix 1 : Independent Panel Review Training

The Academy/Trust must make sure 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 of a review panel
- The duties of Principals, Local 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: Template Letters to Inform Parent/Carers

Permanent Exclusion Letter Template for use within Primary / Secondary

[DATE]

[ADDRESS]

Dear <insert name>

<student name>

<date of birth>

I regret to inform you of my decision to permanently exclude <student first name> with effect from <date>. This means that <student first name> will not be allowed in this school unless <he/she/they> is reinstated by the governing body committee or via a review panel.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude <student first name> has not been taken lightly. <student first name> has been excluded because <insert reason>.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, from <insert dates> unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for <student first name> education to continue will be made. For the first five school days of the exclusion we will set work for <student first name>. From the sixth school day of the exclusion, Doncaster local authority will provide suitable full-time education. These arrangements will be outlined in a further letter.

I have also today informed Amanda Bacon at the Doncaster Local Authority of your child's exclusion and they will be in touch with you about arrangements for his education from the sixth school day of exclusion. You can contact them at amanda.bacon@doncaster.gov.uk or 01302 737 239.

As this is a permanent exclusion the governing body must meet to consider it. At the review meeting you may make representations to the governing body if you wish and ask them to reinstate your child in school. The governing body have the power to reinstate your child immediately or from a specified date, or, alternatively, they have the power to uphold the exclusion in which case you may request a review of their decision to an Independent Review Panel.

The latest date by which the governing body must meet is <date>. If you wish to make representations to the governing body and wish to be accompanied by a friend or representative please contact xxxxxxxxx.

You will, whether you choose to make representations or not, be notified by the Clerk to the governing body of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform xxxxxxxxx if it would be helpful for you to have an interpreter present at the meeting.

If you think this exclusion relates to a disability your child has, and you think discrimination has occurred, you may raise the issue with the governing body.

You have the right to see a copy of <student first name>'s school record. Due to confidentiality restrictions, you

must notify me in writing if you wish to be supplied with a copy of <student first name>'s school record. I will be happy to supply you with a copy if you request it.

You may wish to contact Amanda Bacon at Doncaster Local Authority for further advice. You may also find it useful to contact the Children's Legal Centre: www.childlawadvice.org.uk/information-pages/school-exclusion/
Tel: 0300 3305485 or Advisory Centre for Education (ACE) www.ace-ed.org.uk Tel: 0300 0115142.

You can also download the Department for Education Exclusion from maintained schools, Academies and pupil referral units in England guidance Sept 2017 at <https://www.gov.uk/government/publications/school-exclusion>.

Yours sincerely



Suspension Letter Template for use within Primary / Secondary

[DATE]

XXXXXX

Dear XXXXXX

RE: XXXX XXXX DOB: XXXXXX

I am writing to inform you of my decision to suspend XXXX from school for a fixed period of XXXXX XXXX's suspension took place on XXXXX.

Upon XXXX's return to school, he will be placed in isolation with the XXXXX on XXXXX. Following this, a reintegration meeting will be held with XXXXXX; the date of this is yet to be agreed.

I realise that this suspension may well be upsetting for you and your family, but the decision to suspend XXXX has not been taken lightly. XXXX was suspended for the following reasons:

-

You have a duty to ensure that your child is not present in a public place in school hours during this suspension unless there is reasonable justification for this. I must advise you that you may receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified dates. If so, it will be for you to show reasonable justification.

We will set work for XXXX to be completed on the days specified in the previous paragraph as school days during the period of suspension when you must ensure that XXXX is not present in a public place without reasonable justification. Please ensure that work set by the school is completed and returned to us promptly for marking.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact the Chair of Governors, XXX Academy, Address as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's school record.

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the Special Educational Needs and Disability Tribunal (SENDIST). The address to which appeals should be sent is SENDIST, Mowden Hall, Staindrop Road, Darlington, DN3 9DN.

You also have the right to see a copy of XXXX's school record. Due to confidentiality restrictions you will need to notify me in writing if you wish to be supplied with a copy of XXXX's school record. I will be happy to supply you with a copy if you request it.

You may wish to contact the Attendance and Pupil Welfare Service (APWS) on 01302 736504 who can provide advice. You may also find it useful to contact the Advisory Centre for Education (ACE) – an independent national advice centre for parents of children in state schools. They offer information and support on state education in England and Wales, including on suspension from school. They can be contacted on 0300 0115142 or at www.ace-ed.org.uk.

Yours sincerely

Appendix 3: Reintegration Strategy example (Behaviour Contract)

Reintegration Strategy

- Use this form to plan for and record reintegration meetings with pupils and parents after a suspension, period of off-site direction, or an overturned exclusion
- Delete **highlighted examples** and replace with your own
- Give the pupil and parents their own, simplified copy of the reintegration strategy in Section 1 and Section 2 if this is age-appropriate. These are simplified versions, but make sure that the information is consistent for everyone

If the pupil isn't returning to school on a reduced timetable, record 'no' in the appropriate box and delete the 'details of reduced timetable' section



Pupil details

Date of reintegration meeting:

People present:

Include names and roles e.g. parent, Principal, SENDCO

PUPIL DETAILS

Pupil's name:

Address:

Date of birth:

Year group/tutor:

Name of parent/guardian:

Contact details:



PUPIL DETAILS

Is the pupil subject to a child protection plan?

If yes to any question, give details

Is the pupil a looked-after or previously looked-after child?

Is the pupil identified as having special educational needs or disabilities (SEND)?

Does the pupil have an education, health and care (EHC) plan?

DETAILS OF SUSPENSION

Date of suspension:

Date of return to school:

Number of days suspended:

Reason for suspension:

Details of any previous suspensions:

Total number of days suspended this term:



DETAILS OF SUSPENSION

Provision during suspension:

Include details of any:

- Work provided and marked over suspension period
- Alternative provision
- Interventions from counselling or behaviour services, SEND support or local safeguarding partners

REVIEW OF CURRENT ATTENDANCE

Attendance this term

Number of days absent:

Attendance (%):

Attendance this year

Number of days absent:

Attendance (%):

REVIEW OF ACADEMIC PROGRESS

Subject:	Target grade:	Current grade:	Teacher comments:
	If the pupil isn't graded in any/all subjects, ask teachers to briefly rate their progress, for example out of 10 or with a RAG rating		



PARENTS AND PROFESSIONALS INVOLVED WITH THE CHILD				
Name:	Role and organisation:	Attended reintegration meeting? (Y/N)	Contact details:	Have they been informed of the reduced timetable?
				<p>If the pupil isn't on a reduced timetable, delete the row or record N/A</p> <p>If they haven't been informed, record the reason why</p>

Targets and Provision

TARGETS FOR BEHAVIOUR AND LEARNING				
Area for development	Current score (out of 10) (Alternatively, use a RAG rating)	Target score (out of 10)	How will we achieve this?	Timescale/review date
e.g. Come prepared to work	3	5	<p>Arrive on time</p> <p>Bring pen and other equipment</p>	3 weeks from meeting



TARGETS FOR BEHAVIOUR AND LEARNING		
AGREED SUPPORT		
Type of support	Support lead	Frequency
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible If someone outside the school is providing the support (e.g. a mentoring charity that you are facilitating), name the member of staff who is responsible for its oversight	One hour a week
e.g. Check in on reintegration targets		
Is the pupil on a reduced timetable? (Y/N)		



Details of reduced timetable arrangements

› Delete this section if it doesn't apply

WHY ARE WE USING A REDUCED TIMETABE?

WHAT RISKS ARE THERE OF THE REDUCED TIMETABLE ON THE PUPIL'S NEEDS?

If you have included an assessment of the reduced timetable in a broader risk assessment about the pupil's return to school, attach the document to the end of your reintegration plan.

WHAT STEPS ARE WE TAKING TO MITIGATE THESE RISKS?

Week beginning:	Mon		Tues		Wed		Thurs		Fri		Total hours in lessons:
	am	pm	am	pm	am	pm	am	pm	am	pm	



Start date:

Planned end date:

Review meeting details:

Date, time and who will attend

Review the reduced timetable arrangements frequently to decide if they're working and still necessary. You should use them for as short a time as possible.

Additional comments

PUPIL'S COMMENTS

PARENTS' COMMENTS

ACADEMY COMMENTS

Include comments from different staff members as appropriate

Signed _____

(pupil / student)

Signed _____

(parent/guardian)

Signed _____

(Academy)



Section 1: Pupil copy of reintegration plan

➤ Adapt the wording depending on the pupil's age/context and give it to them to keep. Try to keep it to a single page and use age-appropriate language

My name:	My class/form:	
Date of suspension:	Date of return to school:	Number of days suspended:
Why was I suspended?		

My targets	My current score (out of 10)	My target score (out of 10)	How will I achieve this?	When will we check on this?
e.g. Come prepared to work	3	5	Arrive on time and bring all my equipment	3 weeks from meeting

How will the academy help me?	Who will help me?	How often will we do this?
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible	One hour a week

My comments	My parents' comments	The academy's comments

Signed:



Section 2: Parents copy of reintegration plan

> Try to keep to a single page

My name:	My child's name:	
Date of suspension:	Date of return to school:	Number of days suspended:
Why was my child suspended?		

[Name's] targets	Current score (out of 10)	Target score (out of 10)	How will they achieve this?	When will we check on this?
e.g. Come prepared to work	3	5	Arrive on time and bring all my equipment	3 weeks from meeting

What support will the academy provide?	Staff member responsible	Frequency
e.g. Academic catch-up support for maths. Give as many details as possible	Name of staff member responsible	One hour a week

My child's comments	My comments	The academy's comments

Signed:



Appendix 4: Primary: Reintegration Behaviour Contract

Name:	Year Group:	People inputting to this plan:	Photo
Academy:	Date completed:		

<u>Things that are important to me</u>	<u>Things that people like or admire about me</u>	<u>How I like to be treated</u>
<u>Things that can trigger poor behaviour choices</u>	<u>The best way to communicate with me</u>	<u>My hopes for the future</u>
<u>Rewards or motivators</u>	<u>What I do not like</u>	<u>What I want to achieve during this year</u>



Name:	Area of Need: Communication & Interaction (Highlight) Social Emotional and Mental Health	Cognition and Learning Physical and Medical	Date:	Length of plan: ___ wks
Academic achievements Reading: Writing: Maths:	Professionals Involved:	Long Term Goals:		
<u>Skill to develop in this plan</u>	<u>Provision (Inc strategies)</u>	<u>Who? When? Resource</u>	<u>Next Steps.</u>	
Review Date:	What needs to change:			
Next Steps:	Other professionals involved:			



Appendix 5: Positive Handling Plan

Child's Name:

Date of Plan:

Date of review:

Stage 0: Pre-intervention and support:

What are common triggers?

What does the behaviour look like?

Stage 1: Anxiety Behaviours	Stage 2: Escalation Behaviours	Stage 3: Crisis Behaviours



De-escalation techniques

	Try	Avoid	Notes
Verbal advice and support			
Giving space			
Reassurance			
Help scripts			
Negotiation			
Choices			
Humour			
Consequences			
Planned ignoring			
Take up time			
Time-out			
Supportive touch			
Transfer adult			
Success reminded			
Simple listening			
Acknowledgement			
Apologising			
Agreeing			
Removing audience			
Others			



Any medical conditions to be taken into account before using Physical interventions?

Preferred method Physical intervention?

	Try	Avoid	Notes
Friendly escort			
Single elbow			
Figure of four			
Double elbow			
Graduated arms in seats			
Small person support			
Small person support: seats			
Small person support: ground			
Shield			
Ground holds			

Guidelines to follow during physical intervention

Are there any factors to consider when debriefing? E.g. Communication aids, staff etc.

Are there people who we should inform in addition to parents/any person to avoid?



Are there any factors to consider when debriefing? E.g. Communication aids, staff etc.

Principal:

Parents/Carers:

Social services (if applicable)

Child:

Other:

Appendix 6: LGB Panel Meeting Outline

The Local Governing Board Meeting to Consider Exclusions

This document is intended to provide the Chair, Governors and Clerk with guidance for running a Meeting of the Local Governing Board to consider exclusion.

It is important that the governors on the panel understand that they 'own' the meeting and not the Principal. How the meeting is arranged and conducted, is a vital part of working with the parents/carers of the pupil / student involved to support the young person's future. The meeting should be mutually convenient to all parties including the parents/carers, the date and time of the meeting should be agreed with the parents/carers in the first instance

Membership of the panel

This can be between 3 and 5 governors, but must not be less than 3. An odd number of governors are strongly recommended. Governors should, as far as possible, have no prior knowledge of the matter. To discuss the matter in advance will compromise the ability of governors to reach a fair decision, based on natural justice, and could make the process invalid, and flawed

Governors must not sit on the panel if any of the following apply:

- know the pupil and/or his/her family;
- witnessed the incident that led to the exclusion;
- have a child in the same class as the pupil /student involved, or have a child who was a witness to the incident and has told them about it;
- have a spouse/partner who was involved in the incident;
- for any other reason they may not be able to be impartial;
- is a member of the school staff;
- is the chair of governors and has discussed the pupil / student with the Principal;

Chairing the Meeting

A full member of the local governing board must chair the meeting or a representative of the MAT. The LGB Chair may act as chair, provided that he/she has not discussed the matter before with anyone, especially the Principal but it can be one of the other governors.

Clerking the Meeting

The meeting will be clerked with a record kept of the discussion in line with the agenda.

The Agenda, details of who will be present at the meeting should be sent to all parties at least 5 school days prior to the meeting (this includes parents/carers).

Order of the Meeting

Noting the attendance

- The Clerk should take minutes and a list of the names of everyone who is present at the meeting
- The clerk should also note if the parents/carers do not attend, stating when and how they were invited to attend, and how and whether or not they had indicated that they would be present.
- Governors also need to detail the pupil / student's views and how they were obtained if they or their parent/carer does not attend. Parent/carers may be delayed for whatever reason and it is at the chair's discretion whether the start of the meeting will be briefly postponed, but being mindful of natural justice it would be appropriate to allow parents/carers sufficient time to attend.

Apologies

- The clerk should note any apologies offered.

Chair's welcome, introductions and opening remarks

The Chair of the panel should welcome everyone, and either perform introductions or ask people to introduce themselves. The Chair should state the purpose of the meeting and outline its format.

The purpose of the meeting:

- to establish whether, based on the facts known at the time, the Principal took the right action in excluding the pupil / student;
- to consider whether the type of exclusion was appropriate;
- to ensure the exclusion was reasonable, fair and appropriate considering the Principal's legal duties;
- whilst the local governing board is legally required to consider an exclusion - on behalf of Trustees - they must consider the interests and circumstances of the excluded pupil / student, including circumstances in which the pupil / student was excluded, and have regard to the interests of other pupils/students and people working in the academy;
- to establish that the Principal's decision warrants a permanent exclusion and is in response to serious or persistent breaches, of the Academy's behaviour policy; and where allowing the pupil / student to remain in the academy would seriously harm the education or welfare of the pupil or others in the academy

Based on the evidence presented to them the governors on the panel have two basic options:

- to reinstate the pupil / student, immediately or a future date; or
- to decline to reinstate

In order to help them reach their judgement the meeting should take the following pattern.

Verbal Statement from the Principal

- This will be in support of any written evidence previously circulated.
- The Principal must be able to make the case on the day – it is not sufficient to rely on information previously sent out.
- Staff members may be invited to attend to offer supporting evidence, being careful not to be over represented.
- Governors, parents/carers may make comments/ask questions after the Principal or staff member with delegated responsibility has presented the case.
- Written evidence should be circulated in advance it should be sent to all the parties involved at least 5 days prior to the meeting, this includes the parents/carers
- Witness statements should be signed and dated unless there is good reason not to.

There should also be the excluded pupil / student's views considering their age and understanding.

In the case of a permanent exclusion, where the Principal may need to outline a series of events/poor behaviour, it is acceptable to provide a list of the pupil / student's transgressions, a report from the Principal giving evidence why the exclusion is justified. This should include sufficient evidence to allow governors to have a full picture of the situation i.e. Pastoral Support Plan, Individual Education Plan, Risk Assessment, details of intervention strategies and outcomes, whether a Family Support Plan has been offered or provided, and details of special education needs/disability and how these have been supported.

Questions to the Principal or delegated Staff Members

Panel members (governors) may ask questions to clarify points after the Principal has presented his/her case as well as parents/carers.

Verbal Statement by Parent / Carers or Student (Depending on Age)

This should support any written evidence that they asked to be circulated in advance. The parent/carer/student may ask that their friend or representative speak on their behalf

Questions to Parent / Carers or Student

Panel members (governors) may make ask questions as well as the Principal. If pupil is in attendance, they may also be questioned

Final Clarification

The Chair of the panel should ensure that all parties, especially the parents/carers/student, have had an opportunity to say what they wish to and that all points are clear. Governors should be confident that they have all the information they need to be able to reach a correct decision.

Reaching a Decision

At this point everyone, other than the governors and clerk, should withdraw from the meeting, to allow the governors to discuss the case/s under consideration and form a judgement.

Where parent /carers make it clear they do not wish their child reinstated, the local governing board must, in any event, consider whether the Principal's decision to exclude the child was justified based on the evidence.

In this case a note should be attached to the child's academy record, to clarify if the panel did not support the Principal's action.

Where the panel judged that exclusion was not the correct course of action, it may reinstate the pupil /student. In these cases, some of the following might apply:

- the Principal did not provide relevant or sufficient evidence to support the case for an exclusion, or;
- the panel judged that insufficient strategies had been put in place to support the pupil / student prior to the incident that resulted in the exclusion (i.e. it could have been avoided if the academy had given better support), or;
- the parent/carer has made an acceptable representation against the exclusion, e.g. provided evidence of mitigating circumstances, provided evidence to support their child's views with regard to their case;
- the pupil/ student had not been given a voice at the meeting and their views captured by the academy;
- strategies could include the use of a Pastoral Support Plan; a risk assessment of the potential hazard the pupil presents or faces; or in the case of Looked After Children, whether their Personal Education Plan has been reviewed;
- based on the balance of probabilities they felt the Principal's decision was not lawful, reasonable and procedurally fair.

Record Keeping

The clerk will take minutes of:

- the evidence and questions by all parties
- the main points of the discussion by panel members;
- the decision reached, and:
- the supporting reasons.
- how the pupil / student's views were captured

The panel may include comments or make recommendations but cannot put conditions on exclusion or the outcome.

Communicating the Outcome

A formal letter detailing the decision, and setting out the reasons why governors have reached their conclusion, should be sent to the parents/ carers without delay, either hand delivered or posted by first class mail.

Further Actions

In the case of a permanent exclusion, the parents/carers must be informed in the letter from the panel of how they can make an application to an Independent Review Panel

Where parents make an application against a permanent exclusion to an Independent Review Panel after the local governing board meeting they can only uphold the decision; recommend that the local governing board reconsider their decision; or quash the decision and direct the local governing board to reconsider the exclusion again. The Independent Review Panel cannot direct reinstatement, only the Local Governing Board and the First Tier Tribunal can reinstate.

When sent back to governors and recommended to reconsider or the decision quashed and direction is given to the local governing board to reconsider: this has to take place 10 days from the date of receipt of the outcome of the Independent Review Panel. It is then the decision of the local governing board to review the decision not to reinstate and write to the parent and Principal of their decision without delay.

Minutes of the Meeting should be held on record in line with the Exceed Learning Partnership record retentions schedule.

One copy of all paperwork needs to be kept as a parent can go the First Tier Tribunal re disability discrimination before and after an Independent Review. Claims can be up to 6 months after the review.