NORTH STAR
COMMUNITY TRUST

Suspension and permanent exclusion policy

(including off-site direction and managed moves)

Primary and Secondary Academies

November 2026

Due for review September 2027

1. Scope and aims

1.1. The aim of this policy is to provide an overview of the practices which inform our academy's use of suspension and permanent exclusion as disciplinary sanctions, together with the use of off-site direction and managed moves as preventative measures. This policy has been written in line with the Department for Education's statutory guidance *Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement* (July 2026), to which the academy will have regard when exercising its functions.

1.2. We aim to: -

- ensure that the exclusions process is applied fairly and consistently
- help governors, staff, parents and pupils understand the exclusions process
- ensure that pupils in school are safe and happy
- prevent pupils from becoming NEET (not in education, employment or training)
- ensure all suspensions and permanent exclusions are carried out lawfully

1.3. We are aware that “off rolling” is unlawful and it is defined 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”.

1.4. We will not unlawfully or informally exclude a pupil by directing them off-site or preventing them from attending school for disciplinary reasons without following the statutory suspension or permanent exclusion process. This includes sending a pupil home to 'cool off', even with the agreement of their parent(s), or sending a pupil home for disciplinary reasons and requiring them to complete work remotely or through an online learning platform.

1.5. Any removal from school for disciplinary reasons will be formally recorded as a suspension.

1.6. The academy will not suspend or permanently exclude a pupil: -

- because it feels unable to meet their special educational needs and/or disability (SEND)
- because of poor academic performance
- because they have not met a condition such as attending a reintegration meeting

- by exerting undue influence on a parent to remove their child from the school.

1.7. A part-time timetable will not be used as a means of managing a pupil's behaviour.

1.8. This policy links with our Anti bullying policy, Searching and confiscation policy, Behaviour policy, SEND Policy and information report and Safeguarding child protection and associated procedures, all of which can be found on the policy page of our school website.

2. Definitions

2.1. Suspension

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

2.2. Permanent exclusion

This is when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to simply as an 'exclusion'.

2.3. Off-site direction

This is when a governing board of a school requires a pupil to attend another education setting temporarily, to improve their behavior.

2.4. Separation for safeguarding purposes

In certain circumstances, the academy may temporarily prevent a pupil from attending the school premises where necessary for safeguarding purposes (for example where an allegation of harm by one pupil against another means that pupils need to be physically separated). Where the reason for preventing attendance is safeguarding rather than disciplinary, this is not a suspension or permanent exclusion.

2.5. Parent

Any person who has parental responsibility and any person who has care of the child

2.6. Managed move

A managed move is a voluntary process which leads to the permanent transfer of a pupil to another mainstream school. It will be offered as part of a planned intervention, agreed with all parties involved (including the parents and the admission authority of the receiving school), and will only take place where it is considered to be in the pupil's best interests. The academy will not use 'trial admissions' or 'trial managed moves'. Where a temporary move is required for the purpose of improving a pupil's behaviour, the statutory off-site direction process will be used instead.

3. Suspension and permanent exclusion rationale

3.1. Suspensions and permanent exclusions are used when: -

- other strategies and sanctions have not been effective over time
- when there has been repeated or a single clear and serious breach of our behaviour policy
- where allowing a pupil to remain in school would seriously harm the education or welfare of the pupil or others (such as staff or pupils) in the school

3.2. A serious offence could, by itself, justify a pupil's exclusion and there may be other situations where the Head teacher makes the decision that exclusion is an appropriate sanction. This may include, but is not limited to, an aspect of any of the following: -

- actions which bring an academy into disrepute (The behavior of a pupil outside school can be considered grounds for an exclusion).
- carrying an offensive weapon (used, made or adapted for causing injury) or banned item
- carrying, supply or misuse of illegal drugs or other substances
- damage to property (including arson)
- endangering the health and safety of others
- persistent poor behaviour contrary to our behaviour policy (including disruption to lessons and disrespect to adults)
- physical assault or verbal abuse towards an adult or child (including bullying; racist abuse; abuse against sexual orientation or gender reassignment; abuse relating to disability)
- serious actual or threatened violence against another pupil or member of staff
- theft
- unacceptable behaviour for which intervention and support has not been successful in modifying over time

3.3. Only the headteacher (or person formally acting as headteacher) may decide to suspend or permanently exclude a pupil. In the headteacher's absence, the Trust will ensure that acting headteacher arrangements are formally established. The Chief Executive Officer

may provide advice and support but may make the decision only if formally acting as headteacher of that academy.

3.4. A pupil may be suspended for one or more fixed periods up to, when aggregated, a total of 45 school days in any one academic year (lunchtime exclusions are counted as one half day) or permanently excluded. For the purposes of exclusions, school day is defined as any day on which there is a school session. Therefore holiday, INSET or staff training days do not count as a school day,

3.5. The academy will not 'extend' a suspension. In exceptional circumstances, usually where more evidence or information has come to light following additional investigation of the pupil's misconduct, the headteacher may issue a further, separate, suspension which will begin immediately after the first suspension period ends.

3.6. The academy will not convert a suspension into a permanent exclusion. In exceptional circumstances, usually where further evidence has come to light, the Headteacher may issue a separate permanent exclusion which will begin immediately after the end of the suspension.

3.7. If a pupil is excluded for either an additional fixed period or subsequently permanently excluded, the Head teacher will inform parents without delay and issue a new exclusion notice to parents

4. Role of the head teacher

Deciding whether to suspend or exclude

4.1. Only the headteacher (or person formally acting as headteacher) can suspend or permanently exclude a pupil on disciplinary grounds (relating to behaviour inside or outside the school). The headteacher will only use permanent exclusion as a last resort.

4.2. A decision to suspend or 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

4.3. Before deciding whether to suspend or exclude a pupil, the headteacher will: -

- consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked

- allow the pupil to give their version of events
- consider whether the pupil has special educational needs (SEND)
- consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- consider whether all alternative solutions have been explored, such as off-site direction or managed moves

4.4. 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.

4.5. 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.

4.6. 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.

4.7. In certain circumstances, the academy may temporarily prevent a pupil from attending the school premises where this is necessary for safeguarding purposes (for example following an allegation of harm by one pupil against another where pupils need to be physically separated). Where the reason for preventing attendance is safeguarding rather than disciplinary, this will not constitute a suspension or permanent exclusion.

4.8. Any decision to temporarily prevent a pupil from attending the school premises for safeguarding purposes will be made on a case-by-case basis. The Designated Safeguarding Lead (or a deputy) will take a lead role, exercise professional judgement and, where appropriate, work with other agencies such as children's social care and the police. The best interests of the child will be a primary consideration and the academy will follow the principles outlined in our Safeguarding child protection and associated procedures and the DfE guidance 'Keeping Children Safe in Education.'

4.9. Where pupils are separated for safeguarding purposes, the academy will ensure that appropriate arrangements are made for the pupil's education and that these are regularly reviewed. The separation will continue for no longer than is necessary for safeguarding purposes and appropriate arrangements will be made to support the pupil's reintegration into school.

Informing parents

4.10. 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.

4.11. 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.

4.12. 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
- parent's (or the excluded pupil if they are aged ≥18) right to make a request to hold the meeting via the use of remote access
- 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 excluded pupil if they are aged ≥18) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend.

4.13. 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 an exclusion (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

4.14. 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

4.15. If the headteacher does not have the 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 governors

4.16. The head teacher will, without delay, notify the governing board and the Chief Executive Officer 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

4.17. 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

4.18. The head teacher will, without delay, notify the local authority of all suspensions and permanent exclusions, regardless of the length of a suspension.

4.19. 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

4.20. 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 the virtual school head

4.21. 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

4.22. If a pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the headteacher will inform the virtual school head as early as possible

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

4.24. 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 virtual school head, 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)

4.25. The social worker / virtual school head 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 exclusions

4.26. The headteacher may cancel any exclusion that has already begun (or not yet begun), but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation: -

- the parents, governing board and local authority (and where relevant, the pupil's social worker any social worker and the virtual school head) will be notified without delay. The notification will include the reason why the exclusion has been cancelled
- the governing body will no longer need to meet to consider reinstatement (by virtue of the cancellation)
- parents (or where a pupil is aged ≥ 18) will be offered the opportunity to meet with the headteacher to discuss the circumstances which led to the cancellation without delay.
- the headteacher will report to the governing board once per term on the number of any cancellations
- the pupil will be allowed back into the school
- any excluded days spent out of school prior to the cancellation will count towards the maximum of 45 excluded school days permitted in any school year.

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

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

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

4.29. If the pupil is looked after or if they have a social worker, the school will work with the local authority to arrange alternate provision 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.

Off site direction

4.30. Off-site direction is a temporary measure under which a pupil is required to attend another educational setting to improve their behaviour. It will not be used as a punishment for past misconduct.

4.31. The Board of Trustees have delegated the day-to-day responsibility and initial decision making power to direct a pupil off-site to the head teacher

4.32. Off-site direction will normally be considered where appropriate in-school interventions and/or outreach support have been unsuccessful or are considered inappropriate.

4.33. It may also be considered following a serious incident as an alternative to permanent exclusion, where a suitable placement can improve behaviour and is appropriate and safe for the pupil and others.

4.34. It is not necessary to exhaust a fixed sequence of interventions where these would be inappropriate; the Headteacher will record the assessment, support already provided, safeguarding risks and reasons for the proposed placement.

4.35. Any off-site direction will be based on an understanding of the individual pupil's needs and circumstances, including SEND and health needs.

4.36. Before making an off-site direction, the academy will evidence the initial intervention undertaken, including multi-agency support or statutory assessment where relevant or record why such intervention was considered inappropriate. The pupil will be supported to express their views and informed how these have been considered.

4.37. A placement will be commissioned based on the circumstances that have arisen leading to the decision and which, in the headteacher's opinion, is going to assist in supporting an improvement in behaviour.

4.38. This may include a temporary placement at another local mainstream school or a suitable commissioned alternative provision where legally permissible (including online alternative provision) and appropriate the pupils' individual circumstances.

4.39. The academy will check that the placement is safe and suitable for the pupil's age, ability, aptitude and SEND, and will agree arrangements for attendance monitoring, safeguarding and travel (as well as supervision, curriculum delivery and pupil and pupil engagement where online alternative provision is used) before it begins.

4.40. The pupil will remain on the academy's admission register during the off-site direction. Where the placement is at another school, the pupil will be dual registered and attendance recorded in accordance with statutory guidance.

4.41. Where the academy commissions alternative provision(s), it will inform the local authority of the placement(s), obtain written confirmation of the provider's safeguarding checks and arrangements for reporting relevant changes, and will record every site(s) the pupil will attend. The academy will monitor attendance on each day of provision and ensure that unexplained absence is followed up promptly. The academy retains responsibility for safeguarding and will take immediate action where concerns arise, including ending the placement and arranging suitable education where necessary.

4.42. The nature of the intervention, its objectives and the proposed timeframe for achieving those objectives will be clearly defined and agreed with the receiving school or alternative provision before a placement starts.

4.43. A proposed maximum period for the placement will be considered as part of the planning process. The first review date and arrangements for subsequent reviews will be set before the placement begins

4.44. Parental consent is not a prerequisite for a lawful off-site direction, although the academy will seek parents' views and work with them to support the placement.

4.45. Before the placement begins, relevant information will be shared between the academy, receiving school or alternative provision (and the local authority where appropriate) including information concerning prior and current attainment, academic potential, a current risk assessment, advice on effective ongoing risk management and other pupil support strategies.

4.46. Where relevant, the academy will involve the pupil's social worker and other care professionals in planning and reviews. Where a looked-after pupil is likely to be placed in alternative provision, the designated teacher will contact the Virtual School Head as soon as possible.

4.47. The pupil will continue to receive a broad and balanced education during the off-site direction. For pupils of compulsory school age, suitable full-time education will be maintained, whether wholly off-site or through a combination of off-site provision and education at the academy. Any exceptional temporary reduction in the pupil's overall timetable must be in their best interests, agreed with the parent and regularly reviewed

in accordance with statutory attendance guidance, and will not be used to manage behaviour.

4.48. Where the pupil has SEND, the academy will continue to comply with its statutory duties, including the requirement to make reasonable adjustments where required and to provide appropriate SEND support.

4.49. Where the pupil has an EHCP, the academy will work with the local authority to ensure that the special educational provision specified in the plan continues to be secured. Before the placement begins, the academy will confirm how the pupil's SEND support and any special educational provision specified in an EHCP will be delivered. The local authority will be involved where an EHCP is in place, including consideration of whether the plan requires review or amendment.

4.50. Written notice will be issued as soon as practicable after the decision and at least two school days before the placement starts. It will go to the parent and the local authority where the pupil has an EHCP. The notice will identify the placement address, first reporting contact, number of days, reasons and objectives, and session times (including breaks where there are two sessions). Prompt decision-making does not remove the statutory notice requirement.

In a secondary academy

- The written notice will be sent to pupils aged 18 or over. The pupil will also receive review invitations and outcomes, may request a review and submit their views.

- For pupils in Years 10 and 11, the Headteacher will assess curriculum continuity before approving an off-site direction. This assessment will cover GCSE options, qualification specifications and exam boards, coursework and non-exam assessment (NEA), examination entries, access arrangements and the receiving setting's ability to continue the pupil's programme. The schools will agree responsibility for teaching, transferring assessment evidence, exam entry and examination attendance. Any unavoidable curriculum change and its impact on the pupil's outcomes will be recorded and discussed with the pupil and parents.

- At secondary phase, Enfield's local arrangements between schools and the local authority may describe a temporary placement at another school as a Directed Move, intended to provide a fresh start. Where its purpose is to improve behaviour, it must be arranged as a statutory off-site direction with the safeguards in this policy. A successful placement may subsequently lead to a permanent managed move with the agreement of the relevant parties; permanence is not automatic and the

placement is not a trial admission. The academy will apply the current local protocol only insofar as it is consistent with statutory requirements.

4.51. Off-site direction, managed moves and the Fair Access Protocol (FAP) are separate routes. FAP is an admissions process for eligible children and is not a prerequisite for an off-site direction. The academy will liaise with the local authority where these routes interact, while applying the correct legal framework to each. Detailed local FAP procedures are contained in the relevant local authority protocol, rather than this policy.

Off-site direction review

4.52. The period off-site will be proportionate and subject to review to determine whether the off-site direction should continue held at least monthly with an impartial governor (who may be the Chair of governors) or trustee nominated by the Trust. An earlier review will be held where the pupil's needs, progress or safeguarding circumstances require it. The Trust's representative must not be the headteacher of the academy (or anyone who has held that post within the previous five years) or anyone whose current or previous connection with the pupil might reasonably call their impartiality into question.

4.53. Parents (or pupils aged 18 or over) and, where the pupil has an EHCP, the local authority may request in writing that the Trust hold a review meeting. The headteacher will arrange for the review to take place as soon as reasonably practicable (unless there has already been a review meeting in the previous 10 weeks). This exception does not affect the monthly review arrangements or an earlier review required by the pupil's needs or circumstances.

Review process

4.54. Not later than six calendar days before the date of any review meeting, the headteacher will ensure a written invitation is given to parents (or the pupil if aged 18 or over), the receiving provider, the Trust's nominated representative and, where the pupil has an EHCP, the local authority to attend the review meeting (or to submit in writing before the date of the meeting) their views as to whether off-site direction should continue to have effect. The review will, as far as practicable, be arranged at a date and time suitable for the parent (or pupil aged 18 or over).

4.55. The headteacher, will ensure the placement is kept under regular independent review. The review outcome will decide whether the off-site direction should continue and, if so, for what period of time. The meeting will include timescales and / or arrangements (including a reasonable frequency) for further reviews and who should be involved in the reviews (e.g. a pupil's social worker if applicable). Reviews will continue while the direction remains in force, including where the pupil has not attended the placement.

4.56. The review will take account of the views of those attending or submitting written representations, the pupil's views, progress against the agreed objectives, attendance, the suitability of the provision and the reintegration plan.

4.57. The review and decision will be recorded in writing. The record will include the Trust representative's views and recommendations and, where the headteacher's decision differs materially from them, the reasons for that decision.

4.58. The headteacher, will ensure the review outcome decision as to whether the off-site direction will continue (and if so, for what period of time) including the reasons for it is provided in writing to the parent (or the pupil if aged 18 or over), the receiving provider and, where the pupil has an EHC plan, the local authority no later than six calendar days after the date of the review meeting. Statistics with regard to off-site direction(s) will be reported to governors and the Trust Board

Other considerations

4.59. Should a pupil refuse to follow the direction to attend the alternative placement, the academy will establish the reasons, consider any SEND, health, safeguarding or access barriers and work with the pupil, parents and provider to secure attendance.

4.60. The academy will distinguish between the pupil's own conduct and non-attendance arising from parental decisions or other barriers outside the pupil's control. Any disciplinary response will be considered on its individual circumstances and must be lawful, reasonable and proportionate.

4.61. Non-attendance will not automatically result in suspension or permanent exclusion. Permanent exclusion will only be considered for a serious breach or persistent breaches of the behaviour policy where the pupil's continued presence at the school would cause serious harm to their own education or welfare, or to that of others in the school.

4.62. An off-site direction should not be mistaken for a managed move. They are two distinct and separate means to improve pupil behaviour. An off-site direction is not a 'trial period' at a new setting, with a view to making it a permanent move. From the outset, it should be made clear that it is a temporary measure to improve behaviour.

4.63. The academy will plan for the pupil's reintegration throughout the placement. Where a review identifies that a permanent move to another mainstream school would be in the pupil's best interests, a managed move may be considered.

Managed moves

4.64. A managed move is a voluntary process which results in the permanent transfer of a pupil to another mainstream school. It will form part of a planned intervention and will only take place where all relevant parties agree and where the move is considered to be in the pupil's best interests.

4.65. The academy will not use 'trial admissions' or 'trial managed moves'. Where a temporary placement is required to improve a pupil's behaviour, an off-site direction will be used. A pupil will not be permanently excluded because their parent, or the pupil where appropriate, refuses to agree to a managed move

4.66. Before a managed move, the academy will ensure that appropriate initial intervention has been undertaken and will share relevant information with the receiving school and local authority where appropriate. This will include prior and current attainment, academic potential, a current risk assessment, advice concerning ongoing risk management and other relevant pupil support strategies.

In a secondary academy

- Before a managed move involving a Year 10 or Year 11 pupil, both schools will assess and record curriculum continuity using the considerations in the off-site direction section, including GCSE options, exam boards, coursework/NEA, exam entries and access arrangements. The receiving school must be able to provide an appropriate programme, with clear arrangements for any necessary changes and transfer of assessment evidence.

4.67. Where a pupil has an EHC plan, the academy will contact the local authority before any managed move takes place. Where the local authority, both schools and parents agree that a managed move should take place, the local authority will follow the statutory process for amending the EHC plan.

4.68. Once a managed move takes place, the transfer is permanent and the pupil's name will be removed from the academy's admission register and added to the admission register of the receiving school in accordance with the relevant statutory requirements.

4.69. Managed moves must comply with admissions law and pupil registration requirements. An in-year admission must follow the receiving school's published arrangements and oversubscription criteria; a managed move does not override a waiting list. Where an off-site direction precedes the move, the pupil remains on the original academy's roll until the permanent transfer is agreed and lawful deletion requirements are met. Appropriate dual

registration will be used during a placement at another school. FAP eligibility and allocation are considered separately.

5. Role of the governing body

Considering suspensions and permanent exclusions

5.1. Responsibilities regarding exclusions are delegated to a panel of no more than three governors. A co-opted governor will lead and governors from other academies within the Trust may be asked to help form this panel to ensure independence. The Trust's central governance team will assist the school form this panel.

5.2. The panel 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 in certain circumstances.

5.3. Within 14 days of receiving a request, the governing board will, liaising with the Trust's Chief Executive Officer, provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

5.4. For any suspension of more than 5 school days, the governing board will ensure the academy has secured suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension (although this is not required for secondary school pupils in their final year of compulsory education who do not have any further public exams to sit.)

Assessing when to convene a governor panel

5.5. A panel of governors will be convened to consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if: -

- the exclusion is permanent; or
- it is a suspension which would bring the pupil's total number of school days of exclusion to more than 15 (including suspensions that exceed 15 school days by less than a whole day) in a term; or
- it would result in a pupil missing a public examination or national curriculum test

5.6. Where the pupil has been suspended for more than 5 but not more than 15 school days in a single term and if the parents make representations to the governors, a panel of governors will consider the reinstatement of a suspended pupil within 50 school days of

receiving notice of the suspension. If the parents do not make representations a panel is not required to meet and it cannot direct the head teacher to reinstate the pupil.

5.7. Where the pupil has been suspended and the suspension does not bring the pupil's total number of days suspension to more than 5 in a term, the panel of governors will consider any parental representations presented to them but there is no requirement to meet with the parents nor does a panel have any power to decide whether to reinstate a pupil.

5.8. Where the suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, the panel of governors must make reasonable efforts to consider the reinstatement of the pupil before the date of the examination or test.

Organising the panel when required

5.9. Where a panel of governors is required, the head teacher should notify the Trust's central governance team who will assist the academy by independently approaching governors to establish both their availability and suitability.

5.10. Where parents have indicated they will attend, the head teacher must ensure their availability is communicated to the Trust's central governance team.

5.11. Once the appropriate governors have been identified, details will be passed back to the academy who will make all meeting arrangements.

5.12. The academy will ensure that the meeting is appropriately clerked and that clear minutes are taken. The minutes will provide a sufficiently detailed record of the evidence considered, representations made, the panel's deliberations, its decision and the reasons for that decision.

5.13. All reasonable efforts will be made to arrange the meeting within the relevant statutory time limits and a time convenient to all relevant parties however any decisions will not be invalid simply on the grounds that it was not made within these time limits

5.14. If received, to consider any request to hold the meeting by remote access. This should never be the default option and only if the governing body are satisfied that the meeting is capable of being held fairly and transparently in line with the request.

Panel attendees

5.15. The following parties will be invited to a meeting of the panel and allowed to make representations or share information as applicable: -

- parents (and, where requested, a representative or friend)
- the pupil, if they are aged ≥18
- head teacher and / or senior leader
- the pupil's social worker (where they have one)
- the virtual school head (where the pupil is a looked after child)

5.16. Taking into account, the pupil's age and understanding, the pupil or their parents should also be made aware of their right to attend and participate in governing board meetings and the pupil should be enabled to make a representation on their own behalf if they wish to do so.

Panel decisions

5.17. The panel of governors 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 panel has no power to do so as outlined in the sections above)

5.18. In considering whether a pupil should be reinstated, the panel of governors will: -

- consider the interests and circumstances of the pupil, including the circumstances in which the pupil was suspended or permanently excluded
- have regard to the interests of other pupils and people working at the school
- consider whether the decision to suspend or permanently exclude was lawful, reasonable, fair and proportionate taking account of the evidence available, the behavior policy and the headteacher's legal duties (including duties under the Equality Act 2010 and in relation to pupils with SEND)

5.19. The panel will decide whether or not a fact is true 'on the balance of probability' (i.e. whether it is more likely that it did happen than did not).

5.20. The minutes and a record of any documents or evidence considered will be kept.

5.21. The outcome will be recorded on the pupil's educational record along with any relevant papers

5.22. The panel of governors will, in writing and without the delay, notify the following of its decision and explain clearly the reasons for it: -

- parents (or the excluded pupil if they are aged ≥18)
- head teacher
- the local authority (and the pupil's home authority if it differs)
- the pupil's social worker (if they have one)
- the virtual school head (if the pupil is a looked after child)

5.23. Where an exclusion is permanent and the panel of governors has decided *not* to reinstate the pupil, the notification of the decision must also include the following: -

- the fact that it is permanent
- notice of parent's right to ask for the decision to be reviewed by an independent review panel (IRP)
- the date by which an application for an independent review must be made (which is 15 school days from the date on which notice in writing of the panel's decision is *given* to parents)
- the name and address to whom an application for a review (and any written evidence) should be submitted
- that a request to hold the meeting via the use of remote access can be made (and to whom)
- that any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's special educational needs and disabilities (SEND) are considered to be relevant to the permanent exclusion
- that, regardless of whether the excluded pupil has any recognised SEND, parents have a right to require the academy trust to appoint a SEND expert to attend the review
- details of the role of the SEND expert and confirmation that there will be no cost to parents for this appointment

- that parents must make clear if they wish for a SEND 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 review panel
- that parents may also bring a friend to the review
- that if parents believe that the 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. A 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.
- Sources of any free and impartial information and advice to help them make an informed decision on whether, and if so how to seek a review of the decision

Off-site directions

5.24. A governor or the Chair of governors may be invited to review off-site directions in order to provide full impartiality as per Paragraphs 4.52 to 4.58 above.

6. An independent review

6.1. Where parents apply for an independent review following a decision by the governors panel not to reinstate a permanently excluded pupil, we will arrange for an independent review panel (IRP) to review the decision of the governors.

6.2. Applications for an independent review must be made within 15 school days of notice being given to the parents by the governors' panel of its decision to not reinstate a 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.)

6.3. A panel of either 3 or 5 members will be constituted with representatives from each of the three categories below. Where a 5-member panel is constituted, two will come from category 2 and two will come from category 3)

- **Category 1**
  An independent / 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)

- **Category 2**
  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)

- **Category 3**
  Head teachers or individuals who have been a head teacher within the last 5 years

6.4. A person may not serve as a member of the review panel if they: -

- are a member or director of the academy Trust or governor of the excluding academy.
- are the head teacher of the excluding academy or have held this position in the last 5 years.
- are an employee of the academy Trust or a governor of the excluding academy (unless they are employed as a head teacher at another school)
- have, or at any time have had, any connection with the academy Trust, school, governors, parents, pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartially
- have not had the required training within the last 2 years as per the DfE's guidance entitled Suspension and permanent exclusion from maintained schools, academies and pupil referral unis in England, including pupil movement

6.5. A professional clerk will be appointed to the panel.

6.6. 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.

6.7. 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.

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

6.9. 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.

6.10. Where a virtual school head is present, the panel must have regard to any representation made by virtual school head 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.

6.11. Following its review, the independent panel will decide one of the following: -

- uphold the school governors panel decision
- recommend that the governors reconsider reinstatement
- quash the governors' decision and direct that they reconsider reinstatement (only if it judges that their decisions was flawed)

6.12. 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.

6.13. 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.

6.14. 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.

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

6.16. The independent review panel's decision and recommendations will be communicated to the academy, the parents and any relevant parties and the parents 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

7.1. 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 exclusion panel'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

7.2. Where an application for an independent review has been made, the governors will wait for the conclusion of that review before removing a pupil from or updating the register with the appropriate code. (i.e. 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 and where excluded pupils are not attending alternative provision, code E (absent) will be used.)

Making a return to the local authority

7.3. 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 local authority and this will include: -

- pupil's full name full name and address of any parent with whom the pupil normally resides
- at least one 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

7.4. 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. Reintegration following suspension, off-site direction or separation for safeguarding purposes

Reintegration strategy

8.1. Following a suspension, including where an exclusion has subsequently been cancelled, a period off-site direction or a period of separation for safeguarding purposes, the academy will support the pupil to reintegrate successfully into school life and full-time education.

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

8.3. 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
- regular reviews with the pupil and parents to monitor progress being made and raise and address any concerns at an early stage
- informing the pupil, parents and staff of potential external support

8.4. 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.

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

Reintegration meetings

8.6. The school will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school.

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

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

8.9. 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.

9. Monitoring arrangements

9.1. The school will collect statistical data on attendance, suspensions and permanent exclusions at school level, by age group time of day / week / term and protected characteristics to assess it is meeting its duties under the Equality Act 2010 both at individual school level and across the Trust where comparable information is available.

9.2. This allows governors and Trustees to evaluate and 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 off-site direction placements and separate arrangements made to keep pupils apart for safeguarding purposes are reviewed at sufficient intervals to provide assurance that the education provided is achieving its objectives, that the arrangements remain necessary and appropriate and that pupils are benefiting from them
- the cost implications of directing pupils off-site

10. Role of the local authority

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

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