



Three Towers
An Alternative Provision Academy
Expanding Horizons

Suspensions & Exclusions Policy

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Required on website: No

THREE TOWERS



Policy Document Version Control

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1 Introduction

A decision to suspend or permanently exclude (PEX) a learner is seen as a last resort by the Three Towers (TTAPA) whilst always bearing in mind our duty of care to all learners and staff. The decision to suspend or exclude a learner must be lawful, reasonable, and fair.

We are responsible for communicating to learners, parents/carers, and staff our behaviour expectations so that learners are aware of how they should conduct themselves. A range of policies and procedures are in place to promote our core values and positive behaviours.

No suspension or exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation.

The decision to suspend or exclude a learner will be taken only:

- in response to serious or persistent breaches of the school's behaviour policy, **and**
- if allowing the learner to remain in school would seriously harm the education or welfare of others.

The following list of reasons to suspend/exclude is non-exhaustive and is intended to offer examples rather than be complete or definitive:

- physical assault against a pupil (learner);
- physical assault against an adult;
- verbal abuse or threatening behaviour against a pupil (learner);
- verbal abuse or threatening behaviour against an adult;
- use or threat of use of an offensive weapon;
- possession/use or threat of use of prohibited item including
 - alcohol;
 - anything that has been, or is likely to be, used to cause injury or commit an offence;
 - drugs (other than prescribed by a medic and agreed as part of a health care plan);
 - fireworks;
 - pornographic images (of any kind e.g., tabloid topless pictures and "lads' mags" as well as extreme adult material);
 - stolen goods;
 - tobacco products e.g., cigarettes;
 - vaping materials;
 - weapons e.g., knives (including replica guns);
 - anything else banned in the school rules e.g., vaping materials, mobile phones, lighters.
- bullying, including cyberbullying;
- racist abuse;
- abuse against sexual orientation or gender reassignment/identity;
- abuse related to disability;
- sexual misconduct including child-on-child abuse;
- drug/alcohol related;
- theft;

- vandalism;
- persistent disruptive behaviours.

2 Aims

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

- ensure that learners in school are safe and happy;
- ensure that the exclusions process is understood by governors, staff, parents/carers and learners;
- ensure that the exclusions process is applied fairly and consistently;
- ensure that all suspensions and permanent exclusions are carried out lawfully;
- prevent learners becoming NEET (not in education, employment or training).

A note about “off-rolling”

‘Off-rolling’ is a form of gaming and occurs where a school makes the decision, in the interests of the school and not the learner, to:

- remove a learner from the school roll without a formal, permanent exclusion; or
- encourage a parent/carer to remove their child from the school roll; or
- retain a learner on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension;
- send a learner home without formally recording a suspension regardless of whether it occurs with the agreement of parents/carers, or
- place a learner on a part-time timetable for behavioural reasons
- remove a learner from the school roll without following due process or outside of the scope of our service level agreement with Wigan Council.

We are aware that “off-rolling” is unlawful. Accordingly, we will not suspend or exclude a learner unlawfully by telling or forcing them to leave or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

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

- because a learner has special educational needs and/or a disability (SEND) that the school feels unable to support; or
- due to a learner’s poor academic performance; or
- because the learner hasn’t met a specific condition, such as attending a reintegration meeting.

If any learner is suspended or excluded on the above grounds, this will also be considered as ‘off-rolling.’

3 Legislation & Statutory Guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#).

It is based on the following legislation, which outline schools’ powers to exclude learners:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011;

- The School Discipline (Learner Exclusions and Reviews) (England) Regulations 2012.

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded learners;
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#) and as modified and amended by [The Education \(Educational Provision for Improving Behaviour\) \(Application to Academies and Pupil Referral Units and Minor Amendments\) Regulations 2026](#).
- [The Equality Act 2010](#);
- [Children and Families Act 2014](#)
- The [Inspection information for state-funded schools](#), which defines 'off-rolling'

This policy complies with our funding agreement, articles of association and with statutory regulations applying to academies in relation to exclusions and off-site directions. It also reflects the details of how we end places as part of our commissioning agreement with Wigan Council.

4 Definitions

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

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

Off-site direction – when a governing board/committee of a maintained school, academy or PRU (pupil referral unit) requires a learner to attend another education setting temporarily, to improve their behaviour.

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

Managed move – when a learner is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs. Managed moves cannot be used on a trial basis.

Cancelled exclusion – an exclusion that has been cancelled before the governing board has met to consider whether the learner should be reinstated.

For the purposes of exclusions, school day is defined as any day on which there is a school session: INSET or staff training days do not count as a school day.

5 Roles & Responsibilities

5.1 The Headteacher (or acting headteacher) only can suspend or permanently exclude a learner from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The headteacher will only use permanent exclusion as a last resort. A decision to suspend a learner will be taken only:

- in response to breaches of the school's behaviour policy, **and**

- to provide a clear signal of what is unacceptable behaviour;
- to show a learner that their current behaviour is putting them at risk of permanent exclusion.

Where suspensions have become a regular occurrence, the school will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

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

- in response to serious or persistent breaches of the school's behaviour policy; **and**
- if allowing the learner to remain in school would seriously harm the education or welfare of the learner or of others such as staff and other learners in the school.

5.1.1 Deciding whether to suspend or exclude

Before deciding whether to suspend or exclude a learner, the headteacher will:

- consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked;
- allow the learner to give their version of events considering these in light of their age and understanding, unless it would not be appropriate to do so;
- consider whether the learner has special educational needs (SEND);
- consider whether the learner is especially vulnerable (e.g., the learner has a social worker, or is a looked-after child [LAC] or a previously looked-after child [PLAC]);
- consider whether all alternative solutions have been explored, such as:
 - for suspensions, detentions or other sanctions provided for in the Behaviour & Relationships Policy;
 - for exclusions, off-site direction (for temporary placements), or managed moves (which are permanent and not used as trial placements).

The headteacher will consider the views of the learner, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so. Learners 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 headteacher will not reach their decision until they have heard from the learner and will inform the learner of how their views were taken into account when making the decision.

All Three Towers learners have additional needs, including SEND, therefore we work with other agencies, including the LA to consider what additional support may be required. This also involves assessing the suitability of provision for the learner's SEN or disability. Where a learner has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the learner.

Offsite Directions & Managed Moves

When considering off-site direction, schools must comply with the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026 and has regard to the Arranging alternative provision: a guide for local authorities and schools.

Before directing a learner off-site or agreeing a managed move, schools must:

- *ensure the learner's views are sought and considered;*

- *be able to evidence that appropriate interventions have already been implemented;*
- *share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments, and support strategies.*

Where a managed move is being considered for a learner with a social worker, schools must inform, at the earliest opportunity:

- *The social worker;*
- *The DSL;*
- *Parents/carers (unless this would create a safeguarding risk);*
- *For looked after children: the virtual school head (VSH).*

As an alternative provision academy, Three Towers does not use offsite directions or managed moves.

Removing a learner from the school site temporarily for safeguarding reasons

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a learner, or if a learner has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

In exceptional circumstances, the headteacher may decide to temporarily prevent a learner from attending the school site for safeguarding reasons. This is **not** an exclusion on disciplinary grounds. This measure will only be used when:

- it is necessary to separate learners to ensure safety, and
- there is no reasonable alternative that would allow all learners to remain on site

Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL), and informed by multi-agency working where appropriate (e.g., children's social care or the police).

Where this measure is used, the school will without delay:

- inform parents/carers, including the reasons for the decision;
- notify the LA, Trust, and local governing committee (LGC);
- transfer the learner to remote provision (KS4 only), provide work for the learner to complete at home, or work with the LA to ensure suitable education is arranged;
- support the learner's reintegration as soon as it is safe to do so.

5.1.2 Informing parents/carers

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

If the headteacher decides to suspend or exclude a learner, the parents/carers will be informed in person or by telephone of the period of the suspension or exclusion and the reason(s) for it, without delay.

Without delay, the parents/carers will also be provided with the following information in writing and when possible, sent by email:

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

- the length of the suspension or, for a permanent exclusion, the fact that it is permanent;
- information about parents'/carers' right to make representations about the suspension or permanent exclusion to the local governing committee (LGC) and where the learner is attending alongside parents/carers how the learner may be involved in this;
- how any representations should be made;
- where there is a legal requirement for the LGC to hold a meeting to consider the reinstatement of a learner, and that parents/carers (or the learner if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend (and, where appropriate, more than 1, subject to reasonable limits set by the LGC);
- that parents/carers have the right to request that the meetings be held remotely, and how and to whom they should make this request.

If the learner is of compulsory school age, the headteacher will also notify parents/carers 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/carers 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/carers may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the written notification will include, 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 start and end time of the morning session;
 - the start and end time of the afternoon session; or
 - when a session is a single day, the start and end time of the day
- the address at which the provision will take place;
- the name of the person who the learner should report to on arrival.

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

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

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

5.1.3 Informing the Governors and The Trust

The headteacher will, without delay, notify the CEO and the Chair of the LGC of:

- any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a learner;
- any suspension or permanent exclusion which would result in the learner being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term;
- any suspension or permanent exclusion which would result in the learner missing a National Curriculum test or public exam;
- any suspension or permanent exclusion that has been cancelled, including the reason(s) for the cancellation.

5.1.4 Informing the local authority (LA)

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

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

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

The headteacher will notify the LA without delay of any cancelled exclusions, including the reason(s) the exclusion was cancelled.

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

If a:

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

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

Where a looked-after child is at risk of suspension or permanent exclusion, the school will consider:

- how effectively the current personal education plan (PEP) is being implemented; and
- whether an interim review of the PEP needs to take place;
- how the school is using Pupil Premium Plus.

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

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

- they have decided to cancel a suspension or permanent exclusion, and why (where relevant).

The social worker/VSH will be invited to any meeting of the LGC about the suspension or permanent exclusion. This is so they can provide advice on how the learner's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the learner's welfare are taken into account.

5.1.6 Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but this will only be done where it has not yet been reviewed by the LGC. Where there is a cancellation:

- the parents/carers, LGC, CEO and LA will be notified without delay;
- where relevant, any social worker and VSH will be notified without delay;
- the notification must provide the reason(s) for the cancellation;
- the LGC's duty to hold a meeting and consider reinstatement ceases;
- parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation
- the learner will be allowed back in school.

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

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

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

During the first 5 days of a suspension, if the learner is not attending alternative (AP) provision, we will take steps to ensure that achievable and accessible work is set and marked for the learner. Online learning may be used for this. As all Three Towers learners have SEND needs, ensure that reasonable adjustments are made to the provision, as necessary.

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

5.2 The Local Governing Committee (LGC) delegates its responsibilities regarding exclusions to the Governors Disciplinary Panel (GDP). This panel has a duty to consider parents'/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded learner (see sections 6 and 7) in certain circumstances.

Within 14 days of receipt of a request, the LGC will provide the secretary of state with information about any exclusions in the last 12 months.

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

exclusion. Provision does not have to be arranged for learners in the final year of compulsory education who do not have any further public examinations to sit.

5.2.1 Monitoring and analysing suspensions and exclusions data

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

- closely scrutinise patterns of all learner movement, including suspensions and permanent exclusions;
- ensure these measures are only used as a last resort;
- review any use of separation from site for safeguarding purposes;
- constructively challenge the core leadership team (CLT) to identify and address emerging trends.

The LGC will consider:

- how effectively and consistently the school's Behaviour & Relationships Policy is being implemented;
- the school register and absence codes;
- instances where learners receive repeat suspensions;
- interventions in place to support learners at risk of suspension or permanent exclusion;
- any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary;
- timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working;
- the characteristics of suspended and permanently excluded learners, and why this is taking place.

Scrutiny as set out within the trust's scheme of delegation, and the LA's service level agreement holds leaders to account using a range of external information including where available national performance and benchmarking data for alternative provision

5.3 The Local Authority (LA) will arrange suitable full-time education for permanently excluded learner to begin no later than the sixth school day after the first day of the exclusion. For learners who are LAC or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

6 Considering the reinstatement of a learner

The Governors Disciplinary Panel (GDP) will consider and decide on the reinstatement of a suspended or permanently excluded learner within 15 school days of receiving the notice of the exclusion if:

- the exclusion is permanent;
- it is a suspension which would bring the learner's total number of school days of exclusion to more than 15 in a term; **or**
- it would result in a learner missing a public examination or national curriculum test.

Where the learner has been suspended, and the suspension does not bring the learner's total number of days of suspension to more than 5 in a term, the GDP must consider any

representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers, and it cannot direct the headteacher to reinstate the learner.

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

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

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

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

Meetings of the GDP can be held remotely at the request of parents/carers. (See Section 10 for more details on remote access to meetings).

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

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

In reaching a decision, GDP will consider:

- whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair;
- whether the headteacher followed their legal duties;
- the welfare and safeguarding of the learner and their peers;
- any evidence that was presented to the governing board.

They will decide whether or not a fact is true '**on the balance of probabilities.**' The clerk will be present when the decision is made.

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

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

- the parents/carers;
- the headteacher;
- the learner's social worker if they have one;
- the VSH, if the learner is looked after;
- the local authority;
- the learner's home authority if it differs from the schools.

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

- the fact that it is a permanent exclusion;
- notice of parents'/carers right to ask for the decision to be reviewed by an independent review panel (IRP);
- the date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents/carers);
- 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 learner's special educational needs (SEND) are considered to be relevant to the permanent exclusion;
- that, regardless of whether the excluded learner has recognised SEND, parents/carers have a right to require the Rowan Learning Trust to appoint a SEND expert to advise the review panel;
- details of the role of the SEND expert and that there would be no cost to parents/carers for this appointment;
- that parents/carers must make clear if they wish for a SEND expert to be appointed in any application for a review;
- that parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review;
- that, if parents/carers 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, 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.

7 Independent Review

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

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

Independent reviews can be held remotely at the request of parents/carers. (See section 10 for more details on remote access to meetings).

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category, and 2 members will come from the headteacher category.

At all times during the review process there must be the required representation on the panel:

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

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

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

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

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

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

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion or are relevant to the learner's permanent exclusion.

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

- uphold the governing board's decision;

- recommend that the LGC reconsiders reinstatement;
- quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed).

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

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

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

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

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

- the panel's decision and the reasons for it;
- where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the learner within 10 school days;
- any information that the panel has directed the governing board to place on the learner's educational record.

8 School registers

A learner's name will be removed from the school admissions register if:

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

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

While the learner's name remains on the school's admission register, the learner's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the learner being registered at any other school) has been made for an excluded learner and they attend it, code B [education off-site] will be used on the attendance register. During off-site direction to another school or educational establishment, code D [dual registration] will be used.

A learner will be registered at 1 main school only. Where a managed move is agreed, the learner's name will be removed from the admission register when the move becomes

permanent. Where a learner attends off-site provision, the original school retains responsibility for the learner's registration unless and until a permanent move is agreed.

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

8.1 Making a return to the LA

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

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

9 Returning from a Suspension or Separation for Safeguarding Purposes

9.1 A Reintegration Strategy will be put in place following a suspension, a period of separation for safeguarding purposes or cancelled suspension/permanent exclusion to help the learner reintegrate successfully into school life and full-time education. Where necessary, we will work with third-party organisations to identify whether the learner has any unmet special educational and/or health needs.

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

- maintaining regular contact during the suspension or separation for safeguarding reasons (if longer than 3 days);
- agreeing a behaviour contract;
- daily contact with a designated trusted adult for mentoring;
- agreeing a change to the provision offered, either temporarily or permanently to better meet learner needs (including blended and/or remote provision, amended or adjusted hours);
- regular reviews with the learners and parents/carers to praise progress being made and raise/address any concerns at an early stage;
- agreeing a programme of interventions;
- accessing counselling;
- assessment by other agencies including CAMHS, EPs;

- restorative meetings and/or reparation;

This list is not exhaustive.

Reduced or part-time timetable are not used as a tool to manage behaviour, but if they do need to be put in place it is for the minimum time necessary and reviewed weekly with parents/carers.

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

9.2 Reintegration Meetings are held to explain the reintegration strategy to the learner and their parent/carer either before or on the learner's return to school. During the meeting we will explain to the learner that they are getting a fresh start and that they are a valued member of the school community, as well as reiterating our expectations of all learners.

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

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

We expect all returning learners and their parents/carers to attend their reintegration meeting, but learners who do not attend will not be prevented from returning to school.

10 Remote Access to meetings

Parents/carers can request that a governing board meeting, or independent review panel be held remotely. If the parents/carers do not express a preference, the meeting will be held in person. Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.

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 LGC and the Trust will ensure that the following conditions are met before agreeing to let a meeting proceed remotely:

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

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

The meeting will be re-arranged to an in-person meeting without delay if technical issues arise that cannot be reasonably resolved and:

- compromise the ability of participants to contribute effectively, or
- prevent the meeting from running fairly and transparently.

11 Monitoring of data

The school will collect data on the following:

- attendance, permanent exclusions, and suspensions;
- use of changed provisions;
- anonymous surveys of staff, learners, parents/carers and governors/trustees on their perceptions and experiences.

The data will be analysed termly and surveys at least annually by CLT who will report back to the LGC each term through the CLT Report to Governors. The data will be analysed from a variety of perspectives including:

- by age group (Key Stage, primary/secondary);
- by protected characteristic;
- length of time on roll;
- for hotspots during the day/week/term;
- changes at an individual level over time.

We 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 learners are identified by this analysis, the school will review its policies in order to tackle it.

The Trust may consider this data and analyse it to identify if there are patterns (in similar context schools) across the Trust, recognising that numbers in any one academy may be too low to allow for meaningful statistical analysis.

12 Policy monitoring and evaluation

This policy will be reviewed by the headteacher at least annually and whenever there are changes to statutory guidance. At every review, the policy will be shared with the Local Governing Committee (LGC).

UNICEF - UNCRC

The UN Convention of the Rights of the Child sets out human rights of every person under 18 and applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities, or any other status, whatever they think or say, whatever their family background (Article 2). Articles directly relating to this policy are:

2 (Non-discrimination)	
3 (Best interests of the child)	29 (Goals of education)
12 (Respect the views of the child)	28 (Right to education)

Appendix 1: Independent Review Panel Training

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

Training must have covered:

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