The Oak Partnership

Exclusions Policy

We are committed to safeguarding and ensuring the health, safety and well-being of all pupils in accordance with safeguarding procedures and guidance for staff outlined in the schools' Health and Safety, Child Protection, Security and Safeguarding policies.

Document Information

	Information		
Document author:	COO		
Document approval:	Board of Directors		
Approved by:	Chair of Board	Date:	February 2026
Publication date:	March 2023		
Adopted by:	All Oak Partnership academies		
Review date:	November 2026		
Review schedule:	Annual		
Distribution:	Trust website		
Document status:	Version 6.0		

Version Control

Version	Issue Date	Amended by	Comments
1.0	27.3.2024	COO	New Trust centralised policy
2.0	November 2024	COO	Aims – final bullet point added. Changes to legislation links including 'off rolling' notes added. Section 4.1. updated to include Executive role. Definitions updated. Requirements to inform LA updated. New section on VS/SW involvement. Section on cancelation added. Roles and responsibilities section updated in all areas. Review requirements updated Training section added. Panel requirements updated. New requirement to consider LA pastoral support plans in reintegration new.
3.0	November 2025	COO	No changes
4.0	February 2026	COO	Section 5 updated to provide additional clarity for LSC.
5.0	July 2026	GP/COO	Amendments made to include any changes outlined in the DfE Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil Movement – July 2026
6.0	September 2026	GP	Amendments made to include any changes recommended by the LA.

Contents

1. Aims 2
2. Legislation and statutory guidance 3
A note on off-rolling 4
3. Definitions 4
4. Roles and responsibilities 4
4.1 Headteacher 4
Safeguarding-Related Separation from School (Not an Exclusion) 6
Notification of Suspension or Permanent Exclusion 6
Parents' Duty During the First Five School Days 7

Accessibility and Communication 7
Informing the LSC 8
Informing the local authority (LA) 8
Informing the pupil's social worker and/or virtual school head (VSH) 9
Cancelling suspensions and permanent exclusions 9
Providing education during the first 5 days of a suspension 10
4.2 The Local School Committee 10
Considering suspensions and permanent exclusions 10
Monitoring and analysing suspensions and exclusions data 11
4.3 The local authority (LA) 11
5. Considering the reinstatement of a pupil- LSC Exclusions Panel 11
Preparing for the LSC Exclusions Panel 12
6. Independent review 14
7. School registers 16
8. Returning from a suspension 17
8.1 Reintegration strategy 17
8.2 Reintegration meetings 18
9. Remote access to meetings 18
10. Safeguarding and Exclusions 19
10.1 Safeguarding considerations 19
10.2 Multi-agency working 20
10.3 Safeguarding separation 20
11. Off-Site Direction 20
11.1 Use of off-site direction 21
11.2 Planning and objectives 21
11.3 Notification to parents/carers 21
11.4 Monitoring and review 22
11.5 Reintegration 22
12. Managed Moves 22
13. Equality, SEND and Vulnerability 22
14. Links with other policies 23
Appendix 1: independent review panel training 24

1. Aims

We are committed to following all statutory exclusions procedures to make sure that every pupil receives an education in a safe and caring environment and in line with current Department for Education statutory guidance (July 2026).

Our school aims to:

- Make sure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents/carers and pupils understand the exclusions process
- Make sure that pupils in school are safe and happy
- Prevent pupils from becoming NEET
- Make sure all suspensions and permanent exclusions are carried out lawfully and proportionately

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education Suspension and permanent exclusion… July 2026

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
- The School Inspection Handbook, which defines 'off-rolling'
- Education (Educational Provision for Improving Behaviour) … Regulations 2026
- School Attendance (Pupil Registration) Regulations 2024

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

This policy must also be read alongside:

- Behaviour in Schools
- Keeping Children Safe in Education
- Working Together to Improve School Attendance

A note on off-rolling

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

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

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the 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'.

3. Definitions

The term *exclusion* includes both suspensions and permanent exclusions.

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

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

Off-site direction – when a school requires a pupil to attend another education setting (alternative provision) temporarily, to support their behaviour.

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

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

4. Roles and responsibilities

4.1 Headteacher

Only the Headteacher, or in their absence the Acting Headteacher, has the legal authority to suspend or permanently exclude a pupil on disciplinary grounds. Before making such a decision, the Headteacher will consult with and seek quality assurance from a member of the Executive Team.

A decision to suspend or permanently exclude may be made in response to behaviour occurring on the school site or outside school where it is reasonable for the school to take action. Permanent exclusion will only be used as a last resort.

All decisions relating to suspension and permanent exclusion will be made in accordance with the principles of natural justice and will be lawful, reasonable, fair and proportionate, taking account of the individual circumstances of the case and the needs of the pupil.

A decision to suspend a pupil will be taken only:

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

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

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the 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 permanent exclude a pupil, the headteacher will:

- Consider all relevant facts and evidence and make decisions on the balance of probabilities, including whether the incident was provoked or whether there are any other mitigating circumstances.
- Give the pupil an opportunity to provide their account of events.
- Consider and record how the pupil's views, in light of their age and understanding, have been sought and taken into account, unless it would not be appropriate to do so.
- Consider whether the pupil has Special Educational Needs (SEN) or a disability.
- Consider whether the pupil is particularly vulnerable, including whether they have a social worker or are a looked-after child (LAC).
- Consider whether appropriate alternative strategies have been explored, including:
    - Other sanctions available under the Behaviour Policy (for suspensions); and
    - Off-site direction or a managed move (before considering permanent exclusion).

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, for example where there has been further investigation of the pupil's misconduct during the initial suspension and the headteacher has determined that the initial suspension was not an enough of a sufficient sanction, a further suspension may be issued to begin immediately after the first suspension ends. Or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Pupil Views

Before making a decision to suspend or permanently exclude a pupil, the Headteacher will consider and record how the pupil's views have been sought and taken into account 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 a pupil requires support to express their views, they will be enabled to do so through an appropriate advocate, such as a parent/carer, social worker or other trusted adult. 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 page 16 of the Behaviour in Schools guidance.

Safeguarding-Related Separation from School (Not an Exclusion)

In certain circumstances, a school can temporarily forbid a pupil from attending its premises, for example, due to an allegation of harm by one pupil against another which might require physically separating a pupil from one or other pupils.

Where a pupil is prevented from attending school for safeguarding reasons, this will not be treated as a suspension or permanent exclusion. Any such decision will involve the Designated Safeguarding Lead (DSL) and be managed in line with the school's safeguarding procedures and Keeping Children Safe in Education (KCSIE).

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

Where appropriate, the school will work with the Local Authority, which is responsible for arranging suitable education provision. All arrangements will be reviewed regularly and communicated to parents/carers.

Notification of Suspension or Permanent Exclusion

Where a decision is made to suspend or permanently exclude a pupil, the Headteacher will notify parents/carers without delay and, wherever possible, communicate the decision verbally before issuing written confirmation.

All communication relating to a suspension or permanent exclusion will be accessible and will take account of any language, communication, disability or Special Educational Needs and Disabilities (SEND) requirements of the pupil and their parents/carers. Reasonable adjustments, translation services, interpretation support or alternative formats will be provided where necessary to ensure that information is fully understood.

The Headteacher will provide written notification to parents/carers without delay. The written notification will include:

- The reason(s) for the suspension or permanent exclusion.
- The length of the suspension or, where applicable, confirmation that the exclusion is permanent.
- Information about the parents'/carers' right to make representations regarding the suspension or permanent exclusion to the Local School Committee (LSC).
- Information about how any representations should be made.
- Information about how the pupil may be involved in the representations process where appropriate and where they are attending alongside their parents/carers.
- Details of any legal requirement for the LSC to meet to consider the reinstatement of the pupil.
- Information about the parents'/carers' right to attend any such meeting, to be represented at their own expense and to be accompanied by a friend.
- Information explaining that parents/carers have the right to request that any meeting be held remotely, together with details of how and to whom such a request should be made.

Parents' Duty During the First Five School Days

Where the pupil is of compulsory school age, the Headteacher will also notify parents/carers, without delay and by the end of the afternoon session on the first day of the suspension or permanent exclusion, that:

- For the first five school days of the suspension or permanent exclusion (or until the beginning of any alternative provision placement or the end of the suspension if earlier), they are legally required to ensure that their child is not present in a public place during school hours without reasonable justification.
- The notification will specify the dates on which this duty applies.
- Failure to comply with this duty may result in the parent/carer being issued with a fixed penalty notice or being prosecuted.

Accessibility and Communication

The school is committed to ensuring that all suspension and permanent exclusion communications are clear, timely and accessible. Wherever possible, the initial decision will be communicated verbally before written confirmation is provided. Communications will be tailored to meet the needs of families, including consideration of language requirements, disabilities, literacy needs and SEND, to ensure that parents/carers and pupils can fully understand the decision, their rights and the processes available to them.

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'/carers' consent.

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

Informing the LSC

The headteacher will notify the LSC of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The headteacher will notify the LA of all exclusions (via Somerset's online reporting form) without delay, regardless of the length.

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 must inform the social worker as early as possible, without delay

- 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 so they can work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.
If the headteacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

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

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the LSC. Where notification is required under this procedure, it may be provided by electronic means where the recipient has given consent. Where there is a cancellation:

- The parents/carers, LSC and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in 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 school days permitted in any school year.

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

Providing education during the first 5 days of a suspension

Where a pupil is not attending alternative provision (AP), any work set during the suspension or exclusion must be both set and marked and must be accessible and achievable for the pupil. Online resources may be used to support this provision.

If the pupil is not attending alternative provision (AP), the headteacher will take steps to ensure that achievable and accessible work is set for the pupil. 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 as soon as possible following the suspension or permanent exclusion. The school will take reasonable steps to **set and mark** work for the pupil, including through the use of online pathways, ensuring that the work remains accessible and achievable.

4.2 The Local School Committee

Considering suspensions and permanent exclusions

In carrying out its duties in relation to suspensions and permanent exclusions, the LSC committee must have regard to the interests of the excluded pupil, as well as the interests of staff and the wider school community. The committee must also actively support the participation of the pupil in the process, taking reasonable steps to enable their views to be heard and considered.

Responsibilities regarding exclusions are delegated to the Local School Committee, which will form a committee of three LSC members.

The LSC committee has a duty to consider parents'/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see Sections 5 and 6) in certain circumstances. When undertaking these responsibilities, the committee will consider the interests of the excluded pupil, staff and the wider school, and will take steps to support the pupil's participation in the process.

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

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

Monitoring and analysing suspensions and exclusions data

The LSC will review, challenge and evaluate data on the school's use of suspensions, permanent exclusions, off-site direction to alternative provision, managed moves and safeguarding separation. The LSC will also monitor trends and patterns within this data,

including the characteristics of affected pupils, to ensure that policies are being applied fairly, consistently and effectively.

The LSC 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
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- Trends in the use of suspensions, exclusions, off-site direction, managed moves and safeguarding separation, and whether these indicate any areas of concern
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

4.3 The local authority (LA)

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

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

5. Considering the reinstatement of a pupil- LSC Exclusions Panel

Where the Local School Committee is legally required to consider the reinstatement of a suspended or permanently excluded pupil, they must not discuss the suspension or permanent exclusion with any party outside the meeting. The LSC panel must explicitly consider whether reinstatement should occur. Decisions should focus on reinstatement and the statutory test.

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

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

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

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the board, the LSC will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers 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 LSC 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 LSC may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

This meeting must still take place even if reinstatement has no practical outcome.

Preparing for the LSC Exclusions Panel

The following parties will be invited to a meeting of the LSC and allowed to make representations or share information, this meeting should be held with all parties present at the same time.

- Parents/carers (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers.

The LSC can ask the Head Teacher for any written evidence in advance of the meeting, including witness statements and other relevant information held by the school such as those relating to a pupil's SEN and the pupil's school record.

The evidence pack should include the following documents: child voice, external agency reports, suspension letters, reintegration notes, PSPs, learning plans, risk assessments, behaviour plans, TAC/CIN/CP minutes, attendance reports, pupil passport information, referrals, records of managed moves or off-site direction, safeguarding information and relevant policies. A contents page/index should be included.

Where possible, the LSC Clerk should circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting in an accessible format.

The LSC 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 LSC 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 LSC 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'.

The Clerk will be present when the decision is made.

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

- The parents/carers
- 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 LSC 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'/carers' 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/carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents/carers have a right to require the Trust to appoint an SEN expert to advise the review panel

- Details of the role of the SEN expert and that there would be no cost to parents/carer for this appointment
- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. Independent review

LSC panel decision letters should advise of the right to request an Independent Review Panel and signpost Child Law Advice, ACE, NAS and SENDIAS support services.

If parents/carers apply for an independent review within the legal timeframe, the Trust will, at their own expense, 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/carers by the of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers.

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/ director of the Trust
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Trust, or the governing board, of the excluding school (unless they are employed as a headteacher at another school)

- Have, or at any time have had, any connection with the Trust school, governing board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (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/carers will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

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

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

Where a VSH is present, the panel must have regard to any representation made by the VSH of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion or are relevant to the pupil's permanent exclusion.

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

- Uphold the governing 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

7. School registers

The school will comply with the School Attendance (Pupil Registration) Regulations 2024 and associated statutory guidance when removing a pupil's name from the admission register following a permanent exclusion. The removal of a pupil's name from the register must not be backdated.

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

- 15 school days have passed since the parents/carers were notified of the LSC's decision not to reinstate the pupil, and no application has been made for an independent review panel; or
- The parents/carers 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 the pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will continue to be recorded appropriately and in accordance with attendance regulations. Where alternative provision (or an approved educational activity that does not involve the pupil being registered at another school) has been made for an excluded pupil and they attend it, code **B** (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code **D** (dual registration) will be used.

Where excluded pupils are not attending alternative provision, code **E** (absent) will be used.

The school will ensure that any removal from the admission register takes effect only from the appropriate date and is not applied retrospectively.

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/carer with whom the pupil normally resides
- At least 1 telephone number at which any parent/carer with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e. permanent exclusion)

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

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

8. Returning from a suspension

8.1 Reintegration strategy

Following a suspension, or a cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. The strategy will aim to provide the pupil with a fresh start, help them to rebuild a sense of belonging within the school community, and support their successful return to learning.

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 support successful reintegration into school life:

- Pastoral Support Plans (using LA templates)
- Informing the pupil and parents/carers of potential external support
- Mentoring arrangements
- Structured monitoring of attendance, behavior and wellbeing
- Targeted pastoral interventions
- Referral to relevant support services where appropriate

Part-time timetables will **not** be used as a tool to manage behavior. Where a part-time timetable is considered necessary for another lawful purpose, it will be implemented for the minimum time necessary, be clearly planned, and be subject to regular review to ensure that the pupil returns to full-time education as soon as possible.

The reintegration strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers and other relevant parties to ensure that it remains effective in supporting the pupil's reintegration.

Remote attendance arrangements should be offered where appropriate and must allow full participation by all parties.

8.2 Reintegration meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before, or on, the pupil's return to school. During the meeting, the school will communicate to the pupil that they are being offered a fresh start, that they are a valued member of the school community, and that the school is committed to supporting their successful reintegration.

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

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

The school expects all returning pupils (depending on the age of the pupil) and their parents/carers to attend their reintegration meeting; however, pupils who do not attend will not be prevented from returning to the classroom.

9. Remote access to meetings

Parents/carers may request that a governing board meeting or independent review panel hearing is held remotely. Unless a remote meeting is requested, meetings will normally be held in person.

If the parents/carers do not express a preference, the meeting will be held in person.

In cases of extraordinary or unforeseen circumstances, where 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 LSC and the Trust should ensure that the following conditions are met before agreeing for a meeting to proceed remotely:

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

Social workers and the Virtual School Head (VSH) will always have the option of joining remotely, whether the meeting is being held in person or remotely, provided that they can meet the conditions for remote access listed above.

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

- Compromise the ability of participants to contribute effectively; or

- Prevent the meeting from being conducted fairly and transparently.

10. Safeguarding and Exclusions

10.1 Safeguarding considerations

Safeguarding will underpin all decisions relating to suspension, permanent exclusion, off-site direction and any other intervention used to address a pupil's behaviour. The school will ensure that the welfare, safety and wellbeing of all pupils remain a primary consideration throughout the decision-making process.

Prior to making a decision to suspend or permanently exclude a pupil, the school will consider any safeguarding concerns, vulnerabilities, unmet needs, special educational needs and disabilities (SEND), mental health needs, involvement of children's social care, and any other relevant factors that may be affecting the pupil's behaviour or circumstances.

Where a pupil is identified as vulnerable, looked after, previously looked after, subject to a child protection plan, a child in need plan, or has a social worker, the school will work closely with relevant professionals to ensure appropriate support is considered and, where possible, put in place.

10.2 Multi-agency working

The school recognises that effective safeguarding relies on effective multi-agency working. Where appropriate, the school will work collaboratively with:

- Children's social care
- The local authority
- Early help services
- Health professionals
- Alternative provision providers
- The Virtual School Head (VSH)
- Educational psychologists and specialist services
- Other agencies involved in supporting the pupil and family

The purpose of this collaboration will be to identify and address underlying needs, reduce the risk of exclusion wherever possible, and support positive outcomes for the pupil.

10.3 Safeguarding separation

Where safeguarding concerns require a pupil to be separated from other pupils, the school will ensure that any safeguarding separation is lawful, reasonable, proportionate and in the best interests of all pupils involved.

Safeguarding separation will only be used where necessary to manage an identified risk and will not be used as a substitute for suspension, exclusion or appropriate behavioural interventions.

Any period of safeguarding separation will:

- Be proportionate to the identified risk
- Be time-limited and kept under regular review
- Take account of the pupil's educational, welfare and safeguarding needs
- Include appropriate support for the pupil
- Be ended as soon as it is safe and appropriate to do so

The school will maintain appropriate records of safeguarding separation arrangements and will work with pupils, parents/carers and relevant agencies to support a safe and successful return to normal school life.

11. Off-Site Direction

11.1 Use of off-site direction

The school may direct a pupil to attend alternative provision off-site for the purpose of improving behaviour, supporting engagement with education, or addressing particular needs that cannot be met appropriately within the school's normal arrangements.

Off-site direction will only be used where it is lawful, proportionate and in the best interests of the pupil. It will not be used as an alternative to a suspension or permanent exclusion where those sanctions are otherwise appropriate.

Prior to arranging off-site direction, the school will consider the pupil's individual circumstances and views, including any safeguarding concerns, special educational needs and disabilities (SEND), and any support that may help the pupil remain successfully engaged in mainstream education.

11.2 Planning and objectives

Before a placement begins, the school will establish clearly defined objectives for the off-site direction. These objectives will set out the intended outcomes for the pupil and the criteria that will be used to assess whether the placement is achieving its purpose.

The school will also establish:

- The reasons for the placement
- The expected duration of the placement
- Clear timescales and review arrangements
- The support to be provided during the placement
- Arrangements for maintaining the pupil's educational progress and wellbeing

Off-site direction will be intended as a temporary intervention and will form part of a wider strategy to support the pupil's successful education and reintegration.

11.3 Notification to parents/carers

The school will provide parents/carers with written notification before the placement begins, or as soon as reasonably practicable where immediate action is necessary.

The written notification will include:

- The location of the alternative provision
- The days and times that the pupil is expected to attend
- The planned duration of the placement
- The objectives of the placement and the intended outcomes for the pupil
- Contact details for the provision, where appropriate
- Information about review arrangements

The school will ensure that parents/carers have an opportunity to discuss the placement and raise any questions or concerns.

11.4 Monitoring and review

Off-site direction arrangements will be subject to regular review to ensure they remain appropriate, effective and in the pupil's best interests.

Reviews will consider:

- Progress towards the agreed objectives
- The pupil's attendance, behaviour and engagement
- Academic progress and wellbeing
- Feedback from the pupil, parents/carers and relevant professionals
- Whether the placement should continue, be amended or come to an end

The school will maintain oversight of the pupil's education throughout the placement and will work with the alternative provision to monitor the quality and impact of the support being provided.

11.5 Reintegration

Where appropriate, the school will plan for the pupil's reintegration into mainstream education from the outset of the placement. Reintegration arrangements will be reviewed regularly and adapted as necessary to support a successful return to full-time education within the school.

12. Managed Moves

A managed move is a voluntary agreement for a pupil to transfer to another school where this is considered to be in the pupil's best interests.

Trial managed moves will not be used. Any managed move must be agreed as a permanent transfer from the outset and comply with the School Admissions Code and relevant statutory guidance.

Managed moves must be undertaken with the informed agreement of the parents/carers and, where appropriate, the pupil. They will not be used as a means of avoiding a suspension or permanent exclusion, nor will pupils or parents/carers be pressured into agreeing to a move. Where a pupil has a social worker, the school will inform the social worker as early as possible when a managed move is being considered.

Before a managed move is arranged, the school will consider whether it is an appropriate intervention and will work with the pupil, parents/carers, the receiving school and any relevant agencies to support a successful transition.

13. Equality, SEND and Vulnerability

The school will fulfil its duties under the Equality Act 2010 and relevant SEND legislation when considering suspensions, permanent exclusions and other behavior-related interventions.

Before making a decision to suspend or permanently exclude a pupil, the school will consider whether the pupil has any special educational needs and/or disabilities (SEND), vulnerabilities or additional needs that may have contributed to the behavior. Where appropriate, reasonable adjustments will be made to support the pupil and avoid disadvantages.

Where a looked after child is suspended, permanently excluded, subject to off-site direction or being considered for a managed move, the school will work with the Virtual School Head to consider whether an interim Personal Education Plan review is required and whether Pupil Premium Plus funding is being used appropriately to support the pupil.

For pupils with an Education, Health and Care Plan (EHCP), the school will engage with the local authority at an early stage to consider whether additional support or amendments to provision may be required.

The school will pay particular regard to the needs of vulnerable pupils, including those with SEND, looked after children, previously looked after children, and pupils with a social worker, ensuring that decisions are fair, proportionate and in the best interests of the pupil and the wider school community.

14. Links with other policies

This policy is linked to each school:

- Behaviour policy
- SEND policy
- SEN information report

Appendix 1: independent review panel training

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

Training (which can be from internal Trust staff) must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk/governance professional of a review panel
- The duties of headteachers, 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