

## Suspension and Permanent Exclusion Policy

### 1.0 Statement of intent

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

All settings aim to:

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

### 2.0 Off-rolling

The Trust 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 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) Regulations 2012,
- Not formally recording the event such as asking parents to collect early to 'cool off'.
- Because they have special educational needs and/or a disability (SEND) that the setting 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

### 3.0 Definitions

A **'suspension'** is defined as the temporary removal of a pupil from a setting. A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period.

An **'exclusion'** is defined as the permanent removal of a pupil from the school, in response to a serious breach or persistent breaches of the school's Behaviour Policy, and where allowing the pupil to remain in setting would seriously harm the education or welfare of the pupils or staff in the school.

**'Off-site direction'** is when the Trust arranges off-site provision for a time limited period. This is where interventions or targeted support have not been successful in improving a pupil's behaviour. They can be an Alternative Provision 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.

**'Parent'** is defined as any person who has parental responsibility and any person who has the care of the child.

**'Managed move'** is an agreement between two schools, a child and their parents. It allows a child at risk of permanent exclusion to transfer to another school for a trial period of 16 school weeks. If this move is a success, at the end of this period, the child will formally transfer to the new school. If, during this period, the move is unsuccessful, the child will return to their home school. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

#### 4.0 Legal framework

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 - from September 2023](#).

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

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- In addition, the policy is based on:
- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'.
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

#### 5.0 Roles and responsibilities

##### 5.1 The Academy Head

##### 5.2 Deciding to Suspend or Permanently Exclude

Only the Academy Head, or CEO or the Director of Education (in the absence of the Academy Head), can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year), or permanently excluded.

The Academy Head will only use suspension or permanent exclusion as a last resort.

The following are examples of behaviour that may warrant the decision to suspend a pupil:

- 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
- Bullying, in person or virtually
- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse
- Physical sexual assault against another pupil
- Physical sexual assault against an adult

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

- In response to serious or persistent breaches such as the following:
- Serious physical harm caused to another pupil or an adult, significant damage to property, behaviour that poses a significant risk to the pupil or other people's safety, or persistent disruption to the education of other children

and

- If allowing the pupil to remain in school would seriously harm the education or welfare of others
- Before deciding whether to suspend or exclude a pupil, the Academy Head should:
- Consider all the relevant facts and evidence (applying civil standard of proof)
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- 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 Academy Head will consider the views of the pupil, in light of their age and understanding, before deciding to 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 Academy Head will not reach their decision until they have heard from the pupil and will inform the pupil of how their views were taken into account when making the decision, unless it would not be appropriate to do so.

### 5.3 Informing parents

If a pupil is at risk of suspension or exclusion the Academy Head 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. (As described in section 6.)

If the Academy Head decides to suspend or exclude a pupil, the parents 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 will also be provided with the following information in writing, without delay (see appendix 2-5). This letter will be recorded on Arbor along with the suspension.

- 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' right to make representations about the suspension or permanent exclusion to the Trust Board and, where the pupil 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 Trust Board 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 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 Academy 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 needs in order to identify the person they should report to on the first day.

If the Academy Head does not have all the information about the Alternative Provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where Alternative Provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent. If the Academy Head cancels the suspension or permanent exclusion, they will notify the parents without delay, and provide a reason for the cancellation.

#### 5.4 Informing the Trust Board

The Academy Head will, without delay, notify the Trust Board. This will happen by the Academy Head notifying the Director of Education or Trust CEO of any suspension. The notification should include the length of suspension, and if any of the following points 1-5 are relevant. If points 1-5 are raised the Director of Education or Trust CEO will notify the Chair of the Trust.

1. Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil.
2. 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.
3. Any suspension that brings a pupil's total to more than 15 days in one term
4. Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam. In this case the following should be included in the letter to parents "As this suspension will result in [pupil's name] missing a [public examination/national curriculum test] the Trust Board must meet to consider whether the suspended pupil should be reinstated. At the review meeting you may make representations to the Trust Board if you wish. The latest date on which the governing board can meet is [date here — no later than 15 school days from the date the governing board is notified], however as far as is reasonably practicable to do so, the meeting will take place before the date of the examination or test. If it is not practicable for a sufficient number of Trustees to consider the decision before the examination or test, the suspension may be considered by a committee of the Trust Board."
5. Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

### 5.5 Informing the local authority (LA)

The Academy Head 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 Academy Head will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The Academy Head must notify the LA of any cancelled exclusions, including the reason the exclusion was cancelled.

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

If a:

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

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

The social worker/VSH will be invited to any meeting of the Trust Board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances that 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.

### 5.7 Cancelling suspensions and permanent exclusions

The Academy 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 Trust Board. Where there is a cancellation:

- The parents, the Trust 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 Trust Board's duty to hold a meeting and consider reinstatement ceases.

- Parents will be offered the opportunity to meet with the Academy Head to discuss the cancellation, which will be arranged without delay.
- The pupil will be allowed back in school without delay.

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

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

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

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the Academy Head will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as [Google Classroom/Oak Academy/any other online pathway your school uses] may be used for this. If the pupil has a special educational need or disability, the Academy Head 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.

### **5.9 Pupils with Special Educational Needs and Disabilities (SEND) including those with Education, Health and Care plans (EHCP)**

If there are concerns about the behaviour, or risk of suspension and permanent exclusion of a pupil with SEND or an EHCP the Academy head and school should work in partnership with other agencies and should consider what additional support or Alternative Provision may be required. This should include contact with the local authority and referral to the Education Access Team (Suffolk) or Inclusion team (Norfolk).

Where a pupil has an EHCP, schools should contact the local authority as appropriate and consider requesting an early annual review.

## **6.0 The Trust Board**

### **6.1. Considering suspensions and permanent exclusions**

Responsibilities regarding exclusions are delegated to the Trust Board.

The Trust Board has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances. See section 8.

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

### **6.2 Providing education beyond 5 days of continuous suspension**

The Trust Board should arrange an Alternative Provision from the sixth day.

The following information must be included with this notice where it can reasonably be found out within the timescale:

- the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion.

- 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.

### 6.3 Monitoring and analysing suspensions and exclusions data

The Trust Board 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 Trust Board will consider:

- How effectively and consistently the school's behaviour policy is being implemented.
- The school register and absence codes
- Instances where pupils receive repeat suspensions.
- Interventions in place to support pupils at risk of suspension or permanent exclusion.
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary.
- 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.

### 7.0 The local authority (LA)

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

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

### 8.0 Considering the reinstatement of a pupil.

The Trust Board 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 Trust Board must consider any representations made by parents. However, it is not required to arrange a meeting with parents, and it cannot direct the Academy Head 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 board, the Trust Board 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 board is not required to meet, and it cannot direct the Academy Head to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Trust Board 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 [name of sub-committee of the Trust Board] may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the Trust Board 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 Academy Head
- The pupil's social worker, if they have one.
- The VSH, if the pupil is looked after.

The Trust Board meetings can be held remotely at the request of parents.

The meeting will be held at the Trust's Head Office. Alternatively, the meeting can take place at the pupil's school. A meeting can also be held virtually at the request of the parent. Meetings should be held at a time that suits all relevant parties; this can include evenings. These options will be set out to parents by the clerk arranging the meeting.

The Trust Board will try to arrange the meeting within the statutory time limits set out above. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Trust Board can either:

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

In reaching a decision, the Trust Board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair.
- Whether the Academy Head followed their legal duties
- The welfare and safeguarding of the pupil and their peers.
- Any evidence that was presented to the Trust Board.

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

The clerk will be present when the decision is made.

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

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

- The parents
- The Academy Head
- The pupil's social worker, if they have one.



- The VSH, if the pupil is looked after.
- The local authority
- The pupil's home authority, if it differs from the school's.

Where an exclusion is permanent and the Trust Board 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 Trust 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 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

## 9.0 Independent review

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

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Trust Board 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.

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 Trust Board 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 setting in a paid capacity, disregarding any experience as a trustee or volunteer.

- Current or former trustees who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Academy Heads 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 member of the academy trust of the excluding school
- Are the Academy Head of the excluding school, or have held this position in the last 5 years
- Are an employee of the academy trust or the Trust Board, of the excluding setting (unless they are employed as an Academy Head at another school)
- Have, or at any time have had, any connection with the academy trust, school, the Trust Board, 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 X 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 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 Academy Head 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 one of the following:

- Uphold the Trust Board's decision
- Recommend that the Trust Board reconsiders reinstatement
- Quash the Trust 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 setting 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 Trust Board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Trust 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 Trust 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 Trust 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 Trust Board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the Trust Board to place on the pupil's educational record

## **10.0 School registers**

### **10.1 Removing from a register**

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

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

Where an application for an independent review has been made within 15 school days, the Trust Board 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.

### **10.2 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 one telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the setting 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 setting that the pupil is moving house

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

## **11.0 Returning from a suspension**

### **11.1 Reintegration strategy**

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

Where necessary, the setting will work with the Trust's Inclusion team and/ or external agencies to identify whether the pupil has any unmet special educational and/or health needs.

If the pupil already has an EHCP an early annual review should be considered.

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 (including behaviour support plans and risk assessments) will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

### **11.2 Reintegration meetings**

The setting will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

During the meeting the following may be discussed:

- Possible triggers for the behaviours
- The support that will be put in place going forward
- Any support available out of school
- The setting will communicate to the pupil that they are getting a fresh start and that they are a valued member of the setting community.

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

The setting 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.

## **12.0 Remote access to meetings**

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

In case of extraordinary or unforeseen circumstances, which mean 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 Trust 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 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

### **13.0 Monitoring arrangements**

The setting 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, and other stakeholders on their perceptions and experiences

The data will be analysed every academic year by the Head of Service, Inclusion. They will report back to the Trust Board and Academy Heads.

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

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

The trust 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 setting will review its policies in order to tackle it.

## Appendix 1

### SUSPENSION LETTER- For suspensions that bring a pupil's total to less than 5 days in a term

(Insert school header)

(Date)

Dear (Parent/Guardian Name),

I am writing to inform you of my decision to suspend (Name of Child) for a (insert number) day fixed period on (Date). This means that they will not be allowed in school for this period.

I realise that this suspension may well be upsetting for you and your family, but the decision to exclude (Name of Child) has not been taken lightly. In line with our Behaviour and Inclusion Policy, they have been suspended for this fixed period because of:

(Delete as appropriate)

- Behaviour which endangered the safety of him/herself and others
- Physically aggressive behaviour towards members of staff
- Persistently disruptive
- Refusal to follow staff instruction
- Persistent violent behaviour towards school property
- Damage to school property

(Class Teacher) will set work to be completed during this period of suspension (further details/arrangements for work). Please ensure that this work is completed and returned to (Class Teacher) when (Name of Child) returns to school on (Date).

You also have the right to see a copy of (Name of Child) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of their school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying. You may want to contact the LA who can provide advice.

(Name of Child) suspension expires at the end of (Date), and we expect them to be back in school on (Date). It would be helpful for us to meet at (School Name) on (Date) to discuss arrangements for their return to school and ensure a successful and positive re-integration back into school. (Delete as appropriate) I have also invited members of our Inclusion Team to the meeting so that we can discuss next steps. Please be aware it is against regulations for (Name of Child) to be on school premises during the suspension period. You also have a duty to ensure that the child is not in a public place during school hours without a legitimate reason.

You have a right to make representations about this decision to the Trust Board. If you wish to make representations, please contact [enquiries@consortiumtrust.org.uk](mailto:enquiries@consortiumtrust.org.uk) as soon as possible. Whilst the Trust Board has no power to direct reinstatement, they must consider any representations you make and may place a copy on their school record.



You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability). <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the Trust Board.

Yours sincerely,

Name  
Academy Head

## Appendix 2

### SUSPENSION LETTER- for a suspension where it brings a pupil's total to more than 5 but less than 15 in a single term.

(Insert school header)

(Date)

Dear (Parent/Guardian Name),

I am writing to inform you of my decision to suspend (Name of Child) for a (insert number) day fixed period on (Date). This means that they will not be allowed in school for this period.

I realise that this suspension may well be upsetting for you and your family, but the decision to exclude (Name of Child) has not been taken lightly. In line with our Behaviour and Inclusion Policy, they have been suspended for this fixed period because of:

(Delete as appropriate)

- Behaviour which endangered the safety of him/herself and others
- Physically aggressive behaviour towards members of staff
- Persistently disruptive
- Refusal to follow staff instruction
- Persistent violent behaviour towards school property
- Damage to school property

(Class Teacher) will set work to be completed during this period of suspension (further details/arrangements for work). Please ensure that this work is completed and returned to (Class Teacher) when (Name of Child) returns to school on (Date).

You also have the right to see a copy of (Name of Child) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of their school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying. You may want to contact the LA who can provide advice.

(Name of Child) suspension expires at the end of (Date) and we expect them to be back in school on (Date). It would be helpful for us to meet at (School Name) on (Date) to discuss arrangements for their return to school, and ensure a successful and positive re-integration back into school. (Delete as appropriate) I have also invited members of our Inclusion Team to the meeting so that we can discuss next steps. Please be aware it is against regulations for (Name of Child) to be on school premises during the suspension period. You also have a duty to ensure that the child is not in a public place during school hours without a legitimate reason.

As this suspension brings (Name of Child)'s total to more than 5, but not more than 15 school days, in a single term, you have the right to make representations to the board. If you make representations to the Trust Board, they will consider and decide on the reinstatement within 50 school days of receiving notice of the suspension. If you do not make representations, the board is not required to meet, and it cannot direct the Academy Head to reinstate the pupil.

**NB – Only include the subsequent paragraph for suspensions of over five consecutive school days regardless of whether this is a result of one or more than one suspension]**

From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows





[state times.] **[NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].**

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability). <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the Trust Board.

Yours sincerely,

Name  
Academy Head

### Appendix 3

## SUSPENSION LETTER- for a suspension where it brings a pupil's total to more than 15 days in a single term

(Insert school header)

(Date)

Dear (Parent/Guardian Name),

I am writing to inform you of my decision to suspend (Name of Child) for a (insert number) day fixed period on (Date). This means that they will not be allowed in school for this period.

I realise that this suspension may well be upsetting for you and your family, but the decision to exclude (Name of Child) has not been taken lightly. In line with our Behaviour and Inclusion Policy, they have been suspended for this fixed period because of:

(Delete as appropriate)

- Behaviour which endangered the safety of him/herself and others
- Physically aggressive behaviour towards members of staff
- Persistently disruptive
- Refusal to follow staff instruction
- Persistent violent behaviour towards school property
- Damage to school property

(Class Teacher) will set work to be completed during this period of suspension (further details/arrangements for work). Please ensure that this work is completed and returned to (Class Teacher) when (Name of Child) returns to school on (Date).

You also have the right to see a copy of (Name of Child) school record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of their school record. I will be happy to supply you with a copy if you request it. There may be a charge for photocopying. You may want to contact the LA who can provide advice.

(Name of Child) suspension expires at the end of (Date) and we expect them to be back in school on (Date). It would be helpful for us to meet at (School Name) on (Date) to discuss arrangements for their return to school, and ensure a successful and positive re-integration back into school. (Delete as appropriate) I have also invited members of our Inclusion Team to the meeting so that we can discuss next steps. Please be aware it is against regulations for (Name of Child) to be on school premises during the suspension period. You also have a duty to ensure that the child is not in a public place during school hours without a legitimate reason.

You have a right to make representations about this decision to the Trust Board. As the length of the suspension is more than 15 school days in total in one term the Trust Board must meet to consider the suspension. The Trust Board must take all reasonable steps to meet to consider the decision within 15 school days of receiving the notice of suspension [specify the date — the 15th school day after the suspension decision date]. If you wish to make representations at this meeting, please contact enquiries@consortiumtrust.org.uk as soon as possible. Please let us know if you would like this meeting to be held remotely.

**NB – Only include the subsequent paragraph for suspensions of over five consecutive school days regardless of whether this is a result of one or more than one suspension]**



From the [6th school day of the pupil's suspension until the expiry of the suspension, we will provide suitable full-time education. On [date] s/he should attend [give name and address of provision] at [specify the time] and report to [staff member's name]. The start and finish times are as follows [state times.] **[NB If not known at this time, it may be provided by subsequent notice, but it must be provided without delay, and no later than 48 hours before the provision is due to start].**

You should also be aware that if you think the suspension relates to a disability your child has, and you think disability discrimination has occurred, you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability). <http://www.justice.gov.uk/tribunals/send>. Making a claim would not affect your right to make representations to the Trust Board.

Yours sincerely,

Name  
Academy Head

## Appendix 4 PERMANENT EXCLUSION LETTER

(Insert school header)

(Date)

Dear (Parent/Guardian Name),

I regret to inform you of my decision to permanently exclude (Name of Child) with effect from (Date). This means that (Name of Child) will not be allowed in this school unless they are reinstated by a panel of the Trust Board.

I realise that this exclusion may well be upsetting for you and your family, but the decision to permanently exclude (Name of Child) has not been taken lightly. (Name of Child) has been excluded because despite all of the school's reasonable adjustments and support of (Name of Child) since they joined our school, their behaviour has now reached a point where their non-compliance, physical aggression and destructive behaviour is threatening the well-being and safety of themselves and the well-being and safety of other pupils and/or the staff on a regular basis.

You have a duty to ensure that your child is not present in a public place in school hours during the first 5 school days of this exclusion, i.e., xxxxxxxx, unless there is reasonable justification. You could be prosecuted or receive a penalty notice if your child is present in a public place during school hours on those dates. It will be for you to show reasonable justification.

Alternative arrangements for (Name of Child) education to continue will be made. For the first five school days of the exclusion, we will set work for (Name of Child); his/her class teacher will provide this for you, and we would ask you to ensure this work is completed and returned to school for marking. From the sixth school day of the exclusion onwards — i.e. from (Date) the relevant local authority will provide suitable full-time education.

As this is a permanent exclusion the Trust Board must meet to consider it. At the meeting you may make representations, your child can also attend the meeting if you wish, and you can ask them to reinstate your child in school. In light of its consideration, the Trust Board can either direct reinstatement immediately or on a particular date, or decline to reinstate your child in which case you may make application against their decision to an Independent Review Panel.

The latest date by which the Trust Board must meet is (Date) — the 15th school day after the date on which the Trust Board was notified of the exclusion. If you wish to make representations to the Trust Board and wish to be accompanied by your child, a friend or representative please contact enquiries@consortiumtrust.org.uk or via the school office as soon as possible. You will, whether you choose to make representations or not, be notified by the Trust of the time, date and location of the meeting. Please let us know if you have a disability or special needs which would affect your ability to attend the meeting. Also, please inform the Trust Clerk, enquiries@consortiumtrust.org.uk if it would be helpful for you to have an interpreter present at the meeting.

You should also be aware that if you think the exclusion relates to a disability your child has and you think disability discrimination has occurred; you have the right to appeal, and/or make a claim, to the First Tier Tribunal (Special Educational Needs and Disability)



<https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability>) or the County Court in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the Trust.

Exclusion guidance can be obtained from the Department for Education website at <https://www.gov.uk/government/publications/school-exclusion>. You may also find it useful to contact the Coram Children's Legal Centre <http://www.childrenslegalcentre.com> or ACE Education <http://www.ace-ed.org.uk> who aim to provide impartial advice and information to parents on state education matters.

Advice on the exclusions process can also be obtained from the Exclusions Team in Children's Services by telephone on 01502 674722 or by email to [SENDLW@suffolk.gov.uk](mailto:SENDLW@suffolk.gov.uk) or the Suffolk SEND Partnership by telephone on **01473 265210** or by email to [sendiass@suffolk.gov.uk](mailto:sendiass@suffolk.gov.uk) (for pupils with special educational needs). For pupils attending school in Norfolk further advice can be obtained from Norfolk County Council by telephone 01603 307727 or by email to [csexclusions@norfolk.gov.uk](mailto:csexclusions@norfolk.gov.uk) or the Norfolk SEND Partnership by telephone on 01603 704070 or by email to [norfolksendiass@norfolk.gov.uk](mailto:norfolksendiass@norfolk.gov.uk) (for pupils with special educational needs).

Yours sincerely,

Name  
Academy Head

## Document Control

### Changes History

Version	Date	Amended By	Details of Change
1	21.9.2023	Gemma Bucklee	Creation of separate policy focusing on Suspension and Exclusion using the latest government guidance and legislation
2	1.2.2024	Gemma Bucklee	To include information on venue and timings of panel meetings

### Approval

Name	Job Title	Signed	Date
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	31/3/2022
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	31/3/2022
Andrew Aalders-Dunthorne	Principal/CEO	Electronic signature	15/2/2024
Dawn Carman-Jones	On behalf of the Trust Board	Electronic signature	15/2/2024

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