



Suspension and Exclusion Policy

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Introduction

This policy must be read alongside the following documents:

- DfE Behaviour in Schools guidance
- DfE School Suspensions and Permanent Exclusions guidance
- Behaviour, rewards and sanctions policy or equivalent
- Safeguarding Policy
- E-Safety Policy
- Anti-Bullying Policy
- SEND Policy
- Attendance Policy

This policy has been updated in line with the DfE 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' which reflects the government's ambition to create high standards of behaviour in schools so that children and young people are protected from disruption and can learn and thrive in a calm, safe, and supportive environment. This guidance provides schools and other bodies involved in this process with information so that they can continue to use suspensions and permanent exclusions appropriately. In addition, specific changes to the legislation governing the disciplinary school suspension and permanent exclusion process have been made and so changes have been made to the guidance to reflect this. Permanent exclusions will sometimes be necessary as a last resort to maintain this environment.

The following is a list of updates to the DfE guidance:

- Headteachers may cancel an exclusion that has not been reviewed by the governing board (the Academy Governance Committee). This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the Academy Governance Committee and the local authority should be notified, and if relevant, the social worker and Virtual School Head (VSH). Further information of other actions that should take place after an exclusion is cancelled is set out in paragraph 13
- When Headteachers suspend or permanently exclude a pupil they must, without delay, notify parents. Legislative changes mean that if a pupil has a social worker, or if a pupil is looked-after, the Headteacher must now, also without delay after their decision, notify the social worker and/or VSH, as applicable.
- When Headteachers suspend or permanently exclude a pupil, they must also notify the local authority, without delay. Legislative changes mean that this must be done regardless of the length of a suspension.
- Guidance on the role of a social worker and VSH, during governing board (Academy Governance Committee) meetings and IRP meetings.
- Guidance on managed moves, what they are and how they should be used.
- Clarified guidance on the use of off-site direction as a short-term measure that can be used as part of a school's behaviour management strategy.
- Further guidance on the practice of involving pupils so that any excluded pupil is enabled and encouraged to participate at all stages of the suspension or permanent exclusion process, considering their age and ability to understand.
- Guidance for governing boards (Academy Governance Committee's) to ensure that they review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used when necessary, as a last resort.

Headteachers are trusted to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil.

Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The government supports Headteachers in using suspension and permanent exclusion as a sanction when warranted as part of creating a calm, safe, and supportive environment in which pupils can learn and thrive. To achieve this, suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school. Suspensions and permanent exclusion should only be used as a last resort, in response to a serious breach or persistent breaches of the school's behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in school.

We believe that in order for our pupils/ to achieve their maximum potential, and to enable effective teaching and learning to take place, the highest standard of behaviour in all aspects of academy life is essential. Each member of staff has responsibility for upholding standards of behaviour in our academies, both within their classroom, around our academy sites and whilst supervising pupils outside of our

academies, as well as implementing the academy's individual behaviour, rewards and sanctions policy and procedure both fairly and consistently.

This policy, along with the aforementioned DfE guidance, is to be a companion piece to the DfE Behaviour in Schools guidance, which provides advice to headteachers, trust leaders and school staff on implementing a behaviour policy which creates a school culture with high expectations of behaviour. Therefore, this policy should only be necessary when strategies, practices and interventions set out within the Behaviour in Schools guidance have not been successful in improving a pupil's behaviour or the use of more significant interventions or sanctions are required.

Our expected standards of behaviour are clearly communicated to pupils, staff and parents in the relevant sections of individual academies' behaviour policies and home-school agreements or equivalent.

We always consider whether the behaviour under review gives cause to suspect that a pupil is suffering from, or is likely to suffer, significant harm. Where this may be the case, staff follow our safeguarding policy.

We take a graduated response to pupils whose behaviour may be the result of educational, mental health or other needs or vulnerabilities. This response is individualised to meet the needs of the pupil and includes:

- an assessment to establish a clear analysis of the pupil's needs
- a plan setting out how the pupil will be supported
- the required action to provide the support
- regular reviews to assess the effectiveness of the provision and identify any necessary changes

We consider a pupil's special educational needs when responding to behaviour and the need for multi-agency assessments will be considered where necessary.

Off-rolling and unlawful exclusions

We are aware that off-rolling is unlawful. Ofsted defines off-rolling as "the practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil." Further guidance and exemplification is detailed in sections 17-21 of the DfE suspensions and exclusions guidance and must be adhered to. We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Use of suspensions and/or permanent exclusions

The decision to suspend or exclude a pupil is a serious one and will only be taken in response to serious or persistent breaches of the academy's behaviour policy, and if allowing the pupil to remain in the academy would seriously harm the education or welfare of the pupil or others in the academy. Before deciding whether to suspend or permanently exclude a pupil, either permanently or for a fixed period, the Headteacher will:

- consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or exclusion were provoked
- allow the pupil to give their version of events
- consider if the pupil has special educational needs (SEN)

Only the Headteacher can suspend or permanently exclude a pupil on disciplinary grounds. This can include an Acting Headteacher by virtue of regulation 21 of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.

A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded. A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion. Any decision of a Headteacher, including suspension or permanent exclusion, must be made in line with the principles of administrative law, i.e., that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

The Headteacher may cancel any exclusion that has already begun, but this should only be done where it has not yet been reviewed by the Local Governance Body (LGB). Where an exclusion is cancelled, then:

- Parents, the Local Governance Body, and the LA should be notified without delay and, if relevant, the social worker and VSH;
- Parents should be offered the opportunity to meet with the headteacher to discuss the circumstances that led to the exclusion being cancelled;
- Schools should report to the Local Governance Body once per term on the number of exclusions which have been cancelled. This should include the circumstances and reasons for the cancellation enabling Local Governance Body to have appropriate oversight and;
- The pupil should be allowed back into school.

When establishing the facts in relation to a suspension or permanent exclusion decision the Headteacher must apply the civil standard of proof, i.e., 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.' This means that the Headteacher should accept that something happened if it is more likely that it happened than that it did not happen. The Headteacher must take account of their legal duty of care when sending a pupil home following an exclusion.

Headteachers should also take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so. They should inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil should be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. Whilst an exclusion may still be an appropriate sanction, the Headteacher should also take account of any contributing factors identified after an incident of misbehaviour has occurred and consider paragraph 45 of the DfE Behaviour in Schools Guidance.

Suspension

A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.

A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period.

A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, Headteachers and schools should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour.

It is important that during a suspension, pupils still receive their education. Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online provision the school chooses to use.

The school's legal duties to pupils with disabilities or special educational needs remain in force, for example, to make reasonable adjustments in how they support disabled pupils/students during this period. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways should always be recorded as a suspension.

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

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

For a suspension of more than five school days, the Headteacher/Governors must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension.

Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

It is important for schools to help minimise the disruption that suspension or permanent exclusion can cause to a pupil's education. Whilst the statutory duty on schools is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit to the pupil in starting this provision as soon as possible. In the case of a looked-after child or child with a social worker, the school and the local authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion.

Permanent exclusion

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated). The decision to exclude a pupil permanently should only be taken: in response to a serious breach or persistent breaches of the school'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.

For any permanent exclusion, Headteachers should take reasonable steps to ensure that work is set and marked for pupils during the first five school days where the pupil will not be attending alternative provision. Any appropriate referrals to support services or notifying key workers (such as a pupil's social worker) should also be considered.

The local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place. This will be the pupil's 'home authority' in cases where the school is in a different local authority area. The school should collaborate with the local authority when the pupil might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.

Where a looked-after child is excluded, the school should document the provision of immediate suitable education in the child's PEP.

With regards to persistent breaches of this policy, any decision to exclude permanently will be the final step in a process where a wide range of other strategies have been tried, without success. It is an acknowledgement that the school has exhausted all available strategies and is a last resort.

A pupil may be permanently excluded for committing a single serious breach of the academy's behaviour policy, even if they have never been in trouble before. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

This list is non-exhaustive and is intended to offer examples rather than be complete or definitive.

Where a pupil is involved in breaking the law the Police will be informed. We are aware that off-rolling is unlawful. Ofsted defines off-rolling as "the practice of removing a pupil from the school roll without a

formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

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

Preventative measures to school exclusion

In addition to the strategies set out in initial intervention (see page 29 of the DfE Behaviour in Schools Guidance), Heads of School/Headteachers should also consider the following:

- a. an off -site direction (temporary measure that maintained schools and academies for similar purposes can use); or
- b. managed moves (permanent measure) as preventative measures to exclusion.

Any use of alternative provision (AP) should be based on an understanding of the support a child or young person needs in order to improve their behaviour, as well as any SEND or health needs. Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct. Off-site direction should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate and should only be used to arrange a temporary stay in AP. The nature of the intervention, its objectives, and the timeline to achieve these objectives should be clearly defined and agreed with the provider upfront. The plan should then be frequently monitored and reviewed. Pupils must continue to receive a broad and balanced education, and this will support reintegration into mainstream schooling. Headteachers must have due regard to the DfE Alternative Provision guidance.: See pages 20-23 in the DfE Suspensions and Exclusions guidance for further detail on off-site direction and managed moves.

Pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care Plans (EHCPs)

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings must use their ‘best endeavours’ to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN. Schools should engage proactively with parents in supporting the behaviour of pupils with additional needs.

Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a pupil’s SEN or disability.

Where a pupil has an EHC plan, schools should contact the local authority 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.

For those with SEN but without an EHC plan, the school should review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may provide a point for schools to request an EHC assessment or a review of the pupil’s current package of support.

Pupils who have a social worker, including looked-after children and previously looked-after children

For the majority of children who have a social worker, this is due to known safeguarding risks at home or in the community: over half are in need due to abuse or neglect. For children with a social worker, education is an important protective factor, providing a safe space for children to access support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm. However, headteachers should balance this important reality with the need to ensure calm and safe environments for all pupils and staff, so should devise strategies that take both of these aspects into account.

Where a pupil has a social worker, e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the Headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority's VSH as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or children's home workers.

All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan or detention placement plan. This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

Where previously looked-after children face the risk of being suspended or permanently excluded, the school should engage with the child's parents and the school's DT. The school may also seek the advice of the VSH on strategies to support the pupil.

Communicating a decision to exclude

Whenever a Headteacher suspends or permanently excludes a pupil they must, without delay, notify parents of the period of the suspension or permanent exclusion and the reason(s) for it. Notification should be in person or by telephone in the first instance as this would give the parents an opportunity to ask any initial questions or raise concerns directly with the Headteacher.

Model letters have been provided in this document and must be used; they incorporate all the information the Headteacher is required to provide to the parents and a list of people to send a copy of the letter to, to ensure that all relevant parties have been advised of the exclusion.

When notifying parents about an exclusion, the Headteacher should set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school.

Effective methods for providing the information may include email or text message, giving the notice directly to the parents, and with the pupil, the Headteacher must send a duplicate copy by an alternative method or confirming that the information has been received. The Headteacher should ensure that information provided to parents is clear and easily understood, including for parents who may have particular communication needs relating to a disability or English as an additional language (EAL).

Informing social workers and virtual school heads about an exclusion

Whenever a Headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC, of the period of the suspension or permanent exclusion and the reason(s) for it. The information listed above and included in the model letters must be provided in writing to the local authority. Both the social worker and/or VSH, must be informed when a governance meeting is taking place, in order to share information. The social worker and/or the VSH can attend the meeting, should they wish to do so. Further guidance to social workers and VSHs on attending a governance meeting can be found in paragraphs 126 to 128 of the DfE Suspensions and Exclusions Guidance.

Informing the governors about an exclusion

The Headteacher must, without delay, notify the governors of:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil);

- any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

When removing a pupil from the school roll, the governors must ensure this is done under the circumstances prescribed by the Education (Pupil Registration) (England) Regulations 2006, as amended. If applicable, the pupil's name should be removed from the school roll at the appropriate time.

Informing the Local Authority about an exclusion

The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion. For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the Headteacher must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay.

The Headteacher must also inform the governors once per term of any other suspensions of which they have not previously been notified. Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion the fact that it is permanent.

Representation from parents

Parents may make a representation to the governors about a suspension or permanent exclusion. Details of how to make a representation are included in the letter parents receive. If parents have any disability, then adjustments must be made to assist their engagement in the process. Relevant and reasonable adjustments can be made in the whole process to assist both parents and pupils who have a disability either physical or learning.

The governors must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the Headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

For all other exclusions, a panel is only convened if the exclusion will take the pupil's total days of exclusion above 15 for a term or the exclusion will take the pupil's total days of exclusion above five for the term AND the pupil's parents have requested a meeting with the governors. In this instance the governors must convene a meeting to consider reinstatement within 50 days of receiving notice of the exclusion.

For representations on exclusions of fewer than 5 days, the governors must consider the representation but it cannot direct reinstatement and is not required to arrange a meeting with parents. Where requested/required the Clerk to the Local Governance Body (LGB) will convene a panel of LGB Members (minimum of 3) to consider the reinstatement of an excluded pupil. The panel may consist of any three Local Governance Body members with the exception of the Headteacher; however, it is best practice for the panel to exclude staff members and parent members, where they have a child in the same year as the pupil that has been excluded. Any members with a conflict of interest must not be included on the panel (e.g. if they have had any involvement in the exclusion or will benefit from the pupil being excluded).

The Clerk should notify the parents in writing 5 days in advance of the meeting in writing.

Local Governance Body Panel

The governors must make reasonable endeavours 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. Local Governance Body attendees will be as follows:

- Panel of Local Governance Body members (minimum of 3)
- Clerk to the Local Governance Body (where the Clerk is a member of staff, providing there is no conflict of interests, they may clerk the meeting)

The following parties must be invited to the meeting and allowed to make representations or share information:

- parents (and, where requested, a representative or friend);
- the pupil if they are 18 years or over;
- the headteacher;
- a representative of the local authority (in the case of a maintained school or PRU);
- the child's social worker if the pupil has one; and
- the VSH if the child is LAC.

The outcome of the panel meeting is either to decline to reinstate the pupil; or direct reinstatement of the pupil immediately or on a particular date. The Clerk will advise the parents in writing of the outcome. A flow chart and sequences of steps for the above can be found on pages 38-41 of the DfE Suspensions and Exclusions Guidance.

Where legally required to consider reinstating a suspended or permanently excluded pupil, the Local Governance Body must notify parents or the pupil if they are 18 years or over, the Headteacher, and where relevant, the local authority, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay. Where the pupil resides in a different local authority area from the one in which the school is located, the Local Governance Body must also inform the pupil's 'home authority'.

Independent Review Panel (IRP)

Parents have the right to ask that an IRP be arranged to review the decision taken by the Local Governance Body not to reinstate their child, following their permanent exclusion. The request must be made in writing within 15 academy days from the date on which notice in writing of the Local Governance Body's decision was given. Details of how to make a representation are included in the letter sent following the panel meeting. The role of the IRP is to review the decision not to reinstate the excluded pupil, balancing the interests of the pupil against the interests of other pupils and people working within the academy. The clerk will convene an independent Appeals Panel in accordance with statutory guidance and will ensure that parents are notified of the date, time and venue in writing 5 days in advance of the meeting. The panel must consist of either three or five members, representing each of the three categories below:

- 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 (of a maintained school, members of a PRU management committees and directors of academy trusts) who have served as a governor for at least 12 consecutive months in the last five years, provided they have not been teachers or headteachers during that time.
- Headteachers or individuals who have been a headteacher within the last five years.

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

- are a Director of the Trust;
- are the Headteacher of the school who has permanently excluded the pupil or anyone who has held this position in the last five years;
- are an employee of the local authority/academy trust, or a member of the Local Governance Body, of the school who has permanently excluded the pupil (unless they are employed as a Headteacher at another school);

- have, or at any time have had, any connection with the local authority/academy trust, school, Local Governance Body, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their impartiality (though an individual must not be taken to have such a connection simply because they are employed by the local authority/academy trust as a Headteacher at another school); or
- have not had the required training within the last two years (see paragraph 186 of the DfE Suspensions and Exclusions guidance).

The meeting will be clerked by an independent Clerk.

Parents have a right to request the attendance of an SEN expert at a review, regardless of whether the academy recognises that their child has SEN. If requested, the Trust must appoint an SEN expert to attend the panel and must cover the associated costs of this appointment. Individuals may not serve as a SEN expert if they have, or at any time have had, any connection with the local authority, academy trust, school, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their ability to act impartially. However, an individual should not be assumed to have such a connection simply because they are an employee of the local authority/academy trust.

The meeting may be attended by:

- Headteacher of the academy which excluded the pupil
- Chair of the Local Governance Body (this may be delegated to another member of the board)
- Excluded pupil (they may choose not to attend)
- Parents/carers (they may choose not to attend)
- SEN Expert (where required)
- Interpreter (where required)
- Companion to parents/carers and pupils (where requested – each parent/carer and pupil in attendance may be accompanied by a friend or representative).

Parents may request the attendance of a Local Authority or Home Local Authority representative at the meeting. Their representations are at the discretion of the Appeals panel.

The possible outcomes of the Independent Appeals Panel meeting are:

- i. to uphold the Local Governance Body's decision
- ii. to recommend that the Local Governance Body reconsider reinstatement; or
- iii. to quash the decision and direct that the Local Governance Body considers reinstatement. The panel's decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The Clerk to the IRP will advise the parents, the academy and the Local Authority in writing of the outcome.

Reconsidering the exclusion

Where the IRP directs or recommends that the Local Governance Body reconsider whether a pupil should be reinstated, the Local Governance Body must reconvene to do so within 10 academy days of being given notice of the panel's decision. Reconsidering reinstatement provides an opportunity for the same panel to look at its decision afresh in light of the Independent Appeals Panel's findings. There is no requirement to seek further representations for either the Academy or the parents or to invite them to the reconsideration meeting. The Local Governance Body is not prevented from considering other matters that it considers relevant. It should, however, take care to ensure that any additional information does not make the decision unlawful. This could be the case, for example, where new evidence is presented, or information is considered that is irrelevant to the decision at hand.

The Local Governance Body should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered by them. These minutes should be made available to all parties on request. The Local Governance Body's decision should demonstrate how they have addressed the concerns raised by the Independent Review Panel and this should be communicated, in writing, to parents/carers, the

Headteacher and the local authority by letter without delay. In the case of either a recommended or directed reconsideration, the Local Governance Body must notify the following people of their reconsidered decision, and the reasons for it, in writing and without delay:

- the parents;
- the Headteacher;
- the local authority; and,
- where relevant, the 'home authority'.

Reintegration after a suspension or off-site direction

Schools can consider a range of measures to enable the pupil's successful reintegration, not least maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school.

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction (see paragraphs 35 to 46 of the suspensions and exclusions guidance).

There should be a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must treat absence as authorised. The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success.

Where possible this meeting should include the pupil's parents. However, it is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.

To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

DfE School Exclusion Guidance for Parents

<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>