



## King's Group Academies

# SUSPENSION AND PERMANENT EXCLUSION POLICY

<b>Approved by:</b>	Trustees	<b>Date:</b>	July 2026
<b>Maintained by:</b>	Safeguarding Forum	<b>Next review due:</b>	July 2027



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## 1. Aims

At King's Group Academies, our vision is to provide 'Opportunity and Success on a Global Stage'. We aim to develop a global community of pupils and colleagues whose connection broadens horizons and fosters understanding.

Our values of 'Honesty, Faith, and Courage' drive our passion and underpin our thinking, decision-making, and behaviours. We believe that every pupil deserves a team of dedicated staff who are deeply invested in their success, supported by positive partnerships with parents and carers. We are committed to providing a safe, orderly, and caring educational environment that underpins these core values.

This policy ensures that all statutory duties relating to suspensions and permanent exclusions are met consistently across all academies within the Trust. Our approach to suspensions and permanent exclusions is underpinned by our KGA Principles of Behaviour:

### ➤ KGA Principles of Behaviour



Our policy aims to:

- Make sure that the exclusions process is applied fairly and consistently, and without discrimination
- Help all stakeholders (Trustees, LGB Members, staff, parents/carers and pupils) understand the exclusions process
- Make sure that pupils in the academy are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully



## 2. 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](#) and as modified and amended by the [Education \(Educational Provision for Improving Behaviour\) \(Application to Academies and Pupil Referral Units and Minor Amendments\) Regulations 2026](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'
- [Keeping Children Safe in Education](#);
- [Working together to improve school attendance](#)
- [Mental Health and Behaviour in Schools](#)
- [Behaviour in Schools - Advice for Executive Headteacher/Headteacher/Principals and school staff](#)

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

## 3. Definitions

For the purpose of this policy, any reference to the **Headteacher** shall be deemed to include the **Executive Headteacher/Executive Principal/Headteacher/Principal/Associate Headteacher**, and vice versa. **LGB** refers to the Local Governing Body, which forms the Governing Body Discipline Committee (GBDC).

**Suspension** – when a pupil is removed from the academy for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

**Permanent exclusion** – when a pupil is removed from the academy permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.

**Off-site direction** – when an academy requires a pupil to attend another education setting temporarily, to improve their behaviour.

**Parent/carer** – any person who has parental responsibility and any person who has care of the child.

**pupils aged 18 or over** – For pupils aged 18 or over, all references within this policy to parents/carers should be read as references to the pupil, unless the pupil has provided consent for parental/carer involvement.

**Managed move** – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs. Managed moves must comply with the School Admissions Code and over-subscription criteria.

**'Off-rolling'** is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:



- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Encourage a sixth-form pupil not to continue with their course of study, or
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension

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 academy feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

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

## 4. Roles and Responsibilities

### 4.1 The Headteacher

**For children in nursery and Early Years provision, suspension and permanent exclusion will be used only in the most exceptional circumstances. Decisions will take full account of the child's age, stage of development, communication needs, attachment, and any unmet needs. Behaviour will ordinarily be addressed through early intervention, pastoral support and partnership with parents and external agencies.**

#### Deciding Whether to Suspend or Exclude

Only the Headteacher or acting Headteacher (including an Associate Headteacher formally authorised to exercise delegated powers in the absence of the Executive Headteacher) can suspend or permanently exclude a pupil from the academy on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.

A decision to suspend a pupil will be taken only:

- In accordance with the academy's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion

A suspension will not be used as a means of extending time to decide on a permanent exclusion, except where new evidence comes to light, in line with statutory guidance.

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 academy's behaviour policy, and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others such as staff or pupils in the school.



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

- consider all relevant facts and evidence, applying the civil standard of proof (balance of probabilities), and will ensure that any decision is lawful, reasonable, fair and proportionate.
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Where a pupil has an Education, Health and Care Plan (EHCP), the Headteacher will give particular regard to the provision specified within the plan and the academy's duty to use its best endeavours to secure that provision.
- 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 according to the legal guidance.

The Headteacher will use the relevant checklist to support decision-making and process.

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

If a pupil's views cannot be directly obtained due to age, SEND, severe distress, or safeguarding, alternative methods of representation must be actively utilised, including parental advocacy, advocate views, or professional assessments.

The Headteacher will not reach their decision until they have heard from the pupil. The Headteacher must document and record how a pupil's views were factored into the decision, or clearly record the specific reasons and context if it was impossible or inappropriate to obtain them.

The Headteacher will liaise with the relevant Phase Director in complex cases regarding Suspension and always where Permanent Exclusion is being considered.

### **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.

Where a pupil is directed off-site or placed in alternative provision, the academy remains responsible for the pupil's safeguarding and will take reasonable steps to assure itself that the provision is suitable, safe and appropriately quality assured. While the Headteacher may identify the need, the official authority/oversight for formal off-site directions under KGA Scheme of Delegation rests with the LGB.

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

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

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a 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 body and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How representations should be made



- Where there is a legal requirement for the governing body to hold a meeting to consider the reinstatement of a pupil, and that parents/carers/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and 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/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this

If alternative provision is being arranged, the following information will be included, if possible:

- 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
- Regular review meetings must be held to determine if the provision should continue. Parents must be given a written invitation to these meetings at least six days in advance (and the LA if the pupil has an EHCP). The pupil's views should also be included in the review meetings.

If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than two school days 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 academy reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

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

### **Informing the Trust and Local Governing Body (LGB)**

The Headteacher will, without delay, notify the relevant trust phase director and LGB of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that 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

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

The Headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the academy 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:

- 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
- A pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the Headteacher will inform the VSH as early as possible

Where a LAC is at risk of suspension or permanent exclusion, the Designated Teacher must contact the VSH as soon as possible to seek advice and actively consider what additional assessment and support should be put in place to reduce the need for suspension/exclusion

If the Headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the 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 governing body about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the pupil's welfare are taken into account.

### **Cancelling Suspensions and Permanent Exclusions**

The Headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing body. Where there is a cancellation:

- The parents/carers (or the pupil if they are 18 or older), governing body 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 governing body'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
- The pupil will be allowed back in the academy without delay

Any days spent out of the academy 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 Exclusion**

If the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom/Oak Academy/any other online platform used by the 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 academy will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the academy will take reasonable steps to set and mark work for the pupil, including the use of online platforms.

### **Separation of Pupils for Safeguarding Purposes**

In rare circumstances an academy can temporarily forbid a pupil from attending its premises due to allegations of harm by one pupil against another which may require physically separating a pupil from one or other pupils. The LA must arrange education for the pupil if the academy or pupil's parent does not do so. This is not an exclusion on disciplinary grounds.

The school should inform parents of the reason why the pupil has been temporarily forbidden from attending its premises and in conjunction with the designated safeguarding lead (or a deputy). The governing body should also be notified without delay and ensure this is used for rare circumstances and only when separating pupils is essential and cannot practicably be done in a way that lets one or more pupils remain on school premises.

It is important to note that in physically separating a pupil from one or more other pupils schools must specifically consider their duties under the Human Rights Act 1998 and the Equality Act 2010 and the Keeping children safe in education guidance. The public law principles of acting reasonably, rationally and in a procedurally fair manner must also be followed. Schools have a pivotal role to play in multi-agency safeguarding arrangements. Safeguarding partners have a shared and equal duty to work together to safeguard and promote the welfare of children. Working Together to Safeguard Children is very clear that all schools (including those in multi-academy trusts) in the local area should be fully engaged, involved, and included in safeguarding arrangements. Ultimately, any 26 Section 175 Education Act 2002. 27 Section 19 of the Education Act 1996 18 decisions, including to temporarily forbid a pupil from attending its premises for safeguarding reasons, are for the school to make on a case-by-case basis, with the designated safeguarding lead (or a deputy) taking a lead role and using their professional judgement, supported by other agencies, such as children's social care and the police as required.

Clear records must be kept of the decision and rationale.



## 4.2 The Governing Body

### Considering Suspensions and Permanent Exclusions

Within King's Group Academies, responsibilities relating to the review of suspensions and permanent exclusions are exercised in accordance with the Trust's Scheme of Delegation. Responsibilities regarding reviewing suspensions and permanent exclusions are delegated to the Governing Body Discipline Committee (GBDC).

The GBDC 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 (see sections 5 and 6) in certain circumstances.

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

For any suspension of more than 5 school days, the academy will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension. The governing body does not have to arrange such provisions 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

Governing bodies should routinely challenge and evaluate what their school's data indicates about pupil movement. This includes carefully considering the levels and characteristics of pupils leaving the school, whether through permanent exclusion, removal from the admission register, off-site direction, or any other form of pupil movement to ensure that such actions are taken only, when necessary, as a last resort. They should deploy maximum challenge to school leadership to understand these movements and identify any emerging patterns that may require further scrutiny or action.

KGA Trustees will also closely monitor data across the Trust in terms of pupil movement.

## 4.3 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 looked after or have social workers, the LA 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

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

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

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the LGB must consider any representations made by parents/carers/the pupil (if they are 18 or older). Where reasonably practicable, the LGB will aim to



consider representations at the earliest opportunity but no more than 50 school days after the suspension. However, the LGB is not required to arrange a meeting with parents/carers/the pupil and it cannot direct the Headteacher to reinstate the pupil. The LGB can direct this review to a suitable experienced governor.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers/pupil make representations to the LGB, the GBDC 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 GBDC 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 GBDC 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 GBDC may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

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

- Parents/carers, or the pupil if they are 18 or older (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 section 9 for more details on remote access to meetings.**

The GBDC 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 GBDC 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 GBDC cannot do this – see earlier in this section).

In reaching a decision, GBDC 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 governing body.
- 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 will be 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 GBDC 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 academy's.

Where an exclusion is permanent, and the GBDC has decided not to reinstate the pupil, the notification of the 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 governing body's decision is given to parents/carers).
- The name and address to which an application for a review and any written evidence should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion.
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers/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.

## 6. Independent Review

If parents/carers/the pupil (if they are 18 or older) 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 GBDC 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 GBDC of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers/the pupil. See section 9 for more details on remote access to meetings.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school 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 Headteacher during this time.
- Headteacher or individuals who have been a Headteacher within the last 5 years.

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

- Are a member of the academy trust of the excluding academy.
- Are the Headteacher of the excluding academy, or have held this position in the last 5 years.
- Are an employee of the academy trust, or the LGB, of the excluding academy (unless they are employed as Headteacher at another school).
- Have, or at any time have had, any connection with the academy trust, school, governing body, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality.
- Have not had the required training within the last 2 years (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 academy.

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 governing body's decision.
- Recommend that the governing body reconsiders reinstatement.
- Quash the governing body's decision and direct that they 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 governing body at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing body and that it ought to have considered if it had been acting reasonably.



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

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

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

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

## 7. School Registers

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

- 15 school days have passed since the parents/carers/pupil (if they are 18 or older) were notified of the GBDC's decision to not reinstate the pupil, and no application has been made for an independent review panel,  
**or**
- The parents/carers/pupils have stated in writing that they will not be applying for an independent review panel.

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

## **8. Returning From a Suspension**

### **8.1 Reintegration Strategy**

Following suspension, or cancelled suspension or exclusion, the academy will put in place a strategy to help the pupil reintegrate successfully into academy life and full-time education. Where necessary, the academy 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 academy life for the pupil:

- Maintaining regular contact during the suspension or off-site direction.
- Welcoming the pupil back to the academy in a positive manner.
- Establishing contact with a designated pastoral professional.
- Mentoring support 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.
- Sharing information about potential external support available to the pupil and/or parents/carers.
- Inclusion Support - this could include use of behaviour support plans and reports.

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

### **8.2 Reintegration Meetings**

The academy will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to the academy. During the meeting the academy will communicate to the pupil that they are getting a fresh start and that they are a valued member of the academy 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 academy expects all returning pupils and their parents/carers to attend their reintegration meeting.

## **9. Remote Access to Meetings**

The GBDC panel will be held face to face, however parents/carers, or pupils if they are 18 or older, can request that a GBDC Panel, or an independent review panel be held remotely, for exceptional circumstances. Holding meetings via remote access must only be done if governing bodies or arranging authorities are satisfied that the meeting is capable of being held fairly, transparently and there are no safeguarding concerns.

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 GBDC 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

## 10. Monitoring Arrangements

The academy will collect data on the following:

- Attendance, permanent exclusions and suspensions.
- Use of pupil referral units (PRUs), off-site directions and managed moves.
- Anonymous surveys of staff, pupils, and other stakeholders.

The Trust will monitor data relating to suspensions and permanent exclusions by academy, phase, and pupil group to ensure the policy is applied fairly, proportionately and lawfully, and to identify any trends requiring intervention.

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 are identified by this analysis, the academy will review its policies in order to tackle it.

The multi-academy trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Safeguarding Forum annually. At every review, the policy will be approved by the Trust Board.

## 11. Links with Other Policies

This policy is linked to our:

- Behaviour Policy
- [SEND Policy](#)
- Safeguarding Policy



## Appendix 1: Independent Review Panel Training

The academy trust must make sure that all members of an independent review panel and clerks/governance professionals have received training within the 2 years prior to the date of the review.

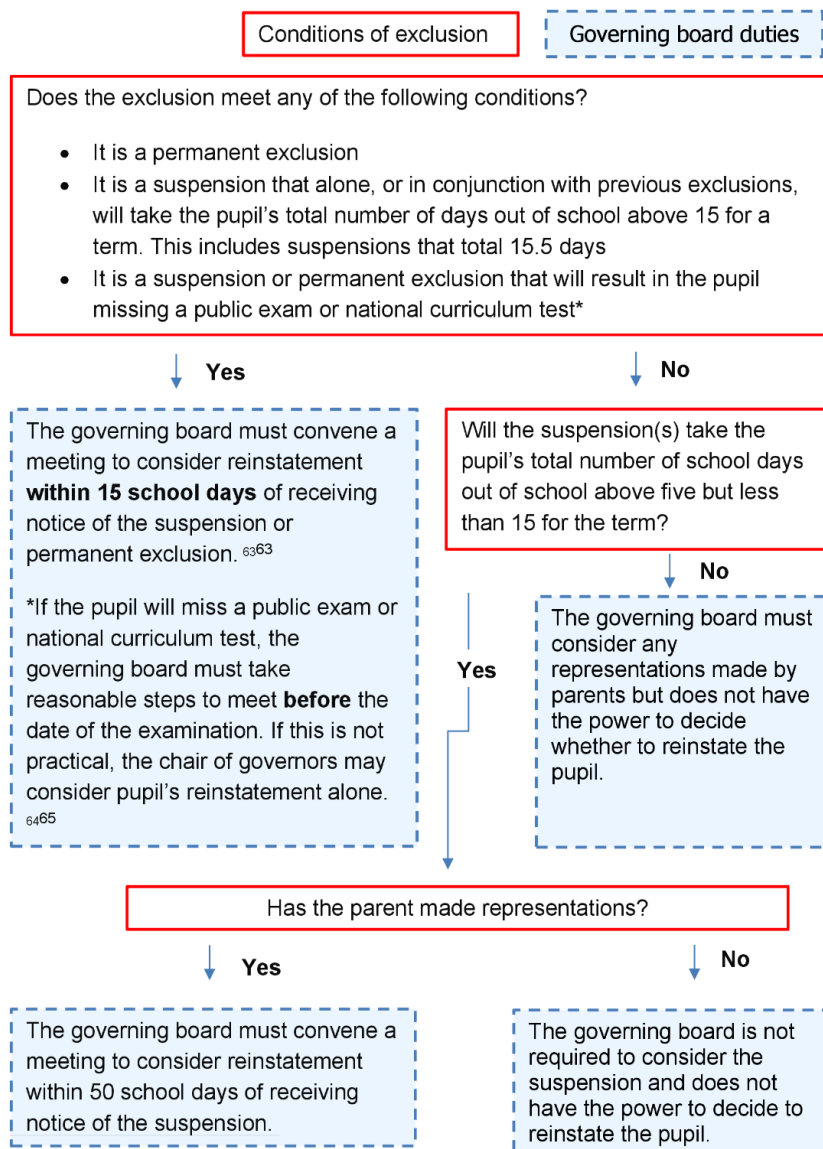
Training must have covered:

- 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, LGBs 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: Governing Body Flow Chart

### A summary of the governing board's duties to consider reinstatement<sup>636465</sup>



<sup>63</sup> Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

<sup>64</sup> The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

<sup>65</sup> The ability for a chair to review in the case of public exams refers only to maintained schools.