



# **Suspension & Permanent Exclusions Policy**

DATE: December 2025

POSTHOLDER RESPONSIBLE: CEO

TRUSTEES/GOVERNORS COMMITTEE: People, Pay & Recruitment

AUDIENCE: Parents, Staff, Local Authority

STATUS: Ratified

DATE RATIFIED: December 2025

DATE OF NEXT REVIEW: December 2026

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## 1. Aims

### 1.1. Quantock Education Trust aims to ensure that:

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

1.2. Quantock Education Trust's exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and exclusions that the Trust will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.

1.3. Where the Trust's approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments. It is also important to ensure that the child who may be at risk of suspension or exclusion is protected through the upholding of a fair and robust process.

1.4. The Trust will always have regard to the Statutory Guidance on Suspensions and Exclusions (August 2024) when making decisions on suspensions and exclusions and will follow the law, as set out in the relevant School Discipline (Pupil Exclusions and Reviews) (England) Regulation 2012 (as amended).

1.5. This policy should be read in conjunction with the behaviour policy and the SEND policy for the Trust. Copies of these can be found on the [QET Website](#).

### 1.6. A note on off-rolling:

Our Trust is aware that off-rolling is unlawful. The Trust does not support off-rolling and will always work with the child and parents to break down barriers to attending school. 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."

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- 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 school 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 school

## **2. Legislation and statutory guidance**

- 2.1. This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).
- 2.2. It is based on the following legislation, which outline schools' powers to exclude pupils:
  - Section 52 of the Education Act 2002, as amended by the Education Act 2011
  - The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- 2.3. 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](#)
  - [The Equality Act 2010](#)
  - [Children and Families Act 2014](#)
  - [School Attendance \(Pupil Registration\) \(England\) Regulations 2024](#)
- 2.4. This policy complies with our funding agreement and articles of association.

## **3. Application of policy**

- 3.1. This policy applies to all members of the Trust community. Each school within the Trust will apply suspensions and exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents and pupils.

## **4. Definitions & Types of exclusion**

Suspensions and permanent exclusions are different:

- 4.1. Suspensions (previously called fixed-term exclusions) are where a pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum of 45 days of suspension in an academic year before being permanently excluded.
- 4.2. Permanent exclusions are where, subject to a decision of the Local Governance Committee (LGC) to reinstate the pupil to the school, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy, and were allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, such as staff or pupils, in the school.
- 4.3. Off-site direction – when a LGC of a school requires a pupil to attend another education setting temporarily, to improve their behaviour. The length of time a pupil spends in another mainstream school or alternative provision will depend on what best supports the pupil's needs and potential improvement in behaviour.
- 4.4. Parent – any person who has parental responsibility and any person who has care of the child.

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

## 5. The decision to exclude

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

5.2. A decision to suspend or permanently exclude a pupil can be made on disciplinary grounds in respect of behaviour inside or outside of school, and will be taken only:

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

5.3. Before deciding whether to exclude a pupil, either permanently or for a fixed period in a suspension, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the exclusion were provoked
- Allow the pupil to give their version of events
- Consider if the pupil has special educational needs (SEN) including those with Education, Health and Care Plans (EHCPs)
- 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 off-site direction or managed moves

## 6. Roles and responsibilities

All members of the Trust community are to follow this policy. Roles, responsibilities and expectations of each section of the Trust community are set out in detail below.

### 6.1. The Headteacher

All decisions to suspend or permanently exclude a pupil will be taken only by the Headteacher after considering all the circumstances. Every decision made will be proportionate to the seriousness of the behaviour with reference to the Trust's behaviour policy.

Only the headteacher, can exclude or suspend a pupil from school. A permanent exclusion will be taken as a last resort.

- The headteacher will consider the views of the pupil, in light of 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.
- The headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.
- The headteacher will consult with the Trust CEO to help inform the decision making around a permanent exclusion. This responsibility is set out in the Quantock Education Trust 'Scheme of Delegation'.
- The CEO or designated member of the Central Executive Team will quality assure/authorise a PEX for SEND children.

## 6.2. Parents

Parents will be informed on the day of suspension or exclusion and there is an ability to make representations in regard to any suspension or exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the Headteacher.

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the LGC and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the LGC to meet to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the 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, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of an exclusion:

- 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

## 6.3. Informing the CEO, LGC and Local Authority

The headteacher will immediately and without delay, notify the CEO, the Chair of the LGC, the Clerk and the Exclusion Officer of the local authority (LA) of:

- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion regardless of the length of a suspension.
- Any suspension or permanent exclusion which would result in the pupil missing a NC test or public examination

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

For all other suspensions, the headteacher will notify the LGC and LA once a term.

#### **6.4. The Role of the Local Governance Committee (LGC):**

The LGC is responsible for forming a Pupil Disciplinary Committee (PDC) to review exclusions and suspensions when it is required to do so, if requested by parents. In each case, the decision of the relevant committee formed by the LGC will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

Responsibilities regarding the review of any exclusion are delegated to each of our LGCs PDC consisting of at least 3 governors. The PDC can be made of Governors from across any of the Trust's schools. Please see the [QET Website](#) for details of each School's Chair of Governors.

The LGC has a duty to consider the reinstatement of a permanently excluded pupil (see section 6).

Responsibilities regarding suspensions and permanent exclusions are delegated to the school LGC.

The LGC has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a permanently excluded pupil (see section 9) in certain circumstances.

Within 14 days of receiving a request, the LGC will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

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

The LGC does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

#### **6.5. Monitoring and analysing suspensions and exclusions data**

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

The LGC and the Trust 'Ethos and Education Committee' 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 which 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

#### **6.6. The LA**

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion, or should attempt to organise full time provision for pupils who are Looked After (LAC) from the first day.

## 6.7. 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 without delay
- Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the headteacher will inform the VSH without delay.

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 / 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)

The social worker / VSH will be invited to any meeting of the LGC's Pupil Disciplinary Committee 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/VSH should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

## 6.8. Cancelling suspensions and permanent exclusions

6.8.1. The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay. The notification must also provide the reason for the cancellation;
- The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled which should be arranged without delay;
- The pupil must be allowed back into the school from which they were excluded without delay.

6.8.2. 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.

6.8.3. For suspensions that on their own, or in addition to previous suspensions or cancelled permanent exclusions, will mean your child's total number of days out of school is, or approaching 15 for the term, the governing board must meet within 15 school days of being told about the suspension.

6.8.4. 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.

- 6.8.5. A suspension or exclusion can be cancelled by the Headteacher. In relation to an exclusion, it cannot be cancelled if the total time the pupil was excluded or suspended that academic year would be over 45 days at the point of the decision to cancel the exclusion.
- 6.8.6. Where a suspension or exclusion is cancelled, the relevant parties will be informed by the Headteacher in accordance with the Statutory Guidance on Suspensions and Exclusions.

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

- The parents, LGC and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation
- As referred to above, the headteacher will report to the LGC once per term on the number of cancellations
- The pupil will be allowed back in school

- 6.8.7. Taking into account, the pupil's age and understanding, the pupil or their parents should also be made aware of their right to attend and participate in governing board meetings and the pupil should be enabled to make a representation on their own behalf if they wish to do so.

#### **6.9. Providing education during the first 5 days of a suspension or permanent exclusion**

During the first 5 days of a suspension, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil.

Online pathways such as Google Classroom 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 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.

### **7. CCTV, witness evidence and pupil views**

- 7.1. Some schools in our Trust use Close Circuit Television (CCTV) within its premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relevant to a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any governor or trustee review meeting.
- 7.2. Where witness evidence is relevant, whether that be from a pupil or a staff member, the statement(s) will be provided at any governors or trustees review meeting. All statements will be signed and dated unless the Headteacher has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 7.3. Before taking a decision to suspend or exclude and where appropriate, the Headteacher will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker. The Headteacher will also take account of any contributing factors identified after an incident of misbehaviour has occurred.

## **8. Suspensions before a permanent exclusion**

8.1. In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the Headteacher will send the relevant letter setting out the rights of parents. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light, or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

## **9. Directing off-site and managed moves**

9.1. Before taking any decision to permanently exclude a pupil, the Headteacher will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.

9.2. In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions will take place with parents and pupils to feed in their views about the options.

9.3. For a managed move to take place there needs to be agreement between the School, and the parents and where appropriate the pupil and the new school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new school for a fixed period as a direction off-site to ensure that the new school would be suitable for them. We will share relevant information with the new school and check that they have an integration strategy. At the end of this direction period the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

## **10. Challenging a suspension or permanent exclusion**

If you disagree with the headteacher's decision to suspend (where this would take the number of days to more than 5 in a term) or permanently exclude your child, you have the right to appeal the decision and request a meeting to do so. You can also request that the meeting is held remotely.

The headteacher should allow your child to explain why they behaved in such a manner before making their decision whether to suspend or permanently exclude them and support them to take part in the full suspension or permanent exclusion review process.

### **10.1. For a suspension**

You can ask the school's LGC to consider allowing your child to come back to school immediately if either:

- your child has been suspended for more than 5 school days
- the suspension means they will miss a public exam, such as a GCSE

In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the LGC must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Where a suspension would result in a pupil missing a public examination, the LGC will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the LGC will consider the suspension and decide whether or not to reinstate the pupil.

The LGC can either:

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

In reaching a decision, the LGC will consider:

- Whether the decision to suspend 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 LGC
- 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 of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

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

- The parents, or the pupil, if they are 18 or older
- 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 school's

## **10.2. Timeline for arranging a LGC meeting when you wish to appeal a suspension**

The timeline for when the LGC will meet depends on how many school days in total your child has been suspended for, including any previous suspensions or cancelled permanent exclusions.

If this suspension means your child has been, or will be, out of school this term for a total of more than 5 school days but no more than 15 school days due to suspensions or cancelled permanent exclusions, and you have contacted the LGC about the suspension, the LGC must meet within 50 school days of being told about this suspension.

For suspensions that on their own, or in addition to previous suspensions or cancelled permanent exclusions, will mean your child's total number of days out of school is above 15 for the term, the LGC must meet within 15 school days of being told about the suspension.

If your child will miss a public exam because of this suspension, the Local Governance Board must try to meet before the date of the exam and must meet within 15 school days of being told about the suspension.

You must be invited to the LGC meeting about your child's suspension and allowed to comment on the suspension of your child or share information.

### **10.3. For a permanent exclusion**

You will be invited to a meeting with the school LGC if your child has been permanently excluded. This will happen within 15 school days of the school governing board being told about the permanent exclusion and you must be allowed to comment on the permanent exclusion or share information.

The Trust Clerk/Governance Professional will provide appropriate levels of support and information for the parents and signpost where additional external support is available.

If the LGC does not decide that your child should be allowed to come back to school, you can ask for an Independent Review Panel to review their decision. This is organised by the Trust.

### **10.4. What happens when a LGC considers reinstating a suspended or permanently excluded pupil**

#### **10.4.1. Before the meeting**

If a LGC meeting has been scheduled to consider allowing your child to return to school, you will receive something in writing from your child's school inviting you to attend the meeting.

You can send written information for the LGC to consider before the meeting. The school should explain how to do this. Further details can be found in Section 27-31 of the [DfE Guidance](#)

#### **10.4.2. The LGC meeting**

The meeting will take place at the school or may take place remotely if you have requested this.

You can also request that a friend or representative (for example, from a charity or advocacy organisation) attend with you. You should inform the LGC if you will be bringing someone with you.

The LGC must also invite the following people to the meeting:

- the Headteacher
- your child's social worker, if they have one
- the Headteacher may invite other colleagues to support the discussion eg the SENCO if appropriate

Each of these people should be given an opportunity to speak and ask questions.

*As a parent, you will have the chance to explain why you think your child should not have been suspended or permanently excluded and why they should be reinstated. You may also be asked questions and can submit papers for consideration*

#### **10.4.3. After the meeting**

You will be sent something in writing within 2 school days after the LGC meeting explaining what decision the LGC has made and the reasons for their decision.

The decision will either be:

- not to reinstate your child
- to reinstate your child

If your child is not reinstated, your child will not be able to return to school until the end of their suspension, or at all if they are permanently excluded.

If they are permanently excluded your local authority must arrange educational provision from the sixth school day of the permanent exclusion.

If your child is reinstated, you should be told when your child can return to school, if they have not returned already, which should in most cases be the next school day. The headteacher will explain the reintegration process to the parent and pupil.

## **11. Independent Review Panels (IRP)**

- 11.1. The role of the panel is to review the governing board's decision not to reinstate a permanently excluded pupil. In reviewing the decision, the panel must consider the interests and circumstances of the permanently excluded 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.
- 11.2. The Trust arranges its own IRPs, and requests for an IRP where a permanent exclusion has been upheld should be made to Tracy Barnes, Trust Clerk ([tbarnes@quantockedtrust.co.uk](mailto:tbarnes@quantockedtrust.co.uk)) within 15 school days.
- 11.3. Further details on the role and powers of IRPs can be found in [Part Ten](#) of the Statutory Guidance on Exclusions and Suspensions.
- 11.4. If parents apply for an independent review, the school will arrange for an independent panel to review the decision of the LGC not to reinstate a permanently excluded pupil.
- 11.5. Applications for an independent review must be made within 15 school days of notice being given to the parents by the LGC of its decision to not reinstate a pupil.
- 11.6. 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 headteacher category.
  - 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
  - School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
  - Headteachers or individuals who have been a headteacher within the last 5 years
- 11.7. A person may not serve as a member of a review panel if they:
  - Are a member or Trustee of the QET or LGC of the excluding school
  - Are the headteacher of the excluding school, or have held this position in the last 5 years
  - Are an employee of the QET or the LGC, of the excluding school (unless they are employed as a headteacher at another school)
  - Have, or at any time have had, any connection with the QET, the school, LGC, parents 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 (see appendix 1 for what training must cover)
- 11.8. An independent clerk will be appointed to the panel.

- 11.9. The IRP will decide one of the following:
  - Uphold the LGC's decision
  - Recommend that the LGC reconsiders reinstatement
  - Quash the LGC's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)
- 11.10. The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

## **12. Considering the reinstatement of a pupil following an Independent Review Panel (IRP) - the role of the PDC (Pupil Disciplinary Committee )**

- 12.1. Where an IRP either recommends reconsideration or directs the LGC to review their initial decision and consider reinstatement the decision will be considered within 10 school days.
- 12.2. This may involve a rehearing with oral evidence given by the School and parents or may be a reconsideration with only the PDC members and the clerk present.
- 12.3. The reintegration PDC will consist of one member from the original PDC and two new governors. A new clerk will clerk the reintegration PDC meeting.
- 12.4. The reintegration PDC will consider the reinstatement of an excluded pupil within 10 school days of receiving the notice of the exclusion if:
  - The exclusion is permanent
  - It would result in a pupil missing a public examination or national curriculum test
- 12.5. Where an exclusion would result in a pupil missing a public examination, the PDC will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the PDC will consider the exclusion and decide whether or not to reinstate the pupil.
- 12.6. The PDC can either:
  - Decline to reinstate the pupil, or
  - Direct the reinstatement of the pupil immediately, or on a particular date
- 12.7. In reaching a decision, the PDC will consider:
  - Whether the decision to 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 LGC
  - They will decide whether or not a fact is true 'on the balance of probabilities'.
- 12.8. 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.
- 12.9. The LGC will notify, in writing, the following stakeholders of its decision, along with its reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- 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 school's
- 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. 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.

## 13. School registers

13.1. 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 have stated in writing that they will not be applying for an independent review panel

13.2. Where an application for an independent review has been made, the LGC will wait until that review has concluded before removing a pupil's name from the register.

13.3. 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.

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

13.5. 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 with whom the pupil normally resides
  - At least 1 telephone number at which any parent 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 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(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents 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.

## **14. Returning from a fixed-term exclusion**

### **14.1. Reintegration strategy**

Following suspension, 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 experts 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:

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
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support

Part-time timetables should 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, and other relevant parties.

### **14.2. Reintegration meetings following suspension or off-site direction**

Where a pupil is suspended upon return to the school both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:

- offer the pupil a fresh start;
- help them understand the impact of their behaviour on themselves and others;
- teach them to how meet the high expectations of behaviour in line with the school culture;
- foster a renewed sense of belonging within the school community; and
- build engagement with learning so that further suspensions are not needed.
- understand parent and pupil perspective of what additional support they feel needs to be offered
- Outline the consequences of their behaviour and the potential response from the school moving forward

School staff will work with the pupil to understand what led to the behaviour and to establish if any changes can be made or further support implemented from a pastoral or practical perspective that might reduce the chance of repeat behaviours. Previous behaviour is not seen as an obstacle to future success.

Our schools use various measures to support a pupil's successful reintegration including but not limited to:

- daily contact with a designated pastoral professional in-school;
- use of a report card with personalised targets leading to personalised rewards;
- ensuring the pupil receives academic support upon return to catch up on any lost progress;
- planned pastoral interventions;

- mentoring by a trusted adult or a local mentoring charity;
- regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and
- informing the pupil, parents and staff of potential external support.

Whilst reintegration meetings are highly encouraged by the Trust, pupils will not be prevented from being admitted to the School or being put in mainstream classes because a meeting has not taken place.

The school will 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, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

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

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

## 15. Remote Meetings

Parents (if the pupil is under 18) or excluded pupils (if they are aged 18 years or older) can request a meeting to be held via the use of remote access but this should not be a default option. Governing boards or arranging authorities must hold the meeting via the use of remote access, if the request has been made correctly as set out in the headteacher's written notification or the governing board's written notification to the parents that they can request an IRP. Holding meetings via remote access must only be done if governing boards or arranging authorities are satisfied that the meeting is capable of being held fairly and transparently.

### 15.1. Remote access meeting duties

If a governing board meets to consider and decide on reinstatement of a suspended or permanently excluded pupil via the use of remote access, this must happen within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher.

If an IRP meeting is to be held face to face or via the use of remote access, the local authority/ trust must take reasonable steps to identify a date for the review that all parties, and any SEN expert appointed to give advice, are able to attend or join. The review must begin within 15 school days of the day on which the parent's application for a review was made (panels have the power to adjourn a hearing if required).

Where a parent does not request a remote meeting or does not state a wish either way, governing boards and arranging authorities must hold the meeting in person unless it is not reasonably practicable to do so in person for a reason related to extraordinary events or unforeseen circumstances such as an unforeseen school closure due to floods, fire or outbreak of infectious illness/disease.

If there are technological or internet network issues, during a meeting held via the use of remote access which compromises the ability for participants to be seen or heard or prevents the meeting from being held fairly and transparently and it is not reasonably practicable to resolve, a face to face meeting must be arranged by the governing board or arranging authority, despite the parent's request. This should be done without delay.

Social workers and VSHs must be allowed to join a meeting via the use of remote access, regardless of the format chosen, as long as the governing board (for a governing board meeting) or arranging authority (for an IRP) are satisfied that they will be able to participate effectively, they can hear and be heard (and see and be seen if participating by video) throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent.

Governing boards, arranging authorities and panel members must:

- comply with relevant equalities legislation
- enable access to support which the parent is entitled to, including the presence of a friend.

Governing boards, arranging authorities and panel members should ensure the following conditions are met for a meeting via remote access:

- confirm with all the participants that they have access to the technology which will allow them to hear and speak throughout the meeting, and to see and be seen, such as via a live video link
- ensure all the participants will be able to put across their point of view or fulfil their function
- ensure the remote meeting can be held fairly and transparently

#### **15.2. Fairness and transparency during a meeting held via the use of remote access**

The governing board or arranging authority must assess whether a meeting can be held fairly and transparently via remote access with reference to the facts of each case. Further information on key principles to consider when conducting and running meetings via the use of remote access can be found in Annex A of the DfE guidance.

If a governing board or arranging authority is not satisfied that a meeting can be held fairly and transparently via remote access, they should consult with the parent to discuss how a face to face meeting can be arranged that will be convenient for them.

#### **15.3. Guidance for Social Workers and VSHs**

Should Social Workers or VSHs be joining a meeting that, as a whole, is taking place in person, they must be allowed to join via the use of remote access should they wish to do so.

#### **15.4. Use of remote access during an extraordinary event or unforeseen circumstance**

If there is a reason related to extraordinary events or unforeseen circumstances, such as an outbreak of infectious illness/disease, which means that it is not reasonably practicable for a governing board meeting or IRP to be held in person; then this meeting may be held using remote access even if the parent has not asked for the meeting to be remote.

The meeting may be held via the use of remote access, provided the governing board or arranging authority are satisfied that all participants will be able to fully make representations and carry out their functions, each participant has access to the electronic means to allow them to hear and be heard and (where using a live video link) see and be seen, throughout the meeting; and the meeting is capable of being held fairly and transparently.

### **16. Complaints**

If parents have any concerns or complaints over the application or implementation of this policy or feel that they are being pressured into a managed move, they should raise their concerns with the Headteacher in accordance with the [Trust's complaints policy](#). If the concern relates to an exclusion, the statutory procedure set out in the Statutory Guidance on Exclusions and Suspensions will be followed.

## 17. Equality impact

The Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. These include **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation**. Before bringing this policy into effect the Trust consulted stakeholders on this policy to gain their views and responses. The consultation responses have informed this policy.

## 18. Monitoring arrangements

The governors and the Trust review data on suspensions and exclusions to ensure that the use of suspensions and exclusions is appropriate. They will review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded to ensure the sanction is only used when necessary as a last resort. The following are monitored by the governors to ensure the processes and support for pupils are appropriate:

- the interventions put in place for pupils at risk of suspension and permanent exclusion;
- the processes in place for determining and reviewing directions to alternative provision and such placements being reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it;
- the full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension; in particular, checking the provision is suitable and quality-assured to ensure that:
  - any previous placements have been evaluated, including support for any applicable SEND;
  - there is a process in place to monitor the pupil's attendance and behaviour at the provision;
  - the correct attendance code is being used;
  - the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible;
- whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils;
- the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves;
- whether the school register and absence codes have been recorded correctly
- how the behaviour policy is applied and specifically its consistency;
- the circumstances in which pupils receive repeat suspensions;
- whether Personal Education Plans for looked after children have been reviewed on a termly basis.

The school 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/trustees and other stakeholders on their perceptions and experiences

The data will be analysed every term by the Behaviour Lead and Headteacher who will report back to the Governors.

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

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

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

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

This policy will be reviewed by the CEO annually. At every review, the policy will be ratified by the People, Performance, Pay & Recruitment Committee.

## **19. Links with other policies**

19.1. This exclusions policy is linked to our:

- Behaviour & Ethos Policy
- Complaints Policy
- SEND Trust Statement and
- School SEND Policies can be found here:
  - [Ashlands](#)
  - [Haselbury](#)
  - [Haygrove](#)
  - [Merriott](#)
  - [Sexey's](#)
  - [Spaxton](#)
  - [St Bartholomew's](#)
  - [Stogursey](#)

## **Appendix 1: Independent review panel training**

The Quantock Education 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 headteachers, LGCs 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