

Suspensions and Permanent Exclusions Policy

Recommended by: Head of Governance

Ratified by: Trust Board

Signed:



Position on the Board: Chair

Ratification Date October 2026

Next Review: Summer Term 2028

Policy Tier Trust Wide

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1. Aims

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

Our Trust aims to:

- Make sure that the suspension and permanent exclusion process is applied fairly and consistently
- Help governors, staff, parents/carers and pupils understand the suspension and permanent exclusion process
- Make sure that pupils in school 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

‘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 student 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, or
- Move a pupil to alternative provision (AP) where this is not in their best interests, or
- Send a pupil home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
- Place a pupil on a part-time timetable for behavioural reasons
- Remove a pupil from the school roll without following due process

Accordingly, we will not suspend or permanently 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 permanent exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil’s poor academic performance, or

- Because the pupil has not met a specific condition, such as attending a reintegration meeting

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

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 suspend and permanently 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 [Inspection information for state-funded schools](#), which defines 'off-rolling'

This policy complies with our funding agreement and articles of association, and with statutory regulations applying to academies in relation to exclusions and off-site direction.

3. Definitions

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

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school admission register.

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

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs. Managed moves cannot be used on a trial basis.

Cancelled exclusion – an exclusion that has been cancelled before the governing board has met to consider whether the pupil should be reinstated.

Governors' Disciplinary Committee – the committee delegated by the Local Academy Governing Board to consider representations and reinstatement decisions. Where the DfE guidance refers to the governing board, this policy uses Governors' Disciplinary Committee where the function has been delegated.

Reinstatement – when the pupil is allowed to return to the school. Reinstatement may be immediate or on a specified future date.

Representations – comments, views, explanations, evidence or concerns provided by parents/carers, or by the pupil if they are 18 or over, about a suspension or permanent exclusion.

Governors' Disciplinary Committee meeting – a meeting held to consider representations and decide whether a suspended or permanently excluded pupil should be reinstated where the DfE guidance requires or permits this.

Independent Review Panel – an independent panel that may review a decision not to reinstate a permanently excluded pupil. It does not apply to suspensions.

SEND expert – a person appointed to advise an Independent Review Panel on how special educational needs may be relevant to a permanent exclusion.

Statutory timescales – the legal timescales set out in the DfE guidance for considering suspensions, permanent exclusions, representations and reviews.

School day – a day on which the school is open to pupils. Weekends, bank holidays and school holidays do not usually count as school days.

Balance of probabilities – the standard used to decide disputed facts. It means deciding whether it is more likely than not that something happened, based on the evidence available.

Lawful, reasonable and procedurally fair – the tests the Governors' Disciplinary Committee applies when considering whether the Principal's decision should stand. These terms are explained in more detail in section 5.

4. Roles and Responsibilities

4.1 The Principal

Deciding whether to suspend or permanently exclude

Only the Principal, or acting Principal, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision may relate to behaviour inside or outside school. The Principal must make the decision in accordance with the DfE statutory guidance, the school's behaviour policy and the legal duties that apply to suspensions and permanent exclusions. Permanent exclusion will only be used as a last resort.

In summary, the Principal may:

- Suspend or permanently exclude a pupil only on disciplinary grounds and only where this is consistent with the DfE statutory guidance and the school's behaviour policy
- Take account of behaviour inside or outside school where this is relevant to the decision
- Cancel a suspension or permanent exclusion before it has been considered by the Governors' Disciplinary Committee, where cancellation is permitted by the statutory guidance
- Use permanent exclusion only as a last resort and only where the statutory test for permanent exclusion is met

The Principal must not:

- Use informal or unofficial exclusions, including sending a pupil home without formally recording a suspension or permanent exclusion where the removal is disciplinary
- Remove a pupil from roll, or encourage parents/carers to remove a pupil, without following the statutory process
- Suspend or permanently exclude a pupil because the school feels unable to meet SEND or disability-related needs, or because support has not yet been arranged
- Use poor academic performance, failure to attend a reintegration meeting, unmet conditions, or non-disciplinary reasons as grounds for suspension or permanent exclusion

The Principal must notify:

- Parents/carers, or the pupil if they are 18 or over, without delay and in writing as required by the statutory guidance
- The Chair of the Local Academy Governing Board (LAGB) without delay where the statutory guidance requires the LAGB to be notified

- The local authority without delay of all suspensions and permanent exclusions, regardless of length
- The pupil's home authority, where required, if the pupil lives outside the local authority in which the school is located
- The pupil's social worker and/or Virtual School Head where the pupil has a social worker, is looked after, or the statutory guidance requires notification

A decision to suspend a pupil will be taken only:

- In accordance with the school'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

Where suspensions have become a regular occurrence, the Principal 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 permanently exclude a pupil will be taken only:

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

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events, considering this in light of their age and understanding, unless it would not be appropriate to do so
- Consider whether the pupil has special educational needs (SEND)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC) or a previously looked-after child)
- Consider whether all alternative solutions have been explored, such as:
 - **For suspensions:** detentions or other sanctions provided for in the behaviour policy
 - **For permanent exclusions:** off-site direction (for temporary placements) or managed moves (which are permanent and not used as trial placements)

Off-site direction

When considering off-site direction, the school complies with the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, and has regard to the Arranging alternative provision: a guide for local authorities and schools.

Before directing a pupil off-site or agreeing a managed move, the school will:

- Ensure the pupil's views are sought and considered
- Be able to evidence that appropriate interventions have already been implemented
- Share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments and support strategies

Managed move

Where a managed move is being considered for a pupil with a social worker, the school will inform, at the earliest opportunity:

- The social worker
- The DSL
- Parents/carers (unless this would create a safeguarding risk)
- For looked-after children: the Virtual School Head (VSH)

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

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

The Principal will not reach their decision until they have heard from the pupil (where practicable) and will inform the pupil of how their views were taken into account when making the decision.

If it is decided that a managed move is in the pupil's best interests, the original school and new school will work together to make sure that any Personal Education Plan (PEP) that the pupil has is reviewed and amended to reflect the move.

Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan, the school will, in partnership with others including the LA where relevant, consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the pupil's SEN or disability.

Where a pupil has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the pupil.

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil, or if a pupil has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

Deciding whether to temporarily remove a pupil from the school site for safeguarding reasons

In exceptional circumstances, the Principal may decide to temporarily prevent a pupil from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.

This measure will only be used when:

- It is necessary to separate pupils to ensure safety, and
- There is no reasonable alternative that would allow all pupils to remain on site

Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate, such as with children's social care or the police.

Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the governing board without delay
- Provide work for the pupil to complete at home, or work with the LA to ensure suitable education is arranged
- Support the pupil's reintegration, as soon as it is safe to do so

Informing parents/carers, or the pupil where they are 18 or over

If a pupil is at risk of suspension or permanent exclusion, the Principal will inform the parents/carers, or the pupil if they are 18 or over, as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

If the Principal decides to suspend or permanently exclude a pupil, the parents/carers, or the pupil if they are 18 or over, will be informed of the period of the suspension or permanent exclusion and the reason(s) for it, without delay.

Parents/carers, or the pupil if they are 18 or over, 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 right of parents/carers, or the pupil if they are 18 or over, to make representations about the suspension or permanent exclusion to the Governors' Disciplinary Committee and, where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made

If the pupil is of compulsory school age, the Principal 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 permanent 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 to improve behaviour, the written notification will include:

- The start date for any provision of full-time education that has been arranged
- The address at which the provision will take place
- The name of the person the pupil should report to on arrival
- The duration of the placement
- The reasons for, and objectives of, the placement
- The start and finish times of any such provision
- Where 2 sessions per day are provided:
 - What time the morning session starts
 - What time the afternoon session ends
 - What time the break between them starts and ends
- Where a single session per day is provided:
 - What time the session starts and ends

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

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

If the Principal cancels the suspension or permanent exclusion, they will notify parents/carers, or the pupil if they are 18 or over, without delay and provide a reason for the cancellation.

Informing the Local Academy Governing Board

The Principal will, without delay, notify the Local Academy Governing Board (via the Chair) 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 Principal 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 school is located, the Principal will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The Principal must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the Principal will inform the social worker as early as possible
- Pupil who is a looked-after child (LAC) is at risk of suspension or permanent exclusion, the Principal will inform the Virtual School Head (VSH) as early as possible

This is so they can 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 looked-after child is at risk of suspension or permanent exclusion, the school will consider:

- How effectively the current personal education plan (PEP) is being implemented, and
- Whether an interim review of the PEP needs to take place
- How the school is using Pupil Premium Plus

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

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the 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 Governors' Disciplinary Committee 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 that safeguarding needs and risks, and the pupil's welfare, are taken into account.

Cancelling suspensions and permanent exclusions

The Principal 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 Governors' Disciplinary Committee. Where there is a cancellation:

- The parents/carers, or the pupil if they are 18 or over, the Governors' Disciplinary Committee and the 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 Governors' Disciplinary Committee's duty to hold a meeting and consider reinstatement ceases
- Parents/carers, or the pupil if they are 18 or over, will be offered the opportunity to meet with the Principal to discuss the cancellation, which will be arranged without delay.
- The pupil will be allowed back in school without delay. The Principal will agree practical arrangements for the pupil's return with parents/carers and all relevant parties, but the pupil's return will not be delayed because a reintegration meeting or other discussion has not yet taken place

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

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

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

If the pupil is not attending alternative (AP) provision, the Principal will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used for this. If the pupil has a special educational need or disability (SEND), the Principal will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

4.2 Parents/carers and pupils aged 18 or over

Parents/carers, or the pupil if they are 18 or over, have the right to be informed of a suspension or permanent exclusion, to receive written information about the reasons for the decision, and to make representations to the Governors' Disciplinary Committee in accordance with the DfE statutory guidance.

Representations are the comments, views, explanations, evidence or concerns that parents/carers, or the pupil if they are 18 or over, provide about the suspension or permanent exclusion. They may be made in writing and, where a meeting is required, may also be made verbally at the meeting. Representations help the Governors' Disciplinary Committee understand the parent's/carer's or pupil's views before it considers whether any further action is required, including whether the pupil should be reinstated where the Committee has the power to do so.

Representations should be submitted as soon as possible after parents/carers, or the pupil if they are 18 or over, receive written notice of the suspension or permanent exclusion. Where a meeting is required, parents/carers are asked to provide written representations in advance of the meeting, normally no later than 5 school days before the meeting where practicable, so that the Committee and other relevant parties have time to read and consider them. This is an administrative expectation to support fair and timely circulation of papers and does not limit the statutory right to make representations. It does not prevent the Committee from considering later representations where it is reasonably practicable and fair to do so. The written notice from the school will explain how and where representations should be sent and will confirm any administrative deadline for submitting information before a meeting.

Late representations will be considered where it is reasonably practicable to do so, particularly where they raise important information about safeguarding, SEND, disability, medical needs, procedural fairness or the pupil's circumstances. However, late information may mean that the Committee, Clerk or other parties have insufficient time to consider it fully before the meeting. In those circumstances, the Committee may decide to continue with the meeting, adjourn briefly, or, where necessary and lawful, rearrange the meeting while still seeking to comply with the statutory timescales.

In some cases, the Committee must consider written representations but is not required to meet and cannot direct reinstatement. In other cases, the Committee must meet to consider whether the pupil should be reinstated. Where a meeting is required, parents/carers and pupils aged 18 or over may attend, be represented at their own expense, bring a friend or supporter, and request remote attendance in line with section 9.

There is **no** right to an Independent Review Panel following a suspension. This right applies only where a pupil has been permanently excluded and the Governors' Disciplinary Committee has decided not to reinstate the pupil.

What can happen if parents/carers make representations?

Situation	Will the Committee meet?	What can the Committee do?	What this means for parents/carers
Suspension: 5 school days or fewer in a term	No meeting is required. The Committee must consider any written representations received from parents/carers or the pupil if they are 18 or over.	They cannot direct the pupil's reinstatement.	Parents/carers can send written representations explaining their views or concerns.
Suspension: more than 5 but not more than 15 school days in a term	The Committee must meet only if parents/carers, or the pupil if they are 18 or over, make representations.	If a meeting is required, the Committee may decline to reinstate the pupil, direct immediate reinstatement, or direct reinstatement on a specified future date.	If representations are made, the Committee must meet within 50 school days of receiving notice of the suspension. Parents/carers can attend the meeting.
Suspension: total to more than 15 school days in a term	Yes. The Committee must meet whether or not representations are made.	The Committee may decline to reinstate the pupil, direct immediate reinstatement, or direct reinstatement on a specified future date.	The Committee must meet within 15 school days of receiving notice of the suspension. Parents/carers can attend.
Permanent exclusion	Yes. The Committee must meet whether or not representations are made.	The Committee may decline to reinstate the pupil, direct immediate reinstatement, or direct reinstatement on a specified future date.	The Committee must meet within 15 school days of receiving notice of the permanent exclusion. Parents/carers can attend.

4.3 The Local Academy Governing Board

The Local Academy Governing Board retains oversight of the school's use of suspensions, permanent exclusions, off-site direction, managed moves and any separation for safeguarding purposes. It monitors patterns, challenges leaders and assures itself that the statutory guidance is followed.

Monitoring and analysing suspensions and exclusions data

The Local Academy Governing Board will review and analyse data on the school's use of suspensions, permanent exclusions, off-site direction and managed moves. The Local Academy Governing Board will:

- Scrutinise patterns of suspensions, permanent exclusions, off-site direction and managed moves
- Assure itself that permanent exclusion is only used as a last resort
- Assure itself that suspensions, permanent exclusions, off-site direction and managed moves are used lawfully and in line with the DfE statutory guidance
- Review any temporary removal from the school site for safeguarding reasons
- Challenge leaders where the data indicates patterns, disparities or concerns

The Local Academy Governing Board will consider:

- How the school's behaviour policy is being implemented
- Attendance, the school register and absence codes
- Repeat suspensions
- Support and interventions for pupils at risk of suspension or permanent exclusion
- Variations in the rolling average of permanent exclusions, including why this is happening and whether permanent exclusion is being used only when necessary
- The timing of permanent exclusions and pupil moves, and whether any patterns indicate that policies or support are not working
- Whether any groups of pupils are disproportionately affected by suspensions or permanent exclusions
- Whether off-site direction placements are reviewed at sufficient intervals to ensure that the education is achieving its objectives and that pupils are benefiting from it

- The cost implications of directing pupils off-site

Governors will use relevant data to monitor suspensions, permanent exclusions and pupil movement. This may include:

- Attendance, absence coding, suspensions and permanent exclusions
- Repeat suspensions and cumulative days of suspension
- Off-site direction, managed moves and alternative provision
- Any temporary removal from the school site for safeguarding reasons
- Patterns by age group and protected characteristic
- Patterns involving pupils with SEND, pupils with a social worker, looked-after children and previously looked-after children
- Support, interventions and reintegration arrangements for pupils at risk of suspension or permanent exclusion
- Review, suitability and impact of off-site direction and alternative provision placements
- Cost implications of off-site direction, where relevant

4.4 The Governors' Disciplinary Committee

The Local Academy Governing Board delegates responsibility for considering representations and reinstatement decisions to the Governors' Disciplinary Committee. When exercising these functions, the Committee acts on behalf of the Local Academy Governing Board.

The Governors' Disciplinary Committee is responsible for considering representations from parents/carers, or the pupil if they are 18 or over, and deciding whether a suspended or permanently excluded pupil should be reinstated where the DfE statutory guidance requires or permits it to do so. In reaching its decision, the Committee must consider whether the Principal's decision was lawful, reasonable and procedurally fair, taking account of the evidence available and the circumstances of the case.

The Committee's role is focused on the statutory reinstatement function. It should not act as a general rehearing of the behaviour incident, substitute its own disciplinary decision for that of the Principal, or introduce new reasons for suspension or permanent exclusion. It must consider the case fairly, apply the statutory guidance and provide written reasons for its decision.

Within 14 days of receiving a request, the governing board will provide the Secretary of State with information about any suspensions or permanent exclusions within the last 12 months.

For any suspension of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

For secondary schools only: The governing board does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

4.5 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 school 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 Governors' Disciplinary Committee will consider whether a suspended or permanently excluded pupil should be reinstated where the DfE statutory guidance requires or permits the Committee to do so.

The Committee must meet within 15 school days of receiving notice of a permanent exclusion. It must also meet within 15 school days where a suspension would bring the pupil's total number of suspension days to more than 15 school days in a term.

Where a suspension or permanent exclusion would result in the pupil missing a public examination or National Curriculum test, the Committee will, as far as reasonably practicable, meet and decide whether the pupil should be reinstated before the date of the examination or test.

For a suspension of more than 5 but not more than 15 school days in a term, the Committee must meet to consider reinstatement only if parents/carers, or the pupil if they are 18 or over, make representations. Where representations are made, the Committee will meet within 50 school days of receiving notice of the suspension.

For a suspension of 5 school days or fewer in a term, the Committee must consider any representations received but is not required to meet and cannot direct reinstatement.

Where a meeting is held, the Committee will invite the following parties, who may make representations or share relevant information:

- Parents/carers, or the pupil if they are 18 or over, and, where requested, a representative, friend or supporter
- The pupil, if they are aged 17 or younger, where appropriate, taking account of their age and understanding
- The Principal
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

Parents/carers, or the pupil if they are 18 or over, may request that the meeting is held remotely. Requests for remote attendance will be considered in line with section 9.

The Committee will comply with statutory timescales wherever reasonably practicable. A decision will not be invalid solely because it was not made within the prescribed timescale.

Where the Committee may direct reinstatement, it may decline to reinstate the pupil, direct immediate reinstatement, or direct reinstatement on a specified future date.

In deciding whether to reinstate the pupil, the Committee will consider whether the Principal's decision was lawful, reasonable and procedurally fair, taking account of the evidence available and the circumstances of the case. The Committee will also consider any representations made, whether the Principal followed their legal duties, and the welfare and safeguarding of the pupil and others.

The Committee will decide disputed facts on the balance of probabilities.

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

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

The Committee will give written notice of its decision and reasons, without delay, to:

- The parents/carers, or the pupil if they are 18 or over
- The Principal
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where the Committee decides not to reinstate a permanently excluded pupil, the written decision will also include:

- The fact that it is a permanent exclusion
- Notice of the right of parents/carers, or the pupil if they are 18 or over, 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 Committee's decision is given to parents/carers, or the pupil if they are 18 or over
- 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, or the pupil if they are 18 or over, have a right to require the 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, or the pupil if they are 18 or over, for this appointment
- That parents/carers, or the pupil if they are 18 or over, must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers, or the pupil if they are 18 or over, may, at their own expense, appoint someone to make written and/or oral representations to the panel
- That, if parents/carers, or the pupil if they are 18 or over, 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, or the pupil if they are 18 or over, apply for an independent review within the legal timeframe, the Trust will, at its own expense, arrange for an Independent Review Panel to review the decision not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to parents/carers, or the pupil if they are 18 or over, by the Governors' Disciplinary Committee of its decision not to 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, or the pupil if they are 18 or over. 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 Principal category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a 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 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 Member/Trustee of the Trust of the excluding school
- Are the Principal of the excluding school, or have held this position in the last 5 years
- Are an employee of the Trust, or the governing board, of the excluding school (unless they are employed as a Principal at another school)
- Have, or at any time have had, any connection with the Trust, school, governing board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years

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

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

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

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

Where a VSH is present, the panel must have regard to any representation made by the VSH 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's permanent exclusion.

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

- Uphold the Governors' Disciplinary Committee's decision
- Recommend that the Governors' Disciplinary Committee reconsiders reinstatement
- Quash the Governors' Disciplinary Committee's decision and direct that it reconsiders reinstatement, only if the panel judges that the decision was flawed based on the relevant principles

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the Governors' Disciplinary Committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Committee 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 Governors' Disciplinary Committee 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 Committee reconsider reinstatement.

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

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

This notification will include:

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

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, or the pupil if they are 18 or over, were notified of the Governors' Disciplinary Committee's decision not to reinstate the pupil, and no application has been made for an Independent Review Panel, or
- The parents/carers, or the pupil if they are 18 or over, have stated in writing that they will not be applying for an Independent Review Panel

Where an application for an Independent Review Panel has been made within 15 school days, the school will wait until that review has concluded before removing the pupil's name from the admission 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.

A pupil will be registered at 1 school only. Where a managed move is agreed, the pupil's name will be removed from the admission register when the move becomes permanent. Where a pupil attends off-site provision, the original school retains responsibility for the pupil's registration unless and until a permanent move is agreed.

Making a return to the LA

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

- The pupil's full name and address
- 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 admission register (i.e. permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil is moving house

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

8. Returning from a Suspension, Off-Site Direction or Separation for Safeguarding Purposes

8.1 Reintegration Strategy

Following a suspension, period of off-site direction, separation for safeguarding purposes, or cancelled suspension or permanent exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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

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

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional (where appropriate)
- Mentoring by a trusted adult or a local mentoring charity (where appropriate)
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents/carers and staff of potential external support

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

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

8.2 Reintegration Meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

The meeting can proceed without the parents/carers in the event that they cannot or do not attend.

The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

9. Remote Access to Meetings

Parents/carers, or the pupil if they are 18 or over, can request that a Governors' Disciplinary Committee meeting or Independent Review Panel is held remotely. If no preference is expressed, the meeting will be held in person.

Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.

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 Governors' Disciplinary Committee or 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 participants will be able to 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 cannot 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 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 Head of Governance every 2 years. 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
- SEN information report

Appendix 1: Parent/carers frequently asked questions

This FAQ is intended to help parents/carers understand the suspension and permanent exclusion process. It should be read alongside the main policy and the written notice provided by the school.

What does it mean if my child is suspended? A suspension is when a pupil is removed from school for a fixed period. It was previously called a fixed-term exclusion. See section 3.

What does it mean if my child is permanently excluded? A permanent exclusion is when a pupil is removed from school permanently and, once any review process has ended or the deadline for review has passed, their name is removed from the school admission register. See sections 3 and 7.

Who makes the decision to suspend or permanently exclude my child? Only the Principal, or acting Principal, can suspend or permanently exclude a pupil. The decision must be made on disciplinary grounds and in line with the DfE statutory guidance. See section 4.1.

Will the school explain why this has happened? Yes. The school will tell parents/carers, or the pupil if they are 18 or over, without delay. Written information will include the reason for the suspension or permanent exclusion and the period of the suspension or, for a permanent exclusion, the fact that it is permanent. See section 4.1.

Will my child get work or education while they are out of school? Yes. During the first 5 school days of a suspension or permanent exclusion, the school will take steps to ensure that achievable and accessible work is set and marked where the pupil is not attending alternative provision. From the sixth school day, suitable full-time education will be arranged where required by the statutory guidance. See sections 4.1, 4.4 and 4.5.

Can I explain what I think happened or share concerns? Yes. Parents/carers, or the pupil if they are 18 or over, can make representations to the Governors' Disciplinary Committee. Representations may include comments, views, explanations, evidence or concerns about the suspension or permanent exclusion. See sections 4.2 and 5.

Will there always be a meeting about my child's case? No. Whether the Committee must meet depends on the length and type of suspension or permanent exclusion. For some short suspensions, the Committee must consider written representations but is not required to meet and cannot direct reinstatement. See sections 4.2 and 5.

When does the Committee have to meet to consider my child's case? The Committee must meet within 15 school days of receiving notice of a permanent exclusion. It must also meet within 15 school days where a suspension would bring the pupil's total number of suspension days to more than 15 school days in a term. See section 5.

What happens if my child is suspended for more than 5 but not more than 15 school days in a term? The Committee must meet only if parents/carers, or the pupil if they are 18 or over, make representations. Where representations are made, the Committee will meet within 50 school days of receiving notice of the suspension. See sections 4.2 and 5.

Can my child attend the meeting? Where appropriate, the pupil should be invited to attend, taking account of their age and understanding. Pupils may also have their views shared by an advocate, such as a parent/carers or social worker. See sections 5 and 6.

Can I bring someone with me? Yes. Parents/carers, or the pupil if they are 18 or over, may be represented at their own expense and may bring a friend or supporter. See section 5.

Can the meeting be held remotely? Parents/carers, or the pupil if they are 18 or over, can request that a Governors' Disciplinary Committee meeting or Independent Review Panel is held remotely. If no preference is expressed, the meeting will be held in person. Requests will be considered in line with section 9. See sections 5, 6 and 9.

Can the Committee decide that my child should return to school? Where the Committee may direct reinstatement, it may decline to reinstate the pupil, direct immediate reinstatement, or direct reinstatement on a specified future date. See section 5.

How will the Committee decide what should happen? The Committee will consider whether the Principal's decision was lawful, reasonable and procedurally fair, taking account of the evidence available and the circumstances of the case. It will decide disputed facts on the balance of probabilities. See section 5.

How will I find out what the Committee has decided? Yes. The Committee will give written notice of its decision and reasons, without delay, to parents/carers, or the pupil if they are 18 or over, and to the relevant parties listed in this policy. See section 5.

Can I ask for the decision to be reviewed? Only where the pupil has been permanently excluded and the Committee has decided not to reinstate them. There is no right to an Independent Review Panel following a suspension. An application must be made within 15 school days from the date on which written notice of the Committee's decision is given to parents/carers, or the pupil if they are 18 or over. See sections 5 and 6.

What if my child has special educational needs or may need extra support? If parents/carers, or the pupil if they are 18 or over, apply for an Independent Review Panel, they have the right to require the Trust to appoint an SEN expert to advise the panel. This applies regardless of whether the pupil has recognised SEN. See sections 5 and 6.

What happens when my child returns after a suspension? The school will put in place a reintegration strategy to help the pupil return successfully to school life and full-time education. A reintegration meeting may take place before or on the pupil's return, but the pupil will not be prevented from returning to school if a meeting does not take place. See section 8.