



Leytonstone
SCHOOL

Suspension and Permanent Exclusion Policy

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I. Aims

'Leytonstone School is a village.

We are proud, a family, a community; we are citizens.

We work hard together, hands held, challenged to improve, and we improve, every day.

Every member of our community is dedicated to growth. We are both teacher and pupil; when we make mistakes, we reflect, regroup and improve.' This also encompasses our School Values of Resilience, Empathy, Achievement, Community and Honesty (REACH).

This policy is underpinned by a shared commitment from all members of the school community to achieve these aims:

- Ensure the safety and well-being of all members of the school community, and to maintain an appropriate educational environment in which all can learn and succeed
- Ensure a balance between the needs of the individual pupil(s) who may need to be suspended or permanently excluded against the needs of other pupils and adults in the school.
- Operate a fair, equitable and consistent system for exclusions/suspensions from school, particularly in relation to over-represented groups.
- Suspension is used primarily as a strategy for supporting a student in changing their behaviour.
- Our behaviour policy will aim to reduce the need to use suspension/exclusion as a sanction.
- The suspension/exclusion process is understood by governors, staff, parents and pupils
- Pupils do not become NEET (not in education, employment or training)

A note on off-rolling

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

- Remove a pupil from the school roll without a formal, permanent exclusion, or
- Encourage a parent to remove their child from the school roll, or
- Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement 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 hasn't met a specific condition, such as attending a reintegration meeting

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

Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.

Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'. A period of suspension from the school site for a defined number of days where parents are fully responsible for their child being at home during school hours. A suspension may also be served in an alternative provision as arranged. The school provides work to be completed at home during the first 5 days of the period of suspension, arranged by the pupil's Head of Year, and is to be brought back into school at the reintegration meeting following a suspension. Heads of Year should see Appendix 3 for further details on the procedure for reintegration following suspension.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. Permanent exclusion is extremely rare. There are, however, circumstances whereby a pupil's behaviour means that we are no longer meeting their educational needs, and those of other pupils, by continuing to educate them at the school.

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

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

2. Introduction

The school believes that the best place to help a pupil to improve their learning and to manage their behaviour better is in school, therefore a suspension is only enacted by the Headteacher for serious breaches of the School's Behaviour Policy. Suspension can be used as a behaviour management tool and provide time away from the school for the pupil to reflect. This will also serve as a visual means to other

pupils regarding the sanctions that are in place for a serious breach of the School's Behaviour Policy. Permanent exclusion from the school is only used as a last resort.

When determining if a breach is serious enough to suspend, the Headteacher will determine the context of the incident and also how compliant the pupils have been throughout the incident itself and any investigation.

There will always be a range of severity to most suspension reasons and specific incident detail will determine the seriousness of the breach and whether a suspension is warranted and if so, for how long.

Below is a non-exhaustive list of behaviours where suspension or permanent exclusion might be an appropriate response. There may also be other situations where the Headteacher makes a judgement to use these sanctions:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse / threatening behaviour against a pupil
- Verbal abuse / threatening behaviour against an adult
- Use or threat of use of an offensive weapon or prohibited item
- Bullying
- Racist abuse
- Abuse against sexual orientation and gender identity
- Abuse relating to disability
- Sexual misconduct
- Drug and alcohol related, including vaping
- Damage
- Theft
- Persistent disruptive behaviour
- Inappropriate use of social media or online technology
- Wilful and repeated transgression of protective measures in place to protect public health

The Headteacher will consider the following before a suspension/permanent exclusion is given:

- Context of the incident
- Intent
- Impact
- Exposure
- SEND needs
- Pupil personal context

3. Prevention of Suspension/Permanent Exclusion

Inclusion Context

Our principles for inclusion are based on the recognition that school acts as a protective factor in the lives of children, and that keeping children in mainstream education settings improves their life chances. Our inclusion model is designed so that we will exhaust all avenues before a child reaches a permanent exclusion. Part of this is in the preventative work the school is putting in place to avoid permanent exclusion in line with the Waltham Forest Inclusive Schools Policy Handbook. The school firmly believes in restorative practice and has a stepped system of behaviour intervention and support in place permanent exclusion being sought only as a last resort. Our stepped approach has support and intervention that will be put in place to address the needs of our pupils and support improvement. At times the Headteacher will decide not to use the sanction of a suspension but will decide that a different approach is applicable, these could include:

Individual Behaviour Plan (IBP)

This is not a formal suspension tool for the management of serious negative conduct but is a precursor to suspension should the pupil's conduct not improve and meet conditions that are set as part of the agreement. The agreement is to be signed by the pupil, their parents and the school, and copies retained by all parties. This document is also used to support classroom teachers and the pupil to improve their behaviour.

Individual Education Plan (IEP)

An **IEP** is a structured and co-ordinated 16-week school intervention for secondary schools, designed to support pupils at risk of permanent exclusion. It is intended to support pupils to avoid suspension and is not intended to be a step in the process of permanent exclusion.

Reset 10

Mentoring – Sessions that provide strategies to support dysregulation, trauma, anger, social skills, self-esteem or conflict. A safe environment for young people to express their concerns and feelings. 10 pupils are selected for mentoring per year for each of our Reset staff.

The school will consider what support is needed to help a pupil be successful in the classroom and meet the expected standards of behaviour.

The school will consider an alternative approach to behaviour management for pupils who are frequently removed from class, such as:

- Meetings with the inclusion team
- Use of teaching assistants
- Positive Monitoring Reports or individual behaviour plans - IBP
- Individual Education Plans - IEP
- Use of the Reset or group rooms
- Multi-agency assessment
- Off-site provision and use of other schools and/or alternative provision via the FAP pathway

Fair Access Panel (FAP)

The school is part of a consortium of all state secondary schools in Waltham Forest. As a group, Headteachers regularly meet and attempt to support each other by offering pupils a fresh start, off-site provision or alternative provision if the school has exhausted all reasonable means of supporting a pupil

with improving their conduct and behaviour. The School will use the FAP if a pupil is facing permanent exclusion or the levels of suspension are becoming excessive.

4. The decision to suspend/permanently exclude

Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school.

A decision to **suspend** a pupil will be taken:

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

Where suspensions have become a regular occurrence, the Headteacher will consider if suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues, such as FAP.

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 others

Permanent Exclusion

The decision to permanently exclude a pupil is a serious one. There are two main types of situation in which permanent exclusion may be considered:

- The first is a final, formal step in a concerted process for dealing with disciplinary offences following the use of a wide range of other strategies, which have been used without success. It is an acknowledgement that all available strategies have been exhausted and is used as a last resort.
- The second is where there are exceptional circumstances and it is not appropriate to implement other strategies and where it could be appropriate to permanently exclude a pupil for a first or 'one off' offence. These might include:
 - Serious actual or threatened violence against another pupil or a member of staff
 - Sexual abuse or assault

- Drug offences
- Carrying an Offensive Weapon. Offensive weapons are defined in the Prevention of Crime Act 1993 as “any article made or adapted for causing injury to the person; or intended by the person having it with him for such use by him”
- Arson
- Behaviour which poses a significant risk to the child’s own safety.

The school may involve the police for any relevant offences. These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour seriously affects the discipline and well-being of the school.

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- 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))
- Consider whether all alternative solutions have been explored, such as off-site provision or alternative provision

The Headteacher 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 dictation or use of an advocate, such as a parent or social worker.

The Headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

5. Roles and responsibilities

5.1 The Headteacher

Informing parents

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

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

The parents 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 parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend.
- That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request.

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

- For the first 5 school days of a suspension (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents 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 may be given a fixed penalty notice or prosecuted if they fail to do this.

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

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant

- The address at which the provision will take place
- Any information the pupil needs in order to identify the person they should report to

If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 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 parental consent.

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

Informing the governing board

The Headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 15 school days in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

The Headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified.

Informing the local authority (LA)

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

The notification will include:

- The reason(s) for the suspension or permanent exclusion

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

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

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

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

If a:

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

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

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

- They have decided to suspend or permanently exclude the pupil and 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)

The social worker or VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background or circumstances may have contributed to their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

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

- The parents, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents will be offered the opportunity to meet with the Headteacher to discuss the cancellation
- The governing board's duty to hold a meeting and consider the reinstatement ceases
- The pupil will be allowed back in school without delay

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

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

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

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

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange 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.

5.2 The governing board

Considering suspensions and permanent exclusion

Responsibilities regarding suspensions or permanent exclusions are delegated to the Governors Disciplinary Committee (GDC) consisting of at least 3 governors.

The GDC has a duty to consider parent representation about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 6 and 7) in certain circumstances.

Within 14 days of receipt of a request, the governing board will provide the secretary of state and the local authority with information about any suspensions or permanent exclusions within the last 12 months. For a suspension of more than 5 school days, the governing board with the school will arrange suitable full-time education for the pupil through either an online provision or within another school. This provision will begin no later than the sixth day of the exclusion. Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

Monitoring and analysing suspensions and exclusions data

- The governing board will challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

5.3 The Local Authority

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

For pupils who are LAC or have a social worker, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

6. Considering the reinstatement of a pupil

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

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- It would result in a pupil missing a public examination

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the GDC must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Headteacher to reinstate the pupil.

If requested to do so by parents, the GDC will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion if the pupil would be excluded from school for more than 5 school days, but less than 16, in a single term.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the GDC will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing board (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

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

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Headteacher and other relevant school staff
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

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

The GDC can either:

- Decline to reinstate the pupil, or

- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the GDC will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true '*on the balance of probabilities*'.

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

The GDC will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

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

Where an exclusion is permanent and the GDC has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents' right to ask for the decision to be reviewed by an Independent Review Panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted

- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the local authority 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 for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents 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

7. An independent review (IRP)

If parents apply for an independent review within the legal time frame, the local authority will arrange for an independent review panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the GDC of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Please see Appendix 2 for more detail on an independent review panel (IRP)

8. School registers

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

- 15 school days have passed since the parents were notified of the GDC's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

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

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

Where excluded pupils are not attending alternative provision, code E will be used.

Making a return to the LA

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

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents 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(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

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

9. Returning from a suspension

9.1 Reintegration (RIG) strategy

Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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

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

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional through a positive monitoring report
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage through either an Individual behaviour plan or education plan
- Informing the pupil, parents and staff of potential external support
- Monitoring progress through school reports and/or when necessary agreeing a behaviour contract

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

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

9.2 Reintegration meetings

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

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

The meeting can proceed without the parents in the event that they cannot or do not attend, however the school does reserve the right to supervise the returning pupil in Reset until the parents have been met.

Please see Appendix 3 for more detail on Reintegration meetings.

10. Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The Deputy Headteacher responsible for Pastoral Care monitors the number of suspensions every term and reports back to the Headteacher and Governing Board once every term.

The data will be analysed from a variety of perspectives including:

- At school level
- By year group
- By protected characteristic
- By other groups such as disadvantage or SEN

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010 (with all known changes as of February 2025). If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

This policy will be reviewed by the school every year or when statutory guidance is updated if sooner. At every review, the policy will be shared with the Governing Board.

11. Links with other policies & complaints

This exclusions policy is linked to the:

- Behaviour policy
- SEND policy
- Anti-Bullying Policy
- Safeguarding and Child Protection policies including Peer on Peer abuse policy

If you have a concern or complaint about the application of the school's suspensions and permanent exclusions policy or behaviour policy, then this can be dealt with in accordance to the school's complaints policy.

If the concern is related to an actual suspension or permanent exclusion, then the statutory procedure set out in this policy will be followed.

Appendix I – Remote meetings

Parents can request that a governing board meeting, or independent review panel be held remotely. If the parents don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The governing board and the LA should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that cannot be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

Appendix 2: Independent review panel process and training of panel

The local authority must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.

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

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

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

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

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 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 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 social worker of how any of the child's background, education and safeguarding needs were considered by the Headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will make one of the following decisions:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement

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 governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

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

- 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.

Appendix 3: A summary of the Governing Board's duties to review the Headteacher's exclusion decision

A summary of the governing board's duties to review the headteacher's exclusion decision

Conditions of exclusion

Governing board duties

Does the exclusion meet any of the following conditions?

- It is a permanent exclusion
- It is a suspension that alone, or in conjunction with previous suspensions, will take the pupil's total number of days out of school above 15 for a term
- It is a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test*

↓ Yes

The governing board must convene a meeting to consider reinstatement **within 15 school days** of receiving notice of the suspension or permanent exclusion.⁴⁹

*If the pupil will miss a public exam or national curriculum test, the governing board must take reasonable steps to meet **before** the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone.⁵⁰

↓ No

Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term?

↓ No

The governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

Yes

Have the pupil's parents requested a governing board meeting?

↓ Yes

The governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension.

↓ No

The governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.