

The Spire Church of England Learning Trust

Suspension and Exclusion Policy

2026 - 2029

This policy was reviewed and updated by a Trust Headteacher. It is approved by the Trust on a triennial basis and adapted and implemented by schools within the Trust.

This policy will be subject to an ongoing review. It may be amended prior to the scheduled date of the next review to reflect changes in legislation where appropriate. It reflects the Department for Education statutory guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' (June 2026), which comes into force on 26 July 2026.

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In collaboration with



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Statement of Intent

At The Spire Church of England Learning Trust, we understand that good behaviour and discipline is essential for promoting a high-quality education.

Amongst other disciplinary sanctions, the Trust recognises that suspension and exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the individual Trust school's Behaviour Policy. Suspending or excluding a pupil may also be required in instances where allowing the pupil to remain in school would be damaging to the education and welfare of themselves or others; in all cases, suspending or excluding pupils should only be used as a means of last resort.

The Trust has created this policy to clearly define the legal responsibilities of the Headteacher/Head of School, Local Governing Board and LA (Local Authority) when responding to pupil suspensions and exclusions, to ensure that they are dealt with both fairly and lawfully, and in line with DfE statutory guidance. This policy also aims to secure a pupil's right to an education despite having been suspended or excluded, by ensuring that appropriate arrangements are in place.

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

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

1. Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, current versions of the following:

- Education Act 2002
- Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- Equality Act 2010
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The European Convention on Human Rights (ECHR)

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, current versions of the following:

- DfE 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'
- DfE 'Behaviour in Schools'
- DfE 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE 'Mental health and behaviour in schools'

This policy is based on the latest version of Department for Education statutory guidance 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' June 2026, which comes into force on 26th July 2026, and will be updated in line with any subsequent revisions.

This policy should be read in conjunction with the Trust's Safeguarding and Child Protection Policy and the current version of Keeping Children Safe in Education (KCSIE) in force at the time. This policy forms part of the whole-school safeguarding approach in line with KCSIE.

The Trust recognises that behaviour leading to suspension or exclusion may be a manifestation of an unmet safeguarding need or vulnerability. All staff will consider whether a pupil's behaviour is linked to abuse, neglect, exploitation, or other safeguarding concerns.

All staff should be aware that safeguarding incidents and/or behaviours associated with suspensions or exclusions can be indicative of wider safeguarding concerns. In line with KCSIE, all concerns must be recorded promptly on the school's safeguarding system, shared with the DSL, and considered as part of a wider assessment of need and risk.

Where safeguarding concerns are identified, staff will follow the school's safeguarding procedures, including making referrals to children's social care, early help services, or other agencies in line with local safeguarding partnership arrangements.

The school will ensure that information is shared appropriately with relevant professionals, including children's social care and early help services, in accordance with local safeguarding partnership procedures and data protection legislation.

This includes consideration of local safeguarding partnership thresholds for early help, child in need and child protection interventions.

All concerns, decisions and actions will be recorded in accordance with the Safeguarding and Child Protection Policy.

Where a suspension or permanent exclusion is issued, the school will actively consider whether this presents a safeguarding concern requiring immediate action, including referral to children's social care. Suspension or exclusion will not delay or replace safeguarding action where there is risk of harm.

2. Roles and Responsibilities

The Local Authority (LA) is responsible for:

- Having due regard to the relevant statutory guidance when carrying out its duties in relation to the education of CLA.
- Arranging suitable full-time education for any pupil of compulsory school age excluded permanently.
- Reviewing and reassessing pupils' needs in consultation with their parents/carers where they have an EHC plan and are excluded permanently, with a view to identifying a new placement.

- If requested, arranging an Independent Review Panel hearing without delay at a time, date and venue convenient for all parties. This panel may be outsourced to a 3rd party by the LA or by the Trust acting for the LA.
- Ensuring the Independent Review Panel consists of three or five members as appropriate, which represent the required categories.
- Ensuring all panel members and the clerk have received training within the two years prior to the date of the review.
- If requested by parents/carers, appointing a SEND expert to attend the panel and covering the associated costs of this appointment.

The Trust Board is responsible for:

- Ensuring that this policy is compliant with statutory guidance and is effectively implemented across all schools within the Trust.
- Monitoring patterns and trends in suspensions and exclusions across the Trust, including any disparities for vulnerable groups.
- Ensuring that suspension and exclusion data is analysed by protected characteristics in line with the Equality Act 2010, and that any disproportionality is identified and addressed.
- Ensuring appropriate challenge and support is provided to schools where exclusion rates are high.
- Ensuring that safeguarding implications are considered within exclusion data and practice.
- Ensuring that exclusion, safeguarding, attendance and behaviour data are reviewed collectively to identify trends, risks and any indicators of unmet safeguarding need.
- Ensuring that effective systems of internal scrutiny, assurance and oversight are in place to monitor compliance with statutory guidance, including safeguarding, behaviour and exclusions.
- Seeking assurance that safeguarding is effective across all schools, including where exclusion practices may indicate safeguarding risks or unmet need.
- Ensuring that exclusion decisions and patterns are consistent with the Trust's safeguarding responsibilities and do not place pupils at risk of harm or disengagement from education.
- Ensuring there is appropriate and robust challenge to headteacher decisions regarding suspension and exclusion, including through governance review structures, and that Local Governing Boards are effectively supported and held to account in exercising their responsibilities.

The Trust Board delegates certain responsibilities to Local Governing Boards but retains overall accountability for compliance and statutory duties.

The Local Governing Board is responsible for:

- Providing information to the Secretary of State and LA about any suspensions and exclusions within the last 12 months.
- Considering parent/carers' representations about suspensions and exclusions within 15 school days of receiving notice if the appropriate requirements are met. Note – school days do not include weekends, holidays or bank holidays.
- Where a suspension or exclusion would result in a pupil missing a public examination or test, considering the suspension or exclusion before this date.
- Considering whether it would be appropriate for a pupil to be permitted onto the school premises to sit the public examination or test.
- Arranging the representation meeting at a time and date convenient to all parties, but in compliance with the statutory time limits. In exceptional circumstances, the statutory time limit may be exceeded.
- Adhering to its responsibilities to consider the reinstatement of pupils.
- Considering the interests and circumstances of the suspended or excluded pupil, including the circumstances in which they were suspended or excluded, and have due regard to the interests of others at the school.
- Using the civil standard of proof (based on the 'balance of probabilities', it is more than likely that the fact is true) when establishing the facts relating to a suspension or exclusion.
- Ensuring clear minutes are taken of the representation meeting if a meeting is required.
- Noting the outcome of the representation meeting on the pupil's education record, along with copies of relevant papers for future reference.
- Notifying the pupil's parents/carers, the Headteacher/Head of School and the LA of its decision and the reasons for it, without delay.
- Where appropriate, informing parents/carers of how to apply for an Independent Review Panel.
- Informing parents/carers of relevant sources of information.
- Ensuring a pupil's name is removed from the school admissions register, where appropriate.
- Reconvening within 10 school days to reconsider reinstatement of a pupil where directed to do so by the Local Governing Body panel or the Independent Review Panel.
- Using data to evaluate the school's practices regarding intervention, suspension and exclusion.
- Seeking assurance that exclusion decisions are supported by clear evidence, including documented consideration of alternative strategies, SEND needs, safeguarding factors, and the proportionality of the decision

The Clerk to the Local Governing Body panel is responsible for:

- Informing the appropriate individuals that they are entitled to:
 - Make written representations to the panel.
 - Attend the hearing and make oral representations to the panel.
 - Be represented.

- Circulating copies of relevant papers at least five school days before the review to all parties.
- Giving all parties details of those attending and their role, once the position is clear.
- Attending the review and ensuring that minutes are produced in accordance with instructions from the panel within the timeframe of the policy.

Independent Review Panels acting on behalf of the Trust, or the Trust themselves, must constitute the panel with either three or five members in line with statutory DfE guidance.

The Headteacher/Head of School is responsible for:

- Implementing good levels of discipline to ensure all pupils can benefit from the opportunities provided by education and to minimise potential suspensions and exclusions.
- Applying the civil standard of proof when establishing the facts in relation to a suspension or exclusion.
- Complying with their statutory duties in relation to pupils with SEND when administering the suspension or exclusion process, as outlined in the Special Educational Needs and Disabilities (SEND) Policy.
- Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a pupil has suffered bereavement, experienced bullying or has a mental health issue.
- Considering the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour.
- Reviewing the effectiveness of suspensions and exclusions as sanctions, e.g. if a pupil has received multiple suspensions or is approaching the legal limit for suspensions in an academic year.
- Considering what extra support may be needed to identify and address the needs of individual pupils, particularly those with SEND, those eligible for FSM, LAC and those from certain ethnic groups.
- Engaging effectively with parents/carers in supporting the behaviour of pupils with additional needs.
- Determining whether a pupil will be suspended or excluded on disciplinary grounds.
- Withdrawing any suspensions or exclusions that have not been reviewed by the Local Governing Board, where appropriate.
- Ensuring any decision to suspend or exclude is lawful, rational, reasonable, fair and proportionate.
- Complying with the requirements of the Equality Act 2010 when deciding whether to suspend or exclude a pupil.
- Ensuring they have considered their legal duty of care when sending a pupil home following a suspension or exclusion.
- Making the decision to suspend or exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings.
- Notifying a pupil's parents/carers without delay where the decision is taken to suspend or exclude the pupil, including the days on which the parents/carers must ensure the pupil is not present in a public place at any time during school hours, as well as any other necessary information statutorily required.

- Ensuring that all information provided to parents/carers is clear and easily understood.
- Notifying the Chair of the Local Governing Body and LA of their decision to exclude a pupil where appropriate, as well as the pupil's home authority if required.
- Notifying the Local Governing Board once per term of any exclusions.
- Organising suitable work for excluded pupils where alternative provision cannot be arranged, in line with DfE guidance and time scales.

3. Grounds for Suspension or Exclusion

A school will only suspend or exclude a pupil where it is absolutely necessary, and where all other possible disciplinary sanctions, as detailed in the individual Trust school's Behaviour Policy, have failed to be successful.

Permanent exclusion will only be used as a last resort, in line with Department for Education statutory guidance.

The following examples of behaviour may warrant the decision to suspend or exclude a pupil:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Bullying
- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse
- Persistent disruptive behaviour that impacts on the education and welfare of others
- Use and/or handling of illegal drugs on a school site, during school trips or extra-curricular events that may take place away from the school site
- Smoking/vape usage on a school site, during school trips or extra-curricular events that may take place away from the school site

Pupils can be suspended on a fixed-period basis, i.e. for up to 45 school days within a year, or permanently excluded. Similarly, pupils can be permanently excluded following a suspension, where further evidence is presented. In all cases, the Headteacher/Head of School will decide whether a pupil will be subject to a suspension or an exclusion, depending on what the circumstances warrant.

4. The Headteacher/Head of School's Power to Suspend and Exclude

Only the Headteacher/Head of School has the power to suspend or exclude a pupil from the school, and is able to decide whether either a suspension or exclusion is appropriate. All suspensions and exclusions will only be issued on disciplinary grounds. This will include Acting/Deputy Headteachers who will have assumed full legal power in the absence of the main Headteacher/Head of School.

The Headteacher/Head of School is able to suspend pupils where their behaviour is disruptive during lunchtime. All lunchtime suspensions will be counted as half of a school day. The Headteacher/Head of School is also able to consider a pupil's disruptive behaviour outside of the school premises as grounds for suspension or exclusion, in accordance with the individual Trust school's Behaviour Policy.

When sending a pupil home following any suspension or exclusion, the Headteacher/Head of School will ensure that they exercise their duty of care at all times and will always inform the parents/carers.

All decisions to suspend or permanently exclude a pupil will be made in the best interests of the pupil, the school community, and any affected parties, and will be lawful, reasonable, procedurally fair and proportionate to the circumstances.

The Headteacher/Head of School will ensure that this policy is applied fairly, consistently and without discrimination. Similar behaviours will be treated consistently, and any variation in decision-making will be clearly justified and recorded.

Before making any decision to suspend or permanently exclude, the Headteacher/Head of School will ensure that, where appropriate, alternative strategies and interventions have been considered and, where relevant, implemented. This includes pastoral support, behaviour interventions, off-site direction and managed moves. The Headteacher must be able to demonstrate and record the rationale for why exclusion is necessary and proportionate despite these measures.

The Headteacher/Head of School will ensure that all reasonable steps have been taken to avoid the need for exclusion, including the use of appropriate support, early intervention, reasonable adjustments and, where appropriate, external agency involvement. Suspension or permanent exclusion will only be used where these steps have not been sufficient, or where there are exceptional circumstances involving serious risk to safety or welfare.

Any decision made to suspend or exclude a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions and exclusions and the school's wider legal duties, including the ECHR. At all times, the Headteacher/Head of School will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds, e.g. race, sex, or disability, and will not increase the severity of a pupil's suspension or exclusion on these grounds.

The Headteacher/Head of School will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.

The Headteacher/Head of School may cancel any suspension or exclusion that has already begun; however, this power will only be used if the suspension or exclusion has not already been reviewed by the Local Governing Board. Where a suspension or exclusion is cancelled, the Headteacher/Head of School will notify the pupil's parents/carers, the Local Governing Board, the LA, and, where relevant, the virtual school head (VSH) and the pupil's social worker. The Headteacher/Head of School will offer the pupil's parents/carers the opportunity

to meet with the Headteacher/Head of School to discuss the circumstances that led to the cancellation of the exclusion, and the pupil will be allowed back into school.

The Headteacher/Head of School will report the number of suspensions and exclusions that have been cancelled, alongside the circumstances around and reasons for cancellation, to the Local Governing Board once per term, to allow the Local Governing Board to have appropriate oversight.

The Headteacher/Head of School will not use informal, unofficial or unlawful exclusions. This includes sending a pupil home to 'cool off', requesting that parents/carers keep a pupil at home without a formal exclusion, or placing a pupil on a part-time timetable without agreement and appropriate review. Any exclusion of a pupil, even for short periods, will be formally recorded and carried out in line with statutory guidance.

The Headteacher/Head of School will not use the threat of suspension or exclusion as a means of instructing parents/carers to remove their child from the premises.

All suspensions and exclusions will be formally recorded on the school's SIMS system.

5. Factors to Consider when Suspending or Excluding a Pupil

When considering the suspension or exclusion of a pupil, the Headteacher/Head of School will:

- Before making any decision to suspend or permanently exclude, the Headteacher will ensure that appropriate interventions, support strategies, and alternative approaches have been considered and, where appropriate, implemented. This includes pastoral support, behaviour interventions, multi-agency involvement, off-site direction and managed moves where suitable.
- The Headteacher will ensure that a clear record is kept demonstrating what interventions have been tried, their impact, and the rationale for determining that suspension or exclusion is a necessary and proportionate response.
- Allow the pupil the opportunity to present their case once evidence has been collected.
- The Headteacher will also consider whether the behaviour giving rise to a suspension or exclusion may be linked to safeguarding concerns, including but not limited to child-on-child abuse, exploitation, or experiences outside of school (contextual safeguarding).
- In some circumstances, the school may need to take action to keep pupils apart for safeguarding reasons. This may include adjustments within school or consideration of alternative provision or exclusion where necessary to protect the safety and welfare of pupils.
- Where the behaviour involves child-on-child abuse, the school will ensure that the needs and safety of any victim are given primary consideration. The school will take appropriate action to safeguard and support the victim, in line with the Safeguarding and Child Protection Policy and KCSIE guidance.
- All such incidents will be managed in accordance with the Child-on-Child Abuse Policy and the school's individual Safeguarding and Child Protection Policy.

- The Headteacher will also consider whether the behaviour is linked to online activity, including cyberbullying, the sharing of inappropriate content, or risks identified through filtering and monitoring systems, in line with KCSIE. Sanctions may apply to behaviour outside school where it affects school community
- The school will ensure that appropriate filtering and monitoring systems are in place, in line with statutory safeguarding guidance, and that information identified through these systems is considered as part of behaviour, safeguarding and exclusion decision-making processes. Concerns identified through filtering and monitoring will be shared with the Designated Safeguarding Lead (DSL) and acted upon in accordance with safeguarding procedures.
- Where this is the case, the behaviour will be addressed in line with the school's safeguarding procedures, and the Designated Safeguarding Lead (DSL) will be involved in all relevant decisions.
- Take into account any contributing factors that are identified after a case of poor behaviour has occurred, e.g. if the pupil's wellbeing has been compromised, or they have been subjected to bullying.
- The school will take a trauma-informed approach, recognising that behaviour may be a response to adverse childhood experiences, and will seek to understand underlying need in order to provide appropriate support alongside any disciplinary response.
- Take into consideration whether the pupil has received multiple suspensions or is approaching the legal limit of 45 suspended days per school year, and whether suspension is serving as an effective sanction.
- Consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour.
- Where appropriate, the school will consider whether an early help assessment or multi-agency response is required to support the pupil and address underlying needs

The Headteacher/Head of School will consider what extra support may be available for vulnerable pupil groups whose suspension and exclusion rates are higher, to reduce their risk of suspension or exclusion, including the following:

- CLA
- Pupils eligible for FSM
- Pupils with SEND
- Certain ethnic groups

The Headteacher/Head of School will consider avoiding excluding CLA, those with SEMH issues or pupils with an EHC plan. Where any member of staff has concerns about vulnerable pupil groups and their behaviour, they will report this to the Headteacher/Head of School, who will instigate a multi-agency assessment to determine whether the behavioural issues might be a result of educational, mental health or other needs and vulnerabilities. The full assessment procedures are outlined in the school's Social, Emotional and Mental Health (SEMH) Policy.

The school will make every effort, in line with the SEND Code of Practice, to identify and support pupils with special educational needs and disabilities (SEND) and will take all reasonable steps to avoid the use of suspension or permanent exclusion for these pupils.

In line with DfE statutory guidance, exclusion will not be used where reasonable adjustments, appropriate support, or alternative strategies could prevent the behaviour, unless there are exceptional circumstances where safety or serious harm is a concern.

Where SEND or SEMH issues are identified, an individual behaviour plan will be created using the graduated response outlined in the individual Trust school's Behaviour Policy.

The school will ensure that reasonable adjustments are made for pupils with disabilities, in accordance with the Equality Act 2010.

Before making the decision to suspend or exclude, the Headteacher will consider whether reasonable adjustments, additional support, or alternative strategies could be implemented to prevent the need for exclusion and avoid placing the pupil at a substantial disadvantage compared to their peers.

If the pupil continues to endanger the physical or emotional wellbeing of other pupils or staff, despite exhausting the graduated response process, then suspension or exclusion may be considered.

In accordance with the Equality Act 2010, The school will normally ensure that appropriate support, including the graduated response, has been implemented. However, there may be exceptional circumstances, including serious incidents, where suspension or exclusion is appropriate, even where additional needs have been identified.

Where a pupil with SEND or SEMH issues is excluded because of a SEND- or SEMH-related need that could not be met at the school, detailed records will be kept highlighting that these pupils are closely tracked and showing that the school has a close relationship with the pupil's next destination.

The Headteacher/Head of School will work in conjunction with the parents/carers of any pupil with additional needs to establish the most effective support mechanisms.

The Headteacher will consider whether unconscious bias or disproportionality may have influenced decision-making and will monitor patterns to ensure that decisions are fair and equitable for all groups of pupils.

The Headteacher will consider the impact of suspension or exclusion on the pupil's attendance record, particularly where the pupil is persistently absent or at risk of becoming so, and ensure that appropriate support is in place to maintain engagement in education.

The Trust and schools are committed to a culture of inclusion and will take all reasonable steps to avoid exclusion, particularly for vulnerable groups.

For every suspension or permanent exclusion decision, the school will maintain a clear written record which includes:

- the reasons for the decision
- evidence considered
- details of prior interventions and support strategies

- consideration of SEND, safeguarding and any vulnerability
- confirmation that the decision was lawful, reasonable and proportionate

This record will be retained to support governing board review and, where applicable, independent review panel proceedings.

6. Preventative Measures

Before taking a final decision to exclude, the Headteacher/Head of School will consider whether it is in the best interests of all parties to initiate off-site directions or managed moves as preventative measures to exclusion.

The school will normally consider the use of preventative strategies, including off-site direction and managed moves, as part of a planned intervention approach prior to exclusion, where appropriate. These strategies will be used as structured and monitored interventions, rather than informal arrangements, and will form part of a clearly documented behaviour support plan.

Off-site direction

The Local Governing Body, acting through the Headteacher/Head of School, may use their general powers to arrange for any registered pupil to attend at any place outside the school premises for the purpose of receiving educational provision intended to improve their behaviour.

The school will also consider whether off-site direction is necessary to manage safeguarding risks, including situations where it is appropriate to keep pupils apart to protect the welfare of individuals, in line with Keeping Children Safe in Education.

The Local Governing Board and the Headteacher/Head of School will decide, in communication with the pupil and their parents/carers, whether off-site direction is an appropriate solution to manage a pupil's behaviour and avoid suspension or exclusion. Where all parties agree to this course of action, the school will work with the pupil and their parents/carers to discuss and agree a plan for the off-site direction, including a proposed maximum period of time that the pupil will be at the alternative provision and any alternative options that will be considered once the time limit has been reached, e.g. managed moves.

The Local Governing Board will notify parents/carers, and the LA if the pupil has an EHC plan, in writing with information about the placement no later than two school days before the relevant day.

The school will keep any off-site placements under review by holding review meetings at intervals deemed appropriate by the Local Governing Board; the Local Governing Board will ensure, where possible, that review meetings are convened at a time suitable for the pupil's parents/carers, and will invite parents/carers in writing to each review meeting no later than six days before that date. Where parents/carers request, in writing, that the Local Governing Board hold a review meeting, the Local Governing Board will arrange review meetings in response, as soon as is reasonably practicable, unless there has been a review meeting in the previous 10 weeks.

The Local Governing Board will review all off-site direction arrangements at regular intervals. Each review will determine whether the placement should continue, any changes required, and the timing of subsequent reviews. All decisions and outcomes will be formally recorded in writing.

Off-site direction should normally be considered as part of an early intervention strategy to address behaviour and avoid exclusion, where appropriate.

Off-site direction will be used as a short-term, planned intervention to support behaviour improvement and reduce the risk of exclusion. Its use will be regularly reviewed to ensure it remains appropriate, effective and in the best interests of the pupil.

Managed Moves

Where it is thought to be in a pupil's best interest to transfer them to another mainstream school permanently, the Headteacher/Head of School and Local Governing Board will discuss this with the parents/carers of the pupil, and the LA if the pupil has an EHC plan – managed moves will only go ahead with the voluntary agreement of all parties involved, including the parents/carers and the admission authority of the new school.

The individual Trust school will ensure that detailed records are kept of any decision to initiate a managed move, including evidence that appropriate initial intervention has been carried out. The school will participate in information sharing with the pupil's new school, including sending data on prior and current attainment, academic potential and any risk management strategies. The school will also cooperate with the pupil's new school to create an effective integration strategy.

Parents/carers who have concerns that a managed move is being forced on them or who are unhappy with a managed move will be referred to the Trust school's Complaints Policy.

Managed moves will not be used as an alternative to permanent exclusion where the threshold for exclusion has been met. They will only take place with the informed consent of all parties and will be subject to a clear plan, including review points and intended outcomes.

A managed move will not be used to avoid or delay a formal exclusion process where the threshold for permanent exclusion has been met

Off-rolling

The Trust is committed to ensuring that no pupil is removed from the school roll or encouraged to leave a school in a manner that would constitute off-rolling.

Off-rolling is defined as the practice of removing a pupil from the school roll, without a formal permanent exclusion, primarily in the interests of the school rather than in the best interests of the pupil.

The Trust prohibits all forms of off-rolling. Any decision regarding managed moves, alternative provision, or changes to a pupil's placement will:

- be made in the best interests of the pupil
- be transparent, documented, and agreed by parents/carers
- follow statutory guidance and safeguarding procedure

Any concerns regarding potential off-rolling will be reported to the Trust and investigated.

7. Duty to inform Parents/Carers

Following the Headteacher/Head of School's decision to suspend or exclude a pupil, they will immediately inform the parents/carers, in person or by telephone, supported by email communication, of the period of the suspension, or permanency of the exclusion, and the reasons behind this.

The Headteacher/Head of School will inform the parents/carers in writing (or electronically if written permission has been received from the parents/carers for notices to be sent this way) of the following:

- The reasons for the suspension or exclusion
- A clear summary of the reasons for the decision, including any relevant factors considered such as prior support, SEND needs and safeguarding considerations, and why suspension or exclusion was determined to be proportionate
- The length of the suspension or permanency of the exclusion
- Their right to raise any representations about the suspension or exclusion to the Local Governing Board, including how the pupil will be involved in this and how the representations will be made
- Their right to attend a meeting where there is a legal requirement for the Local Governing Board to consider the suspension or exclusion, and the fact that they are able to bring an accompanying individual
- The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision, or the pupil's return to school
- Relevant sources of free, impartial information

Where the pupil is of compulsory school age, the Headteacher/Head of School will inform the parents/carers by the end of the afternoon session that for the first five school days of any suspension or permanent exclusion (or until the start date of any alternative provision, where this is earlier), parents/carers are legally required to ensure that their child is not present in a public place during school hours and without reasonable justification. This includes any place to which the public has access. Parents/carers may be liable to a penalty if they fail to comply with this duty.

Where the Headteacher/Head of School has arranged alternative provision, they will also inform the parents/carers of the following:

- The start and end date for any provision of full-time education
- The address at which the provision will take place
- Any information necessary for the pupil to identify the person they should report to on the starting date

Where the Headteacher/Head of School is unable to provide information on alternative provision by the end of the afternoon session, they will provide the information in a subsequent written notice without further delay, and within 48 hours of the pupil beginning the provision. If the alternative provision is due to begin before the sixth day of the suspension or exclusion,

the Headteacher/Head of School is able to give less than 48 hours of notice, with parental consent.

If the Headteacher/Head of School has decided to suspend the pupil for a further fixed period following their original suspension, or to permanently exclude them, they will notify the parents/carers without delay and issue a new suspension or exclusion notice to parents/carers.

Following any suspension, the school will arrange a formal reintegration meeting with the pupil and their parents/carers prior to, or on, the pupil's return to school. This will take place following every suspension unless there are exceptional circumstances which make this impracticable. In such cases, the reasons will be clearly recorded.

A named member of staff (e.g. a senior leader, pastoral lead or behaviour lead) will be responsible for leading the reintegration process and ensuring that agreed actions are implemented, monitored and reviewed.

This meeting will:

- review the incident leading to the suspension
- identify any unmet needs, including safeguarding, SEND or SEMH needs
- agree a clear support plan, including any reasonable adjustments or interventions
- set expectations and strategies to prevent recurrence
- include clear expectations and support relating to the pupil's attendance, in line with the school's Attendance Policy, including agreed attendance targets, identified support strategies, and arrangements for monitoring and review
- monitoring period/review checkpoints

The outcome of this meeting will be recorded, entered on MIS and monitored by the school.

8. Duty to inform the Local Governing Board and Local Authority

The Headteacher/Head of School will inform the Local Governing Board, without delay, of the following:

- Any permanent exclusions (including where a suspension is followed by a decision to permanently exclude the pupil)
- Any suspensions which would result in the pupil being suspended for more than 5 school days in a term (or more than 10 lunchtimes)
- Any suspensions or exclusions which would result in the pupil being absent from an examination or national curriculum test

For any suspensions and exclusions, other than those above, the Headteacher/Head of School will notify the Local Governing Board once per term.

The Headteacher/Head of School will inform the LA of all suspensions or exclusions, regardless of their length, without delay.

All notifications to the Local Governing Board and LA will include the reasons for suspension or exclusion and the duration of any suspension.

If a pupil who is suspended or excluded lives outside the LA in which the school is located, the Headteacher/Head of School will notify the pupil's 'home authority'.

9. Duty to inform Social Workers and the Virtual School Head (VSH)

When a pupil has been suspended or excluded, the Headteacher/Head of School will, without delay, notify the pupil's social worker, if they have one, and the VSH, if they are a looked-after child. This notification will include the period of any suspension and the reasons for suspension or permanent exclusion.

Social workers and/or the VSH will also be informed when a meeting of the Local Governing Board is taking place and will be invited to attend the meeting should they wish to do so.

10. Arranging Education for Suspended and Excluded Pupils

For suspensions of more than five school days, the school, under the oversight of the Local Governing Board, will ensure that suitable full-time education is arranged for the pupil. This provision will begin no later than the sixth school day of the suspension.

For permanently excluded pupils, the Local Authority is responsible for arranging suitable full-time education from the sixth school day following the exclusion. Until such provision is in place, the school will work with the Local Authority to ensure continuity of education and appropriate information sharing.

Where a pupil receives consecutive suspensions, these will be regarded as cumulative, and full-time education will still have to be provided from the sixth day of suspension. For exclusions, full-time education will be provided for the pupil from the sixth day of exclusion.

The Local Governing Board will not arrange full-time education for any pupil who is currently in their final year of compulsory education, and who does not have any further public examinations to sit.

The Local Governing Board is aware that it is beneficial to suspended and excluded pupils to begin their alternative education arrangements before the sixth day of suspension or exclusion; therefore, the Local Governing Board will always attempt to arrange alternative provision before the sixth day. Where it is not possible to arrange alternative provision during the first five days, the school will ensure that they take reasonable steps to set and mark work for the pupil.

If a pupil with SEND has been suspended or excluded, the Local Governing Board will ensure that:

- Any alternative provision is arranged in consultation with the pupil's parents/carers, who are able to request preferences.
- When identifying alternative provision, any EHC plan is reviewed or the pupil's needs are reassessed, in consultation with the pupil's parents/carers.

The school will work proactively to ensure that pupils who are suspended or permanently excluded remain engaged in education and do not become persistently absent.

The school will fulfil its responsibilities in line with the Department for Education's statutory attendance guidance (latest version), ensuring that attendance expectations are applied consistently alongside behaviour and safeguarding processes.

A named Attendance Lead will be responsible for monitoring the attendance of pupils who have been suspended or are at risk of exclusion, ensuring early intervention where patterns of absence emerge.

The school will take proactive steps to reduce the risk of exclusion contributing to persistent absence, including:

- coordinating support between behaviour, safeguarding and attendance teams
- maintaining regular contact with families during and after any suspension period
- ensuring reintegration plans include attendance expectations and support
- identifying and addressing barriers to attendance, including safeguarding, SEND or other vulnerabilities

Attendance will be carefully monitored during and after any period of suspension, with early intervention where concerns arise. This will include identifying pupils who are persistently absent or at risk of persistent absence and taking timely action to support re-engagement.

The school will ensure alignment with its Attendance Policy and the wider attendance strategy, working with the Local Authority, alternative providers and other agencies as required to promote regular attendance.

Attendance, behaviour and safeguarding data will be reviewed together to identify patterns of disengagement, including indicators of unmet need, and to inform targeted intervention.

Where concerns arise, these will be reported to the Designated Safeguarding Lead and acted upon in line with safeguarding procedures.

The school will ensure that any alternative provision used is safe, suitable and of good quality.

The school will assure itself that alternative provision delivers a suitable, full-time curriculum, and will regularly review pupil progress, attendance and outcomes

Safeguarding checks and due diligence will be carried out prior to placement to a standard equivalent to those required within the school, including appropriate vetting, risk assessment and ongoing monitoring.

All alternative provision placements will be supported by a written agreement or service level agreement (SLA), which clearly sets out expectations regarding safeguarding, attendance, behaviour, information sharing and accountability.

The school and Trust will ensure that decisions regarding alternative provision represent appropriate use of public funding and deliver value for money. When commissioning alternative provision, leaders will consider the cost, quality and impact of the placement,

ensuring that it provides suitable, full-time education, supports pupil outcomes and represents an efficient and effective use of resources.

Regular reviews of alternative provision placements will include consideration of both educational impact and cost-effectiveness, and placements will only continue where they demonstrably meet the pupil's needs and provide good value.

A named member of school staff will be responsible for oversight of each placement, including regular monitoring of the pupil's attendance, progress, behaviour and wellbeing, and ensuring that the provision continues to meet the pupil's needs.

Any safeguarding concerns arising from alternative provision will be addressed promptly in line with the school's safeguarding procedures.

Where appropriate and proportionate, remote education may be used as part of short-term arrangements to ensure continuity of learning, particularly where alternative provision cannot immediately be secured. Any remote provision will be accessible, suitable to the pupil's needs, and aligned with safeguarding expectations.

11. Considering Suspensions and Exclusions

The role of the Local Governing Board is to review the Headteacher/Head of School's decision, rather than to re-investigate the incident in full. The board will consider whether the decision was lawful, reasonable, procedurally fair and proportionate based on the evidence presented.

The Local Governing Board will not simply substitute its own judgement for that of the Headteacher/Head of School, but will consider whether the decision was lawful, reasonable, procedurally fair and proportionate, based on the evidence available.

The Local Governing Board will consider any representations made by parents/carers regarding suspensions and exclusions.

Parents/carers and, where requested, a friend or representative, the Headteacher/Head of School, and a member of the LA will be invited to attend any consideration of suspensions and exclusions and will be able to make representations. Any meeting to consider reinstatement of a pupil will be arranged at a date and time convenient for all parties, and in compliance with any statutory time limits.

Meetings of the Local Governing Board and, where appropriate, Independent Review Panels may take place via remote access where requested by parents/carers or where it is appropriate to do so. The school will ensure that any such arrangements are fair, accessible and enable all parties to participate fully.

Where it is appropriate to the pupil's age and level of understanding, the pupil will also attend any consideration meeting, and will be enabled to make a representation on their own behalf if they desire to do so.

The school will ensure that the pupil's voice is heard and meaningfully considered as part of the decision-making process, including through written or verbal contributions where attendance at meetings is not appropriate or possible, and that the pupil's views are sought and recorded in a manner appropriate to their age and understanding.

The Local Governing Board will consider the reinstatement of a suspended or excluded pupil, where:

- The exclusion is permanent.
- The suspension is fixed-period, and would bring the pupil's total number of suspended school days to more than 15 in any given term.
- The suspension or exclusion would result in the pupil missing a public examination.

In the case of a suspension where the pupil's total number of suspended days is more than 5 but less than 16 school days within a term, if parents/carers make representations, the Local Governing Board will consider suspensions within 50 school days of receiving the notice of suspension. In the absence of any representations from parents/carers, the Local Governing Board will consider the reinstatement on their own.

Where a suspension will take a pupil's total number of school days out of school above five but less than 15 for the term, and parents/carers have not requested a Local Governing Board meeting, the Local Governing Board will **not** be required to consider the pupil's reinstatement but it will have the power to do so if it deems it appropriate.

Where a suspension will **not** bring a pupil's total number of days of suspension or permanent exclusion to more than five days in a term, the Local Governing Board will consider all representations made by parents/carers; however, the Local Governing Board cannot direct the reinstatement of the pupil and it is not required to arrange a meeting with parents/carers. It is simply requested to consider any representation made by parents/carers.

Where suspension or exclusion would result in a pupil missing a public examination, the Local Governing Board will consider the suspension or exclusion before the test to decide whether the pupil should be reinstated in time to take the examination.

If it is not practicable for a sufficient number of governors to consider the decision before the examination, a smaller sub-committee will consider the suspension or exclusion and decide whether or not to reinstate the pupil.

In light of the above, the Local Governing Board will also consider whether it would be appropriate to allow the suspended or excluded pupil to enter the premises to take the examination.

When considering the reinstatement of a pupil, the Local Governing Board will:

- Only discuss the suspension or exclusion with the parties present at the meeting.
- Ask for any written evidence prior to the meeting.
- Circulate any written evidence and information to all parties, at least five school days in advance of the meeting.
- Allow pupils and parents/carers to be accompanied by a person of their choice to the meeting.
- Consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting.
- Identify the steps needed to enable and encourage the suspended or excluded pupil to attend the meeting and speak on their behalf, or how they may contribute personal views by other means if attendance is not possible.

- Consider the interests and circumstances of the pupil, including the grounds for suspension or exclusion.

12. Reaching a Decision

After considering suspensions and exclusions, the Local Governing Board will either:

- Decline to reinstate the pupil.
- Direct the reinstatement of the pupil immediately, or on a specified date.

If reinstatement would make no practical difference, e.g. if the pupil has already returned to school following a suspension or the parents/carers make clear they do not want their child reinstated, the Local Governing Board will still consider whether the pupil should be officially reinstated, and whether the Headteacher/Head of School's decision to suspend or exclude the pupil was fair, lawful and proportionate, based on the evidence presented.

The Local Governing Board will apply the civil standard of proof when responding to the acts relating to a suspension or exclusion, i.e. that on the 'balance of probabilities' it is more likely than not that the facts are true.

To reach a decision, the Local Governing Board will:

- Identify the steps they intend to take to ensure that all parties involved will have the opportunity to participate and present their views.
- Ensure that minutes are taken of the meeting as a record of the evidence that was considered.
- Ask all parties to withdraw from the meeting before concluding their decision.
- Consider whether the suspension or exclusion of the pupil was lawful, proportionate and fair, taking into account the Headteacher/Head of School's legal duties and any evidence that was presented to the Local Governing Board in relation to the decision.
- Record the outcome of the decision on the pupil's educational records, along with copies, which will be kept for at least six months.
- Make a note of their findings, where they have considered a suspension or exclusion but cannot reinstate the pupil.

All decisions will be clearly evidenced and documented to demonstrate compliance with statutory guidance.

The Local Governing Board will ensure that its decision-making process clearly demonstrates that:

- relevant evidence has been considered
- alternative interventions were explored where appropriate
- SEND, safeguarding and equality duties have been fully taken into account
- the decision is justified as lawful, reasonable and proportionate

Minutes of meetings and decision letters will clearly reflect the rationale for decisions and the evidence considered.

13. Notification of Considered Suspensions and Exclusions

The Local Governing Board will notify the parents/carers of the suspended or excluded pupil, the Headteacher/Head of School, and the LA of their decision following the consideration of a suspension or exclusion, in writing and without delay.

In the case of exclusion, where the Local Governing Board decides not to reinstate the pupil, they will notify the parents/carers:

- That the exclusion is permanent.
- Of their right for it to be reviewed by an Independent Review Panel.
- Of the date by which an application for review must be made.
- Of the name and address of whom the review application should be submitted to.
- That any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a pupil's SEND is considered relevant to the exclusion.
- That, regardless of whether a pupil has been identified as having SEND, the parents/carers have a right to require the Independent Review Panel to ensure a SEND expert attends the review.
- Of the role of the SEND expert that will attend the Independent Review Panel, and that the parents/carers will not be charged for this.
- That the parents/carers are required to make it clear if they wish for a SEND expert to attend the review.
- That they may appoint someone at their own expense to make representations to the Independent Review Panel.

The Local Governing Board will also notify parents/carers that, if they believe a suspension or exclusion has been issued as a result of discrimination, then they are required to make a claim under the Equality Act 2010 to the First-tier Tribunal (SEND), and that this should be within six months of when the discrimination allegedly took place.

After any conclusion, the Local Governing Board will notify the parents/carers, and all other parties involved, of the decision that was made and the reasoning for this, in sufficient detail.

14. Removing Excluded Pupils from the School Register

The Headteacher/Head of School will remove pupils from the school register if:

- 15 school days have passed since the parents/carers were notified of the Local Governing Board's decision not to reinstate the pupil and no application for an Independent Review Panel has been received.
- The parents/carers have stated in writing that they will not be applying for an Independent Review Panel following an exclusion.

If an application for an Independent Review Panel has been made within 15 school days, the Headteacher/Head of School will wait until the review has been determined, or abandoned,

and until the Local Governing Board has completed any reconsideration that the panel recommended or directed it to carry out, before removing the pupil from the school register.

If a pupil's name is to be removed from the register, the Headteacher/Head of School will make a return to the LA, which will include:

- All the particulars which were entered in the register.
- The address of any parent/carer with whom the pupil normally resides.
- The grounds upon which the pupil's name is to be removed from the register.

Any return to the LA will be made as soon as the grounds for removal are met and no later than the date in which the pupil's name was removed.

If a pupil's name has been removed from the register and a discrimination claim is made, the pupil may be reinstated following a decision made by the First-tier Tribunal (SEND) or County Court.

Whilst a pupil's name remains on the admissions register, the appropriate code will be used to mark the pupil's attendance:

- Code B: Education off-site
- Code D: Dual registration
- Code E: Absent and not attending alternative provision

15. Independent Review Panel (IRP)

The Independent Review Panel (IRP) provider will review the Local Governing Board's decision not to reinstate an excluded pupil if the parents/carers submit their application for this within the required time frame.

The IRP provider will constitute an Independent Review Panel of three or five members that represent the following categories:

- A lay member to chair the panel. This individual will not have worked in any school in a paid capacity
- A current or former school governor who has served for at least 12 consecutive months in the last 5 years
- A Headteacher/Head of School or individual who has been a Headteacher within the last 5 years

Parents/carers are required to submit their applications within:

- 15 school days of the Local Governing Board's notification of their decision.
- 15 school days of the final determination of a discriminatory claim made under the Equality Act 2010.

Any application made outside of the above timeframe will not be reviewed. Parents/carers are able to request an independent panel review even if they did not make a case to, or attend, the Local Governing Board's initial consideration of the exclusion.

The LA will adhere to all statutory guidelines when conducting an Independent Review Panel, as outlined in the DfE's statutory guidance. Note : the LA may ask the Trust to convene an Independent Review Panel on behalf of the LA and this will then be outsourced to a 3rd party.

16. Appointing a SEND Expert

If requested by parents/carers in their application for an Independent Panel Review, the LA or 3rd party acting on behalf of the LA, will appoint a SEND expert to attend the panel and covers the associated costs of this appointment. Parents/carers have a right to request the attendance of a SEND expert at a review, regardless of whether the school recognises that their child has SEND.

The LA will make arrangements to indemnify the SEND expert against any legal costs and expenses reasonably incurred as a result of any decisions or actions connected to the review and which are taken in good faith.

An individual will not serve as a SEND expert if they have, or at any time have had, any connection with the LA, school, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their ability to act impartially; however, an individual is not taken to have such a connection solely because they are an employee of the LA.

The SEND expert will be a professional with first-hand experience of the assessment and support of SEND, as well as an understanding of the legal requirements on schools in relation to SEND. Examples of suitable individuals include educational psychologists, specialist SEND teachers, SENCOs and behaviour support teachers.

Recently retired individuals are not precluded from fulfilling this role; however, during interview, the LA will assess the knowledge of such individuals in order to ensure that they have a good understanding of current practice and the legal requirements on schools in relation to SEND.

Whilst individuals are not automatically taken to be partial simply because they are an employee of, or contracted by, the LA, they will not have had any previous involvement in the assessment or support of SEND for the excluded pupil, or siblings of the excluded pupil. The LA will request that prospective SEND experts declare any conflict of interest at the earliest opportunity.

The final decision on the appointment of a SEND expert is for the LA or 3rd party acting on behalf of the LA to make, but it will take reasonable steps to ensure that parents/carers have confidence in the impartiality and capability of the SEND expert. Where possible, this will include offering parents/carers a choice of SEND expert. In order to meet its duties within the statutory time frame, the LA will consider maintaining a list of individuals capable of performing the role of SEND expert in advance of a request.

The LA or 3rd party acting on behalf of the LA, will determine the amount of any payment in relation to the appointment of the SEND expert, such as financial loss, travel and subsistence allowances.

17. The Role of the SEND Expert

The SEND expert's role is analogous to an expert witness, providing (orally and/or written) impartial advice to the panel on how SEND might be relevant to the exclusion. The SEND expert will base their advice on the evidence provided to the panel. The SEND expert's role does not include making an assessment of the pupil's SEND.

The focus of the SEND expert's advice will be on whether the school's policies which relate to SEND, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair. If the SEND expert believes that this was not the case, they will, where possible, advise the panel on the possible contribution this could have made to the circumstances of the pupil's exclusion.

Where the school does not recognise that a pupil has SEND, the SEND expert will advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair way with respect to the identification of any SEND that the pupil may potentially have, and any contribution that this could have made to the circumstances of the pupil's exclusion. The SEND expert will not criticise a school's policies or actions simply because they believe a different approach should have been followed or because another school might have taken a different approach.

18. Appointing a Clerk

The LA or 3rd party acting on behalf of the LA will decide whether to appoint a clerk to the Independent Panel Review, or to make alternative arrangements to administer the panel.

Where a clerk is appointed, the LA or 3rd party acting on behalf of the LA will ensure that the clerk did not serve as clerk to the Local Governing Board when the decision was made not to reinstate the pupil.

19. The Role of the Clerk

The clerk's role is to provide advice to the panel and parties to the review on procedure, law and statutory guidance on exclusions.

The clerk will:

- Identify, in advance of the meeting, whether the excluded pupil wishes to attend the panel hearing, taking reasonable steps to enable the pupil to feedback their views, irrespective of their attendance.
- Identify, in advance of the meeting, whether any alleged victims of the incident leading up to the exclusion wish to attend the panel hearing, taking reasonable steps to enable them to feedback their views, irrespective of their attendance.
- Ensure that the panel is able to hear from any witnesses to the incident leading to the exclusion, taking into account the fact that some of these people may be pupils at the school. Pupils under 18 will not be allowed to appear in person without parental consent.
- Inform the parents/carers, Headteacher/Head of School and Local Governing Board that they are entitled to make oral and written representations to the panel, attend the hearing, and be represented.

- Ensure that all parties are:
 - Provided with copies of relevant papers at least five school days before the review, notifying the panel if any requested documents have not been provided in case the panel wishes to adjourn until a later date.
 - Informed about who is attending the meeting, and what their roles are
 - Independent Review Panels acting on behalf of the Trust, or the Trust themselves, must constitute the panel with either three or five members in line with statutory DfE guidance.
- Attend the review and ensure that minutes are produced in accordance with instructions from the independent review panel.

20. The duties of the Independent Review Panel (IRP)

The role of the Independent Review Panel is to review the Local Governing Board's decision not to reinstate an excluded pupil. In reviewing the decision, the panel will consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school. The panel will apply the civil standard of proof, rather than the criminal standard of 'beyond reasonable doubt'.

Following the review, the panel will do one of the following:

- Uphold the decision
- Recommend that the Local Governing Board reconsiders reinstatement
- Quash the decision and direct that the Local Governing Board reconsiders reinstatement. The panel's decision does not have to be unanimous and can be decided by a majority vote. It is binding on the pupil, parents/carers, Local Governing Board, Headteacher/Head of School and LA.

21. Reconsidering Reinstatement following a Review

Where the Independent Review Panel instructs the Local Governing Board to reconsider their decision not to reinstate a pupil, they will do so within 10 school days of being given notice of the panel's decision.

The school is aware that if, following an instruction to reconsider, the Local Governing Board does not offer to reinstate the pupil, then the school will be required to make a payment of £4,000 directly to the LA area in which the school is located.

Where the Independent Review Panel recommends that the Local Governing Board should reconsider their decision not to reinstate a pupil, they will do so within 10 school days of being given notice of the review panel's decision. The school is aware that if, following a recommendation to reconsider, the Local Governing Board does not offer to reinstate the pupil, it will not be subject to a financial adjustment. If, following reconsideration, the Local Governing Board offers to reinstate the pupil but the parents/carers decline, no adjustment will be made to the school's budget.

Following reconsideration, the Local Governing Board will notify the parents/carers, Headteacher/Head of School and LA of their reconsidered decision and the reasons for this.

22. Criminal Investigations

The Headteacher/Head of School will not postpone taking a decision to suspend or exclude a pupil due to a police investigation being underway, or any criminal proceedings that are in place.

Particular consideration will be given by the Headteacher/Head of School when deciding to suspend or exclude a pupil where evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.

If the Local Governing Board is required to consider the Headteacher/Head of School's decision in these circumstances, they will not postpone the meeting and will make a decision based on the evidence available.

23. Training Requirements

The LA or 3rd party acting on behalf of the LA will ensure that all Independent Review Panel members and clerks have received training within the two years prior to the date of the review. Training will cover:

- The requirements of the legislation, regulations and statutory guidance governing suspensions and exclusions.
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair of a review panel.
- The role of the clerk to a review panel.
- The duties of Headteachers/Heads of School, Local Governing Boards and the panel under the Equality Act 2010.
- The effect of section 6 of the Human Rights Act 1998 and the need to act in a manner compatible with human rights protected by that Act.

Clerks will also have an up-to-date understanding on developments in case law which are relevant to suspension and exclusion.

All relevant staff will receive training to ensure they understand the relationship between behaviour, suspension, exclusion and safeguarding, including how behaviour may indicate abuse, neglect or exploitation, in line with KCSIE.

Members of Local Governing Boards involved in exclusion decisions will receive appropriate and regular training. Training for governors and those involved in exclusion decisions will include awareness of unconscious bias, equality duties and the risk of disproportionality, to ensure decisions are fair, equitable and evidence-based.

24. Using Data

The Headteacher/Head of School will ensure that accurate and up-to-date data regarding suspensions and exclusions is collected, analysed and reported to the Local Governing Board and Trust on a termly basis. This analysis will be used to:

- identify patterns and trends in suspensions and exclusions over time
- evaluate the effectiveness and consistency of the Behaviour Policy and associated interventions
- understand the characteristics of pupils who are suspended or excluded, including those with SEND, those eligible for FSM, looked-after children and pupils from different ethnic groups
- assess whether there is any disproportionality affecting particular groups of pupils and take action where required
- monitor suspension and exclusion data by protected characteristics, including race, sex, disability, and other relevant groups, as defined by the Equality Act 2010, to identify and address any disproportionality
- monitor repeat suspensions and identify pupils at risk of escalation
- evaluate the impact of early intervention and support strategies
- identify any safeguarding concerns or indicators of unmet need, including patterns that may suggest abuse, neglect, exploitation or contextual risk

This will include triangulating exclusion data with safeguarding, attendance and behaviour records to identify emerging risks and ensure early intervention.

This information will be reported to Trust leadership and the Trust Board to provide assurance regarding behaviour, safeguarding and inclusion, and to inform strategic oversight, accountability, risk management and compliance with the Academies Trust Handbook.

The Trust will ensure that robust internal scrutiny and assurance processes are in place, including periodic audits, governance review and, where appropriate, external validation. These processes will provide assurance to the Trust Board that statutory requirements are being met, that suspension and exclusion practices are fair and appropriate, and that safeguarding and inclusion duties are fully discharged.

The Trust Board and Local Governing Boards will seek assurance that individual exclusion decisions are supported by clear evidence and documentation, and that exclusion is used appropriately as a last resort following the consideration of alternative strategies.

Appendix A - Flowchart for reviewing the Headteacher/Head of School's suspension or exclusion decision

Please not - Days are school/working days

