Forest Glade Primary School

Suspension and Permanent Exclusion Policy 2026-2027

Policy updated: November 2026
scheduled review: Autumn 2027

Next

Flying High Partnership

Statement of intent

At Forest Glade Primary School, we are committed to providing the best educational experience we can for all pupils and understand that good behaviour and discipline are essential for promoting a high-quality education.

The school's ambition is to create high standards of behaviour so that our pupils are protected from disruption and can learn and thrive in a calm, orderly, safe and supportive environment.

Amongst other disciplinary sanctions, the school recognises that suspension and permanent exclusion may be necessary where there has been a serious breach or persistent breaches of the school's Behaviour Policy. Decisions will be lawful, reasonable, fair and proportionate, taking account of individual circumstances. Permanent exclusion will only be used as a last resort and where both parts of the statutory test set out below are met.

The school has created this policy to clearly define the legal responsibilities of the headteacher, governing board and local authority (LA) when responding to pupil suspensions and permanent exclusions, to ensure that they are dealt with fairly and lawfully and in line with DfE statutory guidance. This policy also aims to secure a pupil's right to education following suspension or permanent exclusion by ensuring that appropriate arrangements are in place. For this academy, the academy trust is the legally responsible governing board; references to the local governing committee (LGC) mean the committee or panel exercising functions delegated under the trust's scheme of delegation.

A "suspension" is the temporary removal of a pupil from the school on disciplinary grounds. A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year, including suspensions at other schools. A suspension does not have to be for a continuous period.

A "permanent exclusion" is the permanent removal of a pupil from the school on disciplinary grounds, unless the pupil is reinstated. It may only be used in response to a serious breach or persistent breaches of the school's Behaviour Policy and where allowing the pupil to remain would seriously harm the education or welfare of the pupil or others, such as staff or pupils in the school.

Legal framework

The principal legislation to which this policy relates includes:

- Education Act 1996.
- Education Act 2002, as amended, including by the Education Act 2011.
- Education and Inspections Act 2006.
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended, including the 2014 amendments.
- Equality Act 2010.

- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended, including the 2023 provisions on cancellation and remote meetings.
- Human Rights Act 1998 and the European Convention on Human Rights (ECHR).
- Children and Families Act 2014.
- The School Attendance (Pupil Registration) (England) Regulations 2024.
- The Education (Educational Provision for Improving Behaviour) Regulations 2010, as amended.
- Children's Wellbeing and Schools Act 2026, insofar as its relevant provisions are in force.
- The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, in force from 26 July 2026.

This policy has regard to the following statutory and non-statutory guidance, using the current published versions:

- DfE (July 2026), 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement', effective from 26 July 2026.
- DfE (February 2024), 'Behaviour in schools: advice for headteachers and school staff'.
- DfE and Department of Health (2015), 'Special educational needs and disability code of practice: 0 to 25 years', with current published updates.
- DfE (2018), 'Mental health and behaviour in schools'.
- DfE (2026), 'Keeping children safe in education'.
- DfE (July 2026), 'Working together to improve school attendance'.
- DfE, current statutory guidance on alternative provision.

This policy operates in conjunction with the following school policies:

- Behaviour Policy.
- Anti-bullying Policy.
- Special Educational Needs and Disabilities (SEND) Policy.
- Child Protection and Safeguarding Policy.

Duties under the Education and Inspections Act 2006

The school's behaviour measures reflect the aims set out in the Education and Inspections Act 2006, including:

- Promoting self-discipline and proper regard for authority among pupils.
- Encouraging good behaviour and respect for others and, in particular, preventing all forms of bullying.
- Securing an acceptable standard of behaviour.
- Securing that pupils complete tasks reasonably assigned in connection with their education.
- Otherwise regulating pupils' conduct.

Suspensions and permanent exclusions can be used to help achieve these aims when necessary and in accordance with the statutory requirements.

Duties under the Equality Act 2010 and Children and Families Act 2014

Under the Equality Act 2010, the school must not unlawfully discriminate against, harass or victimise pupils because of protected characteristics, including sex, race, disability, religion or belief, sexual orientation, pregnancy or maternity, or gender reassignment. For disabled pupils, the school must make reasonable adjustments where a provision, criterion or practice places them at a substantial disadvantage, including providing auxiliary aids and services where required. In carrying out its functions, the school must have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

Under the Children and Families Act 2014, the school must use its best endeavours to secure the special educational provision called for by a pupil's SEN and have regard to the SEND code of practice. These duties apply alongside the school's equality duties when considering suspension or permanent exclusion.

The headteacher's power to suspend and exclude

Only the headteacher, including an acting headteacher, has the power to suspend or permanently exclude a pupil. This decision cannot be delegated to another member of staff. All suspensions and permanent exclusions will be issued only on disciplinary grounds.

Pupils may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year, or permanently excluded. A suspension cannot simply be extended or converted into a permanent exclusion. In exceptional circumstances, usually where further evidence has come to light, the headteacher may issue a further suspension or a separate permanent exclusion to begin immediately after the previous suspension ends. Each decision must meet the legal requirements and be separately notified.

The headteacher may suspend a pupil for disruptive behaviour during lunchtime. Each lunchtime suspension counts as half a school day. Behaviour outside school may also be grounds for suspension or permanent exclusion where the decision is lawful, reasonable, fair and proportionate.

The headteacher will apply the civil standard of proof when establishing the facts relating to a suspension or permanent exclusion: on the balance of probabilities, it is more likely than not that the facts are true.

When sending a pupil home following any suspension or permanent exclusion, the headteacher will exercise the school's duty of care at all times and will always inform the parents.

Any decision to suspend or permanently exclude a pupil will be lawful, reasonable, fair and proportionate, with regard to the school's wider legal duties, including the ECHR. The headteacher will consider the Equality Act 2010 and the SEND code of practice and will not discriminate or increase the severity of a sanction because of a protected characteristic.

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun or has not yet begun, provided the governing board has not begun its meeting to consider reinstatement and the statutory conditions are met. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in the school year, or will have been by the time cancellation takes effect. Parents, the governing board, the LA and, where applicable, the pupil's social worker and Virtual School Head (VSH) will be notified of the cancellation and the reasons without delay. Parents will be offered a meeting with the headteacher, and the pupil must be allowed to return without delay. Any days already missed remain relevant to the statutory totals, and the cancellation will be recorded accurately.

The headteacher will not issue any informal or unofficial suspensions or exclusions, such as sending a pupil home to 'cool off', even with parental agreement. The school will not pressure parents to remove a pupil from the roll, electively home educate or accept a part-time timetable for behavioural reasons. Pupils must not be excluded because the school feels unable to meet their SEND, because of poor academic attainment or because a parent has not attended a reintegration meeting. All disciplinary removals must follow the formal statutory process.

All suspensions, permanent exclusions and cancellations will be formally recorded on the school's pupil information system.

Suspensions

- A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year.
- A suspension may cover part of the school day. For example, where lunchtime behaviour is disruptive, a pupil may be suspended for the lunchtime period. Each lunchtime suspension counts as half a school day.
- A suspension may signal that behaviour is unacceptable under the school's Behaviour Policy and that continued behaviour may put a pupil at risk of permanent exclusion.
- Where suspensions become a regular occurrence, the headteacher will consider whether suspension alone is effective and whether further support or strategies are needed.
- During the first five school days of a suspension, the headteacher will take reasonable steps to ensure that work is set and marked so that education continues.

Permanent exclusions

A permanent exclusion means that a pupil may no longer attend the school unless reinstated. It is a last resort and the decision should only be taken:

- In response to a serious breach or persistent breaches of the school's Behaviour Policy; and
- Where allowing the pupil to remain would seriously harm the education or welfare of the pupil or others, such as staff or pupils in the school.

For a permanent exclusion, the headteacher will take reasonable steps to ensure that work is set and marked during the first five school days when the pupil is not attending alternative provision. Appropriate referrals to support services will be considered, and statutory notifications to the pupil's social worker and VSH will be made where applicable.

Grounds for suspension or exclusion

The school will consider suspension or permanent exclusion only where necessary and justified by the individual circumstances, having considered appropriate support and alternatives. A serious incident may justify an immediate sanction without every other sanction having first been used. Permanent exclusion remains a last resort and both parts of the statutory test must be met.

The following examples of behaviour **may** underlie the school's decision to suspend or permanently exclude a pupil:

- A single serious incident, such as a serious assault on another individual leading to injury.
- Physical assault against a pupil.
- Physical assault against an adult.
- Verbal abuse or threatening behaviour against a pupil.
- Verbal abuse or threatening behaviour against an adult.
- Use or threat of use of an offensive weapon or an item prohibited by the school's Behaviour Policy.
- Bullying.
- Racist abuse.
- Abuse relating to sexual orientation or gender reassignment.
- Abuse relating to disability.
- Constant disruption.

This list is non-exhaustive and is intended to offer examples, not automatic grounds for a particular sanction.

Factors to consider when suspending or excluding a pupil

When considering the suspension or permanent exclusion of a pupil, the headteacher will:

- Give the pupil the opportunity to present their case and take account of their views, with support appropriate to their age and understanding. Explain how those views have informed the decision.
- Consider contributing factors identified after an incident, for example compromised wellbeing or experience of bullying.
- Consider whether the pupil has received multiple suspensions or is approaching the legal limit of 45 school days in a single academic year, and whether suspension is effective.
- Consider early intervention to address underlying causes of disruptive behaviour, including liaison with external agencies to assess pupils who demonstrate consistently poor behaviour.

The headteacher will consider additional support for pupils in groups with higher rates of suspension or permanent exclusion, to reduce their risk, including:

- Looked-after children (LAC).
- Pupils eligible for free school meals (FSM).
- Pupils with special educational needs and/or disabilities (SEND).

The school will, as far as possible, avoid permanently excluding looked-after children and pupils with an education, health and care (EHC) plan. Where staff have concerns about vulnerable pupils or their behaviour, they will report them to the headteacher, who will work with relevant professionals to assess whether educational, mental health or other needs and vulnerabilities are contributing. Assessment and support will follow the school's Social, Emotional and Mental Health (SEMH) Policy where applicable.

Where SEND or SEMH needs are identified, the school will use a graduated assess, plan, do and review approach, involving parents and relevant professionals. Before deciding on a sanction, the headteacher will consider whether behaviour is related to disability or unmet need, whether reasonable adjustments have been made, and whether support should be reviewed. There is no blanket legal prohibition on suspending or permanently excluding a pupil with SEND before a graduated response is complete; any decision must nevertheless meet equality and SEND duties and be lawful, reasonable, fair and proportionate. A pupil must never be excluded simply because the school feels unable to meet their needs.

The headteacher will work with parents of pupils with additional needs to establish the most effective support mechanisms.

Reintegration after suspension, reinstatement or off-site direction

Following a suspension or a period of education off-site, the school will plan a reintegration strategy and arrange a meeting involving:

- The headteacher or a member of the senior leadership team (SLT).
- The pupil and their parents.

The purpose is to support a successful return to mainstream school or other suitable provision and help the pupil understand how to meet expectations. A pupil must not be prevented from returning because

their parents are unable or unwilling to attend a reintegration meeting. Any reintegration arrangements must not amount to an unlawful extension of the suspension.

The meeting will:

- Discuss the reasons leading to the sanction.
- Agree any in-school or external support for the pupil, including reasonable adjustments where required.
- Record the outcomes on CPOMS.
- Consider a pastoral support plan.

Preventative measures to avoid school exclusion

The school may consider the following measures where they are appropriate and in the pupil's best interests, taking account of the pupil's and parents' views:

- **Off-site direction:** a temporary placement arranged under the governing board's statutory powers to improve behaviour, not an informal exclusion. The school will comply with the applicable 2010 and 2026 Regulations and DfE guidance, including written notice at least two school days before the placement, specifying the location, reporting arrangements, days of attendance, reasons and objectives. Parents and, where the pupil has an EHC plan, the LA will receive the required notice. Placements will be kept under regular review, with the prescribed invitations, review notices and written outcomes. Relevant educational and safeguarding information will be shared before a placement begins.
- **Managed moves:** a voluntary process leading to a permanent transfer to another mainstream school, agreed by the parents and all schools involved and compliant with the School Admissions Code. A managed move must not be used as a trial. A temporary behaviour-improvement placement must instead follow the off-site direction process. A pupil must not be permanently excluded because they or their parents decline a managed move. Where applicable, the pupil's social worker and VSH will be involved at an early stage, and EHC plan arrangements will be addressed with the LA.

Separation for safeguarding purposes

In the rare circumstances described in the July 2026 statutory guidance, temporary separation for safeguarding reasons is distinct from a disciplinary suspension or permanent exclusion. It will only be considered where separation is essential and there is no practical way for the pupils concerned to remain safely on site. The DSL will lead a case-by-case assessment with relevant agencies as required. Parents will be informed of the reasons, the governing board will be notified without delay, suitable education will be secured with the LA as required, and arrangements will be reviewed with a planned return to school. This must not be used to bypass formal disciplinary exclusion procedures.

Pupils with disabilities and special educational needs, including those with EHC plans

The Equality Act 2010 requires reasonable adjustments for disabled pupils. This duty applies to the suspension and permanent exclusion process and to the disciplinary sanctions imposed.

The school will:

- Engage proactively with parents in supporting the behaviour of pupils with additional needs.
- Consider, with relevant partners and the LA where appropriate, what additional support or alternative placement may be needed where there are concerns about behaviour or the risk of suspension or permanent exclusion.
- Contact the LA at an early stage where a pupil has an EHC plan and there are behavioural concerns, and consider requesting an early annual review before deciding to suspend or permanently exclude.
- Review, with external specialists as appropriate, whether support arrangements are suitable for pupils without an EHC plan and what changes may be needed. This may include requesting an EHC needs assessment or reviewing the pupil's current support.

Pupils who have a social worker, including looked-after and previously looked-after children

For children with a social worker, education is an important protective factor, providing a safe space to access support, be visible to professionals and realise their potential.

Where a pupil has a social worker and is at risk of suspension or permanent exclusion, the headteacher will involve the social worker, the designated safeguarding lead (DSL) and the pupil's parents as early as possible in relevant discussions.

Where a looked-after child is at risk of suspension or permanent exclusion, the designated teacher (DT) will contact the relevant LA's Virtual School Head (VSH) as soon as possible. They will consider additional assessment and support to address the factors affecting behaviour and reduce the need for exclusion. The school will also seek appropriate VSH advice for previously looked-after children where relevant.

Each looked-after child's personal education plan (PEP) will be reviewed at least termly, recording behavioural concerns and support to reduce the likelihood of exclusion. Where concerns arise, an interim PEP review and appropriate use of pupil premium plus funding will be considered with the VSH.

Duty to inform parents

Following a decision to suspend or permanently exclude a pupil, the headteacher will notify parents without delay of the reasons and the length of the suspension or the fact that the exclusion is permanent. Wherever possible, initial contact will be in person or by telephone so that parents can ask questions; attempts to make contact must not delay written notification.

The headteacher will also provide the following information in writing without delay. Electronic notices will only be used where parents have agreed in writing to receive this type of notice electronically:

- The reasons for the suspension or permanent exclusion.
- The period of the suspension or the fact that the exclusion is permanent.

- Parents' right to make representations to the governing board, how to do so and how the pupil may be involved.
- Parents' right to request a remote access meeting, including how and to whom a request should be made.
- Where the governing board must consider reinstatement, parents' right to attend, to be represented at their own expense and to bring a friend.
- Arrangements for continuing the pupil's education before alternative provision begins or the pupil returns to school.
- Sources of free, impartial advice and information, including the local SEND Information, Advice and Support Service where relevant.

For a pupil of compulsory school age, the headteacher will notify parents, by the end of the afternoon session on the first day of suspension or permanent exclusion, of their duty to ensure that the child is not in a public place during school hours without reasonable justification during the first five school days, or until alternative provision begins or the suspension ends if earlier. The notice will specify the relevant days and explain that failure to comply may result in a penalty notice or prosecution.

Where alternative provision has been arranged, the school or LA, as appropriate, will inform parents of:

- The start date of the full-time education arranged during the suspension or following permanent exclusion.
- The start and finish times, including morning and afternoon sessions where relevant.
- The address at which the provision will take place.
- The person to whom the pupil should report on the first day.

If these details are not known when the initial notice is issued, they will be provided without delay in a further written notice and no later than 48 hours before the provision is due to begin. Where provision begins before the sixth school day, less than 48 hours' notice may be given with parental consent.

If a further suspension or separate permanent exclusion follows the original suspension, the headteacher will notify parents without delay and issue a new notice explaining the new decision and the applicable rights.

The school will give sufficient detail about the incident and the sanction, explain how to make representations and take account of the pupil's total suspended days in the term when outlining the governing board's review duties. Notices will be delivered or sent in a legally permitted way; a text message or a letter passed to the pupil will not replace the required written notice to parents.

Informing social workers and Virtual School Heads

Where a pupil has a social worker, the headteacher will notify the social worker of any suspension or permanent exclusion without delay. Where the pupil is looked after, the headteacher will also notify the relevant Virtual School Head (VSH) without delay. Notifications will include the reasons for the decision and the duration of a suspension, or the fact that the exclusion is permanent. The social worker and VSH will be informed of the governing board's consideration of reinstatement and invited to contribute where applicable.

Duty to inform the governing board and local authority

The headteacher will notify the local authority (LA) without delay of every suspension and permanent exclusion, regardless of its length. The governing board, or the local governing committee (LGC) acting under the trust's scheme of delegation, will be notified without delay of:

- Any permanent exclusion, including where a separate permanent exclusion follows a suspension.
- Any suspension which would bring the pupil's total to more than five school days, or more than ten lunchtimes, in a term.
- Any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

For other suspensions, the headteacher will notify the governing board at least once per term. This does not replace the requirement to notify the LA of every suspension without delay. All notifications will include the reasons for the suspension or permanent exclusion and the duration of any suspension.

Where a permanently excluded pupil lives outside the LA in which the school is located, the headteacher will also notify the pupil's home authority without delay.

Arranging education for suspended and excluded pupils

For a suspension of more than five school days, the governing board will arrange suitable full-time education for any pupil of compulsory school age from the sixth school day. Consecutive suspensions are treated cumulatively for this purpose, so a further suspension does not restart the five-day period. Following permanent exclusion, the pupil's home LA must arrange suitable full-time education from the sixth school day.

The school recognises the benefits of alternative education beginning before the sixth school day and will work with the LA and providers to arrange this where possible. Where alternative provision is not in place during the first five school days, the school will take reasonable steps to set and mark work. Where a pupil has a social worker or is looked after, the school will work with the LA to arrange alternative provision from the first school day wherever possible.

The governing board will ensure that clear processes support its duty to arrange suitable full-time education during a suspension. The school will check the quality and suitability of provision, share relevant safeguarding information, monitor attendance and behaviour, and use the correct attendance codes. Provision must be accessible to the pupil, taking account of travel arrangements and any applicable home-to-school travel duties.

Where a pupil with SEND is suspended or permanently excluded, the school will work with parents, the LA and the provider to ensure that:

- Alternative provision is suitable for the pupil's age, ability, aptitude and special educational needs, with parents involved in planning and their views considered.
- Relevant SEND information and reasonable adjustments are shared with the provider. Where there is an EHC plan, the LA is involved in securing the specified provision and considering whether an early review or reassessment is needed.

The school will liaise promptly with the home LA following permanent exclusion and will not wait for the outcome of a governing board meeting or independent review before sharing information needed to arrange education from the sixth school day.

The governing board's duty to consider suspension and permanent exclusion

At Forest Glade Primary School, the governing board, or a properly constituted committee or panel acting under the trust's scheme of delegation, will consider parents' representations about suspensions and permanent exclusions. The review will be impartial, and those considering the decision must not have been involved in deciding to suspend or permanently exclude the pupil.

Meetings will be arranged at a date and time convenient to the parties as far as possible, while meeting the statutory deadlines. Parents will be told how to make representations, attend with a representative or friend, and request a remote access meeting. The pupil will be supported to contribute in a way appropriate to their age and understanding.

The governing board must consider reinstatement within 15 school days of receiving notice where:

- The exclusion is permanent.
- A suspension would bring the pupil's total suspended days to more than 15 school days in a term.
- A suspension or permanent exclusion would result in the pupil missing a public examination or national curriculum test, subject to the arrangements below for considering reinstatement before the examination or test.

Where suspensions total more than five but no more than 15 school days in a term, the governing board must consider reinstatement within 50 school days of receiving notice if parents make representations. Where suspensions total five school days or fewer in a term, the governing board must consider any parental representations but cannot direct reinstatement and is not required to arrange a meeting with parents. Where the total is more than five but no more than 15 days and parents make no representations, there is no duty to meet to consider reinstatement.

Where a pupil would miss a public examination or national curriculum test, the governing board must, so far as reasonably practicable, consider reinstatement before the examination or test. If this is not practicable, it must still meet within 15 school days.

For an academy, the trust's articles and scheme of delegation determine any lawful arrangements for urgent consideration. The school will not assume that the maintained-school provision allowing a chair to act alone applies. Separately, the headteacher may permit the pupil to enter the premises solely to take the examination or test; this does not amount to reinstatement.

The following people will be invited to attend a meeting to consider reinstatement and to make representations or share relevant information:

- The pupil's parents and, where requested, a representative or friend.
- The headteacher.
- The pupil's social worker, where the pupil has one.
- The Virtual School Head, where the pupil is looked after.

As this is an academy, parents may invite an LA representative to attend as an observer. The representative may make representations only with the governing board's consent. Remote access will be arranged where parents request it and the statutory conditions are met, including that the meeting can be held fairly and transparently and that parties can participate effectively. In-person attendance remains available where a remote meeting is not requested or cannot fairly be held.

When considering reinstatement, the governing board will:

- Avoid discussing the merits of the case with any party outside the meeting and ensure that all parties have a fair opportunity to respond to relevant evidence.

- Request written evidence in advance, including witness statements and relevant information about the pupil's SEND, support and school record.
- Circulate written evidence and information to the parties at least five school days before the meeting where possible.
- Allow parents and the pupil to be accompanied by a representative or friend.
- Make reasonable adjustments needed to support attendance and effective participation.
- Enable and encourage the pupil to attend and express their views, or provide other ways for their views to be heard.
- Consider the pupil's interests and circumstances, the reasons for the sanction and the interests of other pupils and staff.

Reaching a decision

Where it has the power to direct reinstatement, the governing board will decide to:

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

Where the governing board is required to consider the decision, it will do so even if reinstatement would make no practical difference, for example because the pupil has already returned following a suspension or parents do not want the pupil reinstated. It will consider whether the headteacher's decision was lawful, reasonable, fair and proportionate on the evidence presented. Where the board cannot direct reinstatement, it will record its findings on the pupil's educational record.

The governing board will apply the civil standard of proof when establishing the facts: on the balance of probabilities, it is more likely than not that the facts are true.

In reaching and recording its decision, the governing board will:

- Ensure that all parties have the opportunity to participate and present their views.
- Arrange clear minutes recording the evidence considered and the reasons for the decision.
- Ask all parties to withdraw before deliberations, leaving only the decision-makers and clerk.
- Consider whether the decision was lawful, reasonable, fair and proportionate, taking account of the headteacher's legal duties, equality and SEND duties, and the evidence presented.
- Record the outcome and relevant findings on the pupil's educational record and retain documents in accordance with the school's records retention schedule and data protection requirements.
- Make the minutes available to the parties on request, subject to lawful redaction of third-party information.

Social workers and Virtual School Heads at governing board meetings

Social workers can:

- Provide information to help the governing board understand the pupil's experiences and welfare.

- Help identify how the pupil's circumstances may have contributed to the behaviour leading to suspension or permanent exclusion and ensure that safeguarding needs, risks and welfare are considered.

Virtual School Heads should, as far as possible:

- Attend the governing board meeting where the pupil is looked after.
- Help the governing board understand the pupil's background and circumstances.
- Advise on how those circumstances may have contributed to the suspension or permanent exclusion and on appropriate educational support.

Notification of governing board decisions

The governing board will notify parents, the headteacher and the LA of its decision and the reasons in writing and without delay. Where applicable, it will also notify the pupil's social worker and VSH. The notification will explain the evidence considered and the reasons in sufficient detail for the parties to understand the decision.

Where the governing board declines to reinstate a permanently excluded pupil, the written notice to parents will explain:

- That the exclusion is permanent and the reasons for the decision not to reinstate.
- The right to ask for an independent review panel (IRP) to review the governing board's decision, even if parents do not want the pupil to return.
- The deadline for applying: normally within 15 school days of the date notice of the governing board's decision is given, with the exact deadline stated in the letter.
- The name and address of the person to whom the application and written evidence must be submitted. For an academy, the academy trust is responsible for arranging the review.
- That the application should state the grounds for review and, where relevant, explain how the pupil's SEND is considered relevant.
- The right to request a special educational needs (SEN) expert at no cost, whether or not the pupil has been identified as having SEN, and the expert's role in advising the panel.
- That parents must state in their application if they want a SEN expert to attend.
- The right to appoint a representative at their own expense, bring a friend and request a remote access review meeting.

The notice will also explain parents' right to bring a discrimination claim under the Equality Act 2010. Disability discrimination claims are made to the First-tier Tribunal (Special Educational Needs and Disability); claims relating to other protected characteristics are made to the County Court. Claims should normally be brought within six months of the alleged discrimination. The notice will include sources of free, impartial advice. Bringing a discrimination claim is separate from applying for an independent review.

On a valid application, the academy trust must arrange for an IRP review to begin within 15 school days of the application. The panel may uphold the governing board's decision, recommend reconsideration, or quash the decision and direct reconsideration; it cannot itself reinstate the pupil. Where reconsideration is recommended or directed, the governing board must reconvene within ten school days of receiving notice and notify the parties of its decision and reasons without delay.

Removing permanently excluded pupils from the school register

A permanently excluded pupil's name will be removed from the admission register only when the relevant conditions in the School Attendance (Pupil Registration) (England) Regulations 2024 are met. Following the governing board's decision not to reinstate, this includes where:

- The 15-school-day period for applying for an independent review has expired and no application has been made; or
- Parents have confirmed in writing that they will not apply for an independent review.

Where a timely application for an independent review has been made, the school will wait until the review has been determined or abandoned and any reconsideration recommended or directed by the panel has been completed. A pupil who is to be reinstated must not be removed on the ground of permanent exclusion. The school will confirm the statutory ground and timing with the LA before deletion where there is uncertainty.

When deleting a pupil's name, the school will make the required return to the LA, including:

- The pupil's full name and the required admission-register particulars.
- The name and address of any parent with whom the pupil normally lives and at least one contact telephone number.
- Any known new address, expected destination school and relevant start or moving dates.
- The statutory ground for removal from the register.

The return will be made as soon as the grounds for deletion are met and no later than the date on which the pupil's name is removed. The school will work with the LA to support continuity of education and safeguarding.

Deletion from the register does not prevent a subsequent discrimination claim. The pupil may be reinstated following an order of the First-tier Tribunal or County Court, as applicable. The school will implement any binding decision.

While the pupil remains on the admission register, the school will record each session using the appropriate current attendance code, including:

- **Code B:** attending another approved educational activity, including qualifying school-arranged alternative provision, where the statutory conditions are met.
- **Code D:** dual registered at another school and scheduled to attend that school for the session.
- **Code K:** attending qualifying education provision arranged by the LA at a place other than a school at which the pupil is registered.
- **Code E:** suspended or permanently excluded where no alternative provision has been made for the session, in accordance with the current attendance guidance.

The school will confirm attendance with alternative providers. Codes B and K must not be used merely because provision has been arranged: if the pupil does not attend, the appropriate absence code must be entered.

Criminal investigations

The headteacher need not postpone a decision to suspend or permanently exclude solely because a police investigation or criminal proceedings are ongoing. The school will liaise with police and relevant

safeguarding agencies as appropriate, while applying the civil standard of proof to its own disciplinary decision.

Where a police investigation limits the evidence available, the headteacher will take particular care to reach a fair, reasonable and properly evidenced decision. Information will be handled sensitively so that the school does not prejudice the investigation or the pupil's legal rights.

The governing board must consider reinstatement within the statutory time limits and cannot postpone its meeting solely because criminal proceedings are ongoing. It will consider the evidence available and take account of relevant advice without treating the absence of a conviction as determining the disciplinary outcome.

Training requirements

For this academy, the academy trust is responsible for ensuring that independent review panel members and clerks have received the required training within the two years before the review. Training will cover:

- The legislation, regulations and statutory guidance governing suspensions and permanent exclusions.
- Procedural fairness and the rules of natural justice.
- The role of the review panel chair.
- The role of the review panel clerk.
- The duties of headteachers, governing boards and review panels under the Equality Act 2010.
- Section 6 of the Human Rights Act 1998 and the duty to act compatibly with the rights protected by that Act.

Clerks will maintain an up-to-date understanding of relevant case law. The trust will also ensure that governors or panel members considering reinstatement understand the current statutory guidance, their delegated responsibilities and the requirements for a fair hearing, including remote access meetings.

Monitoring and review

The headteacher will review this policy annually with the LGC, in accordance with the trust's approval arrangements, and sooner if legislation or statutory guidance changes. The governing board will monitor suspension and permanent exclusion patterns, repeat suspensions, the effectiveness of support and reintegration, and the suitability and outcomes of alternative provision. Monitoring will consider equality and SEND implications without setting numerical targets that discourage lawful decisions. The next scheduled review is Autumn 2027.