



“Unlocking the Future”

Suspension and Permanent Exclusion Policy

Policy Level and Description:	1	<u>TKAT Statutory Policy</u> NO CHANGES TO THE CORE TEXT ALL Schools require a policy on this topic/area. Only changes to highlighted sections are allowed to the core text – changes will be limited to school name and very limited school-specific details - LGBs to adopt, implement and monitor this policy.	
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Approved by: <i>(Trust Committee/Trust Board)</i>	CECE	Approved by: <i>(LGB/LGB Committee)</i>	LGB
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We are a family of distinctive schools at the heart of the diverse communities we serve. In line with our Christian ethos, we aspire to excellent learning and pastoral care for pupils and staff and are committed to being open and welcoming to all.

1. Aims

The Keys Academy Trust is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment. TKAT values diversity, diversity of needs and aims to keep exclusions as infrequent as possible.

Our schools aim to:

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

TKAT recognises that pupils with additional needs, disabilities, or disadvantaged backgrounds are disproportionately affected nationally by suspension and exclusion. TKAT has measures in place to ensure that early intervention and use of alternative strategies before suspension of exclusion.

2. Legislation and statutory guidance

This policy is based on guidance from the Department for Education dated August 2024: [Suspension and permanent exclusion guidance](#). It has due regard to all relevant legislation, which outlines schools' powers to exclude pupils, including, but not limited to the following:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023

In addition, the policy is based on:

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

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

This policy also has due regard to other statutory and non-statutory guidance, including, but not limited to:

- DfE (2024) "[Behaviour in Schools](#)"
- DfE (2014) "[Special educational needs and disability code of practice 0 to 25 years](#)"
- DfE (2018) "[Mental health and behaviour in schools](#)"

3. Definitions

- Suspension – when a pupil is temporarily removed from the school for a fixed period for behaviour management purposes. This was previously referred to as a ‘fixed-term exclusion’. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum of 45 days of suspension in an academic year before being permanently excluded.
- Permanent exclusion – when a pupil is removed, subject to a decision of the Local Governors’ Disciplinary Committee (LGDC) to reinstate the pupil to the school, the pupil is prevented from attending the school again. 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.
- Off-site direction – when the Board of Trustees uses its general powers to arrange for a pupil to attend another education setting temporarily, to improve their behaviour.
- Parent – any person who has parental responsibility and any person who has care of the child.
- Managed move – when a pupil is transferred to another school permanently where it is thought to be in a pupil’s best interests. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. (Note: The Keys Academy Trust is the admission authority for all our schools).
- Headteacher – The term ‘headteacher’ in this document means the headteacher, executive headteacher or acting head teacher of a maintained school or academy. An acting headteacher is someone appointed to carry out the functions of the headteacher in the headteacher’s absence or pending the appointment of a headteacher. This will not necessarily be the deputy headteacher.

TKAT continues to commit to suspension/exclusions as a last resort when all alternative options have been exhausted. Alternatives that will be explored as part of an inclusive risk assessment process are off site direction, managed moves, behaviour action plans, or additional support within the school or within other TKAT schools, if appropriate. These will all be explored in conjunction with the pupil, the parent, and any relevant external specialists.

4. Roles and responsibilities

This Policy applies to all members of TKAT community. Each school within TKAT will apply suspensions and exclusions in accordance with this policy and ensure that its content is relayed to staff, parents and pupils.

4.1 The executive headteacher/headteacher

4.1.1 Deciding whether to suspend or exclude

Only the executive headteacher/ headteacher, or acting headteacher, can suspend a pupil from school on disciplinary grounds or permanently exclude a pupil from school once this has been approved by the CEO. Every decision made will be proportionate to the seriousness of the behaviour with reference to the school’s behaviour policy. The decision can be made in respect of behaviour inside or outside of school. Permanent exclusion will only be used as a last resort.

A decision to exclude a pupil will be taken only:

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

The reasons or circumstances that may warrant a suspension or permanent exclusion include:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability,

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

- Ensure that all multi-tiered interventions have been undertaken prior to support pupils before suspension/exclusion is considered.
(e.g., pastoral support plans, risk assessments, mentoring, counselling, off-site education)
- 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's~~—Ensure that the pupil voice has been heard, there has been parental involvement and there has been any relevant input from social worker or external specialist during the process.
- Consider whether the pupil has special educational needs/disability (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.

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

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The executive headteacher/headteacher and CEO will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were considered when making the decision.

TKAT regularly promotes professional development for its staff on inclusive practices and SEND awareness. TKAT staff are equipped to respond to pupils' unmet needs rather than default to suspension or exclusions.

4.1.2 Informing parents

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

If the executive headteacher/headteacher decides to suspend a pupil or the CEO approves the exclusion of a pupil, the parents must be informed in person or by telephone of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents must also be provided with the following information in writing, without delay:

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

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

If the pupil is of compulsory school age, the executive headteacher/ headteacher must 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

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

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information the pupil needs in order to identify the person they should report to on the first day

If the executive headteacher/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.

When notifying parents about a suspension or permanent exclusion, the headteacher should draw attention to relevant sources of free and impartial information as set out in Appendix 2,

4.1.3 Informing the Trust and local governing body

The headteacher will, without delay, seek approval from the CEO and notify the local governing body 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,
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation,

The executive headteacher/headteacher will notify the Trust and local governing body 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.

4.1.4 Informing the local authority (LA)

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

The notification will include:

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

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

4.1.5 Pupils with disabilities and Special Educational Needs (SEN) including those with Education, Health and Care plans (EHC plans)

The local governing body and Trustees must use their best endeavours to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN. Where a school has concerns about the risk of suspension and/or permanent exclusion, of a pupil with SEN, it should consider what additional support or alternative placement may be required.

We will always make every effort to avoid suspending or excluding any pupil who has special educational needs and/or a disability (SEND) and will only ever do so if the school is genuinely unable to provide them with the support that they need

Where a pupil has an EHC plan, schools should contact the local authority about any behavioral concerns at an early stage and consider requesting an early annual review Informing the pupil's social worker and/or virtual school head (VSH).

4.1.6 Pupils for who a Safeguarding risk is identified

Education is an important protective factor, providing a safe space for children to receive support, be visible to professionals and realise their potential. When children are not in school, they miss the protection and opportunities it can provide, and become more vulnerable to harm.

If a:

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

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

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

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

The social worker / VSH will be invited to any meeting of the LGDC 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.

4.1.7 Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or with the approval of the CEO cancel a permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the local governing body. Where there is a cancellation:

- The parents, the Trust, the local governing body and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- The notification must provide the reason for the cancellation
- The local governing body's duty to hold a meeting and consider reinstatement ceases
- Parents will be offered the opportunity to meet with the executive headteacher/headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school, without delay
- As referred to above, the executive headteacher/headteacher will report to the Trust and local governing body once per term on the number of cancellations,

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

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

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

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

If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

4.2 The Local Governing Body (LGB) and the Local Governors' Disciplinary Committee (LGDC)

4.2.1 Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and permanent exclusions are delegated to the local governing body (LGB). To consider the reinstatement of a pupil in the circumstances outlined in section 5 of this policy, a Local Governors' Disciplinary Committee (LGDC) will be formed which is comprised of three local governors which may be drawn either from the school's local governing body (LGB), or from the local governing bodies of other Trust schools.

The Local Governors' Disciplinary Committee (LGDC) has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the local governing body will provide the secretary of state and Trust with information about any suspensions or exclusions within the last 12 months.

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

4.2.2 Monitoring and analysing suspensions and exclusions data

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

The local governing body will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion, ensuring that all multi-tiered interventions have been undertaken prior to support pupils before suspension/exclusion is considered.
(e.g., pastoral support plans, risk assessments, mentoring, counselling, off-site education)
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site
- Collect and analyse data on exclusions and suspensions by demographics, SEND status, and socio-economic factors.
- Conduct regular policy audits to ensure alignment with inclusion objectives and to identify systemic biases.

4.3 The local authority (LA)

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

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

5. Considering the reinstatement of a pupil

The Local Governors' Disciplinary Committee, which may comprise local governors from other Trust schools, will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

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

- It would result in a pupil missing a public exam or National Curriculum test,

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Chair of the LGB may consider on behalf of the LGB any representations made by parents. However, they are not required to arrange a meeting with parents and they cannot direct the executive headteacher/headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents make representations to the local governing body, the LGDC will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the LGDC is not required to meet and it cannot direct the executive headteacher/ headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, LGDC will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the LGDC may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil at a later date.

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

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

LGDC meetings can be held remotely only at the request of parents. See section 9 for more details on remote access to meetings.

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

The LGDC can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date
- In reaching a decision, the LGDC will consider:
 - Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
 - Whether the executive headteacher/headteacher followed their legal duties
 - The welfare and safeguarding of the pupil and their peers
 - Any evidence presented to the LGDC,

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

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

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

- The parents

- The executive headteacher/ headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The Keys Academy Trust
- The local authority
- The pupil's home authority, if it differs from the school's,

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

- The fact that it is a permanent exclusion,
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel,
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the LGDC's decision is given to parents),
- The name and address to which an application for a review and any written evidence should be submitted,
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion,
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Trust to appoint an SEN expert to advise the review panel,
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment,
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review,
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review,
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

NOTE: Off-rolling. Our schools are aware that off-rolling is unlawful. Ofsted defines off-rolling as:

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

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

- Without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023 or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance;

- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

6. Independent review

If parents apply for an independent review within the legal timeframe, the Trust will arrange for an independent panel to review the decision of the LGDC not to reinstate a permanently excluded pupil.

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

Independent reviews can be held remotely at the request of parents. See section 9 for more details on remote access to meetings.

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

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

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

- Are a member/trustee of the Trust of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Trust or the local governing body of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the Trust, school, local governing body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover),

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard to the interests of other pupils and people working at the school.

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEND expert is present, the panel must seek and have regard to the SEND expert's view of how identified SEND 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 CEO and executive headteacher/headteacher in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion.

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

- Uphold the LGDC's decision
- Recommend that the LGDC reconsiders reinstatement
- Quash the LGDC's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed),

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

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the LGDC at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the LGDC 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 LGDC 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 LGDC reconsider reinstatement.

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

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it,
- Where relevant, details of any financial readjustment or payment to be made if the LGDC does not subsequently decide to offer to reinstate the pupil within 10 school days,
- Any information that the panel has directed the LGDC to place on the pupil's educational record

7. School registers

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

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

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

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

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

7.1 Making a return to the LA

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

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

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

8. Returning from a suspension

8.1 Reintegration strategy

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

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

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

- Maintaining regular contact during the suspension or off site direction and welcoming the pupil back to school,
- Contact in school with a designated pastoral professional
- Regular reviews with the pupil and parents to praise progress being made and raise and address concerns at an early stage.
- Informing the pupil, parents and staff of potential support
- Return to school meetings
- Updated support plans
- Progress monitoring

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

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

8.2 Reintegration meetings

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

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

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

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

9. Remote access to meetings

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

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

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

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

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

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

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

10. Monitoring arrangements

The school will collect data on the following:

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

The data will be analysed every term by a member of the TKAT staff. Each school will report back to the local governing body and the Trust.

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

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

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

The Trust will work with its schools to consider this data and to analyse whether there are patterns across the Trust, recognizing that numbers in any one school may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Curriculum Effectiveness and Church Ethos Committee every 2 years or in line with DfE guidance. At every review, the policy will be approved by the Trust and shared with its schools.

10.1 CCTV, witness evidence and pupil views

TKAT schools may use closed circuit television (CCTV) within their premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any LGDC review meeting.

11. Links with other policies

This exclusions policy operates in conjunction with other school policies including the following:

- Behaviour policy
- SEND policy and information report
- Anti-Bullying Policy
- Child Protection and Safeguarding Policy

Appendix 1: independent review panel training

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

Training must have covered:

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

Appendix 2 Sources of free and impartial information for parents.

When notifying parents about a suspension or permanent exclusion, the headteacher should draw attention to relevant sources of free and impartial information. This information should include:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here – <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>,
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found here – <https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network>,
- Coram's Child Law Advice service can be found through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: <http://www.ace-ed.org.uk/>
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.