Orchard Hill College Academy Trust

SUSPENSION AND PERMANENT EXCLUSION POLICY

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Orchard Hill College Academy Trust

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Suspension and Permanent Exclusion Policy

1. AIMS

Orchard Hill College Academy Trust (OHCAT) is committed to offering the very best educational opportunities for our pupils and students.

OHCAT schools will follow statutory suspension and permanent exclusions guidance and procedures. We aim to ensure that:

- The suspension and permanent exclusion process is applied fairly, consistently and lawfully.
- The suspension and permanent exclusion process is understood by pupils/students, parents, staff and local governors.
- Pupils/students in school are safe and happy.
- Pupils/students do not become NEET (not in education, employment or training).
- Suspensions/permanent exclusions are only ever deployed as a last resort, following all other efforts by the school to support pupils/students and resolve incidents or situations.

A note on off-rolling

Off-rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil/student, to:

- Remove a pupil/student from the school admission register without a formal, permanent exclusion.
- Encourage a parent/carer to remove their child from the school.
- Encourage a sixth-form student not to continue with their course of study.
- Retain a pupil/student on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension.
- Send a pupil/student home for behavioural reasons without a formal suspension, regardless of whether parents/carers agree.
- Placing a pupil on a part-time timetable for behavioural reasons.
- Moving a pupil/student to off-site alternative provision where this is not in their best interests.

Accordingly, we will not suspend or exclude pupils/students unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, 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:

- Without following the statutory procedure or formally recording the event.
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support.
- Due to poor academic performance.
- Because they haven't met a specific condition, such as attending a reintegration meeting.

If any pupil/student is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

2. LEGISLATION AND STATUTORY GUIDANCE

This policy is based on legislation and 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 outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full- Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014 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
- School Attendance (Pupil Registration) (England) Regulations 2024
- The Equality Act 2010
- Children and Families Act 2014
- Special Educational Needs and Disability (SEND) Code of Practice.

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

Safeguarding

When a safeguarding investigation is underway or a pupil/student has been reinstated after a local governing body review, schools face complex decisions that must balance their legal duties to safeguard pupils/students and provide education. These decisions should follow statutory safeguarding duties, including guidance from *Keeping Children Safe in Education*, and involve the Designated Safeguarding Lead working with

external agencies where appropriate, particularly in serious cases such as sexual violence or harassment. As always, when concerned about the welfare of a child, the best interests of the pupil/student should come first.

In certain circumstances, schools can temporarily forbid a pupil/student from attending the premises, for example, due to an allegation of harm by one pupil/student against another which might require physically separating a pupil/student from one or other of their peers. This is not an exclusion on disciplinary grounds.

OHCAT schools will only ever take this decision on a case by case basis where no other practical safe solution presents itself. The Designated Safeguarding Lead (DSL), in consultation with the Principal, will use their professional judgement and conduct a risk assessment to ensure that any such decision is made in the best interests of all parties and with due consideration of equalities legislation as well as statutory safeguarding guidance. Any separation for safeguarding purposes will be clearly recorded and communicated promptly to parents/carers, including the reason for the decision. Suitable education for the pupil/student directed offsite will be arranged by the school or the Local Authority during the separation period.

3. DEFINITIONS

Suspension – when a pupil/student is temporarily removed from the school for a fixed period. A pupil/student may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year.

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

Separation for safeguarding purposes – when a pupil/student is temporarily forbidden from attending school premises due to a safeguarding situation that requires physical separation of pupils/students. Any separation for safeguarding purposes should be coded using code Y7 (unable to attend due to any other unavoidable cause) or, if the LA has put alternative provision in place, code K (LA-arranged provision) for the sessions the pupil/student attends. Separation for safeguarding purposes **must not** be coded using code E (absent due to suspension or exclusion).

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

Off-site direction – when a pupil/student is required to attend another education setting temporarily, to improve their behaviour.

Managed move – when a pupil/student is transferred to another school permanently. These should be voluntary and jointly agreed by all parties involved, including the parents and the admission authority of the new school. Where a child attends a special school, a change of placement may be jointly agreed in order to better meet need.

4. ROLES AND RESPONSIBILITIES

The Principal

Deciding whether to suspend or permanently exclude
(see parts 3 and 4 of the DfE guidance for full details)

Only the Principal, or acting Principal, can suspend or permanently exclude a pupil/student from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Principal will only use permanent exclusion as a last resort.

A decision to suspend a pupil/student will be taken only in accordance with the school's behaviour policy and where non-exclusionary interventions are not appropriate (e.g. the situation has not resolved despite previous behaviour support measures being implemented, or suspension or separation is required to keep pupils/students safe in the immediate term while a longer term solution is developed).

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

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

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

Before deciding whether to suspend or permanently exclude a pupil/student, the Principal will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the suspension or permanent exclusion were provoked, along with any mitigating factors.
- Allow the pupil/student to give their version of events.
- Consider whether the pupil/student's special educational needs (SEN) contributed to the behaviour that led to the suspension or permanent exclusion decision.
- Consider whether the pupil/student is especially vulnerable (e.g. they have a social worker or are a looked-after child (LAC)).
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves.

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

The Principal will not reach their decision until they have heard from the pupil/student and will inform the pupil/student of how their views were taken into account when making the decision.

Informing parents
See part 5 of DfE guidance for full details

As long as it does not delay the written notification, it is recommended that the notification to parents should be in person or by telephone in the first instance as this would allow parents to ask any initial questions or raise concerns directly with the Principal.

The Principal will immediately provide the following information, in writing, to the parents or the pupil aged over 18 years old, without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, or where a separation for safeguarding purposes has been made:

- The reason(s) for the suspension or permanent exclusion or separation.
- The length of the suspension/separation or, for a permanent exclusion, the fact that it is permanent.
- The parents' right to make representations about the suspension or permanent exclusion to the local governing body and how the pupil/student may be involved (NB: parents do not have the right to make representations about separation for safeguarding purposes).
- How any representations should be made.
- Where parents can go for relevant sources of free and impartial information.
- Where there is a legal requirement for the Local Governing Body (LGB) to meet to consider the suspension or permanent exclusion of a pupil/student, that parents (or the pupil/student if over 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend.
- That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request.
- That for the first 5 school days of a suspension or permanent exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.
- If alternative provision is being arranged, the following information will be included, if possible:
    - The start date for any provision of full-time education that has been arranged during the suspension or permanent exclusion.
    - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant.
    - The address at which the provision will take place.
    - Any information the pupil/student needs in order to identify the person they should report to on the first day.

If the Principal does not have the 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 in writing without delay at a later date, 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 information can

be provided with less than 48 hours' notice, with parents' consent.

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

During the first 5 days of a suspension, if the pupil/student is not attending alternative provision (AP), the Principal will take steps to ensure that achievable and accessible work is set and marked for the pupil/student. Online pathways such as Google Classroom or MS Teams may be used for this. The Principal will make sure that all necessary reasonable adjustments are made to the educational provision for a pupil/student who has been suspended or permanently excluded.

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

Cancelling suspensions and permanent exclusions
See part 3 of DfE guidance for full details

The Principal may cancel a suspension or permanent exclusion that has already begun, but this can only happen when it has not been reviewed by the local governing body. Where there is a cancellation:

- The parents, the Governance Manager, the LGB and LA will be notified without delay.
- Where relevant, any social worker and Virtual School Head will be notified without delay.
- The notification must provide the reason for the cancellation.
- The local governing body's duty to hold a meeting and consider reinstatement ceases.
- Parents will be offered the opportunity to meet with the Principal to discuss the cancellation, which will be arranged without delay.
- The pupil/student will be allowed back in school without delay.

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

A permanent exclusion cannot be cancelled if the pupil/student 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.

Informing the Local Governing Body and the Governance Manager of a suspension or permanent exclusion

The Principal will, without delay, notify the OHCAT Governance Manager (via governance@ohcat.org) and the LGB of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil/student.
- Any suspension or permanent exclusion which would result in the pupil/student being suspended or permanently excluded for a total of more

than 5 school days (or more than 10 lunchtimes or part days) in a term.
- Any suspension or permanent exclusion which would result in the pupil/student missing a National Curriculum test or public exam.

For all other suspensions, the Principal will notify the local governing body and Deputy CEO termly via standard quality monitoring data submissions.

Informing the Local Authority (LA) of a suspension or permanent exclusion

The Principal will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension. OHCAT Principals will also inform LAs of any and all instances of separation for safeguarding purposes, using the framework set out below.

The notification will include:
- The reason(s) for the suspension, separation or permanent exclusion.
- The length of a suspension, separation or, for a permanent exclusion, the fact that it is permanent.

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

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

Informing the pupil/student's social worker and/or virtual school head (VSH) of a suspension, separation or permanent exclusion

Principals will:
- Inform the social worker as early as possible if a pupil/student with a social worker is at risk of suspension, separation or permanent exclusion, or if a managed move is being considered.
- Inform the Virtual School Head (VSH) as early as possible if a pupil/student who is a looked-after child (LAC) is at risk of suspension, separation or exclusion, or if a managed move is being considered.

This will enable proactive information sharing to help identify, assess, and respond to risks or concerns about the safety and welfare of a pupil/student.

If the Principal decides to suspend or permanently exclude a pupil/student with a social worker or a pupil/student who is looked after, they will inform the pupil/student's social worker / the VSH, as appropriate, without delay, that:
- They have decided to suspend, separate or permanently exclude the pupil/student.
- The reason(s) for the decision.
- The length of the suspension, separation or, for a permanent exclusion, the fact that it is permanent.
- The suspension, separation or permanent exclusion affects the

pupil/student's ability to sit a National Curriculum test or public exam (where relevant).
- They have decided to cancel a suspension, separation or permanent exclusion, and why (where relevant).

The social worker / VSH will be invited to any meeting of the LGB about the suspension, separation or permanent exclusion to provide important information that helps the governing board understand the experiences of a pupil and their welfare. They should help to identify how the pupil/student's circumstances may have influenced the circumstances of the pupil/student's suspension or permanent exclusion and ensure that safeguarding needs and risks and the pupil/student's welfare are taken into account.

The Local Governing Body
See part 6 and 7 of the DfE guidance

Considering suspensions and permanent exclusions

The local governing body has a duty to consider parents' representations about a suspension or permanent exclusion. The requirements on a local governing body to consider the reinstatement of a suspended, separated or permanently excluded pupil depend upon a number of factors (these requirements are illustrated by the diagram on page 43, 'A summary of the governing board's duties to consider reinstatement', in the DfE guidance).

Responsibilities regarding suspensions and permanent exclusions are delegated to a Suspension and Permanent Exclusion Panel, consisting of three local governors. Where it is not possible to find three from the school's local governing body, the Trust will recruit panel members from other local governing bodies of other Trust schools and/or from the Trust Board.

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

For a suspension of more than 5 school days, the local governing body will arrange suitable full-time education for the pupil/student. This provision will begin no later than the sixth day of the suspension.

Provision does not have to be arranged for pupil/students in their final year of compulsory education who do not have any further public examinations to sit.

Monitoring and analysing suspensions and exclusions data

The local governing body will challenge and evaluate the data on the school's use of separation for safeguarding purposes, suspension, permanent exclusion, off-site direction to alternative provision and managed moves.

The local governing body will consider:
- How effectively and consistently the school's Behaviour Policy is being

implemented.

- The school register and absence codes.
- Instances where pupils/students receive repeat suspensions or separations.
- Interventions in place to support pupils/students at risk of suspension or permanent exclusion.
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary.
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working.
- The characteristics of suspended and permanently excluded pupils/students, and why this is taking place.
- Whether the placements of pupils/students directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils/students are benefiting from it.
- The cost implications of directing pupils/students off-site.
- Characteristics of pupils/students separated for safeguarding purposes, where this approach is used, and whether there are any patterns, including any indications that policies or support are not working.

The Local Authority (LA)

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

For pupils/students 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.

5. CONSIDERING THE REINSTATEMENT OF A PUPIL/STUDENT

See Part 7 of DfE guidance for full details and page 43 for a flow chart which summarises the local governing body's duties to consider reinstatement.

The Suspension and Permanent Exclusion Panel will consider and decide on the reinstatement of a suspended or permanently excluded pupil/student within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent;
- It is a suspension which would bring the pupil/student's total number of days out of school to more than 15 in a term; or
- It would result in a pupil/student missing a public exam or National Curriculum test.

Where a suspension or exclusion would result in a pupil/student missing a public exam or national curriculum test, the exclusions panel will take reasonable steps to meet before the date of the exam. If this is not practical, the Chair of the local governing body may consider the pupil/student's reinstatement alone.

Where the pupil/student has been suspended, and the suspension does not bring the

pupil/student's total number of days of suspension to more than 5 in a term, the Suspension and Permanent Exclusion Panel must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Principal to reinstate the pupil/student.

Where the pupil/student has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents make representations to the local governing body, the Suspension and Permanent Exclusion Panel will consider and decide on the reinstatement of a suspended pupil/student within 50 school days of receiving notice of the suspension. If the parents do not make representations, the Panel is not required to meet and it cannot direct the Principal to reinstate the pupil/student.

Requests for remote meetings
See Part 11 of the guidance for full details.

Parents have the right to request a Suspension and Permanent Exclusion panel meeting to be held remotely but this should not be the default option. Parents should be given the option to request a remote meeting but should not be placed under any pressure to request this. They should be asked to consider whether they have the technology, internet access and appropriate space free of distractions to enable them to participate fully with a remote meeting.

Holding a meeting remotely must only be done if the meeting can be held fairly and transparently. Remote meetings can also be held in the case of extraordinary events or unforeseen circumstances such as flood, fire or outbreak of disease.

A request for a remote meeting may be refused where the arranging authority has safeguarding concerns, following a risk assessment, which mean that a remote meeting will not allow full participation or cannot be held fairly and transparently. In such circumstances the meeting will be held face to face instead.

The Role of the Clerk to the Suspension and Permanent Exclusion Panel

The panel clerk must arrange the panel meeting within 15 school days of receiving notice of the permanent exclusion.

The panel clerk will invite the following parties to a meeting of the Suspension and Permanent Exclusion Panel and they will be allowed to make representations or share information:

- Parents, or the pupil/student if they are 18 or over (and, where requested, a representative or friend – more than one friend or representative can be permitted to accompany, having regard to a reasonable limit on numbers attending the meeting).
- The pupil/student, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend – more than one friend or representative can be permitted to accompany, having regard to a reasonable limit on numbers attending the meeting).
- The Principal.

- The pupil/student's social worker, if they have one.
- The VSH, if the pupil/student is looked after.

The panel clerk will ask for any written evidence in advance of the meeting from the parents and school. (This includes witness statements and other relevant information held by the school such as those relating to a pupil's SEN and the pupil's school record;

The panel clerk will circulate any written evidence and information, including a list of those who will be present, to all parties at least five school days in advance of the meeting, where possible.

The panel clerk will consider what reasonable adjustments should be made to support the attendance and contribution of all parties at the meeting.

The panel clerk will take minutes of the meeting including details of the attendance, the discussion, the voting, and the decision.

The panel clerk will send the parents, Principal, the LA and, where relevant, the pupil's social worker and/or the VSH the panel's decision, and the reasons for its decision, in writing and without delay.

The panel clerk will ensure all evidence and outcome documentation are retained by the Trust for a period of at least five years.

If the panel upholds the governing board's decision not to reinstate, the panel clerk should immediately report this to the local authority (who should inform, where a pupil has one, the social worker and VSH) and notify the parents and the local governing body. If the pupil lives outside the local authority area in which the school is located, the clerk should make sure that the 'home authority' is also informed in writing of the outcome of the review without delay. This includes any situation where parents withdraw or abandon their application for a review.

The Suspension and Permanent Exclusion Panel Decision

In reaching a decision, the panel will consider the evidence presented and whether:

- the exclusion was lawful, reasonable and procedurally fair
- the Principal followed their legal duties.

When establishing the facts in relation to a suspension or permanent exclusion, the panel will apply the civil standard of proof, i.e. 'on the balance of probabilities', rather than the criminal standard of 'beyond reasonable doubt'.

The panel can either:

- Decline to reinstate the pupil/student, or
- Direct the reinstatement of the pupil/student immediately, or on a particular date

The outcome will be recorded on the pupil/student's educational record, and copies of relevant papers will be kept with this record.

Communication after the Suspension and Permanent Exclusion Panel Decision

The Suspension and Permanent Exclusion Panel, via the clerk, will notify the parents, or the pupil/student if they are 18 or older, in writing of its decision along with reasons for its decision, without delay. The following will be copied into the decision letter:

- The Principal.
- The OHCAT Director of Governance.
- The pupil/student's social worker, if they have one.
- The VSH, if the pupil is looked after.
- The local authority.
- The pupil/student's home authority, if it differs from the school's.

Where an exclusion is permanent and the Panel has decided not to reinstate the pupil/student, the notification of decision will also include the following:

- The fact that it is a permanent exclusion.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel (IRP).
- The date by which an application for an independent review must be made).
- The name and address (Director of Governance via governance@ohcat.org) to which an application for an IRP should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil/student's special educational needs (SEN) are considered to be relevant to the permanent exclusion.
- That, regardless of whether the excluded pupil/student has recognised SEN, parents have a right to require OHCAT to appoint an SEN expert to advise the review panel.
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment.
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review.
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That, if parents believe that there has been unlawful discrimination in relation to the permanent exclusion, 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. A 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 (e.g. the day on which the pupil was excluded).

Removing a permanently excluded Pupil/student's name from the school register

See part 8 of the DfE Guidance for full details

A permanently excluded pupil's name will be removed from the school admissions register if:

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

Where an application for an IRP has been made within 15 school days, the school will wait until that review has been determined, or abandoned, and until the local governing body has completed any reconsideration that the panel has recommended or directed it to carry out, before removing a pupil/student's name from the register.

Whilst a permanently excluded pupil/student's name remains on the school's register, the pupil should be marked using the appropriate attendance code. Where alternative provision has been made and the pupil attends it, an appropriate code, such as Code D (Dual Registered – at another educational establishment) or Code B (Off-site educational activity) should be used. Where an excluded pupil is not attending alternative provision, Code E (Absent) will be used.

Making a return to the LA

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

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

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

6. INDEPENDENT REVIEW

See parts 9 and 10 of the DfE Guidance for full details

In the case of a **permanent exclusion** where the panel decides not to reinstate the pupil, parents have the right to ask for the decision to be reviewed by an independent review panel (IRP).

If parents apply for an independent review within the legal timeframe, the Governance

Manager will arrange for an independent panel to review the decision of the Suspension and Permanent Exclusion Panel not to reinstate a permanently excluded pupil/student.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Suspension and Permanent Exclusion Panel of its decision not to reinstate the pupil/student 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.

A panel of 3 members will be constituted representing each of the 3 categories below:

- 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.
- A current or former school governor who has served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been a teacher or Principal during this time.
- A Head Teacher or an individual who has been a Head Teacher within the last 5 years.

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

- Are a Trustee of OHCAT, a local governor of the excluding school or a local governor of a school in the Trust.
- Are the Principal of the excluding school, or have held this position in the last 5 years.
- Are an employee of OHCAT.
- Have, or at any time have had, any connection with OHCAT, the excluding school, the Board of Trustees, the local governing body, parents or pupil/students, 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.

A Clerk will be appointed to the panel.

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

- Uphold the decision of the Suspension and Permanent Exclusion Panel.
- Recommend that the Suspension and Permanent Exclusion Panel reconsiders reinstatement; or
- Quash the Suspension and Permanent Exclusion Panel's decision and direct that they 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 Suspension and Exclusion Panel does not subsequently decide to offer to reinstate the pupil/student within 10 school days.
- Any information that the panel has directed the Suspension and Exclusion Panel to place on the pupil/student's educational record.

7. RETURNING FROM A SUSPENSION OR SEPARATION FOR SAFEGUARDING PURPOSES

Reintegration strategy

Following suspension/separation, the school will put in place a strategy to help the pupil/student reintegrate successfully into school life and full-time education.

Where necessary, the school will work with third-party organisations to identify whether the pupil/student 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 for the pupil:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil/student back to school.
- Daily contact in school with a designated pastoral professional.
- Mentoring by a trusted adult or a local mentoring charity.
- Regular reviews with the pupil/student and parents to praise progress being made and raise and address any concerns at an early stage.
- Informing the pupil/student, parents and staff of potential external support.

Reintegration meetings offer an opportunity to reset expectations and reaffirm the principles of positive behaviour support within the school. The school will work with the pupil/student to set specific goals in order to help them avoid the behaviour that led to exclusion. It is best practice to ensure that the pupil/student's conduct, wellbeing and behaviour are closely monitored for the immediate period following return from a fixed term exclusion.

If a pupil/student has served a suspension period of greater than five days or an accumulation of suspensions exceeding five days, a support plan will be drawn up. This will be agreed between the school, the pupil/student and parents/carers.

Part-time timetables will not be used as a tool to manage behaviour.

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

Reintegration meetings

The school will explain the reintegration strategy to the pupil/student in a reintegration meeting before or on the pupil/student's return to school. During the meeting the school will communicate to the pupil/student that they are getting a fresh start and that

they are a valued member of the school community.

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

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

The school expects all returning pupil/student and their parents to attend their reintegration meeting, but pupil/student who do not attend will not be prevented from returning to the school.

8. MONITORING ARRANGEMENTS

The Principal will collect data on the following:

- Attendance, permanent exclusions and suspensions.
- Use of pupil referral units, off-site directions and managed moves.
- Anonymous surveys of pupils/students, staff, local governors and other stakeholders on their perceptions and experiences.

The data will be analysed and annually reported back to the local governing body.

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

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

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils/students are identified by this analysis, the school will review its policies in order to tackle it.

OHCAT will work with our schools to consider this data, and to analyse whether there are patterns across the Trust, recognising that numbers in any one school may be too low to allow for meaningful statistical analysis.

This policy will be reviewed not less than every two years, or as required in accordance with changes to statutory guidance.

9. RELATED POLICIES AND DOCUMENTATION

Anti-Bullying Policy (schools)
Behaviour Policy (schools)
Child Protection, Adult Protection & Safeguarding Policy and Procedure
Equality, Diversity & Inclusion Policy
Health & Safety Policy

Online Safety Policy (schools)
SEND Policy and Information Report (schools)
Substance Misuse Policy