Thomas Telford Multi Academy Trust

Suspension and Permanent Exclusion Policy

Redhill Primary Academy
and
Thomas Telford Primary Free School

Signed

Mrs Raj Samra
Chair of Governors
September 2026

1. Aims

Our Academy aims to ensure that:

The suspension and permanent exclusions process is applied fairly and consistently

The suspension and permanent exclusions process is understood by governors, staff, parents and pupils

Pupils in the Academy are safe and happy

Pupils do not become out of in education

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education July 2026: https://assets.publishing.service.gov.uk/media/6a2c1d4aa3674dfd3eb50816/suspension-and-permanent-exclusion-from-maintained-schools-academies-and-pupil-referral-units-in-England-including-pupil-movement-comes-into-force-from-26-July-2026.pdf

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

Section 52 of the Education Act 2002, as amended by the Education Act 2011

The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at 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

Behaviour in Schools February 2024

3. Definitions

Within Redhill Primary Academy and Thomas Telford Primary Free School:

Suspensions are where a pupil is prevented from attending the school for a fixed period. At the end of the fixed period, they are expected to return to school following a reintegration meeting. The fixed period can range from half a day through to a set number of days specified by the Executive Headteacher or Head of School (hereafter referred to as the Headteacher throughout this policy). A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year.

Permanent Exclusions are where a pupil must leave the school on a permanent basis and receive their full-time education elsewhere. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the School's Behaviour Policy, and where, allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, such as staff or pupils, in the school.

For the purposes of suspension and permanent exclusions, a **school day** is defined as any day on which there is a school session where children's learning is taking place. Therefore, INSET or staff training days do not count as a school day.

4. The decision to suspend or permanently exclude

Only the headteacher can suspend and permanently exclude a pupil from the Academy or School. The decision to permanently exclude will only be taken as a last resort.

Our Schools are aware that off rolling is unlawful. Ofsted defines off rolling as:

> "…the practice of removing a pupil from the Academy roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the Academy roll, when the removal is primarily in the interests of the Academy rather than in the best interests of the pupil."

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

A decision to suspend or permanently exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in the school would seriously harm the education or welfare of others.

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

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or permanent exclusion were provoked
- Allow the pupil to give their version of events

All decisions relating to suspension and permanent exclusion will be made in accordance with the principles of natural justice and will be:

- Lawful
- Fair
- Reasonable
- Proportionate
- Rational
- Evidence-based

When establishing the facts, the Headteacher will apply the civil standard of proof, namely that, on the balance of probabilities, it is more likely than not that the alleged behaviour occurred. All relevant circumstances will be considered, including the age of the pupil, any special educational needs and disabilities (SEND), social, emotional and mental health needs, safeguarding considerations, and the impact of the behaviour on the welfare and education of others.

5. Removal from Site for Safeguarding Purposes

In exceptional circumstances, the school may temporarily require a pupil not to attend the school site or may make arrangements to keep a pupil separate from another pupil or group of pupils, where this is necessary to safeguard and promote the welfare of children and young people. This may occur, for example, whilst a safeguarding concern, allegation or investigation is being considered.

Any such arrangement is a safeguarding measure and is not a suspension or permanent exclusion. It will not be recorded as a disciplinary sanction and will not be used as a substitute for the formal suspension or permanent exclusion process.

Where a pupil is required to remain away from the school site for safeguarding reasons, the school will:

- Inform parents/carers of the reasons for the arrangement;

- Keep the arrangement under regular review;
- Ensure it remains in place only for the shortest period necessary;
- Continue to make suitable educational arrangements so that the pupil's education is not unnecessarily disrupted.

The school will not use safeguarding-related removal from site as a means of managing behaviour, as an informal suspension, or as a form of off-rolling. Any decision to suspend or permanently exclude a pupil will be made only in accordance with the statutory suspension and permanent exclusion procedures.

Where appropriate, the school will work closely with parents/carers, social care, the local authority and other relevant agencies to ensure the safety, welfare and educational needs of all pupils involved are effectively supported.

6. Roles and responsibilities

6.1 The headteacher

Informing parents

If the headteacher suspends or permanently excludes a pupil they will, without delay, notify parents. Where a pupil has an Education, Health and Care Plan (EHCP), the Headteacher will notify the local authority without delay of any suspension or permanent exclusion. The local authority will also be notified of all suspensions and permanent exclusions regardless of their length.

Where a pupil has a social worker, the social worker will be notified in writing without delay. Where a pupil is looked after by a local authority, the Virtual School Head (VSH) will also be notified without delay and provided with details of the suspension or permanent exclusion and the reasons for it.

If a pupil receives a further suspension following an earlier suspension, or a decision is subsequently taken to permanently exclude a pupil, the Headteacher will issue a new notification to parents and, where applicable, the social worker, Virtual School Head and local authority setting out the revised decision and associated rights of representation and review.

They will also, without delay, after their decision, provide parents with the following information in writing:

- The reason(s) for the suspension or permanent exclusion. The reasons include but are not limited to, damage, disobedience/disrespect to staff, non-acceptance of school code of conduct, challenging/unacceptable behaviour, challenging behaviour, persistent disruptive behaviour, physical assault/violent behaviour against a pupil, physical assault/violent behaviour against an adult or staff, refusal of punishment, verbal abuse/threatening behaviour against a pupil, verbal abuse/threatening behaviour against an adult or staff.
- 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 local governing board and how the pupil may be involved in this.
- How any representations should be made.
- Where there is a legal requirement for the governing board to consider the suspension or permanent exclusion, that parents or a pupil if they are 18 years old have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- The Headteacher will also notify parents by the end of the afternoon session on the day their child is suspended or permanently excluded that for the first 5 School days of a suspension and permanent exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place

during Academy/School hours without a good reason. Parents may be given a fixed penalty notice or be prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an off-site direction:

- 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 required by the pupil to identify the person they should report to on the first day
- Alternative options should be considered once the time limit has been reached upon review of the placement

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided 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 an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

If a child is suspended again following their original suspension, or is subsequently permanently excluded, the headteacher must inform parents and where relevant, the pupil's social worker or local authority if the pupil has an EHCP, without delay and issue a new exclusion notice to parents and the social worker.

Informing social workers and Virtual School Heads about a suspension or permanent exclusion

Information sharing is vital in safeguarding children and promoting their welfare, including their educational outcomes. Schools should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children. Keeping children safe in education and Working Together to Safeguard Children (2018) set out the requirements for schools and colleges about sharing information in more detail.

Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC, in writing of the period of the suspension or permanent exclusion and the reason(s) for it.

Both the social worker and/or VSH, must be informed when a governing board meeting is taking place, in order to share information. The social worker and/or the VSH can attend the meeting, should they wish to do so.

Informing the local governing board about an suspension or permanent exclusion.

The headteacher will, without delay, notify the local governing board of:

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

When removing a pupil from the school roll, the governing board must ensure this is done under the circumstances prescribed by the School Attendance (Pupil Registration) (England) Regulations

2024, as amended. If applicable, the pupil's name should be removed from the school roll at the appropriate time.

The Headteacher may cancel an exclusion that has not been reviewed by the governing board. This practice is sometimes known as withdrawing/rescinding a suspension or permanent exclusion. If this occurs, parents, the governing board and the local authority should be notified, and if relevant, the social worker and VSH. See The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023.

Informing the local authority about an exclusion

The local authority will be informed without delay of all suspensions and permanent exclusions. Notifications will include the reason for the suspension or permanent exclusion and, where applicable, the duration of the suspension.

For a permanent exclusion, if the pupil lives outside the local authority area in which the school is located, the headteacher will also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay. The headteacher will also inform the governing board once per term of any other suspensions of which they have not previously been notified.

Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion, the fact that it is permanent.

6.2 The Local Governing Board

Responsibilities regarding exclusions is delegated to the pupil discipline committee of the Local Governing Board consisting of three governors. The pupil discipline committee of the Local Governing Board has a duty to consider the reinstatement of an excluded pupil (see section 6).

6.3 The Local Authority (LA)

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

7. Considering the reinstatement of a pupil

The pupil discipline committee of the local governing board will consider the reinstatement of an excluded pupil within 15 Academy days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of Academy/School days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test
- If requested to do so by parents, the committee will consider the reinstatement of a suspended or permanently excluded pupil within 50 Academy days of receiving notice of the suspension or permanent exclusion if the pupil would be suspended from the Academy for more than 5 Academy/School days, but less than 16, in a single term.

Governing board reinstatement meetings and IRPs can now be held via the use of remote access (for example, live video link) for suspension and permanent exclusions if requested by the parents, provided certain criteria are satisfied. Meetings held via the use of remote access should not be a default option and face-to-face meetings should always be encouraged. See Part Eleven of the DfE Suspension and Permanent Exclusion Guidance 2023
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1162401/Suspension_and_permanent_exclusion_guidance_May_2023.pdf

Where the governing board is legally required to consider the reinstatement of a suspended or permanently excluded pupil they should:

- not discuss the suspension or permanent exclusion with any party outside the meeting;
- ask 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;
- where possible, 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;
- allow parents and the pupil to be accompanied by a friend or representative (where a pupil under 18 is to be invited as a witness, the governing board should first seek parental consent);
- invite the pupil's social worker, if they have one, and if the pupil is LAC, the VSH to attend;
- comply with their duty to make reasonable adjustments for people who use the school and consider what reasonable adjustments should be made to support the attendance and contribution of parties at the meeting (for example where a parent or pupil has a disability with mobility or communication that has an impact upon their ability to attend the meeting or to make representations); and
- identify the steps they will take to enable and encourage the suspended or permanently excluded pupil to attend the meeting and speak on their behalf (such as providing accessible information or allowing them to bring a friend), taking into account the pupil's age and understanding; or how the suspended or permanently excluded pupil may feed in their views by other means if attending the meeting is not possible.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for a governing board. It must, so far as is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test. If it is not practical for sufficient governors to consider the reinstatement before the examination or test, the chair of governors, in the case of a maintained school, may consider the suspension or permanent exclusion alone and decide whether or not to reinstate the pupil.

There is no automatic right for a suspended or permanently excluded pupil to take a public examination or national curriculum test on the school's premises. The governing board should consider whether it would be appropriate to exercise its discretion to allow a suspended or permanently excluded pupil onto the premises for the sole purpose of taking the examination or test or whether this could be facilitated in another way.

Where the governing board is legally required to consider reinstating a suspended or permanently excluded pupil, they must consider both the interests and circumstances of the suspended or permanently excluded pupil, and that of other pupils, staff, and school community.

The governing board must also consider any representations made by or on behalf of:

- parents or the pupil if they are over 18 years old;
- the headteacher;
- the pupil's social worker if the pupil has one;
- if the pupil is looked after, the VSH;
- and the local authority (in the case of a maintained school or PRU).

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 the governing board meeting and the pupil should be enabled to make a representation on their own behalf if they desire to do so.

Social workers should, as far as possible, attend the governing board meeting to share information. This should include helping to identify how the pupil's circumstances may have influenced the circumstances of the pupil's suspension or permanent exclusion and ensuring that safeguarding needs and risks and the child's welfare are taken into account.

The VSH should, as far as possible, attend the governing board meeting to share information where the pupil is a looked-after child. This should include helping the governing board to understand the pupil's background and circumstances. They should also be able to advise the board on the possible contribution that the pupil's circumstances could have made to the suspension or permanent exclusion.

When establishing the facts in relation to a suspension or permanent exclusion the governing board must apply the civil standard of proof, i.e., 'on the balance of probabilities' (it is more likely than not that a fact is true) rather than the criminal standard of 'beyond reasonable doubt'.

The pupil discipline committee of the Local Governing Board can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

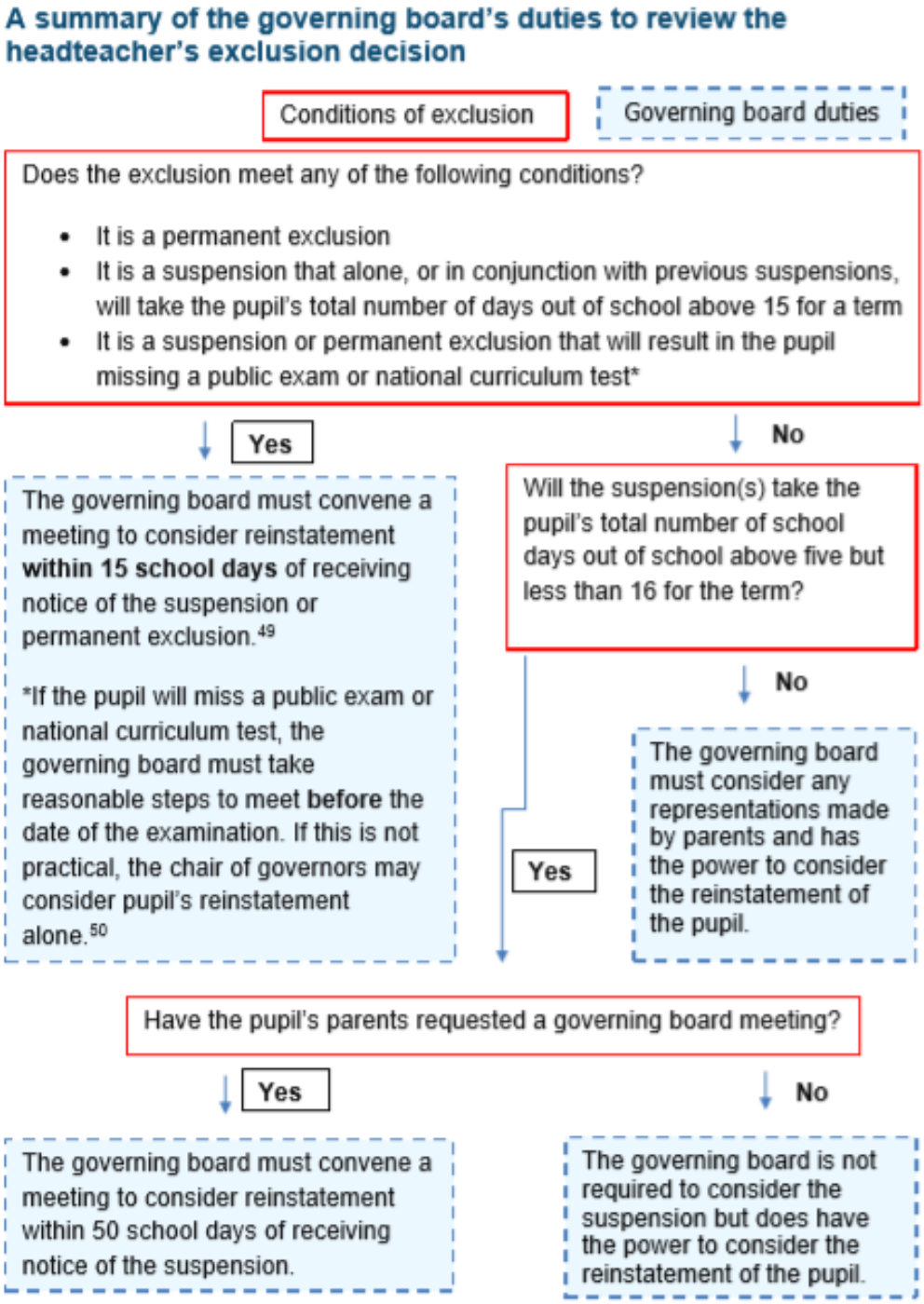
The pupil discipline committee will notify, in writing, the headteacher, parents, social worker if they have one, and VSH if the child is LAC, and the LA of its decision, along with reasons for its decision, without delay.

If a reinstatement meeting would make no practical difference because, for example, the pupil has already returned to school following the expiry of a suspension or the parents make clear they do not want their child reinstated, the governing board must still meet to consider whether the pupil should or would have been officially allowed back into the school. Ideally, a reinstatement meeting should happen as soon as possible and should ideally be held before the pupil is back in school.

Where an exclusion is permanent, the pupil discipline committee decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
- The date by which an application for an independent review must be made
- The name and address to whom an application for a review should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the academy trust to appoint an SEN expert to attend the review
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend or a relative to the review.

That if parents believe that the exclusion has occurred as a result of 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.



8. An independent review

If parents apply for an independent review panel (IRP), the academy trust will arrange for an independent panel to review the decision of the local governing board not to reinstate a permanently excluded pupil.

Applications for an IRP must be made within 15 Academy/School days of notice being given to the parents by the pupil discipline committee of the Local Governing Board's decision to not reinstate a pupil. Or where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the permanent exclusion. Any application made outside of the legal time frame must be rejected by the academy trust.

The academy trust must not delay or postpone arranging an IRP where parents also make a claim of discrimination in relation to the permanent exclusion to the First-tier Tribunal (Special Educational Needs and Disability) or the County Court.

Parents may request an IRP even if they did not make representations to, or attend, the meeting at which the governing board considered reinstating the pupil.

The academy trust must take reasonable steps to identify a date for the review that all parties, and any SEN expert appointed to give advice in person, are able to attend. However, the review must begin within 15 school days of the day on which the parent's application for a review was made (panels have the power to adjourn a hearing if required).

The venue must be reasonably accessible to all parties.

The academy trust must arrange a venue for hearing the review. Whatever the venue, the panel must hold the hearing in private unless the local authority/academy trust directs otherwise.

Where the issues raised by two or more applications for review are the same, or connected, the panel may combine the reviews if, after consultation with all parties, there are no objections.

Appointing panel members:

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 Academy governors category and 2 members will come from the headteacher category. These must be:

- A lay member to chair the panel who has not worked in any Academy in a paid capacity, disregarding any experience as a Academy governor or volunteer
- Academy 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 director of the academy trust, or local governing board of the excluding Academy
- Are the headteacher of the excluding Academy, or have held this position in the last 5 years
- Are an employee of the academy trust, or the local governing board, of the excluding Academy (unless they are employed as a headteacher at another Academy)
- Have, or at any time have had, any connection with the academy trust, Academy, local governing board, parents or 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 (see appendix 1 for what training must cover)

A clerk will be appointed to the panel. The clerk must perform the following additional functions:

- Make reasonable efforts to inform the following people that they are entitled to: make written representations to the panel; attend the hearing and make oral representations to the panel; be represented:

a. the parents or pupil if they are 18 years old;

b. the headteacher;

c. the governing board; and

d. the local authority (in the case of a maintained school or PRU).

- Make reasonable efforts to circulate to all parties copies of relevant papers at least 5 school days before the review. These papers must include:

a. the governing board's decision;

b. the parents' application for a review; and

c. any policies or documents that the governing board was required to have regard to in making its decision.

- Give all parties details of those attending and their role, once the position is clear.

- Attend the review and ensure that minutes are produced following instructions from the panel.

Panel members and, if appointed, the SEN expert must declare any known conflict of interest to the local authority/academy trust before the start of the review.

The role of the panel is to review the governing board's decision not to reinstate a permanently excluded pupil. In reviewing the decision, the panel must consider the interests and circumstances of the permanently excluded 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 should be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make a representation on their own behalf if they desire to do so.

The panel must apply the civil standard of proof i.e., 'on the balance of probabilities' which means that it is more likely than not that a fact is true. This should be applied rather than the criminal standard of 'beyond reasonable doubt'.

The independent panel will decide one of the following:

- Uphold the local governing board's decision
- Recommend that the local governing board reconsiders reinstatement
- Quash the local governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

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

The IRP's decision is binding on the: pupil; parents; governing board; headteacher; and local authority.

The panel may only quash a governing board's decision not to reinstate if it considers that the decision was flawed when considered in the light of the principles applicable to an application for judicial review (statutory guidance on this consideration is provided in paragraphs 223 to 227).

New evidence may be presented to the panel, though the school may not introduce new reasons for the permanent exclusion or the decision not to reinstate the pupil and the panel must disregard any new reasons that are introduced.

In deciding whether the governing board's 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 not to reinstate. 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.

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

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

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by

the headteacher in the lead up to the permanent exclusion or relevant to the pupil's permanent exclusion.

The jurisdiction of the First-tier Tribunal (Special Educational Needs and Disability) and County Court to hear claims of discrimination relating to a permanent exclusion does not preclude an IRP from considering issues of discrimination in reaching its decision.

If a panel directs a governing board to reconsider reinstatement it may order the local authority to adjust the school's budget or (in the case of an academy) the academy trust to make an equivalent payment to the local authority in whose area the school is located unless, within ten school days of receiving notice of the panel's decision, the governing board decides to reinstate the pupil. The sum of this adjustment/payment must be £4,000 and would be in addition to any funding that would normally follow a permanently excluded pupil. The panel does not have the power to order a financial readjustment or payment in circumstances where it has only recommended that the governing board reconsiders the reinstatement of the pupil.

The panel may adjourn on more than one occasion, if necessary. However, consideration must be given to the effect of adjournment on the parties to the review, the permanently excluded pupil and their parents, and any victim(s).

A review cannot continue if the panel no longer has representation from each of the three categories of members required. In this event, the panel may be adjourned until the number can be restored.

Once a review has begun, no panel member may be substituted by a new member for any reason. Accordingly, if the required representation cannot be restored from the original members, a new panel must be constituted to conduct the review afresh. In the case of a five-member panel, the panel may continue in the absence of any of its members, provided all three categories of members are still represented.

Following the review, the panel must issue written notification to all parties without delay. This notification must include:

- the panel's decision and the reasons for it;
- where relevant, details of any financial readjustment/payment to be made if a governing board does not subsequently decide to offer to reinstate a pupil within ten school days; and
- any information that the panel has directed the governing board to place on the pupil's educational record.

9. Academy registers

A pupil's name will be removed from the Academy/School admissions register if:

- 15 Academy/School days have passed since the parents were notified of the pupil discipline committee to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel
- Where an application for an independent review has been made, the Local Governing Board will wait until that review has concluded before removing a pupil's name from the register.
- Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.
- Where excluded pupils are not attending alternative provision, code E (absent) will be used.

The common transfer file should be transferred within 15 school days of the pupil ceasing to be registered at the school.

Where pupils with a child protection file leave the Academy/School (including in-year transfers), the designated safeguarding lead should ensure their child protection file is transferred to the new school as soon as possible, and within 5 days for an in-year transfer or within the first 5 days of the start of a new term. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and special educational needs coordinators (SENCOs) or the named person with oversight for SEN in colleges, are aware as required.

10. Returning from a suspension

Following a suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures may be implemented when a pupil returns from a suspension:

These are suggestions not an exhaustive list:

- Agreeing a behaviour contract
- Putting a pupil ‘on report’
- Internal isolation

11. Managed moves

A managed move is a voluntary agreement between schools, parents/carers and the receiving school which enables a pupil to transfer permanently to another mainstream school. A managed move may be considered as part of a planned intervention to support a pupil whose needs may be better met in a different educational setting.

Managed moves will only be considered where they are in the best interests of the pupil and after appropriate support and intervention strategies have been explored. Evidence of these interventions will be retained by the school.

A managed move:

- Must be undertaken voluntarily and with the agreement of parents/carers and the receiving school;
- Must not be used as an alternative to a suspension or permanent exclusion;
- Must not be used as a means of off-rolling or encouraging parents to remove their child from the school roll;
- Should be carefully planned to support a successful transition for the pupil;
- Should involve appropriate information sharing between both schools to ensure the receiving school can effectively meet the pupil's needs.

Where a pupil has an Education, Health and Care Plan (EHCP), the school will work with the local authority and follow the relevant statutory procedures before any managed move is agreed.

Parents/carers who have concerns about a proposed managed move may raise these through the school's complaints procedure. The school will ensure that no parent is pressured into agreeing a managed move.

12. Off-Site Direction and Alternative Provision

The school may, where appropriate, arrange for a pupil to attend alternative provision or another educational setting for a time-limited period as part of a planned intervention to support improvements in behaviour, engagement or attendance. This arrangement is known as an off-site direction and is distinct from a suspension or permanent exclusion.

Off-site direction will only be considered where it is in the best interests of the pupil and after appropriate interventions and support strategies have been explored. The purpose of the placement will be clearly identified and arrangements will be regularly reviewed to ensure the placement continues to meet the pupil's needs.

Where a pupil attends another school or alternative provision as part of an off-site direction, appropriate registration arrangements will be put in place. This may include dual registration where the pupil remains on roll at this school whilst also being registered with the alternative provider. Attendance will be recorded in accordance with current statutory guidance.

Parents/carers will be informed of:

- The reasons for the off-site direction;
- The objectives of the placement;
- The location, arrangements and expected duration of the provision;
- The review arrangements that will be put in place;
- Any support that will be provided to assist the pupil's successful reintegration to the school.

The school will work in partnership with parents/carers, the pupil, the alternative provider and any relevant external agencies to monitor progress throughout the placement. Review meetings will be held at appropriate intervals to evaluate the effectiveness of the placement and determine next steps.

Where a pupil has special educational needs and/or disabilities (SEND), an Education, Health and Care Plan (EHCP), a social worker, or is looked after by a local authority, the school will ensure relevant professionals and agencies are involved in planning and reviewing the placement.

Off-site direction will not be used as a form of informal exclusion, off rolling or as a substitute for a suspension or permanent exclusion. Any decision to suspend or permanently exclude a pupil will be taken in accordance with the statutory procedures set out in this policy.

13. Monitoring arrangements

The headteacher monitors the number of suspensions and permanent exclusions every term and reports back to the Local Governing Board when applicable. The headteacher also liaises with the local authority to ensure suitable full-time education for suspended and permanently excluded pupils.

This policy will be reviewed by Claire Whiting, Executive Headteacher, every year. At each review, the policy will be shared with the Local Governing Board.

14. Links with other policies

This suspension policy is linked to our

- Behaviour and Anti Bullying Policy
- Inclusion Policy
- SEND Policy
- SEND Information Report
- Child Protection Policy
- Child on Child Abuse Policy

Appendix 1: Independent review panel training

The academy trust must ensure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

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

Appendix 2: Appointing a SEN expert

If requested by parents with their application for an independent review, the academy trust must appoint a SEN expert to attend the review and must cover the associated costs of this appointment.

The academy trust must make arrangements to indemnify the SEN expert against any legal costs and expenses reasonably incurred as a result of any decisions or actions connected to the review and which are taken in good faith.

Parents have a right to request the attendance of a SEN expert at a review, regardless of whether the school recognises that their child has SEN.

Individuals may not serve as a SEN expert if they have, or at any time have had, any connection with the local authority, academy trust, school, parents or pupil, or the incident leading to the permanent exclusion, which might reasonably be taken to raise doubts about their ability to act impartially. However, an individual should not be assumed to have such a connection simply because they are an employee of the local authority/academy trust.

The SEN expert must be someone who has expertise and experience of special educational needs considered by the local authority/academy trust as appropriate to perform the functions specified in the legislation.

The SEN expert should be a professional with first-hand experience in the assessment and support of SEN, as well as an understanding of the legal requirements on schools concerning SEN and disability. Examples of suitable individuals might include educational psychologists; specialist SEN teachers; SENCOs; and behaviour support teachers. Recently retired individuals are not precluded from fulfilling this role, though the local authority/academy trust would need to assure themselves that the individual had a good understanding of current practice and the legal requirements on schools in relation to SEN and disability. Additionally, they should also be able to demonstrate that they have experience working in schools.

Whilst individuals are not automatically taken to be partial simply because they are an employee of, or contracted by, a local authority or academy trust, they should not have had any previous

involvement in the assessment or support of SEN for the permanently excluded pupil, or siblings of the permanently excluded pupil. The local authority/academy trust should request that prospective SEN experts declare any conflict of interest at the earliest opportunity.

The final decision on the appointment of a SEN expert is for the academy trust to make but it should take reasonable steps to ensure that parents have confidence in the impartiality and capability of the SEN expert. Where possible, this may include offering parents a choice of SEN experts. To meet its duties within the statutory time frame, the local authority/academy trust should consider maintaining a list of individuals capable of performing the role of SEN expert in advance of a request.

It is for the academy trust to determine the amount of any payment in relation to the appointment of the SEN expert, such as financial loss, travel, and subsistence allowances.

Appendix 3: Guidance for governing boards on using data on suspensions and permanent exclusions

Governing boards should already be challenging and evaluating what their school's data is telling them about their academy trust. Boards should carefully consider the level of pupil moves and the characteristics of pupils who are moving on any permanent exclusions to ensure the sanction is only used when necessary as a last resort.

Governing boards should review suspensions and permanent exclusions, those taken off roll and those on roll but attending education off-site (see appendix 4). It is important to consider both the cost implications of directing children to be educated off-site in AP and whether there are any patterns to the reasons or timing of moves. For example, if high numbers of children with SEND are moving, the school, academy or trust may wish to consider reviewing its SEN support.

Multi-academy trusts (MATs) may also choose to work with their academies to consider this information, and whether there are patterns across academies within a MAT, recognising that numbers in any one academy are often too low to allow for meaningful statistical analysis.

The local governing board should consider:

- effectiveness and consistency in implementing the school's behaviour policy
- 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 ensure 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
- understanding the characteristics of excluded pupils, and why this is taking place
- whether the placements of pupils directed off-site into AP are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it

Further information can be found here: Understanding your data: a guide for school governors and academy trustees)

Appendix 4: Guidance on Off-site direction

Off-site direction is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour. Whilst the legislation does not apply to academies, they can arrange off-site provision for such purposes under their general powers. Where interventions or targeted support have not been successful in improving a pupil's behaviour,

off-site direction should be used to arrange time-limited placements at an AP or another mainstream school. During the off-site direction to another school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school.

When possible, in-school interventions or targeted support from AP schools should be used to meet a pupil's individual needs and circumstances – whether behavioural or special educational.

Depending on the individual needs and circumstances of the pupil, off-site direction into AP can be full-time or a combination of part-time support in AP and continued mainstream education. A proposed maximum period of time should be discussed and agreed upon as part of the planning phase for an off-site direction. As part of planning, alternative options should be considered once the time limit has been reached, including a managed move on a permanent basis (if a pupil is in a mainstream school) upon review of the time-limited placement.

The governing board must comply with the Education (Educational Provision for Improving Behaviour) Regulations 201022 and must show regard to the Alternative Provision: Statutory guidance for local authorities, headteachers and governing bodies. Whilst the alternative provision guidance section does legally apply to maintained schools, academy trusts are also encouraged to follow this guidance.

The statutory guidance covers objectives and timeframes with appropriate monitoring of progress. For maintained schools, the governing board must ensure that parents (and the local authority if the pupil has an Education, Health and Care (EHC) plan are notified in writing and provided with information about the placement as soon as practicable after the direction has been made and no later than two school days before the relevant day.

Parents and, where the pupil has an EHC plan, the local authority can request, in writing, that the governing board hold a review meeting. When this happens, governing boards must comply with the request as soon as reasonably practicable, unless there has already been a review meeting in the previous 10 weeks.

The length of time a pupil spends in another mainstream school or AP and the reintegration plan must be kept under review by the governing body, who must hold review meetings at such intervals as they, having regard to the needs of the pupil, consider appropriate, for as long as the requirement remains in effect. Not later than six days before the date of any review meeting, a governing body must give a written invitation to parents (or the pupil if 18 or older) (and the local authority if the pupil has an EHC plan) 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 governing body must ensure, insofar as is practicable, that any review meeting is convened on a date, and at a time, that is suitable for the parent.

The governing body must keep the placement under review for as long as the requirement remains in effect and must decide following each review meeting as to whether the requirement should continue to have effect and, if so, for what period of time. The meeting should include arrangements for reviews, including how often the placement will be reviewed, when the first review will be and who should be involved in the reviews.

For example, review meetings should take place between the school, parents, the pupil, and other agencies e.g., a pupil's social worker, Child and Adolescent Mental Health Services (CAMHS), Multi-Agency Safeguarding Hubs (MASH) and Youth Justice Teams, and the local authority (if a pupil has an EHC plan) to establish agreed monitoring points to discuss the pupil's ongoing behaviour. These reviews should be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives via monitoring points.

The governing body must give written notification of their decision as to whether the requirement to continue the placement should continue and if so, for what period of time including the reasons for it to the parent no later than six days after the date of the review meeting.

To support a pupil with reintegration into their referring school, the focus of intervention whilst off-site should remain on ensuring that a pupil continues to receive a broad and balanced curriculum whilst any inappropriate behaviours which require intervention are being addressed. If a pupil with a disability or SEN has been moved off-site, the duties under the Equality Act 2010 and the Children

and Families Act 2014 continue to apply (for example, to make reasonable adjustments or to put support in place to meet SEN).

The length of time a pupil spends in another mainstream school or AP will depend on what best supports the pupil's needs and potential improvement in behaviour.

Appendix 5: Guidance on managed moves

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction (as described in appendix 4) should be used. Managed moves should only occur when it is in the pupil's best interests.

Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the current school is contemplating a managed move, it should contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending a plan.

Managed moves should be offered as part of a planned intervention. The original school should be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support, or any statutory assessments were done or explored prior to a managed move.

The managed move should be preceded by information sharing between the original school and the new school, including data on prior and current attainment, academic potential, a risk assessment and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy.

If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority. Within the school inspections framework, under leadership and management, Ofsted will consider any evidence found of a parent being pressured into a managed move that has resulted in off-rolling and is likely to judge a school as inadequate on the basis of such evidence.