



# **EXCLUSION POLICY**

**Priestley Smith Specialist VI School**

**September 2026**

Policy review date: September 2027

Policy status: Statutory

Responsible member of SLT: Joanna Garvey Headteacher

In line with DfE Statutory Guidance Suspensions and Exclusion July 2026

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## 1. POLICY STATEMENT, AIMS AND LEGAL PRINCIPLES

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### 1.1 Policy statement

Priestley Smith School is committed to providing a calm, safe, supportive and respectful environment in which all pupils can learn and all members of the school community are treated with dignity.

The school is committed to the rights of the child as set out in the United Nations Convention on the Rights of the Child and through its Rights Respecting Schools work. In particular, the school recognises pupils' rights:

- to express their views and have those views taken into account in matters affecting them;
- to be protected from harm;
- to be treated fairly and with dignity;
- to receive an appropriate, high-quality education; and
- to develop their talents, abilities and personality.

The school's approach to behaviour is based on mutual rights, responsibilities and respect. Suspension and permanent exclusion will form part of the school's wider behaviour framework but will be used only where they are lawful, reasonable, fair and proportionate.

Suspension and permanent exclusion are disciplinary measures. They will not be used because the school is unable to meet a pupil's special educational needs, because of poor academic attainment, because of the conduct of a pupil's parent, or for any other non-disciplinary reason.

The school will not use informal, unofficial or unlawful exclusions. A pupil will not be sent home for disciplinary reasons without the formal suspension or permanent exclusion procedure being followed, even where a parent agrees to the arrangement.

Permanent exclusion will be used only as a last resort, except where a serious one-off incident makes permanent exclusion necessary to protect the education or welfare of the pupil or others.

The school will not operate a blanket "no exclusion" policy where doing so could expose pupils or staff to unreasonable risk or create safeguarding concerns. Instead, the school will work proactively to create an environment in which suspension and permanent exclusion are rarely necessary.

### 1.2 Aims

Priestley Smith School aims to:

- ensure that the suspension and permanent exclusion process is applied lawfully, fairly, reasonably, proportionately and consistently;
- ensure that pupils, parents, staff, governors and relevant professionals understand their rights, responsibilities and roles within the process;
- maintain a calm, safe and supportive environment in which pupils and staff are protected from disruption, violence, abuse, bullying and other harmful behaviour;
- promote self-discipline, positive behaviour, respect for others and proper regard for authority;
- ensure that suspension is used only where appropriate and that permanent exclusion is used only where absolutely necessary;
- identify and respond to any underlying causes of behaviour, including unmet special educational needs, disability, mental-health needs, communication needs, trauma, safeguarding concerns or wider family circumstances;
- ensure that reasonable adjustments and appropriate special educational provision have been considered and implemented;
- enable and encourage pupils to express their views at every appropriate stage of the process, taking account of their age, understanding and communication needs;
- ensure that looked-after children, previously looked-after children, pupils with a social worker and pupils with an education, health and care plan receive appropriate additional consideration and support;
- provide suitable education during a suspension or following a permanent exclusion in accordance with statutory requirements;
- support effective reintegration following a suspension;
- use off-site direction and managed moves only lawfully, transparently and in the pupil's best interests;

- prevent unlawful off-rolling or any inappropriate removal of pupils from the school roll;
- monitor suspensions, permanent exclusions and pupil movements to identify patterns, disproportionality and areas for improvement;
- avoid discrimination and advance equality of opportunity;
- work constructively with parents, the local authority, social workers, Virtual School Heads and other relevant agencies; and
- reduce the risk that pupils become not in education, employment or training.

### **1.3 Statutory basis**

This policy has been prepared with regard to the Department for Education statutory guidance:

*Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*, July 2026.

The July 2026 guidance comes into force on 26 July 2026 and replaces the previous version of the guidance for exclusions occurring from that date.

Priestley Smith School, its Headteacher and Governing Body must have regard to the statutory guidance when carrying out their functions relating to suspension, permanent exclusion, off-site direction, managed moves, reinstatement and independent review.

This policy is based principally on the following legislation:

- the Education Act 1996;
- the Education Act 2002, as amended by the Education Act 2011;
- the Education and Inspections Act 2006;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended;
- the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007;
- the Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014;
- the Education (Educational Provision for Improving Behaviour) Regulations 2010;
- the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026;
- the School Attendance (Pupil Registration) (England) Regulations 2024;
- the Equality Act 2010;
- the Children and Families Act 2014;
- the Human Rights Act 1998; and
- relevant safeguarding, special educational needs, attendance and alternative-provision legislation.

In applying this policy, the school will also have regard to current statutory and non-statutory guidance, including:

- *Behaviour in Schools*;
- *Keeping Children Safe in Education*;
- *Working Together to Improve School Attendance*;
- the *Special Educational Needs and Disability Code of Practice: 0 to 25 years*;
- *Mental Health and Behaviour in Schools*;
- statutory guidance on alternative provision; and
- the Equality Act 2010 advice for schools.

This policy does not replace the relevant legislation or statutory guidance. Where there is any conflict, the legislation and statutory guidance in force at the time will take precedence. The school will seek legal advice where necessary.

### **1.4 Equality, SEND and safeguarding principles**

When considering suspension or permanent exclusion, the school will comply with its duties under the Equality Act 2010.

The school will not discriminate against, harass or victimise a pupil because of a protected characteristic. The school will have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity; and
- foster good relations between people who share a protected characteristic and those who do not.

For disabled pupils, the school will consider whether reasonable adjustments have been made to prevent the pupil being placed at a substantial disadvantage.

The Governing Body and school will use their best endeavours to ensure that appropriate special educational provision is made for pupils with special educational needs and will have regard to the SEND Code of Practice.

Before deciding to suspend or permanently exclude a pupil, the Headteacher will consider whether the behaviour may be linked to:

- special educational needs or disability;
- communication or sensory needs;
- mental-health needs;
- trauma or adverse childhood experiences;
- bullying, discrimination, harassment or exploitation;
- safeguarding concerns;
- a change in the pupil's home or care circumstances; or
- other relevant vulnerability or unmet need.

The existence of an additional need does not prevent the use of suspension or permanent exclusion where it is justified. However, the school must ensure that the decision is not discriminatory and that all relevant circumstances, support and reasonable adjustments have been properly considered.

### **1.5 Pupil participation**

The pupil will normally be enabled and encouraged to express their views before a decision to suspend or permanently exclude is made.

The Headteacher will take those views into account in light of the pupil's age, understanding and communication needs and will explain, where appropriate, how the pupil's views were considered.

Where needed, the pupil will be supported to express their views through:

- a parent or carer;
- a familiar member of staff;
- an advocate;
- a social worker;
- communication aids;
- accessible information; or
- another appropriate adjustment.

The pupil will also be supported to participate in any subsequent Governing Body or independent review process where appropriate.

### **1.6 Prevention and early intervention**

The school will seek to prevent suspension and permanent exclusion by maintaining high expectations of behaviour and providing timely and appropriate support.

Where concerns arise, the school will consider:

- early identification of need;
- reasonable adjustments;
- additional SEND provision;
- pastoral support;
- behaviour-support plans;
- restorative approaches;
- mentoring;
- risk assessment;
- mental-health support;
- safeguarding intervention;
- multi-agency support;
- alternative-provision outreach;
- an off-site direction; or
- a voluntary managed move.

These measures will be considered according to the pupil's individual circumstances. The school is not required to use every possible intervention before a suspension or permanent exclusion can be imposed, particularly following a serious incident.

Where suspensions are becoming frequent or repetitive, the school will review whether suspension remains an effective response and whether additional or different support is required.

## 2. LEGISLATION AND STATUTORY GUIDANCE

This policy should be read in conjunction with the legislation and statutory guidance listed in Section 1.3. The Headteacher, Governing Body and all persons exercising functions under this policy will have regard to current statutory guidance relating to suspension, permanent exclusion, pupil movement, safeguarding, attendance, special educational needs and disability, equality and alternative provision. Where legislation or statutory guidance changes, the requirements in force at the time will take precedence over this policy.

**Relevant person:** for a pupil under 18, the pupil's parent; for an excluded pupil aged 18 or over, the pupil themselves

## 3. DECISION TO SUSPEND OR PERMANENTLY EXCLUDE

Only the **Headteacher**, or the Acting Headteacher in the Headteacher's absence, has the legal authority to suspend or permanently exclude a pupil. This responsibility cannot be delegated.

Suspension and permanent exclusion are disciplinary sanctions and will only be used where permitted by law. Every decision will be made on an individual basis, taking account of the circumstances of the incident, the needs of the pupil and the safety and welfare of the wider school community.

### 3.1 Principles for decision-making

Before making a decision, the Headteacher will ensure that:

- there has been a thorough investigation of the incident;
- all relevant evidence has been considered;
- the pupil has been given an opportunity to present their account where appropriate;
- relevant witness accounts have been considered;
- decisions are made on the **balance of probabilities**;
- any mitigating or aggravating factors have been taken into account; and
- the proposed sanction is lawful, reasonable and proportionate.

The Headteacher will exercise professional judgement in every case and will keep a written record of the reasons for the decision.

When making arrangements for a pupil to leave school following a suspension or permanent exclusion, the Headteacher will have regard to the school's legal duty of care and the pupil's individual needs, vulnerabilities and safeguarding circumstances.

### 3.2 Legal grounds

A suspension or permanent exclusion may be imposed only in response to a serious breach, or persistent breaches, of the school's Behaviour Policy.

Permanent exclusion will normally be considered only where:

- there has been a serious breach, or persistent breaches, of the Behaviour Policy; **and**
- allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others.

Whilst permanent exclusion should usually be a last resort, the Headteacher may determine that it is the appropriate response following a single exceptionally serious incident.

A pupil may be suspended or permanently excluded for behaviour outside school where that behaviour falls within the scope of the school's Behaviour Policy and where suspension or permanent exclusion is a lawful, reasonable, fair and proportionate response.

### 3.3 Matters to be considered

Before reaching a decision, the Headteacher will consider all relevant circumstances, including:

- the seriousness of the behaviour;
- whether the behaviour was intentional;

- the pupil's age and stage of development;
- previous behaviour and disciplinary record;
- any relevant medical information;
- whether there are safeguarding concerns;
- whether bullying, discrimination or harassment contributed to the incident;
- the impact of the behaviour on pupils, staff and the orderly running of the school; and
- whether suspension or permanent exclusion represents a proportionate response.

The Headteacher will also consider whether additional support or intervention is appropriate, recognising that the use of alternative strategies does not prevent suspension or permanent exclusion where the legal threshold has been met.

### **3.4 Pupils with Special Educational Needs and Disabilities (SEND)**

When considering suspension or permanent exclusion, the Headteacher will comply with the school's duties under the Equality Act 2010 and the Children and Families Act 2014.

The Headteacher will consider whether the behaviour giving rise to the disciplinary action may be linked to:

- special educational needs;
- disability;
- social, emotional or mental health needs;
- communication or sensory needs;
- medical conditions;
- trauma or adverse childhood experiences; or
- other vulnerabilities.

The school will consider whether appropriate support, reasonable adjustments and SEND provision have been implemented before reaching a decision.

The existence of SEND or a disability does not prevent suspension or permanent exclusion where the legal test has been satisfied. However, the school will ensure that decisions are not discriminatory and that all statutory duties have been fulfilled.

Where a pupil has an Education, Health and Care Plan, the school will involve the Local Authority at an early stage where behavioural concerns indicate a risk of suspension or permanent exclusion. The school will consider whether an early annual review of the EHC Plan should be requested before a decision to suspend or permanently exclude is made.

For a pupil with SEN who does not have an EHC Plan, the school will consider whether the existing SEN support remains appropriate and whether additional assessment, external specialist involvement, an EHC needs assessment or other changes to provision should be considered.

### **3.5 Safeguarding**

Where safeguarding concerns are identified, the Designated Safeguarding Lead will be consulted as appropriate before a decision is made.

The school will consider whether the behaviour may indicate that the pupil is at risk of abuse, neglect, criminal exploitation, sexual exploitation, county lines involvement or other safeguarding concerns requiring additional intervention.

Safeguarding responsibilities continue throughout any period of suspension or following permanent exclusion.

Where a pupil has a social worker and is identified as being at risk of suspension or permanent exclusion, the Headteacher will seek to involve the pupil's social worker, the Designated Safeguarding Lead and parents at the earliest appropriate stage.

Where a looked-after child is at risk of suspension or permanent exclusion, the Designated Teacher will contact the Virtual School Head as soon as possible to seek advice and consider whether additional assessment, support or a review of the Personal Education Plan is required.

### **3.6 Informal and unlawful exclusions**

The school will not use informal, unofficial or unlawful exclusions.

Pupils will not be sent home to "cool off", collected early or kept at home without the formal suspension procedure being followed.

Parents or carers will never be expected to agree to an informal exclusion.

Similarly, the school will not encourage or pressure parents to remove a child from the school roll, electively home educate their child or accept a managed move in order to avoid a formal exclusion.

### **3.7 Alternative strategies**

Where appropriate, the Headteacher may consider whether alternative measures are suitable before deciding upon permanent exclusion.

These may include:

- additional pastoral support;
- behaviour support plans;
- restorative approaches;
- involvement of external agencies;
- an off-site direction;
- a managed move; or
- other appropriate interventions.

Any decision to use an off-site direction or managed move will be made in accordance with the statutory requirements set out in this policy and the July 2026 Department for Education guidance.

The school is not required to exhaust every possible intervention before imposing a suspension or permanent exclusion where the circumstances justify such action.

### **3.8 Recording decisions**

The Headteacher will maintain a written record of every suspension and permanent exclusion, including:

- the reasons for the decision;
- the evidence considered;
- the length of any suspension;
- the factors taken into account;
- any SEND, equality or safeguarding considerations;
- arrangements for education during the suspension where applicable; and
- the notifications made in accordance with statutory requirements.

These records will be retained in accordance with the school's Records Management and Data Protection policies.

## **4. ROLES AND RESPONSIBILITIES**

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The effective implementation of this policy depends upon all members of the school community understanding their responsibilities and fulfilling their statutory duties.

### **4.1 The Governing Body**

The Governing Body is responsible for:

- ensuring that this policy complies with current legislation and statutory guidance;
- promoting high standards of behaviour while ensuring that suspension and permanent exclusion are used lawfully, fairly and proportionately;
- reviewing data relating to suspensions, permanent exclusions, off-site directions and managed moves to identify patterns, trends and any disproportionality affecting particular groups of pupils;
- ensuring that appropriate arrangements are in place to support pupils at risk of suspension or permanent exclusion;
- carrying out its statutory duties in relation to reviewing suspension and permanent exclusion decisions;
- ensuring governors undertaking statutory review functions receive appropriate training;
- ensuring meetings are conducted fairly and in accordance with statutory timescales, including where meetings take place remotely where legally permissible;
- considering equality, safeguarding and SEND duties when reviewing decisions; and
- monitoring the implementation and effectiveness of this policy.

The Governing Body will ensure that all decisions are taken objectively, without bias or conflict of interest, and in accordance with natural justice.

### **4.2 The Headteacher**

The Headteacher is responsible for:

- promoting and maintaining high standards of behaviour;

- ensuring that suspension and permanent exclusion are used only where legally justified;
- investigating incidents thoroughly before making decisions;
- considering all relevant evidence and the individual circumstances of each case;
- ensuring that pupils are given an opportunity to present their views where appropriate;
- considering the school's duties under the Equality Act 2010 and the Children and Families Act 2014;
- considering whether safeguarding concerns have contributed to the behaviour;
- deciding whether alternative interventions, including off-site direction or a managed move, would be appropriate;
- notifying parents, the Governing Body and the Local Authority of suspensions and permanent exclusions in accordance with statutory requirements;
- notifying the pupil's social worker and the Virtual School Head, where applicable, without delay;
- working with the Governing Body and the Local Authority, as appropriate, to ensure suitable education is arranged during periods of suspension or following permanent exclusion in accordance with statutory requirements.
- maintaining accurate records of all decisions; and
- supporting pupils to reintegrate successfully following suspension.

### **4.3 Staff**

All staff are responsible for:

- implementing the Behaviour Policy consistently;
- maintaining accurate records of behaviour incidents;
- reporting serious incidents promptly;
- identifying pupils who may require additional support;
- working positively with parents and external agencies;
- contributing information to investigations where requested; and
- supporting reintegration following suspension.

Staff should raise safeguarding concerns immediately in accordance with the school's Child Protection and Safeguarding Policy.

### **4.4 Parents and Carers**

Parents and carers are expected to:

- support the school's Behaviour Policy;
- work collaboratively with the school to improve behaviour;
- attend meetings where requested;
- ensure that pupils do not enter a public place during school hours during the first five school days of a suspension unless there is reasonable justification;
- engage with reintegration meetings following suspension where appropriate; and
- inform the school of any relevant changes in circumstances which may affect their child.

### **4.5 Pupils**

Pupils are expected to:

- follow the school's Behaviour Policy;
- treat others with dignity and respect;
- engage positively with behaviour support strategies;
- attend reintegration meetings where appropriate; and
- contribute their views during exclusion processes where they wish to do so.

The school will ensure that pupils are supported to express their views in ways appropriate to their age, understanding and communication needs.

## **5. SUSPENSION**

Suspension is a serious disciplinary sanction and will be used only where it is a necessary and proportionate response to a breach of the Behaviour Policy.

The Headteacher will determine the appropriate length of any suspension, taking account of the circumstances of the individual case.

The total number of school days for which a pupil may be suspended must not exceed **45 school days in any one academic year**, including lunchtime suspensions.

A suspension may apply to part of a school day, including lunchtime. All statutory requirements relating to suspension, including notification requirements, apply to a part-day suspension. A lunchtime suspension will count as half a school day when calculating the relevant statutory thresholds.

### **5.1 Notification of a suspension**

Following a decision to suspend a pupil, the Headteacher will notify the parent or carer without delay.

Written notification will include:

- the parent's, or pupil's where aged 18 or over, right to request that any Governing Body reinstatement meeting is held via remote access, together with information explaining how and to whom such a request should be made; and
- the reason for the suspension;
- the duration of the suspension;
- the date on which the pupil is expected to return;
- arrangements for the pupil's education;
- parental responsibilities during the first five school days;
- details of the parent's right to make representations to the Governing Body; and
- contact details for obtaining further information.

Where a pupil has a social worker or is looked after by the Local Authority, the Headteacher will notify the social worker and the Virtual School Head without delay.

The Governing Body and the Local Authority will be notified in accordance with statutory requirements.

### **5.2 Education during suspension**

During the first five school days of a suspension, the school will provide suitable work that is appropriate to the pupil's age, ability and aptitude.

Where a compulsory-school-age pupil is suspended for more than five school days, the Governing Body will arrange suitable full-time education to begin no later than the sixth school day of the suspension, in accordance with statutory requirements.

The school will work collaboratively with the Local Authority and any alternative provider to ensure continuity of education and minimise disruption to the pupil's learning.

### **5.3 Reintegration**

Following a suspension, the school will normally hold a reintegration meeting with the pupil and parent or carer.

The purpose of the meeting is to:

- review the incident;
- identify any additional support required;
- agree strategies for successful reintegration;
- update behaviour support where appropriate; and
- reduce the likelihood of further suspensions.

Failure by parents to attend a reintegration meeting will not prevent the pupil returning to school.

### **5.4 Cancelling a suspension**

The Headteacher may cancel a suspension before the Governing Body has met to consider whether the pupil should be reinstated. This applies whether the suspension has already begun or has not yet begun.

Where a suspension is cancelled, the parent or pupil aged 18 or over, the Governing Body, the Local Authority and, where applicable, the pupil's social worker and Virtual School Head must be notified without delay and given the reason for the cancellation.

The pupil must be permitted to return to school without delay, and the parent or pupil aged 18 or over should be offered a meeting with the Headteacher. Any days spent out of school before cancellation will continue to count towards the maximum of 45 suspended school days in an academic year.

### **5.5 Further exclusion following a suspension**

A suspension will not be extended or converted into a permanent exclusion. In exceptional circumstances, for example where further evidence comes to light following further investigation, the Headteacher may make a separate decision to impose a further suspension or permanent exclusion. Any such decision will be

made separately, will satisfy the relevant legal test and will normally take effect immediately after the original suspension ends.

## 6. PERMANENT EXCLUSION

Permanent exclusion is the most serious disciplinary sanction available to the school and will normally be used only where no other appropriate response is available.

The decision to permanently exclude a pupil will be made only by the Headteacher.

### 6.1 Notification

Following a decision to permanently exclude a pupil, the Headteacher will notify:

- the parent or carer;
- the Governing Body;
- the Local Authority;
- the pupil's social worker, where applicable; and
- the Virtual School Head where the pupil is looked after.

Parents will receive written notification setting out:

- the reasons for the decision;
- the date the exclusion takes effect;
- arrangements for education;
- the right to make representations to the Governing Body;
- the right to request that any Governing Body reinstatement meeting is held via remote access, including information explaining how and to whom such a request should be made;
- the right to request an Independent Review Panel where applicable; and
- sources of independent advice.

### 6.2 Cancelling a Permanent Exclusion

In accordance with current legislation and statutory guidance, the Headteacher may cancel a permanent exclusion that has not yet been considered by the Governing Body.

Where a permanent exclusion is cancelled:

- the parent or carer will be informed without delay;
- the Governing Body will be informed without delay;
- the Local Authority will be informed without delay;
- the pupil's social worker and the Virtual School Head will be informed where applicable;
- the reasons for the cancellation will be recorded;
- the pupil will remain on the school roll; and
- any statutory processes relating to the exclusion will cease unless a further exclusion decision is made.

The school will maintain a record of any cancelled permanent exclusion in accordance with statutory requirements and records-management procedures.

### 6.3 Education following permanent exclusion

During the first five school days following a permanent exclusion, where alternative provision has not yet begun, the school will take reasonable steps to ensure that suitable work is set and marked for the pupil, taking account of any SEND, disability and reasonable-adjustment requirements.

The Local Authority is responsible for arranging suitable full-time education from the sixth school day following a permanent exclusion.

The school will cooperate fully with the Local Authority to ensure that educational records and relevant safeguarding information are transferred promptly.

### 6.4 Removal from the school roll

The pupil's name will not be removed from the admission register until permitted by legislation.

Where the Governing Body directs reinstatement, or where an Independent Review Panel quashes the decision and requires reconsideration, the pupil's name will remain on or be restored to the admission register in accordance with statutory requirements.

When a pupil's name is removed from the admission register following permanent exclusion, the school will make the required return to the Local Authority in accordance with the School Attendance (Pupil Registration) (England) Regulations 2024.

### **6.5 Post-exclusion support**

Where appropriate, the school will cooperate with receiving schools, alternative provision, the Local Authority and other agencies to support transition and minimise disruption to the pupil's education.

Relevant safeguarding, SEND and pastoral information will be shared in accordance with statutory guidance and data protection legislation to support continuity of provision.

The Designated Safeguarding Lead will ensure that the pupil's child protection file is transferred securely and separately from the main pupil file to the receiving school or college as soon as possible and within the applicable statutory/safeguarding guidance timescale. Confirmation of receipt will be obtained.

## **7. OFF-SITE DIRECTION, MANAGED MOVES AND SAFEGUARDING SEPARATION**

The school is committed to using preventative and supportive interventions wherever appropriate to reduce the likelihood of suspension or permanent exclusion. Where suitable, the Headteacher may consider an off-site direction or a managed move as part of a planned intervention. These arrangements are not disciplinary sanctions and must always be used in the best interests of the pupil and the wider school community.

### **7.1 Off-site Direction**

An off-site direction enables a pupil to attend another education setting for the purpose of improving behaviour while remaining on the roll of Priestley Smith School. It is a preventative intervention intended to improve behaviour and reduce the likelihood of suspension or permanent exclusion. It is not a disciplinary sanction and must always be used in the pupil's best interests.

The Governing Body is responsible for arranging an off-site direction in accordance with section 29A of the Education Act 2002 and the Education (Educational Provision for Improving Behaviour) Regulations 2010, as amended. The Governing Body may delegate responsibility for implementing the arrangement to the Headteacher, but retains overall responsibility for ensuring that the placement is lawful, appropriate and regularly reviewed.

Before an off-site direction is arranged, the school will ensure that:

- the placement is in the pupil's best interests;
- the intended outcomes are clearly identified;
- the pupil's views are sought and considered, where appropriate;
- parents are consulted before the placement begins;
- safeguarding arrangements have been agreed with the receiving provider;
- suitable educational provision will be available throughout the placement;
- arrangements are in place to monitor attendance, behaviour and progress; and
- the duration of the placement and review arrangements are agreed.

Where an off-site direction is arranged, the school will provide written notification to the parent, setting out:

- the reasons for the placement;
- the objectives of the placement;
- the name and address of the receiving provider;
- the expected start date;
- the number of days for which the direction will apply;
- the person to whom the pupil must report when first attending the provision;
- where two sessions are provided each day, the start of the morning session, the end of the afternoon session and the start and end of the break between them;
- where one session is provided, its start and finish times;
- the arrangements for review; and
- the parent's right to request that the Governing Body reviews the placement.

Where the pupil has an Education, Health and Care Plan, the Local Authority will also be notified in accordance with statutory requirements.

The written notification will normally be provided as soon as reasonably practicable and no later than **two school days before** the placement begins unless exceptional circumstances make this impracticable.

The Governing Body will review every off-site direction at appropriate intervals to consider whether:

- the placement continues to be in the pupil's best interests;
- the objectives of the placement are being achieved;
- the placement should continue, be amended or end; and
- the pupil should return to full-time education at Priestley Smith School.

The parent, or pupil where aged 18 or over, and the Local Authority where the pupil has an Education, Health and Care Plan, may request in writing that the Governing Body holds a review meeting. The Governing Body will comply with such a request as soon as reasonably practicable unless a review meeting has already taken place within the previous 10 weeks. The Governing Body will consider such requests promptly and will notify parents in writing of the outcome of any review. Not later than six days before an off-site direction review meeting, the Governing Body will provide a written invitation to the parent, or pupil aged 18 or over, and the Local Authority where the pupil has an Education, Health and Care Plan. They will be invited to attend the review meeting or submit their views in writing before the meeting. So far as practicable, the meeting will be arranged at a date and time suitable for the parent or pupil aged 18 or over.

The school will retain responsibility for the pupil throughout the placement, including safeguarding, attendance monitoring, educational progress and maintaining regular communication with the alternative provider.

## **7.2 Managed Moves**

A managed move is a voluntary agreement between schools, the pupil and parents or carers to transfer a pupil permanently to another school.

Managed moves are intended to provide a positive alternative where a change of school is considered to be in the pupil's best interests.

A managed move will not be used:

- as an informal exclusion;
- as a means of avoiding the statutory exclusion process;
- to improve school performance data;
- to pressure parents into removing their child from the school.

The school will ensure that:

- informed parental agreement has been obtained;
- the receiving school has agreed to the arrangement;
- the pupil's views have been sought where appropriate;
- suitable transition arrangements are in place;
- safeguarding information is transferred appropriately; and
- arrangements are reviewed during the agreed transition period.

Where a managed move is unsuccessful, the decision regarding the pupil's future education will be considered separately on its own merits.

Where the pupil has a social worker, the school will notify the social worker and the Designated Safeguarding Lead as soon as a managed move is contemplated and before it takes place. Parents will also be involved unless doing so would create a safeguarding risk.

Where a managed move is contemplated for a pupil with an Education, Health and Care Plan, the school will contact the Local Authority before any move takes place. Where the Local Authority, both schools and the parent agree that a managed move should proceed, the Local Authority will need to follow the statutory procedure for amending the pupil's EHC Plan.

For a looked-after child, the relevant Virtual School Head will also be notified of the proposed managed move. Where a managed move proceeds, the pupil's Personal Education Plan will be reviewed and amended as appropriate.

## **7.3 Separation of pupils for safeguarding purposes**

In rare circumstances, it may be necessary to separate pupils temporarily for safeguarding purposes. This may include making arrangements within school or, where essential and where separation cannot

practicably be achieved while allowing the pupils concerned to remain on the school premises, temporarily forbidding a pupil from attending the school premises.

Such an arrangement is a safeguarding measure and is not a suspension or permanent exclusion on disciplinary grounds. It must not be used as an alternative to the statutory exclusion process where the purpose of removing the pupil is disciplinary.

Any decision to prevent a pupil temporarily from attending the school premises for safeguarding purposes will be made in conjunction with the Designated Safeguarding Lead or deputy. The school will inform the pupil's parent of the reason for the arrangement unless doing so would itself create a safeguarding risk, and the Governing Body will be notified without delay.

This measure will be used only in rare circumstances where separation is essential to safeguard pupils and cannot practicably be achieved in a way that allows the pupil or pupils concerned to remain on the school premises.

The arrangement will be kept under regular review and will last no longer than necessary. Appropriate arrangements will be made to ensure that the pupil continues to receive education. Where the pupil is prevented from attending the school premises and education is not being provided by the school or parent, the school will liaise immediately with the Local Authority regarding its duty to arrange education. The school will maintain a written record of the reason for the safeguarding separation, the decision-making process, education arrangements, notifications made and review dates.

## **8. GOVERNING BOARD REVIEW OF SUSPENSION AND PERMANENT EXCLUSION**

The Governing Body may delegate its statutory functions for considering suspension and permanent exclusion to a designated committee comprising at least three governors, in accordance with the applicable legislation. The Governing Body has statutory responsibilities to review certain suspension and permanent exclusion decisions in accordance with current legislation.

Governors reviewing exclusions will act impartially, considering only the evidence presented and the requirements of the law.

Governors involved in the original incident or who may have a conflict of interest will not participate in the review.

Meetings will normally be held in person. Remote access may be used where permitted by legislation, requested by the parent (or pupil aged 18 or over where appropriate), and where the Governing Body is satisfied that the meeting can be conducted fairly and transparently.

### **8.1 Suspension Reviews**

The Governing Body will consider representations from parents in accordance with the statutory requirements relating to the length and nature of the suspension.

Where legislation requires the Governing Body to meet, it will do so within the prescribed statutory timescales.

In reaching its decision, the Governing Body will consider whether:

- the Headteacher's decision was lawful;
- the decision was reasonable;
- the decision was procedurally fair;
- the sanction was proportionate;
- relevant evidence was considered;
- equality and safeguarding duties were fulfilled.

The Governing Body may:

- uphold the suspension; or
- direct the reinstatement of the pupil where permitted by legislation.

### **8.2 Permanent Exclusion Reviews**

The Governing Body must review every permanent exclusion.

In doing so, governors will consider:

- the evidence presented by the Headteacher;
- representations from parents and, where appropriate, the pupil;

- any representations made by the Local Authority;
- the school's Behaviour Policy;
- statutory guidance;
- equality legislation;
- safeguarding responsibilities.

Following its review, the Governing Body may:

- decline to reinstate the pupil; or
- direct that the pupil be reinstated immediately or by a specified date where the statutory criteria are met.

Parents will be informed in writing of the Governing Body's decision and their right to request an Independent Review Panel where applicable.

### **8.3 Consideration of Equality and Vulnerability**

When reviewing any exclusion, governors will give careful consideration to:

- any special educational needs or disability;
- the school's compliance with the Equality Act 2010;
- safeguarding issues;
- the views of the pupil;
- the impact of exclusion upon vulnerable groups, including looked-after children, previously looked-after children and pupils with a social worker.

Governors will ensure that no unlawful discrimination has occurred.

Where an exclusion would result in a pupil missing a public examination or National Curriculum test, the Governing Body will, so far as reasonably practicable, consider reinstatement before the examination or test. Where it is not practicable for sufficient governors to do so, the Chair of Governors may consider reinstatement alone; where the Chair is unavailable, the Vice-Chair may do so.

## **9. INDEPENDENT REVIEW PANELS**

Where the Governing Body decides not to reinstate a permanently excluded pupil, parents may request that the Local Authority arranges an Independent Review Panel (IRP).

The request must be made within the statutory timescale.

The school will cooperate fully with the review process.

### **9.1 Independent Review**

The Independent Review Panel will consider whether the Governing Body's decision was lawful, reasonable and procedurally fair.

The Panel does not substitute its own decision for that of the Headteacher.

After considering the case, the Panel may:

- uphold the Governing Body's decision;
- recommend that the Governing Body reconsiders its decision; or
- quash the decision and direct the Governing Body to reconsider where the legal threshold is met.

The Governing Body will reconsider the decision within the statutory timescale and in accordance with the directions or recommendations of the Independent Review Panel.

### **9.2 Special Educational Needs Expert**

Where requested by parents, an independent SEN expert may attend the Independent Review Panel.

The expert's role is to provide impartial advice on how special educational needs may be relevant to the exclusion decision.

The SEN expert does not determine whether the exclusion was lawful or whether the pupil should be reinstated.

### **9.3 School's Responsibilities**

The school will:

- provide all documentation required by the review;
- cooperate fully with the Independent Review Panel;
- implement any lawful outcome arising from the review process;
- maintain appropriate records of all proceedings.

Where the Governing Body is required to reconsider its decision following an Independent Review Panel, governors will do so objectively, taking account of the Panel's findings, the statutory guidance and any further evidence considered appropriate.

Nothing in this section prevents the school from continuing to fulfil its safeguarding duties while review proceedings are ongoing.

## **10. EDUCATION DURING AND AFTER SUSPENSION OR PERMANENT EXCLUSION**

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The school recognises its statutory duty to minimise disruption to a pupil's education following a suspension or permanent exclusion and will work collaboratively with the Local Authority, parents and other agencies to ensure continuity of education wherever possible.

### **10.1 Education during suspension**

During the first five school days of a suspension, the school will take reasonable steps to provide work that is accessible, appropriate to the pupil's age and ability, and capable of being completed outside school.

Where practicable, completed work will be marked and feedback provided.

For suspensions lasting more than five school days, the Governing Body is responsible for ensuring that suitable full-time education is arranged from the sixth school day. The school will work with the Local Authority and any alternative provider to secure appropriate provision and support the pupil's continued engagement in education.

### **10.2 Education following permanent exclusion**

Following a permanent exclusion, the Local Authority must arrange suitable full-time education from the sixth school day.

The school will provide the receiving provision with relevant educational information, safeguarding information and details of any SEND provision, risk assessments or behaviour support plans, in accordance with data protection legislation and safeguarding requirements.

Where appropriate, the school will work with the receiving provider to support transition and continuity of learning.

### **10.3 Public examinations**

Where a suspension or permanent exclusion may affect a pupil's ability to sit public examinations or statutory assessments, the Headteacher will work with awarding organisations, the Local Authority and alternative providers to consider appropriate arrangements wherever reasonably practicable.

### **10.4 Attendance during suspension**

Parents remain responsible for ensuring that compulsory school-age pupils are not present in a public place during school hours without reasonable justification during the first five school days of a suspension.

The school will explain this responsibility when notifying parents of the suspension.

## **11. REINTEGRATION FOLLOWING SUSPENSION**

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The school believes that successful reintegration is fundamental to reducing repeat suspensions and supporting pupils to re-engage positively with learning.

Following a suspension, a reintegration meeting will normally be arranged before, or as soon as reasonably practicable after, the pupil returns to school.

The purpose of the meeting is to:

- review the circumstances leading to the suspension;
- identify any barriers to successful engagement;
- consider whether additional support or reasonable adjustments are required;
- agree expectations for future behaviour;
- identify any safeguarding, SEND or pastoral actions required; and
- establish appropriate monitoring arrangements.

Where appropriate, the meeting may involve:

- the pupil;
- parents or carers;
- the Headteacher or another senior leader;
- the SENCO;
- the Designated Safeguarding Lead;

- pastoral staff;
- external professionals.

Failure by a parent or carer to attend a reintegration meeting will not delay or prevent the pupil's return to school.

Where a pupil has experienced repeated suspensions, the school will review whether further assessment, early help, multi-agency involvement, alternative provision or other interventions are required to support the pupil and reduce the likelihood of future suspensions.

## 12. MONITORING, EVALUATION AND EQUALITY

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The Governing Body will receive regular reports on the use of suspension, permanent exclusion and other forms of pupil movement in order to fulfil its statutory monitoring responsibilities.

Monitoring information will normally include:

- the number of suspensions;
- the number of permanent exclusions;
- repeat suspensions;
- reasons for suspension and permanent exclusion;
- use of off-site direction;
- managed moves;
- cancelled suspensions;
- outcomes of Governing Board reviews;
- outcomes of Independent Review Panels.
- safeguarding separation arrangements, including any pupil temporarily prevented from attending the school premises;
- duration of such arrangements;
- educational provision made; and
- frequency and outcome of reviews.

The Governing Body will also monitor whether particular groups of pupils are disproportionately affected, including:

- pupils with special educational needs or disabilities;
- pupils with Education, Health and Care Plans;
- looked-after children;
- previously looked-after children;
- pupils with a social worker;
- pupils eligible for Free School Meals;
- pupils with protected characteristics under the Equality Act 2010.

Where monitoring identifies disproportionate outcomes or emerging trends, the Governing Body will seek assurance that:

- statutory duties are being met;
- exclusion decisions remain fair and consistent;
- appropriate early intervention is in place;
- behaviour support strategies are effective; and
- improvements are implemented where necessary.

The Headteacher will retain accurate records of all suspensions, permanent exclusions, off-site directions and managed moves in accordance with statutory requirements and the school's Records Management and Data Protection policies.

## 13. COMPLAINTS AND POLICY REVIEW

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### 13.1 Complaints

The statutory review procedures set out in legislation apply to decisions relating to suspension and permanent exclusion.

Where these statutory rights exist, they take precedence over the school's Complaints Policy.

Concerns regarding the administration of this policy, or matters not covered by the statutory review process, may be considered under the school's Complaints Policy where appropriate.

Nothing in this section prevents an individual from pursuing any legal remedy available under education or equality legislation.

### 13.2. Document Control and Review

This policy has been approved by the Governing Body of Priestley Smith School and will be implemented in accordance with current legislation and statutory guidance.

The Governing Body is responsible for ensuring that the policy remains compliant with legislative requirements and reflects current Department for Education guidance.

The Headteacher will be responsible for:

- implementing the policy consistently;
- monitoring its effectiveness;
- reporting suspension, permanent exclusion and pupil movement data to the Governing Body;
- recommending amendments where legislative or operational changes occur.

The Governing Body will review this policy every **two years**, or sooner where:

- legislation changes;
- revised statutory guidance is published;
- significant changes occur in local authority procedures;
- monitoring identifies a need to amend school practice.

Minor administrative updates, including changes to job titles, contact details or references to legislation, may be approved by the Headteacher and reported to the Governing Body at the next review.

## 14 LINKED POLICIES

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- |                                            |                                                    |
|--------------------------------------------|----------------------------------------------------|
| • Behaviour Policy                         | • Complaints Policy                                |
| • Child Protection and Safeguarding Policy | • Supporting Pupils with Medical Conditions Policy |
| • SEND Policy                              | • Positive Handling Policy (where applicable)      |
| • Attendance Policy                        |                                                    |
| • Equality Policy                          |                                                    |
| • Anti-Bullying Policy                     |                                                    |

## APPENDICES

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### Appendix A – Headteacher Decision-Making Checklist

Before making a decision to suspend or permanently exclude a pupil, the Headteacher should be satisfied that the following have been considered.

#### ✓ Consideration

- ☐ Incident fully investigated
- ☐ Relevant evidence reviewed
- ☐ Pupil given opportunity to explain their account (where appropriate)
- ☐ Witness statements considered
- ☐ Behaviour Policy breached
- ☐ Decision based on the balance of probabilities
- ☐ Equality Act duties considered
- ☐ SEND needs considered
- ☐ Reasonable adjustments reviewed
- ☐ Safeguarding concerns considered

## ✓ Consideration

- ☐ Alternative interventions considered
- ☐ Suspension/permanent exclusion is proportionate
- ☐ Decision recorded with reasons
- ☐ Statutory notifications completed
- ☐ Education arrangements confirmed

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## Appendix B – Governing Board Review Checklist

When reviewing a suspension or permanent exclusion, governors should consider:

- ☐ Was the decision lawful?
- ☐ Was the decision reasonable?
- ☐ Was the process procedurally fair?
- ☐ Was the sanction proportionate?
- ☐ Was sufficient evidence available?
- ☐ Were the pupil's views considered where appropriate?
- ☐ Were SEND duties fulfilled?
- ☐ Were Equality Act duties fulfilled?
- ☐ Were safeguarding responsibilities considered?
- ☐ Was the statutory guidance followed?
- ☐ Has any new evidence emerged?

Governors should reach their decision solely on the evidence presented and in accordance with current legislation.

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## Appendix C – Notification Requirements and Responsibilities

The Headteacher must ensure that notifications are issued accurately, in writing where required, and within the timescales below. “Without delay” means that notification should be made as soon as reasonably practicable following the decision.

### C1. Notification following a suspension or permanent exclusion

| Recipient             | When notification is required                                  | Timescale     | Information to include                                                                                                                                                                    |
|-----------------------|----------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Parent or carer       | Every suspension and permanent exclusion                       | Without delay | Reason for the decision; length of the suspension or confirmation that the exclusion is permanent; rights to make representations; arrangements for education; relevant sources of advice |
| Pupil aged 18 or over | Where the excluded pupil is aged 18 or over                    | Without delay | The information that would otherwise be provided to the parent                                                                                                                            |
| Local Authority       | Every suspension and permanent exclusion, regardless of length | Without delay | Reason for the decision; duration of the suspension or confirmation that the exclusion is permanent                                                                                       |
| Governing Body        | Every permanent exclusion                                      | Without delay | Reason and relevant details of the exclusion                                                                                                                                              |

| Recipient              | When notification is required                                                                                                     | Timescale     | Information to include                                                                                  |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------|
| Governing Body         | A suspension or permanent exclusion causing the pupil's total exclusions to exceed five school days or ten lunchtimes in one term | Without delay | Reason, duration and cumulative total                                                                   |
| Governing Body         | A suspension or permanent exclusion resulting in the pupil missing a public examination or national curriculum test               | Without delay | Reason, duration and details of the examination or test affected                                        |
| Governing Body         | Other suspensions not previously notified                                                                                         | Once per term | Reason, duration and relevant pupil information                                                         |
| Social worker          | Where the pupil has an allocated social worker                                                                                    | Without delay | Period and reason for the suspension or permanent exclusion, together with relevant written information |
| Virtual School Head    | Where the pupil is looked after by a Local Authority                                                                              | Without delay | Period and reason for the suspension or permanent exclusion                                             |
| Pupil's home authority | For a permanent exclusion where the pupil lives in a different Local Authority area from the school                               | Without delay | The fact of the permanent exclusion and the reason for it                                               |

The requirement to notify the Local Authority applies to all suspensions, including suspensions of five days or fewer. The Governing Body need only be notified immediately in the specified circumstances above; other suspensions may be reported once per term.

## **C2. Written information for parents**

The written notification to parents must include, as applicable:

- the reason for the suspension or permanent exclusion;
- the length of the suspension or confirmation that the exclusion is permanent;
- the date on which the suspension begins and ends;
- the pupil's expected return date;
- the parent's right to make representations to the Governing Body;
- how representations may be made;
- how the pupil may be involved in the process;
- whether the Governing Body is required to meet;
- the parent's right to attend, be represented and bring a friend;
- arrangements for education;
- sources of free and impartial advice;
- information about relevant equality or discrimination routes.
- The parent's, or pupil's where aged 18 or over, right to request that any Governing Body reinstatement meeting is held via remote access, together with information explaining how and to whom such a request should be made.

## **C3. Parental duty during the first five school days**

For a compulsory-school-age pupil, the parent must be informed that the pupil must not be present in a public place during school hours without reasonable justification during the first five school days of the suspension or permanent exclusion.

This notification must be provided:

- without delay; and
- no later than the end of the afternoon session on the first day of the suspension or permanent exclusion.

## **C4. Alternative provision information**

Where alternative provision has been arranged, parents must be informed of:

- the start date;
- the daily start and finish times;
- the address of the provision; and
- the person to whom the pupil should report on the first day.

Where this information is not available by the end of the afternoon session on the first day, it must be provided:

- without delay; and
- no later than 48 hours before the provision is due to begin.

Where provision begins before the sixth school day, less than 48 hours' notice may be given only with parental consent.

#### **C5. Notification of a cancelled exclusion**

Where the Headteacher cancels a suspension or permanent exclusion before the Governing Body has met to consider reinstatement, the following must be informed without delay:

| Recipient                       | Required?                       |
|---------------------------------|---------------------------------|
| Parent or pupil aged 18 or over | Yes                             |
| Governing Body                  | Yes                             |
| Local Authority                 | Yes                             |
| Social worker                   | Where the pupil has one         |
| Virtual School Head             | Where the pupil is looked after |

The notification must include the reason for the cancellation. The pupil must be permitted to return to school without delay, and the parent should be offered a meeting with the Headteacher to discuss the circumstances leading to the cancellation.

#### **C6. Notifications connected with a Governing Body meeting**

Where the Governing Body is required to consider reinstatement, the school will ensure that the following persons are invited to attend and make representations, or provide information, as applicable:

- the parent or pupil aged 18 or over;
- the Headteacher;
- a Local Authority representative, where applicable;
- the pupil's social worker, where the pupil has one;
- the Virtual School Head, where the pupil is looked after.

Written evidence and a list of those attending should, where possible, be circulated to all parties at least five school days before the meeting.

The Governing Body will identify reasonable adjustments required to enable the pupil, parent and other parties to participate effectively and will take appropriate steps to enable and encourage the pupil to express their views, having regard to their age, understanding and communication needs.

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#### **Appendix D – Reintegration Meeting Record**

**Pupil Name:**

**Year Group:**

**Date of Meeting:**

**Attendees:**

**Reason for Suspension:**

**Pupil Views:**

**Parent/Carer Views:**

**Support to be Provided:**

- Pastoral support
- Behaviour support
- SEND provision
- Safeguarding support

- External agency involvement
- Other

**Reasonable Adjustments Agreed:**

**Behaviour Targets:**

**Review Date:**

**Actions Agreed:**

| Action | Responsible Person | Completion Date |
|--------|--------------------|-----------------|
|        |                    |                 |
|        |                    |                 |
|        |                    |                 |

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## Appendix E – Monitoring Framework

The Governing Body will receive anonymised monitoring information including:

- number of suspensions;
- repeat suspensions;
- permanent exclusions;
- cancelled suspensions;
- off-site directions;
- managed moves;
- safeguarding separation arrangements;
- duration of safeguarding separation arrangements
- educational provision made during such arrangements;
- frequency and outcomes of safeguarding separation reviews;
- outcomes of Governing Board reviews;
- Independent Review Panel outcomes;
- trends by year group;
- trends by protected characteristic;
- trends relating to SEND;
- looked-after and previously looked-after children;
- pupils with a social worker;
- pupils eligible for Free School Meals.

Monitoring information will be used to:

- identify trends;
  - monitor proportionality;
  - evaluate behaviour strategies;
  - review the effectiveness of early intervention;
  - inform future policy development.
- 

## Appendix F – Operational and Statutory Timescales

### F1. Initial decision and notification

| Action                                                                        | Responsibility | Deadline      |
|-------------------------------------------------------------------------------|----------------|---------------|
| Notify parent or pupil aged 18 or over of a suspension or permanent exclusion | Headteacher    | Without delay |
| Provide written exclusion information to the parent or pupil aged 18 or over  | Headteacher    | Without delay |
| Notify the Local Authority of any suspension or permanent exclusion           | Headteacher    | Without delay |

| Action                                                                                                        | Responsibility             | Deadline                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Notify the social worker, where the pupil has one                                                             | Headteacher                | Without delay                                                                                                                     |
| Notify the Virtual School Head where the pupil is looked after                                                | Headteacher                | Without delay                                                                                                                     |
| Notify the Governing Body of a permanent exclusion, relevant cumulative suspension or missed examination/test | Headteacher                | Without delay                                                                                                                     |
| Notify parents of their duty concerning public places                                                         | Headteacher                | No later than the end of the afternoon session on the first day                                                                   |
| Provide outstanding alternative-provision details                                                             | School or responsible body | Without delay and no later than 48 hours before provision begins, subject to the exception for provision beginning before day six |

## F2. Education during suspension or permanent exclusion

| Situation                                                                                                   | Responsible body | Deadline                                      |
|-------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------|
| Work for the first five school days of a suspension                                                         | School           | From the first school day                     |
| Work for the first five school days following permanent exclusion where alternative provision has not begun | School           | From the first school day                     |
| Full-time education following a suspension lasting more than five school days                               | Governing body   | Must begin no later than the sixth school day |
| Full-time education following permanent exclusion                                                           | Local Authority  | Must begin no later than the sixth school day |

For consecutive suspensions, the periods are treated cumulatively when determining when sixth-day provision must begin.

## F3. Governing Body consideration of reinstatement

| Circumstance                                                                                                                        | Governing Body duty                                                 | Deadline                                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| Permanent exclusion                                                                                                                 | Convene a meeting and decide whether the pupil should be reinstated | Within 15 school days of receiving notice                                                                   |
| Suspension taking the pupil's total exclusions above 15 school days in one term                                                     | Convene a meeting and decide whether the pupil should be reinstated | Within 15 school days of receiving notice                                                                   |
| Suspension or permanent exclusion causing the pupil to miss a public examination or national curriculum test                        | Convene a meeting and decide whether the pupil should be reinstated | Within 15 school days of receiving notice and, where reasonably practicable, before the examination or test |
| Suspension taking the pupil's total above five but not more than 15 school days in one term, where the parent makes representations | Convene a meeting and decide whether the pupil should be reinstated | Within 50 school days of receiving notice                                                                   |
| Suspension totalling five school days or fewer in one term                                                                          | Consider any parental representations                               | No statutory meeting is required and the Governing Body has no power to direct reinstatement                |

| Circumstance                                                                                           | Governing Body duty | Deadline       |
|--------------------------------------------------------------------------------------------------------|---------------------|----------------|
| Suspension totalling more than five but not more than 15 school days where no representations are made | No meeting required | Not applicable |

A total exceeding 15 days includes a total of 15.5 days, for example where lunchtime suspensions are counted.

#### **F4. Preparation for a Governing Body meeting**

| Action                                                                                   | Deadline or expectation                                        |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Obtain written evidence and relevant records                                             | In advance of the meeting                                      |
| Circulate evidence and list of attendees                                                 | Where possible, at least five school days before the meeting   |
| Invite the social worker and Virtual School Head, where applicable                       | In sufficient time to enable meaningful participation          |
| Make reasonable adjustments                                                              | Before and during the meeting                                  |
| Arrange a remote meeting where properly requested and the legal conditions are satisfied | Within the same applicable 15-day or 50-day statutory deadline |

#### **F5. Independent Review Panel**

| Action                                                                                                 | Responsibility                   | Deadline                                                                 |
|--------------------------------------------------------------------------------------------------------|----------------------------------|--------------------------------------------------------------------------|
| Apply for an Independent Review Panel following a decision not to reinstate                            | Parent or pupil aged 18 or over  | Within 15 school days of being notified of the Governing Body's decision |
| Apply following a final determination of a discrimination claim, where the statutory extension applies | Parent or pupil aged 18 or over  | Within the applicable extended 15-school-day period                      |
| Begin the Independent Review Panel hearing                                                             | Local Authority or academy trust | Within 15 school days of the application being made                      |
| Arrange an SEN expert where requested                                                                  | Local Authority or academy trust | In time for the review                                                   |
| Notify parties of the Panel's decision                                                                 | Arranging authority              | Without delay                                                            |

The IRP hearing must begin within 15 school days of the application, although the Panel may adjourn the hearing where necessary.

#### **F6. Reconsideration following an Independent Review Panel**

| IRP outcome                                                       | Governing Body duty                                     | Deadline                                                          |
|-------------------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------------------------|
| IRP recommends reconsideration                                    | Reconvene and reconsider reinstatement                  | Within 10 school days of receiving notice of the Panel's decision |
| IRP quashes the decision and directs reconsideration              | Reconvene and reconsider reinstatement                  | Within 10 school days of receiving notice of the Panel's decision |
| Governing Body decides whether to reinstate following a direction | Record and notify its reconsidered decision and reasons | Without delay after the reconsideration meeting                   |

Where an IRP directs reconsideration and the Governing Body does not reinstate the pupil within ten school days, the statutory financial adjustment provisions may apply.

#### **F7. Removal from the admission register**

| Circumstance               | Action                                                                                                                               |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| No IRP application is made | The pupil's name may be removed after 15 school days have passed from notification of the Governing Body's decision not to reinstate |

| Circumstance                                                    | Action                                                                                                                                        |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Parent confirms in writing that no IRP application will be made | The pupil's name may be removed in accordance with the registration regulations                                                               |
| An IRP application has been made                                | The pupil's name must remain on the register until the review has been determined or abandoned and any required reconsideration has concluded |
| Pupil is registered at another school following removal         | The Common Transfer File should be transferred within 15 school days of the pupil ceasing to be registered                                    |

The removal must not be backdated to the date on which the permanent exclusion began.

#### **F8. Internal compliance record**

For every suspension or permanent exclusion, the school should record:

- the date and time of the decision;
- the effective start and end dates;
- the date and method of each notification;
- the pupil's cumulative number of suspended days in the term and academic year;
- whether the pupil will miss an examination or test;
- education arrangements for days one to five and from day six;
- the date by which any Governing Body meeting must take place;
- the deadline for an IRP application;
- the outcome of any review or reconsideration;
- the date on which removal from the admission register becomes lawful.
- Where an exclusion would result in a pupil missing a public examination or National Curriculum test, the Governing Body will, so far as reasonably practicable, consider reinstatement before the examination or test. Where it is not practicable for sufficient governors to do so, the Chair of Governors may consider reinstatement alone; where the Chair is unavailable, the Vice-Chair may do so.

#### **F9. Off-site Direction**

| Action                                                                                                      | Responsibility        | Deadline                                                                                                     |
|-------------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------------------------------------------------------------|
| Provide written notification of an off-site direction                                                       | School/Governing Body | Normally no later than two school days before the placement begins                                           |
| Consider a request for a review from the parent, pupil aged 18 or over, or Local Authority where applicable | Governing Body        | As soon as reasonably practicable, subject to the provision concerning a review within the previous 10 weeks |
| Provide written invitation to an off-site-direction review meeting                                          | Governing Body        | Not later than six days before the review meeting                                                            |
| Review the off-site direction                                                                               | Governing Body        | At appropriate intervals throughout the placement                                                            |