



Suspension and Permanent Exclusions Policy

Approved by:	Trustees	Date: Summer 2026
Next Review	Summer 2028	

Contents

1. Aims of the policy	2
2. Legislation and statutory guidance.....	3
3. Definitions	3
4. Roles and responsibilities.....	3
4.1 The School Leader	3
4.2 The Local Advisory Board (LAB).....	7
4.3 The local authority (LA)	8
5. Considering the reinstatement of a pupil	8
7. Alternatives to exclusion and suspension	11
7.1 Temporary Safeguarding Protocol: Keeping Pupils Off-Site for Safeguarding Purposes.....	11
7.2 Off-Site Direction: Procedures and Requirements	12
7.3 Managed Moves: Procedures and Requirements	14
9. Returning from a suspension	16
9.1 Reintegration strategy	16
9.2 Reintegration meetings.....	17
10. Remote access to meetings.....	17
11. Monitoring arrangements	17
12. Links with other policies.....	18
Appendix 1: Summary of the LAB’s duties to consider reinstatement.....	19
Appendix 2: Independent Review Panel Training.....	20

Our Vision and Ethos

Nishkam schools are Sikh schools with a multi-faith ethos that take a distinctive approach to many traditional faith or faith ethos schools. The Trust's education model is led by virtues such as, compassion, humility, service, contentment, optimism, trust and forgiveness. Virtues are prevalent throughout our teaching and learning model and are modelled by our pupils, staff and teachers. Our pupils explore the divine context of humanity and wonder of all creation and also learn from the wisdom of all religions and in doing so explore the infinite human potential to do good unconditionally. We support all pupils and staff to develop aspects of their own religious, spiritual or human identities. In service of God, we pray for guidance in this endeavour and forgiveness for the errors we may make.

1. Aims of the policy

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

The Trust aims to ensure that:

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

A note on off-rolling

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

- Remove a pupil from the school roll without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school roll, or
- Encourage a sixth-form student not to continue with their course of study, or
- Retain a pupil on the school roll but does not allow them to attend the school normally, without a formal permanent exclusion or suspension
- Moving a pupil to off-site alternative provision where this is not in their best interests
- Sending a pupil home without a formal suspension, regardless of whether it occurs with the agreement of parents/carers
- Placing a pupil on a part-time timetable for behavioural reasons (except in very exceptional circumstances as part of a reintegration strategy - see section 9.1)
- Intentionally removing a pupil from the school roll without correctly following regulations

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

- Any suspension or exclusion will be made on disciplinary grounds, and will not be made due to; having special educational needs and/or a disability (SEND) that the school feels unable to support
- poor academic performance
- a specific condition, such as not attending a reintegration meeting

If any pupil 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 statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - from September 2023](#).

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](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'

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

3. Definitions

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

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

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

Off-site direction – when a School Leader requires a pupil to attend another education setting temporarily to improve their behaviour. This is a time-limited placement and is different from a managed move, which is permanent.

4. Roles and responsibilities

4.1 The School Leader

Deciding whether to suspend or exclude

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

We are committed to following all statutory suspension or exclusion procedures to ensure that every child

receives an education in a safe and caring environment.

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion

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

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

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

Before deciding whether to exclude a pupil, either permanently or for a fixed period, the School Leader will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil where appropriate to give their version of events
- Consider if the pupil has special educational needs and disabilities (SEND)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as
 - For exclusions managed moves
 - For suspensions, detentions or other sanctions provided for in the behaviour policy

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

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

The School Leader will not reach their decision until they have endeavoured to hear from the pupil and will then inform the pupil of how their views were considered when making the decision.

Informing parents/ carers (or the pupil where they are 18 or older)

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

If the School Leader decides to suspend or exclude a pupil, the parents/carers/**pupil** will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.

The parents/carers/pupil will also be provided with the following information in writing, without delay:

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

- Information about parents/carers/**pupil's** right to make representations about the suspension or permanent exclusion to the governing board and where the pupil is attending alongside parents/carers, how they may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents/carers/the pupil have the right to attend a meeting, be represented at a meeting (at their own expense) and bring a friend
- That parents/carers/**the pupil** have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the pupil is of compulsory school age, the School Leader will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this
- School will provide work, or access to work, for the pupil to complete while suspended, for the first 5 days.
- On day 6 of a permanent exclusion, it is the responsibility of the LA to source the educational provision, such as, a home school tutor. Where a pupil has an Education, Health and Care Plan (EHCP), the provision must meet the needs set out in the plan.

If alternative provision is being arranged, the following information will be included if possible;

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

If the School Leader 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 at a later date, without delay and no later than 48 hours before the provision is due to start.

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

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

Informing the governing board

The School Leader will, without delay, notify the governing board of:

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

cancellation

Informing the local authority (LA)

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

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

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

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

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

If a:

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

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

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

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupils ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (where relevant)

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

Cancelling suspensions and permanent exclusions

The School Leader may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not been reviewed by the Local Advisory Board. Where there is a cancellation;

- The parents, the governing board and LA must be notified without delay
- The notification must also provide the reason for the cancellation
- The governing board's duty to consider reinstatement ceases
- Parents/ carers (or the excluded pupil if they are 18 years or older) will be offered the opportunity to meet the School Leader to discuss the cancellation without delay

- The pupil must 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 has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

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

During the first 5 days of a suspension, if the pupil is not attending alternative (AP) provision, the School Leader will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Seneca Learning or Oak National Academy or an equivalent platform may be used for this. If the pupil has a special educational need or disability, the School Leader will make sure that reasonable adjustments are made to the provision where necessary.

If the pupil 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, including the use of online pathways.

4.2 The Local Advisory Board (LAB)

See Appendix I for a summary of actions to be taken by governors once a decision has been made to suspend or permanently exclude a pupil.

Considering suspensions and permanent exclusions

Responsibilities regarding suspensions/permanent exclusions is delegated to Disciplinary Committee. The Disciplinary Committee has a duty to consider parents/carers'/the pupil's (if they are 18 or older) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

For any suspension of more than 5 school days, the LAB will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion. This can be delegated to the School Leader.

For secondary schools only:

The LAB does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

Monitoring and analysing suspensions and exclusions data

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

The LAB will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion

- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

4.3 The local authority (LA)

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

For pupils who are looked after or have social workers, the LA and the 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

The disciplinary committee will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension that would bring the pupil's total number of days out of school to more than 15 in a term
- It would result in a pupil missing a public examination or national curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Disciplinary Committee must consider any representations made by parents/carers/the pupil (if they are 18 or older). However, it is not required to arrange a meeting with parents/carers/the pupil and it cannot direct the School Leader to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers/pupil make representations to the board, the Disciplinary Committee will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the exclusion. If the parents/carers/pupil do not make representations, the board is not required to meet, and it cannot direct the School Leader to reinstate the pupil.

Where an exclusion would result in a pupil missing a public examination or National Curriculum test, the Disciplinary Committee will, as far as reasonably practical, consider the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the Disciplinary Committee may consider the exclusion and decide whether or not to reinstate the pupil.

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

- Parents/carers, or the pupil if they are 18 or older.
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding
- Parents/carers may be accompanied by more than one friend or representative at a reinstatement meeting. The Disciplinary Committee will consider what would be a reasonable limit on numbers attending the meeting, taking

into account the need for the meeting to be conducted fairly and efficiently.

- The School Leader
- As an academy, we are not required to agree to a request from parents/carers for a representative from the LA to attend a suspension or exclusion review meeting. If a representative from the LA does attend, they can only make representations if the Disciplinary Committee gives consent.
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

Disciplinary Committee meetings can be held remotely at the request of parents/carers, or pupils if they are 18 or older. See section 9 for more details on remote access to meetings.

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

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the board cannot do this – see earlier in this section)

In reaching a decision, the Disciplinary Committee will consider;

- They will decide whether or not a fact is true 'on the balance of probabilities'
- The governance professional will be present when the decision is made
- Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record

The Disciplinary Committee will notify, in writing, the following stakeholders of its decision, without delay;

- The parents/carers, or the pupil if they are 18 or older
- The School Leader
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority (LA)
- The pupils home authority, if it differs from the school's

Where an exclusion is permanent, the Disciplinary Committee has decided not to reinstate the pupil, the notification will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents'/carers'/the pupil's (if they are 18 or older) right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents/carers)
- The name and address to whom an application for a review should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's SEND are considered to be relevant to the exclusion
- That, regardless of whether the excluded pupil has recognised SEND, parents have a right to require the school to appoint an SEND expert to advise the review panel

- Details of the role of the SEND expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for a SEND expert to be appointed in any application for a review. That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. 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

6. An Independent Review

If parents/carers/the pupil (if they are 18 or older) apply for an independent review within the legal timeframe, the Trust will arrange for an independent panel to review the decision of the Disciplinary Committee not to reinstate a permanently excluded pupil.

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

Independent reviews can be held remotely at the request of parents/carers/pupils. See section 9 for more details on remote access to meetings. A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the School Leader category. At all times during the review process there must be the required representation on the panel.

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

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

- Are a Trustee/ Governor the Trust, or governing board of the excluding school
- Are the School Leader of the excluding school, or have held this position in the last 5 years
- Are employed by the Trust, or the governing board, of the excluding school (unless they are employed as a School Leader at another school)
- Have, or at any time have had, any connection with the Trust, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartially
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

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

Taking into account the pupil's age and understanding, the pupil or their parents/carers will be made aware

of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the School Leader in the lead up to the permanent exclusion, or are relevant to the pupil's permanent exclusion. Following its review, the independent panel will decide one of the following:

- Uphold the Disciplinary Committee decision
- Recommend that the governing board reconsiders reinstatement
- Quash the Disciplinary Committee decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)
- New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

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

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

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

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

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

7. Alternatives to exclusion and suspension

7.1 Temporary Safeguarding Protocol: Keeping Pupils Off-Site for Safeguarding Purposes

In rare circumstances, the School Leader may temporarily forbid a pupil from attending the school premises if it is necessary to separate two or more pupils for safeguarding purposes. This would not be considered a suspension or exclusion on disciplinary grounds.

This protocol should only be used when:

- Separating pupils is essential for safeguarding reasons, and
- There is no practical way to allow one or more of the pupils involved to remain on school premises

This could, for example, follow an allegation of harm by one pupil against another which requires physically

separating pupils.

Decision-making process:

- Decisions will be made on a case-by-case basis
- The Designated Safeguarding Lead (DSL) will take a leading role and use their professional judgement
- The DSL will be supported by agencies such as children's social care and the police as required
- The welfare and safeguarding of all pupils involved will be the primary consideration

Procedures to follow:

Where a pupil is temporarily forbidden from attending school under this protocol:

1. Notification: The School Leader will inform the pupil's parents/carers of the reason why, without delay
2. Governing board: The School Leader will notify the Local Advisory Board without delay
3. Education provision: The local authority must arrange education for the pupil, unless the school or the pupil's parents/carers choose to do so
4. Duration: This arrangement will be kept under regular review and will only last as long as necessary to manage the safeguarding situation
5. Reintegration: The school will support the pupil to reintegrate into school life once they return
6. Recording: The school will maintain clear records of the decision-making process, including the safeguarding concerns that led to the decision and the steps taken to support all pupils involved

Safeguarding support:

Throughout this process, the school will:

- Work closely with the DSL to ensure all safeguarding concerns are properly addressed
- Liaise with children's social care, the police, and other relevant agencies
- Provide appropriate support to all pupils involved, including counselling or pastoral support where needed
- Keep parents/carers informed (unless doing so would create additional safeguarding risks)
- Ensure that any pupil with a social worker or who is looked-after has their social worker or Virtual School Head (VSH) informed and involved in decision-making

This protocol is distinct from suspension or permanent exclusion and will not be recorded as such. However, the school will maintain clear records to demonstrate that the decision was made in the best interests of the pupils' safety and welfare.

7.2 Off-Site Direction: Procedures and Requirements

When off-site direction may be used:

The School Leader may require a pupil to attend another education setting temporarily to improve their behaviour. This is known as off-site direction and must only be used where it is in the pupil's best interests and likely to improve their behaviour.

Consultation requirements:

Before arranging off-site direction, the School Leader will:

- Consult with the pupil's parents/carers (or the pupil if they are 18 or older) and ensure they do not object
- Obtain agreement from the alternative provision provider
- For pupils with an EHCP, consult with the local authority
- For pupils with a social worker or who are looked-after, consult with the social worker and/or VSH

Evidence and decision-making:

Before implementing off-site direction, the School Leader will ensure that:

- Appropriate initial interventions have been carried out, including, where relevant, multi-agency support or any statutory assessments
- The pupil has been involved and supported to share their views
- These views have been considered as part of the decision-making process
- There is clear evidence that off-site direction is in the pupil's best interests

Written notification:

The School Leader will notify parents/carers (or the pupil if they are 18 or older, and the LA if the pupil has an EHCP) in writing about the off-site direction. This notification will be provided as soon as practicable and no later than 2 school days before the placement begins.

The written notice will include:

- The address where the educational provision will be provided
- The person the pupil should report to when they first attend the provision
- The number of days the requirement is to be imposed (this must not exceed 45 school days in any school year)
- The reasons for, and objectives of, imposing the requirement
- In relation to the educational provision:
 - The start date and times (including morning and afternoon sessions where relevant)
 - Any information the pupil needs to identify the person they should report to on the first day
 - Details of how the provision will be monitored and reviewed

Registration:

During off-site direction:

- The pupil will remain on the school's admission register
- The pupil will also be registered at the alternative provision setting (dual registration)
- Attendance will be recorded using code D (dual registration)

Review meetings:

The School Leader will arrange review meetings:

- At least once every 10 weeks during the placement
- More frequently if needed based on the pupil's circumstances
- The following people will be invited to attend or submit written views:
 - The pupil's parents/carers (or the pupil if they are 18 or older)
 - A representative from the alternative provision
 - The pupil's social worker, if they have one

- The VSH, if the pupil is looked-after
- For pupils with an EHCP, a representative from the local authority

Invitations to review meetings will be sent at least 6 days before the meeting, making clear that written views can be submitted if attendance is not possible.

Information sharing:

The School Leader will ensure that relevant information is shared between the school, the alternative provision, and the LA as appropriate, including:

- The pupil's academic progress and attainment
- Any special educational needs or disabilities
- Safeguarding concerns or risks
- Behavioural issues and any interventions in place
- The pupil's attendance record

Duration and outcomes:

Off-site direction:

- Will be time-limited and regularly reviewed
- Will have clear objectives that are monitored and evaluated
- May lead to different outcomes, including:
 - The pupil returning to the school full-time
 - A permanent managed move to another school (if this is in the pupil's best interests and all parties agree)
 - Continued off-site direction if this remains appropriate

Off-site direction will not be used:

- As a way of managing a pupil out of the school
- As an alternative to permanent exclusion
- Without proper consultation and agreement
- For more than 45 school days in any school year

7.3 Managed Moves: Procedures and Requirements

What is a managed move:

A managed move is used to initiate a process leading to a **permanent** transfer of a pupil to another mainstream school, as part of a behaviour management process.

Important: Managed moves are permanent and cannot be used as trials. Where a temporary move needs to occur to improve a pupil's behaviour, the school will use off-site direction instead (see section 6.2).

When a managed move may be considered:

A managed move may be considered when:

- It is in the pupil's best interests
- Appropriate initial interventions have been carried out, including, where relevant, multi-agency support or any statutory assessments
- The move would provide the pupil with a fresh start and better opportunities for success
- All parties agree, including the pupil (where appropriate), parents/carers, the original school, and the receiving school

Important safeguard:

A pupil must not be permanently excluded because of an unwillingness by the pupil and/or their parents/carers to agree to a managed move.

Compliance with the School Admissions Code:

Managed moves must comply with the School Admissions Code (unless the pupil has an EHCP). This means:

- Managed moves cannot bypass normal admissions rules
- The admission authority must apply its published oversubscription criteria
- A pupil cannot jump ahead of others on a waiting list unless they meet the criteria more closely
- Managed moves are separate from the Fair Access Protocol (FAP)
- Only children in prescribed categories can be placed via the FAP (see paragraph 3.17 of the School Admissions Code)

- If a pupil is not eligible for the FAP, published admission arrangements apply

Evidence and involvement requirements:

Before a managed move, the school will:

1. Involve the pupil:

- Support them to share their views
- Explain how these views will be considered as part of the decision-making process
- Take into account their age and understanding

2. Evidence appropriate intervention:

- Demonstrate that appropriate initial intervention has been carried out
- Show evidence of multi-agency support where relevant
- Provide evidence of any statutory assessments

3. Share relevant information:

- Ensure relevant information is shared between the original school, the new school, and the LA as appropriate, including:
 - The pupil's academic progress and attainment
 - Any special educational needs or disabilities
 - Safeguarding concerns or risks
 - Behavioural issues and any interventions in place
 - The pupil's attendance record

Additional requirements for pupils with a social worker:

For pupils with a social worker, the school will notify the following people as soon as we start contemplating a managed move:

- The social worker
- The school's Designated Safeguarding Lead (DSL)
- The pupil's parents/carers (unless this would lead to safeguarding risks)
- The Virtual School Head (VSH), if the child is looked-after

If it is decided that a managed move is in the pupil's best interests:

- The original school and new school will ensure any Personal Education Plan (PEP) the pupil has is reviewed and amended to take account of the move
- The social worker and/or VSH will be kept informed throughout the process

Registration:

Following a managed move:

- The original school will delete the pupil's name from the admission register
- The pupil's name will be added to the new school's admission register
- The pupil should be registered at one school only

Where a managed move follows off-site direction:

If a managed move follows a period of off-site direction:

- The pupil will already have been registered at the school where they are receiving education off-site
- The deletion from the original school's register only takes place when the move becomes permanent

Monitoring:

The Local Advisory Board will monitor managed moves as part of its broader monitoring of pupil movement, to ensure:

- Managed moves are only used when in the pupil's best interests
- Proper procedures have been followed
- The move is not being used as a way to off-roll pupils

8. School Registers

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

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not

reinstate the pupil and no application has been made for an independent review panel, or

- The parents/carers/**pupil** have stated in writing that they will not be applying for an independent review panel

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

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

Making a return to the LA

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

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

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

9. Returning from a suspension

9.1 Reintegration strategy

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

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

- The points below are suggestions only and should be adapted to your school's specific circumstances.
- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Regular contact in school with a designated pastoral professional
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and

address any concerns at an early stage (where appropriate)

- Informing the pupil, parents/carers and staff of potential external support

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

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

9.2 Reintegration meetings

- The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school.
- During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.
- The pupil, parents/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.
- The meeting can proceed without the parents/carers in the event that they cannot or do not attend.
- The school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

10. Remote access to meetings

Parents/carers, or pupils if they are 18 or older, can request that a governing board meeting, or independent review panel be held remotely. If the parents/carers/pupil don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The LAB and the Trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
 - All the participants will be able participate fully
 - The remote meeting can be held fairly and transparently

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

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

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

11. Monitoring arrangements

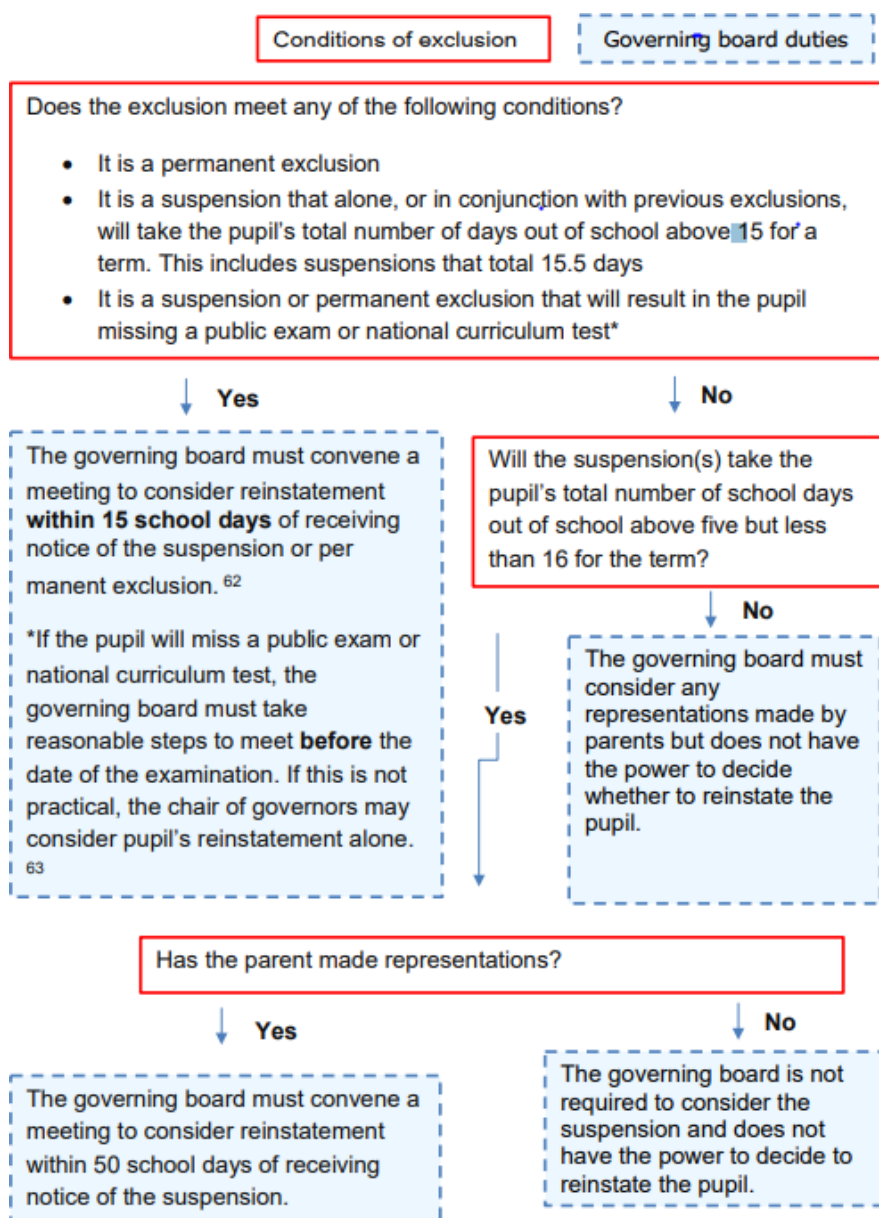
The School Leader monitors the number of exclusions every term and reports back to the LAB. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

This policy will be reviewed by the School Leader at least every two years or earlier as necessary. At every review, the policy will be approved by the Trust Board and adopted with the governing board.

12. Links with other policies

- Behaviour policy
- SEND policy and Information Report

Appendix 1: Summary of the LAB's duties to consider reinstatement.



61 Parents on diagram refer to parent if the pupil is under 18 or the excluded pupil, aged 18 or over.

62 The governing board may delegate its functions to consider a suspension or permanent exclusion to a designated committee.

63 The ability for a chair to review in the case of public exams refers only to maintained schools.

Appendix 2: Independent Review Panel Training

The Trust must ensure that all members of an Independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

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