Group Policy Document

Suspension and Permanent Exclusions Policy

Summary

This policy document is intended to detail the procedures and basis for suspension and permanent exclusion of pupils in all Eastern Multi-Academy Trust settings and to ensure that the exclusions process is applied fairly, consistently and lawfully.

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 - July 2026.

If you are unsure about the validity of the content of this policy please refer to the Policy Owner.

Please Note: This policy is applicable to All Employees / Teachers / Support Staff / Volunteers including Trustees and Governors within the Group.

Policy owner	Education Committee
Policy holder	Director of Education
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1. Aims

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

Our trust aims to:

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

A note on off-rolling

Off-rolling is the practice of removing a pupil from the school roll, or otherwise preventing them from accessing their normal education, primarily in the interests of the academy rather than the pupil. It can include:

- Removing a pupil from the academy roll without following the lawful process for permanent exclusion or another lawful ground for deletion
- Exercising undue influence on a parent to remove their child, including under threat of permanent exclusion or by encouraging elective home education or another school place
- Sending a pupil home, placing them on a part-time timetable for behavioural reasons, or moving them to off-site provision where this is not in the pupil's best interests, without using the appropriate lawful process

Whenever a pupil is required to leave the academy, or is prevented from attending, on disciplinary grounds, the formal suspension or permanent exclusion process will be followed and the event will be recorded. The academy will not use informal or unlawful exclusions.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the academy feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

Any unlawful exclusion that results in the deletion of a pupil's name from the admission register is off-rolling. Evidence of off-rolling may also adversely affect Ofsted's evaluation of leadership and governance.

2. Legislation and statutory guidance

This policy is based on 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).

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

- Section 51A of the Education Act 2002, as amended
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended
- Section 29A of the Education Act 2002 (educational provision for improving behaviour)
- The Education (Educational Provision for Improving Behaviour) (England) Regulations 2010, as amended
- 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

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
- Ofsted's current state-funded school inspection toolkit, operating guide and inspection information, which replaced the School Inspection Handbook
- Keeping Children Safe in Education (current statutory guidance), where safeguarding considerations are relevant

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

3. Definitions

Suspension – when a pupil is removed from the academy for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

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

Off-site direction – a temporary requirement for a pupil to attend another education setting in order to improve their future behaviour. From 26 July 2026, academy trusts have an equivalent statutory power to maintained schools and must follow the prescribed notification and review requirements.

Parent – any person who has parental responsibility and any person who has care of the child. Where a pupil is aged 18 or over, statutory rights that would otherwise be exercised by a parent are exercised by the pupil.

Managed move – a voluntary, permanent transfer to another mainstream school as part of a planned intervention and only where this is in the pupil's best interests. All parties, including parents and the admission authority for the new school, must agree. There is no lawful concept of a "trial managed move"; a temporary placement to improve behaviour should use the off-site direction process.

Governing board – for an EMAT academy, the academy trust is the statutory governing board. The Trust Board may delegate functions relating to suspension and permanent exclusion to a committee, including an Academy Council, where permitted by the Trust's Articles of Association and Scheme of Delegation.

4. Roles and responsibilities

4.1 The Principal

Deciding whether to suspend or exclude

Only the Principal, or acting Principal, can suspend or permanently exclude a pupil from an academy on disciplinary grounds. The decision may relate to behaviour inside or outside the academy. A suspension may be for one or more fixed periods, up to a maximum of 45 school days in a single academic year. The academy will monitor this maximum, including suspensions received at previous schools. Permanent exclusion will only be used as a last resort.

A suspension will have a defined end date. A suspension will not be extended or "converted" into a permanent exclusion. Where further evidence comes to light, a separate further suspension or permanent exclusion may be issued to begin immediately after the first suspension ends, where justified.

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

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

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

- Ensure the decision is lawful, reasonable, fair and proportionate, taking account of the academy's wider legal duties
- Consider the Equality Act 2010, including the duty to make reasonable adjustments and the Public Sector Equality Duty, and the Children and Families Act 2014 duties relating to SEN
- Establish the facts using the civil standard of proof (the balance of probabilities) and consider all relevant evidence and contributing factors
- Allow the pupil to give their version of events
- Consider whether the pupil has SEND or a disability, whether provision is appropriate, and whether reasonable adjustments and other support have been made
- Consider whether the pupil is especially vulnerable, including whether they have a social worker, are looked after or previously looked after, or have other known safeguarding needs
- Consider whether appropriate preventative and alternative approaches have been explored, including additional support, off-site direction or a managed move where these are suitable

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

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

The Principal 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.

SEND, disability and additional needs

Where there are concerns about the behaviour of a pupil with SEND, a disability or an EHC plan, the academy will consider whether additional support or an alternative placement is required. For a pupil with an EHC plan, the academy should contact the local authority at an early stage and consider whether an early review of the plan is appropriate before a decision to suspend or permanently exclude.

Police investigations and criminal proceedings

A suspension or permanent exclusion decision does not need to be postponed solely because a police investigation is underway or criminal proceedings may follow. The Principal will decide on the evidence

available at the time, while continuing to meet safeguarding duties and taking account of any limitations on the evidence that can be shared.

Informing parents

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

If the Principal decides to suspend or exclude a pupil, the parent 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:

- 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 delegated Academy Council/committee 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 governing board or delegated Academy Council/committee to consider reinstatement, confirmation that parents have a right to attend, be represented 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 principal 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 Principal 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 academy reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

If the Principal cancels the suspension or permanent exclusion, they will notify the parent without delay, and provide a reason for the cancellation.

Informing the Academy Council

The Principal will, without delay, notify the Chair of the Academy Council of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term

- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

Informing the local authority (LA)

The Principal 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 academy is located, the Principal will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

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

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

If a:

- **Pupil with a social worker** is at risk of suspension or permanent exclusion, the Principal 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 Principal 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 Principal 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 reinstatement meeting. This enables them to advise on how the pupil's background and circumstances may be relevant and to help ensure that safeguarding needs, risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The Principal may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where the governing board or delegated Academy Council/committee has not yet met to consider reinstatement. Where there is a cancellation:

- The parents, governing board/delegated Academy Council or committee and LA will be notified in writing without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to consider reinstatement ceases

- Parents will be offered the opportunity to meet with the principal to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back into the academy without delay

Any days spent out of the academy 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.

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

During the first 5 school days of a suspension or permanent exclusion, where the pupil is not attending alternative provision, the academy will take reasonable steps to ensure that accessible and achievable work is set and marked. Online pathways may be used. The academy's duties to pupils with SEND or disabilities remain in force, including the duty to make reasonable adjustments.

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

4.2 The Trust Board and delegated Academy Council/committee

Considering suspensions and permanent exclusions

For an academy, the academy trust is the statutory governing board. EMAT may delegate the consideration of suspensions and permanent exclusions to a committee of the Trust Board, including an Academy Council, where this is permitted by the Trust's Articles of Association and Scheme of Delegation. Any panel considering reinstatement will be constituted in accordance with those arrangements and the statutory guidance.

The delegated Academy Council/committee has a duty to consider representations about a suspension or permanent exclusion and, in the circumstances set out in section 5, to consider and decide whether the pupil should be reinstated.

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

For a suspension of more than 5 school days, the Trust must ensure that suitable full-time education is arranged for any pupil of compulsory school age, beginning no later than the sixth school day of the suspension. Consecutive suspensions are treated cumulatively for this duty.

This provision does not have to be arranged for a pupil in the final year of compulsory education who does not have any further public examinations to sit.

Monitoring and analysing suspensions and exclusions data

The Academy Council/committee will review, challenge and evaluate data on suspension, permanent exclusion, off-site direction, managed moves, pupils educated off-site and any separation from the premises for safeguarding purposes.

The Academy Council/committee will consider:

- How effectively and consistently the academy's behaviour policy is being implemented
- The academy 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 there are patterns affecting pupils with SEND or disabilities, disadvantaged pupils, looked-after or previously looked-after children, pupils with a social worker, or pupils sharing protected characteristics
- 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

4.3 The Local Authority (LA)

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

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

4.4 Off-site direction and managed moves

Off-site direction is a temporary intervention to improve a pupil's future behaviour. It must not be used as a sanction for past misconduct. It should normally be considered where in-academy interventions or outreach have not been successful or are not appropriate. The pupil's needs, including SEND and health needs, must be considered, and the pupil should be supported to express their views.

The statutory governing board for an EMAT academy is the Trust Board. Any off-site direction will be authorised in accordance with the Trust's Articles and current Scheme of Delegation and will comply with section 29A of the Education Act 2002 and the 2010 Regulations as applied and modified for academies by the 2026 Regulations.

The placement will be time-limited, with clear objectives, an intended timescale and arrangements for reintegration. Parents (or a pupil aged 18 or over), and the local authority where the pupil has an EHC plan, will receive the prescribed written notice as soon as practicable and no later than two school days before the placement begins. The notice will include the placement address, reporting arrangements, duration, reasons and objectives, and the session times.

The Trust will keep the placement and reintegration plan under review for as long as the direction remains in effect. Parents (or a pupil aged 18 or over) and, where relevant, the local authority may request a review. Invitations to a review meeting, or to submit written views, will be sent at least six days before the meeting. Following each review, the decision about whether the direction will continue, for how long and the reasons for that decision will be confirmed in writing no later than six days after the review meeting.

Relevant information will be shared with the receiving setting in advance, including attainment information, safeguarding information, risk assessments and effective support strategies. The academy will ensure that the pupil continues to receive a broad and balanced education and that Equality Act and SEND duties continue to be met.

A managed move is different from an off-site direction: it is voluntary and permanent, must be in the pupil's best interests and must be agreed by all parties. Where a pupil has an EHC plan, the local authority must be involved and the statutory process for amending the plan followed. A pupil will not be permanently excluded because a parent or pupil declines a managed move.

4.5 Separation of pupils for safeguarding purposes

In rare circumstances, it may be necessary to temporarily prevent a pupil from attending the academy premises in order to separate pupils for safeguarding reasons, for example while an allegation of harm is being considered. This is not a disciplinary suspension or permanent exclusion.

Any such decision will be made case by case, with the Designated Safeguarding Lead or deputy taking a lead role and with other agencies involved where appropriate. Parents will be informed of the reason for the temporary separation, and the governing board will be notified without delay. The academy will consider its duties under the Human Rights Act 1998, Equality Act 2010 and Keeping Children Safe in Education, and will ensure the decision is reasonable, rational and procedurally fair.

This approach will be used only where separation is essential and cannot practicably be achieved while allowing all pupils to remain on the academy premises. Education arrangements will be put in place in accordance with the relevant statutory duties.

5. Considering the reinstatement of a pupil

The delegated Academy Council/committee will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice 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 delegated Academy Council/committee must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Principal 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 council, the delegated Academy Council/committee 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 committee is not required to meet and it cannot direct the Principal to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public examination or National Curriculum test, the delegated Academy Council/committee will take reasonable steps to meet and decide on reinstatement before the examination or test. If this is not practicable, the statutory 15-school-day timescale still applies. The provision allowing a chair of governors to decide alone in these circumstances applies to maintained schools, not academies.

The following parties will be invited to the reinstatement meeting 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 Principal
- At the request of parents, a representative of the local authority and/or home local authority may be invited as an observer; the Trust is not required to agree and any representations are subject to the committee's consent
- The pupil's social worker, if they have one
- The VSH [Virtual School Head], if the pupil is looked after

Reinstatement meetings can be held remotely at the request of parents (or the pupil if aged 18 or over), subject to the requirements in section 9.

The delegated Academy Council/committee will make reasonable endeavours to arrange the meeting within the statutory time limits and at a time that suits the relevant parties. Its decision will not be invalid solely because the statutory timescale was not met.

The delegated Academy Council/committee 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 delegated Academy Council/committee cannot do this – see earlier in this section)

In reaching a decision, the delegated Academy Council/committee will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Principal followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the delegated Academy Council/committee

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.

Records and evidence relating to the exclusion decision and reinstatement consideration will be retained for at least six months, and longer where required by the Trust's records management arrangements or another legal requirement.

The delegated Academy Council/committee will notify the following stakeholders in writing, without delay, of its decision and the reasons for it:

- The parents
- The Principal
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The Local Authority (where it is entitled to attend or is invited in accordance with the statutory guidance)
- The pupil's home authority, if it differs from the school's

Where a permanent exclusion is upheld and the pupil is not reinstated, the written notification will also include:

- 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 delegated Academy Council/committee'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 academy 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

6. Independent review

If parents (or a permanently excluded pupil aged 18 or over) apply for an independent review within the legal timeframe, the Trust will, at its own expense, arrange for an independent review panel (IRP) to review the decision not to reinstate the pupil.

Applications for an independent review must be made within 15 school days of notice being given of the decision not to reinstate the pupil or, where applicable, within 15 school days of the final determination of a discrimination claim under the Equality Act 2010 relating to the permanent exclusion. Applications outside the statutory timeframe will be rejected.

The Trust will take reasonable steps to identify a suitable date. The independent review must begin within 15 school days of the day on which the application for review was made, although the panel may adjourn the hearing where necessary.

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

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

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

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

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

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

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 VSH about how the child's background, education and safeguarding needs were considered by the Principal in the lead-up to the permanent exclusion, or are relevant to it.

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

- Uphold the delegated Academy Council/committee's decision
- Recommend that the delegated Academy Council/committee reconsiders reinstatement
- Quash the delegated Academy Council/committee's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the academy 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 delegated Academy Council/committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the delegated Academy Council/committee 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 delegated Academy Council/committee 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 delegated Academy Council/committee 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 delegated Academy Council/committee does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the delegated Academy Council/committee to place on the pupil's educational record

IRP minutes will be retained by the Trust for at least five years.

7. School registers

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

- 15 school days have passed since the parents were notified of the delegated Academy Council/committee'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 academy will wait until that review has concluded before removing the pupil's name from the register.

A deletion from the admission register following permanent exclusion will not be backdated. The academy will follow the School Attendance (Pupil Registration) (England) Regulations 2024 when determining the date and ground for deletion.

While the pupil's name remains on the academy's admission register, attendance will continue to be recorded using the current DfE attendance codes. Where the pupil is registered at and attending another school, code D will be used. Where approved off-site educational activity is being provided without dual registration, the appropriate current off-site code will be used. Where a permanently excluded pupil is not attending alternative provision, code E will be used.

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 academy will make a return to the LA. The return will include:

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

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

8. Reintegration following suspension, off-site direction or safeguarding separation

8.1 Reintegration strategy

Following a suspension (including a cancelled exclusion), a period of off-site direction or separation for safeguarding purposes, the academy will put in place a strategy to support successful reintegration into academy life and full-time education. The strategy will offer a fresh start, rebuild engagement and belonging, and support the pupil to meet the academy's behaviour expectations.

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

A part-time timetable will not be used to manage a pupil's behaviour. Where a temporary part-time timetable is exceptionally agreed for another legitimate reason, it will be for the shortest time necessary, include a clear route back to full-time education, be regularly reviewed with the pupil and parents, and be recorded using the appropriate leave-of-absence arrangements under the School Attendance (Pupil Registration) (England) Regulations 2024.

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

8.2 Reintegration meetings

The academy will clearly explain the reintegration strategy to the pupil at a reintegration meeting before or at the beginning of their return. The pupil will be told that they are valued and that previous behaviour should not be an obstacle to future success.

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

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

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

9. Remote access to meetings

Parents (or the pupil if aged 18 or over) can request that a reinstatement meeting or independent review panel be held remotely. If no preference is expressed, the meeting will be held in person. Face-to-face meetings should be encouraged and remote access should not be treated as the default.

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 delegated Academy Council/committee and the Trust will make sure that the following conditions are met before a meeting proceeds 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 as an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

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

10. Monitoring arrangements

The academy will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units, off-site directions, managed moves, pupils educated off-site and safeguarding separations from the premises
- Anonymous surveys of staff, pupils, Academy Council members and other stakeholders on their perceptions and experiences

The data will be analysed at least termly by the Principal and reported to the Academy Council. Trust-level patterns will also be reviewed through central assurance and governance processes.

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

- At academy level
- By age group
- By time of day/week/term
- By protected characteristic
- By SEND/disability, disadvantage, looked-after status, previous care status and social worker involvement, where cohort sizes allow meaningful analysis

The academy 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 academy will review its policies in order to tackle it. Eastern Multi Academy Trust will work with its academies to analyse whether there are meaningful patterns across the trust, recognising that the numbers in any one academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by the Trust Board at least every three years, and earlier where legislation or statutory guidance changes. At every review, the policy will be approved by the Trust Board and shared with Academy Councils.

11. Links with other policies

This policy is linked to our:

- Behaviour policy
- SEND policy
- SEN information report
- Attendance policy
- Child protection and safeguarding policy

Appendix 1: independent review panel training

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

Training must have covered:

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