



Leytonstone
SCHOOL

SUSPENSIONS AND PERMANENT EXCLUSION POLICY

Approved by: Leytonstone School Governing Board

Date: February 2023

Last reviewed on: February 2023

Next review due by: February 2024

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1. Aims and Introduction

'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.'

Our school aims to ensure that:

- The exclusions process is applied fairly and consistently
- The exclusions process is understood by governors, staff, parents and pupils
- pupils in school are safe and happy
- pupils do not become NEET (not in education, employment or training)

Introduction

The decision to exclude/suspend a pupil will be taken in the following circumstances:

(a) In response to a serious breach of the school's Behaviour Policy

(b) If allowing the pupil to remain in school would seriously harm the education or welfare of other persons or the pupil him/herself in the school.

Exclusion/Suspension is an extreme sanction and is only administered by the Head Teacher. Suspension or exclusion, whether for a fixed term or permanent may be used for any of the following:

- a. Verbal abuse to staff and others
- b. Verbal abuse to pupils
- c. Physical abuse towards/attack on staff
- d. Physical abuse towards/attack on pupils
- e. Indecent behaviour
- f. Damage to property
- g. Misuse of illegal drugs
- h. Misuse of other substances
- i. Theft
- j. Serious actual or threatened violence against another pupil or a member of staff
- k. Sexual abuse or assault
- l. Supplying or possession of an illegal drug
- m. Use or threat of use of an offensive weapon or prohibited item
- n. Arson
- o. Unacceptable behaviour which has previously been reported and for which school sanctions and other interventions have not been successful in modifying the pupil's behaviour.
- p. Refusal to engage in the school's internal exclusion procedure
- q. Bringing the school into disrepute
- r. Bullying
- s. Abuse against sexual orientation and gender identity
- t. Abuse relating to disability
- u. Inappropriate use of social media and online technology

[All of which constitute examples of unacceptable conduct, and are infringements of the school's behaviour policy]

This is not an exhaustive list and there may be other situations where the Head Teacher makes the judgement that suspension or permanent exclusion is an appropriate sanction.

At times the Head Teacher will decide not to use the extreme sanction of a suspension but will decide that a Individual Education Plan should be drawn up to try to avoid the sanction of a suspension in the future. This might be accompanied by an internal exclusion or an allocation to the schools Reset Program (see prevention of suspension section below and Appendix 3)

What the school will take into consideration before a suspension/permanent exclusion is given:

The head teacher will consider the following:

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

The school believes that the best place to help a pupil to improve their learning and to manage their behaviour better is being in school. Suspension/ permanent exclusion from the School is a last resort to give space and time for a more effective sustainable solution to be found.

FORMS OF SUSPENSION

The school adopts a number of forms of suspension but in all cases of any period of suspension from a pupil's normal educational experience a full and complete record is to be kept in order to allow for analysis against the following objectives:

- To support a return to positive conduct with key indicators demonstrating improvement in conduct.
- To continue to provide a learning experience that allows academic progress to be made.

Prevention of Suspension/Permanent Exclusion

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 an exclusion. Part of this is in the preventative work the school is putting in place to avoid 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 (see appendix 3) with suspension or 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;

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/carers 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)

A **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 Program

Any pupil who is at risk of any suspension/ permanent exclusion could be put forward onto our Reset program. We recognise that all behaviour is communication for our young people and Reset is a program in which young people have the opportunity to re-engage with their education and themselves. The program has been written to build on Tier 3 of the WF inclusion framework. It will provide that extra layer of pastoral care needed for our pupils who we recognise maybe disengaged with school and/or home. We want our pupils who are at risk of suspension to feel valued in a happy, caring environment and then develop positive attitudes to living, working, communicating and cooperating. We also want our pupils to foster self-respect, self-discipline, tolerance, equality and fairness so that they can generate a positive and inclusive climate within the school where each individual feels valued and cared for at all times. We do this through two strands:

Strand 1 Reset Outreach:

- Investigate behaviour concerns and interactions with subject teachers, tutor, head of year and pastoral
- Pupil Led Observations – Good lesson and poor lesson. Strategies and triggers. Outreach support or subject booster session/s
- Mentoring – Sessions that provide strategies to support anger, social skills, self esteem or conflict. A safe environment for young people to express their concerns and feelings
- Check-in to regulate – Unannounced check-ins with pupils, praise, motivational language and reminder of expectations
- Communication – Important to build positive relationships with external professionals to share information with stakeholders

Strand 2 Reset Intensive:

- Overview – 2 to 6 weeks placement that will remove a young person from mainstream lessons. The young person will be isolated from their peers to RESET and reflect on their behaviour and learning needs
- Engagement – pupil and parent/carer entry meeting which zooms in on a young persons behaviour concerns, other needs and data
- Mentoring – A provision that builds on teacher and pupil relationships and provides strategies to improve behaviour
- Communication – Establish strong communications with parents/carers. Working in harmony with external professionals, pastoral and safeguarding teams.
- Progress – We expect progress but this development can be through many lenses including attainment, reading, behaviour inside and outside school – (learn how to reason and take responsibility), attitude to learning, character/identity, positive relationships, confidence and overall well being of a young person
- Reintegration – Lesson observations, outreach work, bespoke timetables, monitoring report and support if they need it.

INTERNAL SUSPENSION

A period of suspension where pupils spend a day or more working away from their peers on the school site within the Internal suspension provision. The school provides work to be completed during the period of suspension and is likely to involve work with our specialist staff in order to reflect and support a return to positive conduct. If it is clear that the Internal Suspension provision is not being effective in deterring poor behaviour, the school will consider alternative strategies for addressing that behaviour. It is at this stage that a child may be referred to the Waltham Forest Fair Access Panel so that alternative approaches can be discussed and a period of respite within the Borough might be deemed appropriate.

FIXED-TERM SUSPENSION

A period of suspension from the school site for a defined number of days where parents/carers are fully responsible for their child being at home during school hours. A fixed term suspension may also be served in an alternative provision as arranged. The school provides work to be completed at home during 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 fixed-term. Heads of Year should see Appendix 2 for further details on the procedure for reintegration following fixed-term suspension.

PERMANENT EXCLUSION

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.

2. Legislation and statutory guidance

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

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

3. The decision to suspend/ permanently exclude

Only the Head Teacher, or acting Head Teacher, can exclude a pupil from school. A permanent exclusion will be taken as a last resort.

A note on off-rolling

Our school is 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 will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

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

A decision to suspend or 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

Before deciding whether to suspend or exclude a pupil the Head Teacher 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 (SEN)
- 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 direction or managed moves

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

Pupils who need support to express their views will be allowed to have their views expressed through 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.

3.1 Permanent Exclusion

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

1. 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.
2. 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
 - Supplying an illegal drug
 - 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 will 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.

3.2 Fair Access Panel (FAP)

The school is part of a consortium of all state secondary schools in Waltham Forest. As a group head teachers regularly meet and attempt to support each other by offering pupils a fresh start and 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 fixed Term suspension are becoming excessive.

4. 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 roll. This is sometimes referred to as an ‘exclusion’.

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

Parent – 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 and the admission authority for the new school, should consent before a managed move occurs.

For the purposes of suspensions, a school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

5. Roles and responsibilities

5.1 The Head Teacher

Informing parents

If a pupil is at risk of suspension or 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 exclude a pupil, the parents will be informed of the period of the suspension or 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 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

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 on the first day

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 parents' consent.

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 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam

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

Informing the local authority (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.

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 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 / 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 pupils ability to sit a National Curriculum test or public exam (where relevant)

The social worker / 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 and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, 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
- As referred to above, the headteacher will report to the governing board once per term on the number of cancellations
- The pupil will be allowed back in school

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

During the first 5 days of a suspension, if the pupil 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 parents' representations 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 exclusions within the last 12 months.

For a 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 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 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.

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

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 15, in a single term.

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.

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the GDC will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the 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
- 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’s

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

If parents apply for an independent review within the legal timeframe, the local authority will arrange for an independent 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.

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 head teachers 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 (see appendix 1 for what training must cover)

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the 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 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 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 decide to do 1 of the following:

- 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 (only if it judges that the decision was flawed)

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.

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

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 (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 (absent) will be used.

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the 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 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
- 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.

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

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 Head responsible for Pastoral Engagement monitors the number of exclusions every term and reports back to the head teacher and governing board once every term.

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

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

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

This policy will be reviewed by the Chair of Governors every 2 years. At every review, the policy will be shared with the governing board.

11. Links with other policies

This exclusions policy is linked to our

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

Appendix 1: Independent review panel training

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

Appendix 2: Procedure for reintegration following Fixed Term suspension

The following is a procedural guide for SLT Pastoral Line Links (SLT), Heads of Year (HOY) and Form Tutors (FT) to use in the reintegration of pupils following suspension.

AHEAD OF THE REINTEGRATION MEETING

When the decision to suspend has been taken the following will happen:

1. The SLT Line Link or HOY depending on circumstance contacts the parents/carers of the pupil and informs them of the incident that is being investigated and if already arranged:
 - a. Of the nature of the suspension;
 - b. How long it is for;

- c. Of the intended date and time of the reintegration meeting (agreed with the parent/carer and then confirmed with the school admin team including Attendance Officer).
2. Point c above can be arranged by the School Office Manager if at the first point of communication this was not yet arranged. The SLT line link or HOY will need to arrange with them who will attend and the best time for a reintegration meeting to be held and this is then confirmed with parents/carers.
3. The HOY or member of SLT who will lead the reintegration meeting will arrange the terms of the return to School Agreement Following suspension. This may include one or more of the following:
 - Personalised timetable
 - Restorative meeting held between relevant parties
 - Intervention/support strategy ie external agency referral to be discussed and agreed by parent.
4. The HOY or member of SLT that will lead the reintegration meeting arranges a room for it to take place in.

AT THE REINTEGRATION MEETING

5. The HOY or member of SLT leading the reintegration meeting collects any relevant paper work, the pupils' latest Progress report and takes the pupil and their parents/carers to the venue for the meeting.
6. The HOY or member of SLT leading the reintegration meeting will make a judgement on whether or not to have the pupil in from the beginning of the meeting or start by talking with the parent/carer first – If the parent is spoken to first then the way that the meeting will progress is to be agreed before inviting the pupil in.
7. The HOY or member of SLT leading the reintegration meeting will speak with the pupil and discuss a way forward in order to allow for reintegration to occur, to one or a combination of the following:
 - a. If applicable, a restorative meeting with any member of the school community affected by the negative conduct leading to the suspension;
 - b. If applicable, any alternative provision to be agreed in order to support a return to positive conduct;
 - c. A period of the pupil being on report to their HOY, FT or a member of SLT (whichever appropriate) to be at least 2 weeks with targets for the report being agreed with the pupil and parents/carers to support in the monitoring of it.

FROM THE REINTEGRATION MEETING

8. The HOY is responsible for any actions that are agreed at the reintegration meeting being confirmed in writing and completed.
9. Any actions, including IBPs or IEPs and the period of being on report, are reviewed by all stakeholders following an appropriate length of time in order to analyse the suspension against the objectives.
10. The HOY is responsible for ensuring that all staff are aware of the pupils' return to school and the level of report that they are working on.



Appendix 3: Behaviour intervention structure and pyramid of support offer

Appendix 3: Behaviour intervention structure and pyramid of support offer

