



Suspension and Permanent Exclusion Policy

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POLICY OWNER(S)	Director of Adult Education
DESIGNATION	St Elizabeth's School, Sixth Form and College
Approved by	Governing Bodies

Purpose of policy	To give guidance for suspensions and exclusions
Intended audience	School, Sixth form and College staff
Links to other policies	Behaviour policy SEND policy Equality, Diversity and Inclusion policy Safeguarding policy

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1. Aims

This policy is designed to outline St Elizabeth's School and College's approach to suspensions and permanent exclusions within the statutory framework as defined in the Department for Education's, *Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* (statutory guidance, in force from 1 September 2023; last updated August 2024).

It outlines where St Elizabeth's School, Sixth Form and College applies its own additional guidance, which seeks to complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the School and College.

Only the Director of Children's Education or Director of Adult Learning of St Elizabeth's School, Sixth Form and College can take the decision to exclude a learner.

In discharging their duties, the Directors and Governors will have regard to the Department for Education guidance *Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* (in force from 1 September 2023; last updated August 2024).

They will also take into account their statutory duties in relation to special educational needs including having regard to their SEN Code of Practice.

Exclusion is a sanction used by St Elizabeth's School, Sixth Form and College only in cases deemed as serious breaches of St Elizabeth's Behaviour Policy. A learner may be at risk of exclusion from School, Sixth Form and College for (as examples):

- Physical assault of another pupil, learner or adult;
- Persistent and repetitive disruption of lessons and other students' learning;
- Extreme violent or aggressive behaviour which puts the child or young person as well as others at risk of harm

Exclusion from St Elizabeth's School, Sixth Form and College should be used as a last resort in response to serious or persistent breaches of St Elizabeth's behaviour policy and when

allowing the pupil/learner to remain in School, Sixth Form or College would seriously harm the education or welfare of the learner and others in the School or College. Other than in the case of a serious one-off offence (such as serious actual or threatened violence, sexual abuse or assault, supplying an illegal drug or carrying an offensive weapon) exclusion should only be used when other approaches have been unsuccessful.

Good discipline and a multidisciplinary therapeutic approach in the School, Sixth Form and College is essential to ensure that all pupils and learners can benefit from the opportunities provided by education.

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

Our school and college aims to:

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

A note on off-rolling

Our School, Sixth Form and College is aware that off-rolling is unlawful. Ofsted defines off-rolling as: *“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”*

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

- Because they have special educational needs and/or a disability (SEND) that the school or college feels unable to support
- Due to poor academic performance

2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (in force from 1 September 2023; last updated August 2024).

The statutory guidance was updated in August 2024 to reflect, among other matters, the updated school attendance framework and related regulatory changes. This policy should be read and applied alongside the school's attendance processes.

It is based on the following legislation, which outlines school's/colleges powers to exclude pupils and learners:

Section 51A of the Education Act 2002 (as inserted by the Education Act 2011)
The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (SI 2012/1033), as amended (including amendments relating to cancelling exclusions and remote access meetings)

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/learners
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; and the SEND Code of Practice: 0 to 25 years.

This policy should also be read alongside (and is intended to support compliance with) the School and College's contractual, regulatory and governance obligations applicable to its operation as a non-maintained specialist school and independent specialist college.

3. Definitions

Suspension – when a pupil is removed from the school for a temporary, fixed period. This was previously referred to as a 'fixed-term exclusion'. Only suspensions have a time limit.

Permanent exclusion – when a pupil/learner is removed from the school/college permanently and taken off the school/college roll. This is sometimes referred to as an 'exclusion'.

Parent – any person who has parental responsibility and any person who has care of the child/young person.

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

4. Roles and responsibilities

4.1 The head teacher/head of college

Deciding whether to suspend or exclude

Only the head teacher/head of college, or acting head, can suspend or permanently exclude a pupil/learner from school/college on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school/college. The head (as described above) will only use permanent exclusion as a last resort. No child or adult is to be sent home during the school day unless a formal suspension (fixed period) or exclusion decision has been made and communicated.

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

- In response to serious or persistent breaches of the behaviour policy, **and** if allowing the pupil/learner to remain in school/college would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude, the head will: consider whether the incident and the proposed sanction are connected to unmet special educational needs and/or disability and ensure all relevant and reasonable steps have been taken to support the pupil/learner.

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/learner and their parents/carers (or the learner themselves if they are 18 or older) to give their version of events
- Consider the special educational needs (SEN) and/or disability of the pupil/learner, including whether reasonable adjustments have been made (Equality Act 2010) and whether the behaviour is linked to SEN/disability.
- Consider whether the pupil/learner is especially vulnerable (e.g. the pupil/learner has a social worker, or is a looked-after child (LAC))
- Where the pupil/learner has an EHC Plan, consider and evidence how the provision and strategies in the plan have been delivered, whether an early review/emergency review is needed, and engage with the local authority and relevant professionals to explore additional support or alternative strategies before exclusion wherever possible.
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

to suspend or exclude, unless it would not be appropriate to do so.

St. Elizabeth's school and college will fully support their views expressed through an advocate, such as a parent or social worker.

Under the Equality Act 2010 (the Equality Act), St Elizabeth's School and College must not discriminate against, harass or victimise learners because of; sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment. For disabled children, this includes a duty to make reasonable adjustments to policies and practices and the provision of auxiliary aids.

The Head should avoid permanently excluding any learner with an EHC Plan or looked after child wherever possible. Where exclusion is being considered, the Head must be able to evidence the steps taken to support the pupil/learner, including reasonable adjustments, relevant risk assessment, and engagement with parents/carers and professionals.

St Elizabeth's School/College should engage proactively with parents/carers and, where applicable, the pupil/learner's social worker in supporting behaviour, particularly for pupils/learners with additional needs. In relation to looked-after children, the School should cooperate proactively with foster carers/children's home workers, the local authority that looks after the child and the local authority's virtual school head (VSH). Where a pupil/learner has an EHC Plan, the School/College will work with the local authority and professionals to consider additional support and review provision, with the aim of avoiding exclusion wherever possible.

Concerns about the behaviour, or risk of exclusion, it should, in partnership with others (including the local authority as necessary), consider what additional support or alternative placement may be required. This should involve assessing the suitability of provision for a learner's SEN.

Informing parents (or the learner where they are 18 or older)

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

If a child or young person is looked after or subject to a full care order where St Elizabeth's is their home, Emergency Protocols should take place. These will include:

- Contact with relevant social care teams to arrange emergency respite for the CYP.
- An urgent multi-agency planning meeting to review the situation and implement a crisis plan for the period of the exclusion.
- For a young person attending College, contact would need to be made with the relevant housing association (due to the licensing agreement held) who will do their own impartial investigation
- Subject to the outcome of the housing associations' investigation, they would have the right to serve notice in line with the 7-day license agreement and learning partnership agreement.

- The Children's Homes may serve a period of notice to terminate a placement contract due to significant safeguarding concerns, placement breakdown, Health and safety concerns or if the Children's Homes can no longer meet the needs of the young person.

St Elizabeth's Children's Homes will take a Multi-Disciplinary approach alongside the education team, the Local Authority and Family will have been kept fully aware and informed.

If the head decides to suspend or exclude the parents/pupil/learner will 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/pupil/learner will 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 the parents'/pupil/learners right to make representations about the suspension or permanent exclusion to the governing board and, where the pupil/learner is attending alongside parents, how they may be involved in this
- How any representations should be made,

Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil/learner and that parents/the pupil/learner have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend. That parents/the pupil/the learner 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 head will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies. Parents may be given a fixed penalty notice or prosecuted if they fail to do this
- 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/learner needs in order to identify the person they should report to on the first day.

NOTE: As a non-maintained specialist school and independent specialist college it may be unlikely that alternative provision at another provider is appropriate as a result of exclusion. The school and college heads will work closely with the relevant external agencies if the option of alternative provision is possible.

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

Informing the governing board

The head will, without delay, notify the Chief Executive and Governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil/learner
- Any suspension or permanent exclusion which would result in the pupil/learner 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/learner missing a National Curriculum test or public exam. **NOTE: this does not apply at this time to the curriculums delivered by either school or college.**
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The head teacher 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/learner lives outside the LA in which the school/college is located, the head will also, without delay, inform the pupil's/learners 'home authority' of the exclusion and the reason(s) for it.

The head must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

Informing the pupil's social worker and/or virtual school head (VSH)

At St. Elizabeth's, the majority of pupils and learners have a social worker
If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the head 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 head 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 head teacher decides to suspend or permanently exclude a pupil with a social worker/a pupil who is looked after, they will inform the pupil's/learners social worker/the VSH, as appropriate, without delay, that:

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

The social worker/VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on the pupil's/learner's background and/or circumstances that may have influenced the suspension or permanent exclusion, and to support consideration of safeguarding, welfare and any reasonable alternatives to exclusion. Where relevant, this should include consideration of any SEND and/or EHC Plan provision and whether additional support or an early review is required.

Cancelling suspensions and permanent exclusions

The head may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents (or the pupil/learner if they are 18 or older), governing board and LA will be notified without delay.
- Where relevant, any social worker and VSH will be notified without delay.

- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents (or the pupil/learner if they are 18 or older) will be offered the opportunity to meet with the head teacher to discuss the cancellation, which will be arranged without delay
- The pupil/learner will be allowed back in school/college without delay

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

A permanent exclusion is not subject to the 45 school day limit that applies to suspensions.

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

During the first 5 days of a suspension, if the pupil/learner is not attending alternative (AP) provision, the head will take steps to ensure that achievable and accessible work is set and marked for them. The Head will make sure that work set meets the individual needs of the pupil/learner through their curriculum pathway and therapeutic learning.

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 monitor the progress of the pupil/learner.

4.2 The governing board

Considering suspensions and permanent exclusions

The governing board has a duty to consider parents'/the pupil's/learners (if they are 18 or older) 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.

Monitoring and analysing suspensions and exclusions data

The governing board will review, challenge and evaluate the data on the school's/colleges use of suspension, exclusion, off-site direction to alternative provision (if appropriate), and managed moves.

The governing board will consider:

- How effectively and consistently the behaviour policy is being implemented
- The school/college register and absence codes
- Instances where pupils/learners receive repeat suspensions
- Interventions in place to support pupils/learners at risk of suspension or permanent exclusion.

- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary.
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils/learners, and why this is taking place.
- Whether the placements of pupils/learners 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, (if appropriate/relevant)
- The cost implications of directing pupils/learners off-site, (if appropriate/relevant)

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/learners who are looked after 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/learner

The Governing Bodies 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/learners total number of days out of school to more than 15 in a term; or
- It would result in a pupil/learner missing a public exam or National Curriculum test, where appropriate.

Where the pupil/learner 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 Governing bodies must consider any representations made by parents/the pupil/learner (if they are 18 or older). However, it is not required to arrange a meeting with parents/the pupil/learner and it cannot direct the head to reinstate the pupil.

Where the pupil/learner has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/pupil/learner make representations to the board, the Governing Bodies will consider and decide on the reinstatement of a suspended pupil within 50 school/college days of receiving notice of the suspension. If the parents/pupil/learner do not make representations, the board is not required to meet, and it cannot direct the head to reinstate the pupil/learner.

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

- Parents, or the pupil/learner if they are 18 or older (and, where requested, a representative or friend).
- The pupil/learner, 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 Head.
- The pupil's/learners social worker, if they have one.
- The VSH, if the pupil is looked after.

Governing board meetings can be held remotely at the request of parents, or pupils/learners if they are 18 or older. See section 9 for more details on remote access to meetings.

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

The Governing Bodies can either:

- Decline to reinstate the pupil/learner, or
- Direct the reinstatement of the pupil/learner immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the Governing Bodies will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair.
- Whether the head followed their legal duties.
- Whether relevant SEND duties were met, including consideration of disability-related behaviour, reasonable adjustments (Equality Act 2010), and—where the pupil/learner has an EHC Plan—evidence of engagement with the plan and relevant professionals, and that exclusion was avoided wherever possible.
- The welfare and safeguarding of the pupil/learner and their peers; any evidence that was presented to the governing board (including evidence of support put in place and reasonable adjustments where relevant).

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

The clerk will be present when the decision is made.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered.

The outcome will also be recorded on the pupil's/learners educational record, and copies of relevant papers will be kept with this record.

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

- The parents, or the pupil/learner if they are 18 or older
- The head
- The relevant social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's/learners home authority, if it differs from the school's/colleges

Where an exclusion is permanent and the Governing Bodies 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'/the pupil's and learners (if they are 18 or older) right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted

That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion

That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Local Authority to appoint an SEN expert to advise the review panel .

Details of the role of the SEN expert and that there would be no cost to parents for this appointment.

That parents must make clear if they wish for an SEN expert to be appointed in any application for a review

That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review

That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of

discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. Independent review

If parents/the pupil or learner (if they are 18 or older) apply for an independent review within the legal timeframe, the Local Authority will, at their own expense, arrange for an independent review panel (IRP) to review the decision of the governing board not to reinstate a permanently excluded pupil/learner.

Applications for an independent review must be made within 15 school days of notice being given to the parents/pupil /learner by Governing Body 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 review panel (IRP) meetings can be held remotely at the request of parents/pupils/learners. 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 head 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/college in a paid capacity, disregarding any experience as a school/college governor or volunteer
- Current or former school/college governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or head teachers during this time
- Head teachers or individuals who have been a head teacher within the last 5 years

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

- Are a member of the of the excluding school/college
- Are the head of the excluding school/college, or have held this position in the last 5 years
- Are an employee of the local authority or the governing board, of the excluding school (unless they are employed as a head teacher at another school/college)
- Have, or at any time have had, any connection with the school/college, governing board, parents or pupil or learner, 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/learner, including the circumstances in which the pupil/learner was permanently excluded, and have regard to the interests of other pupils/learners and people working at the school/college.

In doing so, the panel should have regard to whether the excluding school/college properly considered and met relevant SEND and equality duties, including whether reasonable adjustments were considered, and—where the pupil/learner has an EHC Plan—whether the plan provision and engagement with the local authority/professionals were appropriately considered and evidenced before permanent exclusion was pursued.

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

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil/learner 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/learner experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's/learners permanent exclusion.

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

considered by the head (school only) in the lead up to the permanent exclusion or are relevant to the pupil's permanent exclusion.

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

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

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

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers

would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

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

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

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

7. School/ Sixth Form / college registers

A pupil/learner name will be removed from the register if:

- 15 school/college days have passed since the parents/pupil/learner (if they are 18 or older) were notified of Governing body decision to not reinstate the pupil/learner and no application has been made for an independent review panel, or
- The parents/pupil/learner have stated in writing that they will not be applying for an independent review panel

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

While the name remains on the school/college admission register, attendance will still be recorded in line with the attendance regulations and the school's attendance procedures.

Where a permanently excluded pupil/learner is attending educational provision off-site, the appropriate attendance code will be used (for example, code B for education off-site or code D for dual registration, where applicable). Where excluded pupils/learners are not attending such provision, absence will be recorded using the appropriate code (for example, code E, where applicable).

Making a return to the LA

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

- The full name of the pupil/learner
- The full name and address of any parent with whom the pupil/learner normally resides
- At least 1 telephone number at which any parent with whom the pupil/learner 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)
- If the pupil / learner is 'moving on', details of the new provider. In the case of St. Elizabeth's school/college the LA will be fully involved in a managed move.

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

8. Returning from a suspension

8.1 Reintegration strategy

Following suspension, or cancelled suspension or exclusion, the school/college will put in place a strategy to support the pupil/learner transition successfully back into school/college life.

Where relevant, reintegration planning will take account of the pupil/learner's SEND and/or disability and will include any reasonable adjustments and support necessary to enable a successful return.

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

- Maintaining regular contact during the suspension
- Daily contact with a designated pastoral professional/or safeguarding lead
- Social stories, visual support – therapy and behaviour support
- Regular reviews parents/carers, pupils/learners to praise progress being made whilst not in school/college
- Informing all involved of any timetabling adjustments to aid reintegration
- Adjustments to support and timetable as appropriate

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

8.2 Reintegration meetings

The school/college will clearly explain the transition/reintegration strategy to the family/carers/pupil or learner in a meeting before or on the pupil's/learners return to school or College. During the meeting the school /college will support the pupil/learner to build their understanding of their return and that they are a valued member of the community. This may include professional's attendance from other specialists, for example therapy.

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

The meeting can proceed without the parents in the event that they cannot or do not attend; representation from the LA or VSH (school only) would be welcome.

Pupils and learners that do not attend will not be restricted from returning to St. Elizabeth's school/college.

9. Remote access to meetings

Parents, or pupils or learners if they are 18 or older, can request that a governing board meeting, or independent review panel be held remotely. If the parents/pupil/learner don't express a preference, the meeting will be held in person.

In exceptional circumstances where it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

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

The governing board 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 (school only) 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 and college will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions and managed moves (if relevant / appropriate)
- Anonymous surveys of staff, pupils/learners, families/carers and other stakeholders on their perceptions and experiences

The data will be analysed every year by the Director of Learning. The Director of Learning will report back to Head(s), Governors, Chief Executive and Trustee Board. The data will be analysed from a variety of perspectives including:

- Level, pathway of learning
- Protected characteristics
- By time of day/week/term

The school/college 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 are identified by this analysis, the school/college will review its policies in order to tackle it.

This policy will be reviewed by Director of Learning every 2 years. At every review, the policy will be approved by the relevant Governing Body (School/College).

11. Links with other policies

This policy is linked to our:

- Behaviour policy
- SEND policy
- Equality, Diversity and Inclusion policy
- Safeguarding policy

Appendix 1: independent review panel training

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

Training must have covered:

The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making

The need for the panel to observe procedural fairness and the rules of natural justice
 The role of the chair and the clerk of a review panel
 The duties of head teachers, 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

12. Policy Approval & Review Process

Review: This Policy will be reviewed annually.

Date created: May 2021

Version History:3

Date	Approved By	Added to Policy Log
May 2021	Governing Bodies	
July 2023	Governing Bodies	
April 2026	Governing Bodies	April 2026

