



WORKINGTON
ACADEMY

Workington Academy

Suspension and Permanent Exclusion Procedures

Part 2

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DOCUMENT CONTROL – RECORD OF CHANGES

Version Number:	Publication Date:	Nature of, and Reason for, Change(s)
001	September 2020	Original
002	September 2021	Minor update to make temporary reference to the COVID-19 pandemic into a permanent reference to any public health emergency that impacts on a governing board's ability to meet to discharge their legal duties on exclusion.
003	April 2022	Removed on page 1 reference and links to DfE additional Covid-19 addendum on exclusions which ceased on 27 March 2022 and following introduction of UKHSA 'Living with Covid-19' guidance.
004	September 2022	Significant legal updates that schools must take account of when setting out the Governing Body's/Board of Trustees' Policy and procedures related to permanent exclusion, suspension rather than fixed term exclusion, off-site direction, and managed moves. Significant updates to language and terminology regarding reasons and the process with new or significantly updated sections including the process, re-instatement, re-integration, appealing, off-rolling, and making a complaint.
005	September 2023	Review to take account of changes in the DfE statutory guidance in force from 1 September 2023 and to update links to KAHub and external websites. Note: the Sept 2023 statutory guidance applies to exclusions that occur on or after 1 September 2023. Previous guidance applies to exclusions that occurred before this date.
006	September 2024	Revised to take account of changes in the DfE statutory guidance in force from 1 September 2024. Note: the Sept 2024 statutory guidance applies to exclusions that occur on or after 1 September 2024. Previous guidance applies to exclusions that occurred before this date.
007	September 2025	Minor changes to links and deletions where websites or links no longer exist.

1. Reasons for suspension or permanent exclusion

Only the Headteacher can suspend or permanently exclude a pupil/student on disciplinary grounds.

We use suspension to clearly signal what is unacceptable behaviour in line with our Behaviour Policy to show a pupil/student that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the Head teacher will consider whether suspension alone is an effective sanction and whether additional strategies need to be put in place to address behaviour.

The decision to suspend or permanently exclude a pupil/student will only be taken:

- in response to a serious breach or persistent breaches of our Behaviour Policy, or
- where allowing the pupil/student to remain in school would seriously harm the education or welfare of other people or the pupil/student themselves in the school.

While the following is not a definitive list, examples of the types of circumstances that may warrant a suspension or permanent exclusion include:

- Physical assault against an adult or pupil/students
- Verbal abuse or threatening behaviour against an adult or pupil/students
- Use, or threat of use, of an offensive weapon or item prohibited by our Behaviour Policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Behaviour outside the school which contravenes our Behaviour Policy

When reporting to the DfE, we can give up to 3 reasons for each suspension or permanent exclusion.

2. Deciding to suspend or permanently exclude

When we decide to suspend or permanently exclude a pupil/student from school (regardless of the length of time), we will:

- take account of our legal duty of care when sending a pupil/student home;
- establish the facts in relation to the decision according to the civil burden of proof i.e., on 'the balance of probabilities' (whether the breach more than likely did than did not, happen) and not the criminal burden of proof, 'beyond reasonable doubt';
- take care in the process not to discriminate against, harass or victimise pupil/students because of sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity, or gender reassignment and make reasonable adjustments to ensure everyone can participate in the process, including where a difficulty may be due to English not being a child or parent's first language;
- communicate with parents without delay in person or by telephone in the first instance to give them an opportunity to ask questions or raise concerns with the Headteacher. Parents will be directed to the DfE guidance '[School exclusions: guide for parents](#)';
- communicate decisions clearly and in writing by delivering any written notification of the decision to suspend or permanently exclude a pupil/student in-person directly to their parents, by leaving it at their usual or last known home address, or by posting it to that address but with all due regard for necessary reasonable adjustments as above. We will only make this kind of notification via

email, secure app, or another agreed electronic method if we have a written agreement with parents that we can.

- Notify, without delay, the LAB/Board of Trustees, the Local Authority, and the pupil/student's home Authority regardless of the length of a suspension, so that they can arrange, where necessary, continuing education if different from the school's (to include reporting to LAB members /Trustees once per term of any other suspensions they have not previously been notified of).
- Within 14 days of a request, provide the Secretary of State for education with information about any exclusions within the last 12 months.

3. The suspension and exclusion process

3.1 Suspension

A suspension, where a pupil/student is temporarily removed from this school and must stay at home can be for one or more fixed periods of time, up to a maximum of 45 school days in a single academic year and does not have to be continuous periods.

A suspension can be for parts of the school day. For example, if a pupil/student's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. Lunchtime suspensions are counted as half a school day in determining whether a Board of Trustees meeting is triggered.

We aim to make a suspension the shortest time necessary to ensure minimal disruption to the child's education, whilst being mindful of the seriousness of the breach of Policy that led to it.

A suspension cannot be extended or 'converted' to a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

When the decision is made to suspend a pupil/student from school, the Headteacher will:

- 1. Inform parents without delay** explaining the reason(s) for the suspension and how long it will last. This is usually done in person or by telephone by the end of the afternoon session on the first day of the suspension (or permanent exclusion) at the latest.
- 2. Notify parents in writing** without delay of the following information:
 - the reason(s) for the suspension and how long it will last;
 - that during the first 5 days of any suspension, the pupil/student must not be in a public place during school hours and if parents fail to ensure this without reasonable justification, they will be committing an offence and may be given a fixed penalty notice (£120 fine (reduced to £60 if paid within 21 days) or be prosecuted;
 - that work has been set and will be marked for pupils during the first five school days of a suspension and how this can be accessed;
 - if alternative provision of full-time education is being arranged and, if it can reasonably be found out within the timescale, the following details:
 - the start date for any provision,
 - the start and finish times, including the times for morning and afternoon sessions if relevant,
 - the address at which the provision will take place, and

- any information the pupil/student needs to identify the person they should report to on the first day.
- the parents' right to make representations about the suspension to the Local Advisory Board (LAB)/Board of Trustees and how the pupil/student can be involved in this;
- The parents' (or an excluded pupil/student if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how, and to whom, to make this request (further guidance on other information this should include can be found in Annex A: Key principles when conducting meetings via the use of remote access of the DfE statutory guidance [Suspension and permanent exclusion from schools including pupil/student movement](#));
- how any representations should be made; and
- where there is a legal requirement for the Local Advisory Board (LAB)/Board of Trustees to consider whether the pupil should be reinstated, that parents (or a pupil/student if they are 18 years old or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

This school understands how important it is to write legally correct letters about suspension and permanent exclusion and the process so we will use templates provided or recommended to us by our Local Authority. We also understand that failure to notify a parent regarding being in a public place and the penalties, or about alternative provision by the required time does not relieve our Headteacher of the duty to serve the notice.

A notice will not be considered invalid solely because it has not been given by the required time.

If information will be sent home with the pupil/student, our Headteacher will consider sending a duplicate copy by an alternative method or confirming that the information has been received.

3. **Provide information** about relevant sources of free and impartial information including:
 - [Coram's Child Law Advice service](#) website - Tel.: 0300 330 5485 - Monday to Friday, 10am-4pm.
 - [Independent Provider of Special Education Advice \(IPSEA\)](#) website, a registered charity offering free and independent information, advice, and support to help get the right education for children and young people with all kinds of special educational needs and disabilities (SEND).
 - The SEN or SEND Information Advice & Support Services Network (formerly known as the local parent partnership [Cumberland SENDIAS Service](#) or [Westmorland and Furness SENDIAS Service](#)) and links to other relevant local services for families.
4. **Ensure that the pupil/student still receives their education** by taking steps to ensure that work is set and marked for the first five school days of a suspension (or until the start date of any full-time alternative provision or the end of the suspension if this is earlier). This can include using the schools online learning platform.
5. **Ensure that arrangements are in place for Alternative Provision (AP) of education** for a pupil/student from the 6th day of their suspension if it is for more than 5 days (or if consecutive shorter suspensions have now accumulated to more than 5 days).

If information about this alternative provision was not communicated to parents because it was not available by the end of the afternoon session on the first day of the suspension (or

permanent exclusion), we will ensure they receive written notice without delay and no later than 48 hours before the AP is due to start. The only exception is where AP will be provided *before* the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

We will not make alternative provision for a pupil/student who is suspended (or permanently excluded) if the pupil/student is in their final year of compulsory education and does not have any further public examinations to sit.

6. **Inform other key workers** such as the Virtual School Head (VSH) if the pupil/student is a Looked After Child and their social worker if they have one, without delay after the decision.

Both the social worker and/or VSH, will be informed when a Local Advisory Board (LAB)/Board of Trustees meeting is taking place, so that they can share information with us. The social worker and/or the VSH can also attend the Local Advisory Board (LAB)'s meeting where parents make representation if they want to.

7. **Inform the Board of Trustees** without delay of:

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil/student);
- any suspension or permanent exclusion which would result in the pupil/student being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any suspension or permanent exclusion which would result in the pupil/student missing a public examination or national curriculum test.

8. **Inform the Local Authority** without delay of all school suspensions (regardless of length) or permanent exclusions, including the reason(s) and the duration of suspension or, in the case of permanent exclusion, the fact that it is permanent.

For a permanent exclusion, if the pupil/student lives outside the Local Authority area in which the school is located, the Headteacher will also notify the pupil/student's 'home authority' of the permanent exclusion and the reason(s) for it.

9. **Arrange a re-integration meeting** on the pupil/student's return to school where all those concerned can discuss the best way forward to support future behaviour.

10. **Remove permanently excluded pupil/students from the school roll** at the right time. When a pupil/student has disabilities or special educational needs, we will make reasonable adjustments in how we support them during this period.

Any time a pupil/student is sent home due to disciplinary reasons, including when asked to use online pathways instead of coming to school, will always be recorded as a suspension.

Where suspensions are becoming a regular occurrence for a pupil/student, we will consider whether suspension alone is an effective sanction for them and whether additional strategies need to be put in place to address behaviour.

3.2 Off-site direction

Off-site direction is when Trustees require a pupil/student to attend another education setting to improve their behaviour because interventions or targeted support to do so in school have not been successful. This school uses it to arrange time-limited placements at Alternative Provision (AP) or another mainstream school for the shortest time necessary.

When possible, we will use in-school interventions or targeted support from AP to meet a pupil/student's individual needs and circumstances, whether behavioural or special educational. A part-time timetable will not generally be used to manage a pupil/student's behaviour and where it is, it will only be in place for the shortest time necessary.

Off-site direction into AP can be full-time or a combination of part-time support with AP and continued mainstream education for a proposed maximum period of time to be agreed on as part of the planning phase. Plans will also consider alternative options once the time limit has been reached, including a managed move on a permanent basis on review of the time-limited placement.

The Board of Trustees will notify the parents (or the pupil/student if 18 or older) (and the Local Authority if the pupil/student has an Education, Health, and Care Plan (EHCP) in writing and provide information about the placement as soon as is practical after the direction has been made and no later than two school days before the start date.

Parents (or pupil/students aged 18 or over) and, where the pupil/student has an EHCP, the Local Authority can request, in writing, that LAB members /Trustees hold a review meeting. When this happens, we must comply with the request as soon as is practical, unless there has already been a review meeting in the previous 10 weeks.

The length of time a pupil/student spends in another mainstream school or AP and the reintegration plan will be kept under review by the Local Advisory Board (LAB)/Board of Trustees through review meetings at suitable intervals throughout the placement.

We will write to invite parents (or the pupil/student if 18 or older, and the Local Authority if the pupil/student has an EHCP) to attend a review meeting or to submit in writing before the date of the meeting their views as to whether off-site direction should continue, no later than six days before the meeting date. The meeting will include arrangements for reviews, including how often, when the first review will be, and who should be involved e.g., school, parents, the pupil/student, and other agencies such as a pupil/student's social worker, Child and Adolescent Mental Health Services (CAMHS), Multi-Agency Safeguarding Hubs (MASH) and Youth Justice Teams to establish agreed monitoring points to discuss the pupil/student's ongoing behaviour. These reviews will be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives via monitoring points.

The Local Advisory Board (LAB)/Board of Trustees will give written notification of their decision on whether the requirement to attend the placement should continue and if so, for what period of time including the reasons for it to the parent no later than six days after the date of the review meeting.

To support a pupil/student with reintegration back into school here, the focus of intervention while off-site will remain on ensuring they continue to receive a broad and balanced curriculum in line with any reasonable adjustments needed due to SEND whilst any inappropriate behaviours requiring intervention are being addressed.

The length of time a pupil/student spends in another mainstream school or AP will depend on what best supports the pupil/student's needs and potential improvement in behaviour.

3.3 Managed move

A managed move is used to initiate a process which leads to the transfer of a pupil/student to another mainstream school permanently. Managed moves will only be offered as part of a planned intervention when we have evidence that it is in the pupil/student's best interests. It is voluntary, to be agreed with all parties involved, including the parents and the admissions authority of the new school. For temporary moves, see Off-site Direction above.

Where a pupil/student has an EHCP, the relevant statutory duties on the new school and Local Authority will apply. If we are thinking about a managed move, we will contact the Local Authority before it goes ahead. If the Local Authority, both schools and parents are in agreement that there should be a managed move, the Local Authority will follow the statutory procedures for amending the EHCP.

We will share information with the new school, including data on prior and current attainment, academic potential, a risk assessment, and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil/student is provided with an effective integration strategy. For information on reintegration see section 7 below.

If a parent believes they are being pressured into a managed move or is unhappy with the plan, they can complain to the LAB/ Board of Trustees using our formal complaints procedure and, where appropriate, the Local Authority using their complaints procedure [Internal Reviews and Complaints](#).

3.4 Permanent exclusion

A permanent exclusion is when a pupil/student is permanently excluded from school and not allowed to return. This is a very serious outcome and decision, and the Headteacher will consult with senior leaders and the chair of the Local Advisory Board (LAB)/Board of Trustees as soon as possible in such a case. The Headteacher will make clear to the Local Advisory Board (LAB)/Board of Trustees whether the need to consider reinstatement is dependent on receiving parental representations.

We will follow the same procedure to decide on and initiate a permanent exclusion for a pupil/student as for a suspension (see above), including using appropriate template letters from our Local Authority.

However, where a child is not returning to our school, we will not arrange alternative education and instead will take steps to initiate an assessment of the pupil/student by the Local Authority responsible for their continuing education (from the 6th day after exclusion), so that a long-term re-integration plan for a new placement can be put in place.

We will also draw attention to a pupil/student's EHCP if they have one because the Local Authority must ensure that an appropriate full time placement is identified in consultation with parents, who retain their rights to express a preference for the school they want their child to attend or make representations for a placement in any other school.

3.5 Cancelling exclusions

The Headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the Local Advisory Board (LAB) has not yet met to consider whether the pupil/student should be reinstated. Where an exclusion is cancelled:

- The Headteacher must notify, without delay, (in writing or via email/text to an address that the parent has agreed can be used for notifications of this kind) the parent (if the pupil/student is under 18) or the excluded pupil/student if aged 18 or over, the Local Advisory Board (LAB)/Board of Trustees, the Local Authority and the pupil/student's social worker and/or Virtual School Headteacher as applicable. The notification must also provide the reason for the cancellation.
- The Local Advisory Board (LAB)'s duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement.
- Parents (or the excluded pupil/student 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.
- 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 (see 4.1 above).

A permanent exclusion cannot be cancelled if the pupil/student has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

4. Re-instatement

The committee considering the suspension or permanent exclusion of a pupil/student from school will consist of at least three LAB members/Trustees.

The Board has a duty to consider parents' representations about a suspension or permanent exclusion but does not have the power to decide whether to reinstate the pupil/student in all cases.

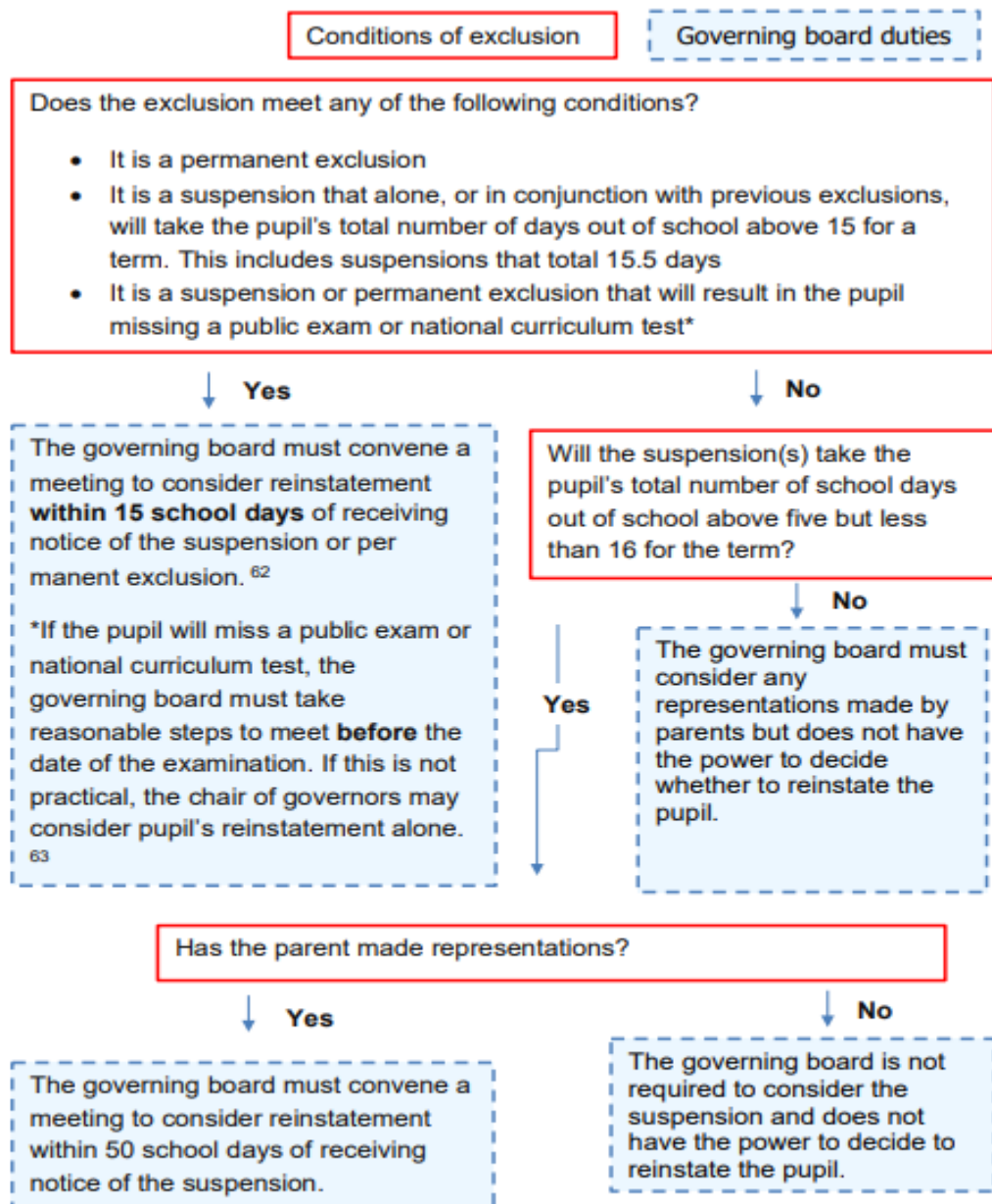
The requirements on a Local Advisory Board (LAB)/Board of Trustees to consider the reinstatement of a suspended or permanently excluded pupil/student depend upon a number of factors illustrated by the flowchart below, 'A summary of the Local Advisory Board (LAB)'s duties to review the Headteacher's exclusion decision' (from p39 of statutory DfE guidance ['Suspension and permanent exclusion from schools including pupil/student movement'](#)).

The Board of Trustees will consider and decide on the reinstatement of a suspended or permanently excluded pupil/student **within 15 school days** of receiving notice of a suspension or permanent exclusion from the Headteacher if it:

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

If the pupil/student would be suspended for more than five but less than 16 school days in a term *and* if parents make representations, LAB members will consider and decide **within 50 school days** of receiving the notice of suspension whether the suspended pupil/student should be reinstated. In the absence of any representations from the parents, our LAB/Board of Trustees is not required to meet and cannot direct the reinstatement of the pupil/student.

'A summary of the Local Advisory Board's duties to review the Headteacher's exclusion decision'



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

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

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

Where a suspension or permanent exclusion would result in a pupil/student missing a public examination or national curriculum test, LAB members will consider and decide on the suspension or permanent exclusion **before the date of the examination or test where possible**.

In the case of a suspension which does not bring the pupil/student's total number of days of suspension to more than five in a term, the Board of Trustees will consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. If a meeting is considered, it should happen within a reasonable amount of time.

We will make the pupil/student and/or their parents aware of their right to attend and participate in the LAB member's/Trustee's meeting. The pupil/student will also be enabled and encouraged to participate at all stages of the process, considering their age and understanding, including to make a representation on their own behalf if they want to.

The following parties will be invited to a meeting of LAB members/Trustees to make representations or share information:

- parents (and, where requested, a representative or friend);
- the pupil/student if they are 18 years or over;
- the Headteacher;
- a representative of the Local Authority
- the child's social worker if the pupil/student has one; and
- the VSH if the child is LAC.

When conducting the review meeting, we will follow DfE statutory guidance [paragraphs 112-130](#).

Trustees will either decline to reinstate the pupil/student or direct reinstatement of the pupil/student immediately or on a particular date.

If Trustees decide against the reinstatement of a pupil/student who has been permanently excluded the parents can ask for the decision to be reviewed by an Independent Review Panel (IRP) which will include representatives from the Board of Trustees. Parents can request an IRP even if they did not make representations to or attend the meeting at which the Board considered reinstating the pupil/student.

If a reinstatement meeting would make no practical difference because for example, the pupil/student has already returned to school following the expiry of a suspension or the parents make clear they do not want their child reinstated, the Board of Trustees will still meet to consider whether the pupil/student should or would have been officially allowed back into the school. Ideally, a reinstatement meeting should happen as soon as possible and before the pupil/student is back in school.

5. Appealing to an Independent Review Panel (IRP)

If applied for by parents within the legal time frame and regardless of whether they have made any representation to school, our Local Authority/Academy Trust will, at their/our expense, arrange for an Independent Review Panel hearing to review the decision of a Board of Trustees not to reinstate a permanently excluded pupil/student. IRPs can be held via the use of remote access (e.g., via live video link) if requested by parents (if the pupil/student is under the age of 18) or by the excluded pupil/student if aged 18 or over, due to extraordinary events or unforeseen circumstances, but this will not be the default option.

The legal time frame for an application is:

- within 15 school days of notice being given to parents by the LAB/Board of Trustees of their decision to uphold a permanent exclusion; or
- where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.

Any application made outside of the legal time frame will be rejected by the Local Authority/Academy Trust.

The Local Authority/Academy Trust will identify a date for the review that all parties, and any SEN expert appointed to give advice in person, are able to attend. However, the review must begin **within 15 school days** of the day on which a parent's application for a review was made (panels have the power to adjourn a hearing if required). The venue should also be reasonable accessible to everyone who needs to attend.

Parents have a right to request the attendance of a SEN or SEND expert (SENDIAS service) at a review, regardless of whether the school recognises that their child has SEN or a disability. This person is paid for by the Local Authority/Academy Trust and their role is to provide impartial advice to the panel on how special educational needs or disability might be relevant to the exclusion, for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil/student. Every exclusion letter should include details of the [local SENDIAS service](#).

The meeting will be held in private unless the Local Authority/Academy Trust directs otherwise.

The meeting can be adjourned at any time and more than once, providing the effect of an adjournment on the parties to the review, the permanently excluded pupil/student and their parents, and any victim(s) has been considered.

Where the issues raised by two or more applications for review are the same, or connected, the panel may combine the reviews if, after consultation with all parties, there are no objections.

In reviewing the decision, the panel must consider the interests and circumstances of the permanently excluded pupil/student, including the circumstances in which the pupil/student was excluded, and have regard to the interests of other pupil/students and people working at the school. The panel must also apply the civil standard of proof rather than the criminal standard.

Following its review, the panel can decide to:

- uphold the Board of Trustees' decision not to reinstate;
- recommend that the Board of Trustees reconsiders reinstatement; or
- quash the Board of Trustees' decision and direct that the Board of Trustees' reconsiders reinstatement.

The IRP's decision is binding on the: pupil/student; parents; LAB; Headteacher; and Local Authority. The decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The panel may only quash our LAB's/Board of Trustees' decision not to reinstate if it considers that the decision was flawed when considered in the light of the principles applicable to an application for judicial review (see DfE statutory guidance, [paragraphs 225 to 230](#)).

New evidence may be presented to the panel, but we, the school may not introduce new reasons for the permanent exclusion or the decision not to reinstate the pupil/student.

In deciding whether the LAB's/Board of Trustees' decision was flawed, and whether to quash the decision not to reinstate, the panel will only take account of the evidence that was available to the LAB/Board of Trustees at the time of making its decision not to reinstate. This includes any evidence

that the panel considers would, or should, have been available to the LAB/Board of Trustees and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the LAB/Board of Trustees to have been aware of at the time of its decision, the panel can still take account of the evidence when deciding whether to recommend that LAB members/Trustees reconsider reinstatement.

6. Requests for remote access meetings for Local Advisory Board (LAB) meetings or IRPs

Parents (if the pupil/student is under 18) or excluded pupil/students (if they are aged 18 years or older) can request a meeting to be held via the use of remote access (e.g., video link) but this will not be a default option. The Local Advisory Board (LAB) or arranging authority 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 (described in 4.1 (2) above) or the Local Advisory Board (LAB)'s written notification to the parents that they can request an IRP (described in 6. Above). Holding meetings via remote access will only be done if the Local Advisory Board (LAB) or arranging authority is satisfied that the meeting is capable of being held fairly and transparently. Further advice and guidance is provided in Part eleven of the DfE statutory guidance '[Suspension and permanent exclusion from schools including pupil/student movement](#)'.

7. Safeguarding

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil/student or if a pupil/student has been reinstated following a Local Advisory Board (LAB)'s review, important decisions will need to be made alongside the school's duty to safeguard and support children and our duty to provide an education. As part of this duty, we will have regard to guidance issued by the DfE outlined in the statutory guidance [Keeping Children Safe in Education](#), and in particular, Section 5 which details with cases of sexual violence and child on child abuse.

8. Reintegration

We will support pupil/students to reintegrate successfully into school life and full-time education following a suspension, a period of off-site direction or where suspensions have ended or been cancelled or where permanent exclusions have been cancelled. We will work to provide them with a fresh start designed to 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 builds engagement with learning.

Measures might include:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil/student back to school;
- Daily contact with a designated pastoral professional in-school;
- Use of a report card with personalised targets leading to personalised rewards;
- Ensuring the pupil/student follows an equivalent curriculum during their suspension or off-site direction or 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/student and parents to praise progress being made and raise and address any concerns at an early stage;
- Informing the pupil/student, parents, and staff of potential external support.

Our reintegration strategy will be clearly communicated at a reintegration meeting before or at the beginning of the pupil/student's return to school and where possible this meeting should include the pupil/student's parents. No pupil/student will be prevented from returning to school if parents are unable or unwilling to attend.

Where the reintegration strategy includes the use of a part-time timetable, any pastoral support will have a time limit by which point the pupil is expected to attend full-time education. We will introduce formal arrangements for regularly reviewing a part-time timetable with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and will take the appropriate steps for a leave of absence.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil/student, parents, and other relevant parties, including to identify if the pupil/student has any SEND and/or health needs.

9. Suspension or exclusion of a child who has special educational needs or disabilities (SEND)

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupil/students. This duty can apply to both the suspension and permanent exclusion process and to disciplinary sanctions imposed. Under the Children and Families Act 2014, LAB members/Trustees must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupil/students with SEND, which includes support in relation to behaviour management needed because of their SEND.

This school is committed to working proactively with parents in supporting the behaviour of pupil/students with additional needs. In partnership with others (including the Local Authority where appropriate and always when a pupil/student has an EHCP), we will consider what additional support or alternative placement may be required.

This process will involve assessing the suitability of provision for a pupil/student's SEN or disability and, when an EHCP is in place, we will contact the Local Authority about any behavioural concerns at an early stage and consider requesting an early annual review of the EHCP before making the decision to suspend or permanently exclude the pupil/student.

For those with SEN but without an EHCP, we will review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may trigger a an EHCP assessment or a review of the pupil/student's current package of support.

10. Marking attendance registers and off-rolling pupil/students

Any exclusion of a pupil/student, even for short periods, will be formally recorded. When a pupil/student is suspended, they will be marked as absent from this school using Code E (excluded but no alternative provision made) for up to 5 days of a period of suspension.

Where alternative provision is made by the school, and pupils attend it, they will be marked as absent from this school using code B (Approved educational activity). Where education provision is arranged

by the LA, Code K should be used. Code D (dual registration) to be used where the pupil is attending a session at another setting where they are also registered. Code D is used to indicate that the pupil is absent with leave to attend the other school.

We will ensure that no unlawful exclusion of a pupil which leads to the deletion of a pupil's name from the register (off-rolling) takes place and the formal exclusion process will be followed.

The Local Advisory Board (LAB)/Board of Trustees will ensure that a pupil/student's name is removed from our school admission register in accordance with the [School Attendance \(Pupil Registration\) \(England\) Regulations](#) (and make the appropriate return to the Local Authority about it - para 144 of the [DfE guidance on Suspension and permanent exclusion](#) details what information the return must include) if:

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

The Local Advisory Board (LAB)/Board of Trustees will regularly review suspensions and permanent exclusions, those taken off roll and those on the school admission register but attending education off-site.

11. Making a complaint

Parents who want to make a complaint about their child's suspension or permanent exclusion should follow our school complaints procedure, starting at the Formal Stage 2 by writing to the LAB/Trustees.

This is because actions that are equivalent to the informal stage of our complaint's procedure and the Formal Stage 1 will already have happened during our ordinary suspension and exclusion process. Therefore, the complaint can go straight to LAB members/Trustees for their consideration based the nature of the complaint and their examination of the established evidence from the completed suspension and exclusion process.

12. References

The following documents have been used as references and must be read in conjunction with this Policy:

- DfE [Behaviour in Schools](#) guidance and advice
- DfE [Keeping Children Safe in Education](#) statutory guidance
- DfE [Working together to improve school attendance](#) statutory guidance
- DfE [Mental health and behaviour in schools](#) non-statutory advice
- ESFA [Understanding your data: a guide for school governors and academy trustees](#)