



L.E.A.D. Academy Trust  
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**L.E.A.D. ACADEMY TRUST**

# **Suspension and Permanent Exclusions Policy**

## **Policy/Procedure management log**

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## 1 Aims

L.E.A.D. Academy Trust expects this policy to be implemented by all its member academies. It aims to ensure that:

- The suspension and permanent exclusions process is applied fairly and consistently.
- The suspensions and permanent exclusions process is understood by governors, staff, parents and pupils.
- Pupils in the academy are safe and happy.
- Pupils do not become NEET (not in education, employment or training)
- All suspensions and permanent exclusions are carried out lawfully.

### Off-rolling

The Trust is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“The practice of removing a pupil from the school roll without a formal, permanent exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

No Trust academy should suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend the academy:

- Without following the statutory procedure or formally recording the event, e.g., sending them home to 'cool off'.
- Because they have special educational needs and/or a disability (SEND) that the academy feels unable to support.
- Due to poor academic performance.
- Because they haven't met a specific condition, such as attending a reintegration meeting.
- By exerting undue influence on a parent to encourage them to remove their child from the academy.

## 2 Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education:

The following legislation supports the policy, which outlines schools' powers to suspend and permanently exclude pupils: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(August 2024\)](#).

- Section 51A of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
- [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)
- Sections 64-68 of the [School Standards and Framework Act 1998](#)

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which looks at parental responsibility for excluded 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](#)

This policy complies with the Trust funding agreement and articles of association.

### 3 Definitions

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

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

**Off-site direction** – when an Academy Governing Body requires a pupil to attend another education setting temporarily, to improve their behaviour.

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

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

### 4 Duties of the Headteacher

#### **Deciding whether to suspend or exclude.**

Only the headteacher, or acting headteacher, 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 headteacher will only use permanent exclusion as a last resort.

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 headteacher 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 academy’s behaviour policy, **and**
- If allowing the pupil to remain in the academy would seriously harm the education or welfare of others.

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether there was any provocation prior to the incident(s) in respect of which suspension or exclusion is being considered.
- Allow the pupil an opportunity to give their version of events.
- Consider whether the pupil has special educational needs and/or 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 relevant alternative solutions have been explored, such as off-site direction or managed moves. See appendices.

The headteacher 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/carer or social worker.

The headteacher will not reach their decision until they have given the pupil the opportunity to be heard and will inform the pupil of how any views they expressed were taken into account when making the decision.

The headteacher will also notify parents without delay.

### **Informing parents/carers**

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

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

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The parents'/carers' right to make representations about the suspension or permanent exclusion to the Academy Governing Body 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 Academy Governing Body to hold a meeting to consider the reinstatement of a pupil, the parents'/ carers' right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- The parents'/carers' 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 headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies
- Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this
- If alternative provision is being arranged, the following information will be included, if possible:
  - The start date for any provision of full-time education that has been arranged
  - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
  - The address at which the provision will take place
  - Any information the pupil needs in order to identify the person they should report to on the first day.

If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

When notifying parents/carers about a suspension or permanent exclusion, the headteacher should also draw their attention to relevant sources of free and impartial information, including Department for Education Guidance, the local SENDIAS service, Coram's Child Law Advice line, ACE and IPSEA.

### **Informing the Academy Governing Body**

The headteacher will immediately notify the Academy Governing Body and the Director of Schools of:

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

### **Informing the local authority (LA)**

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

The notification will include:

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

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

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

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

The social worker or VSH will be invited to any meeting of the Academy Governing Body 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. The social worker / VSH will be enabled to join the meeting remotely, should this be requested.

## **5 Cancelling suspensions and permanent exclusions**

The headteacher may cancel a suspension or permanent exclusion that has already begun, but this can only be done where it has not yet been reviewed by the Academy Governing Body. Where there is a cancellation (also known as withdrawing or rescinding):

- The parents/carers, Academy Governing Body, LA and Director of Schools will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The Academy Governing Body's duty to hold a meeting and consider reinstatement ceases
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation.
- The pupil will be allowed back in the academy 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.

## **6 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 headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Sumdog or Oak Academy may be used for this. If the pupil has a special educational need or disability, the headteacher 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 academy will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the academy will take reasonable steps to set and mark work for the pupil, including the use of online pathways.

### **Sixth Day Provision**

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

Every attempt to provide local arrangements should be explored to ensure a pupil receives full time education as soon as is practicable if it is likely that a longer suspension is likely (for example, during a period of investigation where more information is being gathered).

***For secondary academies only:***

Provision 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.

### **The Local Authority**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the permanent exclusion.

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

## **7 Considering the reinstatement of a pupil.**

The Academy Governing Body has a duty to consider parents'/carers' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances.

Responsibilities for considering representations regarding exclusions are delegated to an impartial panel of three governors (this may be amended in exceptional circumstances). All reference to the Academy Governing Body in this section should be read as including reference to a panel to whom the consideration of any matter has been delegated as per the Trust Articles of Association.

The Academy Governing Body will meet to consider and decide on the reinstatement of a suspended or permanently excluded pupil 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's total number of days of suspension 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 Academy Governing Body must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers, and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days but less than 16 days in a single term, and the parents make representations to the board, the Academy Governing Body will consider and decide on the reinstatement of a suspended pupil within 50 days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet, and it cannot direct the Headteacher to reinstate the pupil.

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

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

- Parents/carers and, where requested, a representative or friend

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

Where possible, the documents should be sent to all parties at least five school days before the review meeting. These meetings can be held remotely at the request of parents or carers.

The Academy Governing Body 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.

After hearing the representations, The Academy Governing Body 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, outlined previously).

In reaching a decision, the Academy Governing Body will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the Academy Governing Body

They will decide whether or not a fact is true 'on the balance of probabilities.

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

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

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

Where an exclusion is permanent and the Academy Governing Body has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents'/carer's 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 which an application for a review and any written evidence should be submitted

- That a request to hold the meeting remotely can be made and how and to whom the request should be directed
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs or disability (SEND) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEND, parents/carers have a right to require the Trust to appoint a SEND expert to advise the review panel
- Details of the role of the SEND expert and that there would be no cost to parents/carers for this appointment
- That parents/carers must make clear if they wish for a SEND expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents/carers believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

## 8 An independent review

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

Applications for an independent review must be made within 15 days of notice being given to the parents/carers by the exclusion panel 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.

An independent review panel (IRP) of 3 or 5 members will be constituted with representatives from each of the categories:

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

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

- Are a member/director of the Trust, or Academy Governing Body of the excluding academy
- Are the headteacher of the excluding academy or have held this position in the last 5 years.
- Are an employee of the Trust, or the Academy Governing Body, of the excluding academy (unless they are employed as a headteacher at another school).
- Have, or at any time have had, any connection with the Trust, academy, Academy Governing Body, parents/carers or pupil, 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.

Where a 5-member panel is constituted, 2 members will come from the academy governor's category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

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

Taking into account the pupil's age and understanding, the pupil or their parents/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 SEND expert is present, the panel must seek and have regard to the SEND expert's view of how SEND may be relevant to the pupil's permanent exclusion.

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

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

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

- Uphold the Academy Governing Body's decision
- Recommend that the Academy Governing Body reconsiders reinstatement
- Quash the Academy Governing Body's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed).

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

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the Academy Governing Body at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Academy Governing Body 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 Academy Governing Body 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 Academy Governing Body 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 Academy Governing Body does not subsequently decide to offer to reinstate the pupil within 10 days.
- Any information that the panel has directed the Academy Governing Body to place on the pupil's educational record.

## 9 Registers

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

- 15 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 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, the Academy Governing Body will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for a suspended or permanently excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where suspended or permanently 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 academy's admissions register because of a permanent exclusion, the academy will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent/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 parents/carers 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 are met and no later than the removal of the pupil's name.

## 10 Returning from a suspension or following reinstatement

### 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 academy 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 academy life:

A reintegration meeting with the student, parent/carer and a member of Senior Team to discuss the suspension and offers of support required.

- Pastoral Support
- Behaviour Support Plans and school-based interventions may be offered as part of the reintegration to support the student to change their behaviour
- 'Safe'/trusted adult.
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage.
- Informing the pupil, parents/carers and staff of potential external support

Part-time timetables will not generally be used as a tool to manage behaviour. If this is a consideration, this needs to be discussed with the Director of Schools. If used, the timetables will be put in place for the absolute minimum time necessary, but no longer than half a term.

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

### **Reintegration meetings**

Following suspension or reinstatement, the academy will hold a meeting with the pupil, parents/carers to discuss the strategy which can be implemented to help the pupil reintegrate successfully into academy life and full-time education.

During the meeting the academy will communicate to the pupil that they are getting a fresh start and that they are a valued member of the academy community.

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

## **11 Remote access to meetings**

Parents/carers can request that an Academy Governing Body meeting, or independent review panel be held remotely. If the parents/carers do not express a preference, the meeting will be held in person.

In cases 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 academy governing body 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 which will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently.

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

The meeting will be rearranged 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.

## 12 Monitoring arrangements

The academy 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 staff, pupils, governors and other stakeholders on their perceptions and experiences.

The data will be analysed every half term by a member of the senior leadership team. Information gathered will be reported back to the headteacher, governors and the Trust.

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

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

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

L.E.A.D. Academy Trust will work with its academies to consider this data, and to analyse whether there are patterns across the Trust, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

This policy will be reviewed by December every year. At every review, the policy will be approved by the Academy Governing Body.

### Monitoring and analysing suspensions and exclusions data

The Academy Governing Body will challenge and evaluate the data on the academy's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The Academy Governing Body will consider:

- How effectively and consistently the academy's behaviour policy is being implemented
- The register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why these are 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.

If required, the AGB will provide the secretary of state with information about any suspensions or exclusions from the past academic year, within 14 days of receiving such a request.

### **13 Links with other policies**

This exclusions policy is linked to academy.

- Behaviour policy
- SEND policy and information report.
- Equality policy
- The use of Alternative Provision and Off-Site Direction policy

## Suspensions Checklist: Section A

### Behaviour which is placing the child at risk of suspension

	Yes	No
Is there a whole school behaviour policy in place which is adhered to consistently by all staff?		
Have staff received training in behaviour management strategies?		
Is the child receiving appropriate provision which is suitably adapted so the child is successful?		
Have the triggers for the behaviour been recorded using an appropriate recording form?		
Is the environment suitable for the child to prevent cognitive overload?		
Has a sensory audit been completed?		
If the child has a support plan – has this been reviewed to check it is still meeting need?		
Does the child have an unmet need?		
Has the child accessed any appropriate therapeutic offer e.g. ELSA, playtherapy, therapist?		
Have parents been involved in discussions regarding their child's behaviour?		
Has a behaviour plan been created which considers the child's voice?		
Have external agencies been consulted regarding the pupil's behaviour?		
Has a Boxall profile or SDQ been completed and responded to?		
Has an Early Help referral been submitted?		
Has a Team around the child meeting been convened?		
Is off-site provision an option?		
Has the child accessed alternative provision?		
Is a Risk Assessment necessary?		
Is additional funding required for further adult support?		

## Suspensions Checklist: Section B

### Suspension being considered

	Yes	No
Have you investigated the incident/s resulting in the breach of the school's behaviour policy?		
Have you given the pupil responsible for the incident the opportunity to give their views?		
Are there any contributing factors for the incident e.g., bereavement, mental health or bullying?		
Do you have witness statements?		
Have you preserved physical evidence if necessary?		

Did the incident take place in school or outside?		
Is there police involvement? If so, there is no requirement to postpone taking a decision as a decision to suspend can still be taken based on the available evidence at the time.		
On the balance of probabilities, did the incident take place?		
Does the child have a social worker?		
Are there any safeguarding concerns?		
If the child is looked after, have you sought advice from the LA's virtual school headteacher (VSH) and/or social worker?		
Has the child been screened for SEND / SEMH?		
If the child has an education, health and care plan, have you sought advice from the LA's SEND Team?		
Have you considered calling a review to consider if the education, health and care plan remains appropriate?		
If the pupil is subject to a child protection plan, have you sought advice from the social worker?		
Have you considered any alternatives to suspension, for example, restorative justice, mediation, internal exclusion, alternative provision or a managed move? If so, list below what is proposed and why?		
Has the child spent any time in an AP?		
Have there been any other behavioural incidents or suspensions this term?		
Has a behavioural plan been applied consistently?		
Has an early help referral been made?		
Have you considered if suspension is lawful, rational, reasonable, appropriate, fair and proportionate?		
Has the incident been recorded appropriately?		

## Communication

	Date
Following your decision to suspend, when did you notify parents by telephone or face to face, if possible, of the decision to suspend?	
The decision must be communicated in writing to the parent without delay using the Trust's model letter. When was this actioned?	
The decision must be communicated to the local authority without delay. When was this actioned?	
When did you communicate the suspension to the Director of Schools?	
You must share your decision letter without delay to the chair of the AGB. When was this actioned?	
Arrange a meeting with representation from the AGB to review the suspension if applicable. What date is this planned for?	
If the child has a social worker, you must advise the social worker of the decision to exclude. When was this actioned?	

If the child is a LAC, you must advise the Virtual School Head of the decision to exclude. When was this actioned?	
If the child has an EHCP, you must advise the LA SEND team of the decision to exclude. When was this actioned?	

## Education

	Yes	No
Have you made arrangements for the child's education for the duration of the suspension up to a maximum of 5 days in length, in line with DfE Guidance and the academy's behaviour/suspensions and exclusions policies?		
Have you made arrangements for the child's full-time education for the duration of the suspension from day 6, in line with DfE Guidance and the academy's behaviour/suspensions and exclusions policies?		
<b>Please list the member of staff responsible for distributing the work</b>		

## Record Keeping

	Yes	No
Have you made a record of the suspension on the academy's management information system??		
Have you completed a reintegration form following the reintegration meeting?		

## Review

	Yes	No
Has a decision been made to rescind, or overturn the suspension? If so, why?		
What has been learnt from a review of this suspension?		

Date:

Completed by:

## Permanent Exclusion – Checklist

All exclusions must be in accordance with DfE Guidance: [Suspensions and permanent exclusions guidance](#) and in particular the statutory guidance: [The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

**The decision to permanently exclude requires approval from the Director of Schools.**

Advice and support is available from the Trust in consultation with the Director of Schools

Name of child:	DoB:	Date of incident:
Reason for permanent exclusion:		

### Checklist to be used before deciding to exclude.

Investigation and evidence gathering?	Yes	No
Have you investigated the incident resulting in the breach of the school's behaviour policy?		
Has sufficient evidence been gathered?		
Do you have signed and dated witness statements from any victims involved?		
Do you have signed and dated witness statements from any other staff or pupils who observed the incident?		
Have you given the pupil responsible for the incident an opportunity to give their views in a signed and dated witness statement?		
Do the statements corroborate?		
If not, have you decided which version you believe on the balance of probabilities and why?		
Have you preserved physical evidence?		
Did the incident take place in school or outside?		
Is there Police involvement? If so, there is no requirement to postpone taking a decision as a decision to exclude can still be taken based on the available evidence at the time.		
If the child is looked after, have you sought advice from the LA's virtual school headteacher and or social worker?		
If the child has an education, health and care plan / statement for special educational needs, have you sought advice from the LA's SEN Team?		
Have you considered calling a review to consider if the education, health and care plan / statement for special educational needs remains appropriate?		

Investigation and evidence gathering?	Yes	No
If the pupil is subject to a child protection plan, have you sought advice from a social worker?		
Were correct school policies and procedures followed when dealing with the incident/behaviour? For example, de-escalation techniques, physical restraint, consequences for persistent behaviour.		
If the exclusion is for persistent breach of school's behaviour policy, have school put together a pupil support plan as part of an early intervention package?		
If the exclusion is for persistent breach of school's behaviour policy, have school involved outside agencies as part of a multi - agency assessment?		
Do you believe that the pupil understood the school expectations as set out in the behaviour policy and the potential outcomes?		
Are there any contributing factors for the incident e.g. unmet special educational needs, bereavement, mental health or bullying?		
Do you have a record of strategies and sanctions the school tried before the suspension/exclusion, including internal support and outside agency support? <i>This may not apply if it is a one-off incident.</i>		
Have the parents been involved in (and kept informed about) these strategies and sanctions?		
Do you think the school exhausted all support strategies and interventions for the pupil? <i>This is usually in a consideration for PEx for persistent breaches.</i>		

Decision Making	Yes	No
Do you believe, based on the balance of probabilities, that the pupil has done what is alleged?		
Have you included any extenuating circumstances in your considerations?		
Have you checked prior suspensions in terms of days already lost?		
Was there a serious breach or persistent breaches of the school's behaviour policy? (for PEx)		
Do you believe that allowing the pupil to remain in the school could seriously harm the education or welfare of the pupil or others in the school? (for PEx)		
Will this suspension/exclusion result in the pupil missing a public exam or National Curriculum test?		
Do you consider that the decision to suspend/exclude this pupil is lawful, reasonable and procedurally fair? This judgement will be based on your responses to all the previous questions		
Have you considered any alternatives to exclusion, for example, restorative approaches, mediation, internal exclusion, alternative provision or managed move?		

Communication	Yes	No
Have you discussed your considerations with the Director of Schools?		
Have you notified parents immediately by telephone or face to face if possible, of the decision to exclude? The decision must be communicated in writing without delay. Letter must include all the required information set out in the DfE Guidance.		
Have you communicated your decision to exclude without delay to the Academy Governing Body and Local Authority?		
Have you immediately advised the Governance Team to arrange a panel from the Academy Governing Body to review the exclusion?		
Have you made available all the necessary documents to the clerk from the Governance Team that you intend to rely upon to justify the decision ahead of the Academy Governing Body's meeting to all parties?		
As the Local Authority in which the child resides is responsible for providing education, have you completed all the required information and sent to the Local Authority?		

Signed:

Date:

## Reintegration Meeting - Exemplar

<b>Date of Meeting:</b>	
<b>Attendees:</b>	
<b>Name:</b>	
<b>Date of Birth:</b>	
<b>Year Group:</b>	
<b>Class:</b>	
<b>Attendance:</b>	
<b>Vulnerabilities: (e.g.SEND/EAL etc)</b>	
<b>Have there been any prior suspensions and what for?</b>	
<b>How many days in total lost to suspensions?</b>	
<b>Reason for meeting: (explain why the pupil was suspended and for how long)</b>	
<b>What have we learnt from this and what can we change?</b>	
<b>What is working well at school?</b>	
<b>What is not working well at school?</b>	

<b>Parent Comments:</b>	
<b>Pupil Comments:</b>	
<b>Area of concern 1 Target</b>	
<b>Support and strategies to help</b>	
<b>Review Date:</b>	
<b>Area of concern 2 Target</b>	
<b>Support and strategies to help</b>	
<b>Review Date:</b>	
<b>Further actions required following review:</b>	

<b>Signed:</b>	
<b>Date:</b>	