

The Willows School Academy Trust



Suspension and Permanent Exclusion Policy

Reviewed: March 2026

Next Review: March 2027

Aims

Our school aims to ensure that:

- The suspension and permanent exclusion process is applied fairly, consistently and in compliance with statutory guidance
- The suspension and permanent exclusion process is understood by governors, staff, parents and pupils
- Pupils in school are safe, happy and supported to succeed
- Suspensions and permanent exclusions are used only as a last resort, after all other strategies have been tried
- Early intervention strategies are in place to prevent behaviour escalating to the point of exclusion
- Pupils with special educational needs and disabilities (SEND) receive appropriate support and reasonable adjustments to prevent exclusion wherever possible
- Pupils who are suspended or permanently excluded continue to receive appropriate education and support
- Pupils' welfare and safeguarding needs are prioritised throughout any suspension or exclusion process
- Pupils are successfully reintegrated into school following a suspension
- We work in partnership with parents, carers and external agencies to support pupils at risk of exclusion
- We comply with our duties under the Equality Act 2010 to avoid discriminatory exclusions

Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education: "Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (August 2024)".

The August 2024 guidance includes updated requirements on:

- Duties to pupils with SEND
- Discrimination considerations
- Managed moves
- Off-site direction to improve behaviour
- Alternative provision requirements
- Internal suspensions (guidance expected 2025/26)

This policy is also based on the following legislation and statutory guidance:

Primary legislation:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

Additional legislation and guidance:

- Part 7, chapter 2 of the Education and Inspections Act 2006 (parental responsibility for excluded pupils)
- Section 579 of the Education Act 1996 (definition of '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
- Equality Act 2010 and schools: departmental advice (DfE, May 2014)
- Keeping Children Safe in Education (current version)
- Special Educational Needs and Disability (SEND) Code of Practice: 0 to 25 years (January 2015)
- Restrictive interventions, including use of reasonable force, in schools (DfE, April 2026)
- Use of reasonable force in schools (DfE, July 2013) / Effective until April 2026
- Searching, screening and confiscation: advice for schools (DfE, July 2022)

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

The Decision to Exclude

3.1 Who can suspend or permanently exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school.

The headteacher may withdraw a suspension or permanent exclusion that has not been reviewed by the governing board.

3.2 When suspension or permanent exclusion may be used

A decision to suspend or permanently exclude a pupil 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 in the school

Suspension and permanent exclusion will only be used as a last resort, after a range of alternative strategies have been tried.

3.3 Alternatives to suspension and permanent exclusion

Before deciding to suspend or permanently exclude, the headteacher will consider whether the following alternative approaches might be more appropriate:

- Restorative approaches to resolve conflicts and repair harm
- Internal suspension - removing the pupil from their usual classroom to work in a separate, supervised space within school (guidance on this is expected in 2025/26)
- Managed move to another school, with the agreement of all parties including parents (see section 3.8)
- Additional SEND support - requesting an Education, Health and Care (EHC) needs assessment or reviewing an existing EHC plan
- Pastoral support - mentoring, counselling, or other targeted interventions
- Behaviour support plan - a structured plan with clear targets and support
- Multi-agency support - involving external agencies such as educational psychology, CAMHS, social care

The headteacher will document what alternative strategies have been tried before any decision to suspend or permanently exclude.

3.4 Decision-making process

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

1. Gather and consider all relevant facts and evidence, including:

- The pupil's account of events
- Accounts from staff and other pupils
- Whether the incident(s) were provoked
- Any relevant CCTV footage or other evidence
- The context and circumstances of the incident

2. Allow the pupil to give their version of events in a way that is appropriate to their age and understanding

3. Consider the pupil's special educational needs and disabilities (SEND), including:
 - Whether the pupil has an Education, Health and Care (EHC) plan
 - Whether the pupil has identified SEND, even if they don't have an EHC plan
 - Whether the pupil is currently being assessed for SEND
 - Whether the behaviour may be a result of unidentified SEND
 - Whether the pupil's SEND or disability contributed to the behaviour
 - Whether appropriate reasonable adjustments have been made for the pupil
 - Whether early intervention or additional support could address the underlying causes of the behaviour
4. Consider protected characteristics under the Equality Act 2010, including:
 - Whether the pupil has any protected characteristics (disability, race, sex, gender reassignment, religion or belief, sexual orientation)
 - Whether the exclusion could amount to discrimination
 - Whether unconscious bias may be influencing the decision
 - Whether pupils with certain protected characteristics are disproportionately excluded
5. Consider the pupil's age and stage of development
6. Consider safeguarding needs, including:
 - Whether the pupil is looked after by the local authority
 - Whether the pupil has a social worker
 - Whether there are safeguarding concerns that may be influencing behaviour
 - Whether the pupil may be at risk if excluded
7. Consider the welfare of the pupil and other pupils and staff
8. Consider whether the proposed sanction is proportionate to the behaviour
9. Ensure the decision is lawful, reasonable and procedurally fair

The headteacher will apply the civil standard of proof ('on the balance of probabilities') when establishing facts, rather than the criminal standard of 'beyond reasonable doubt'.

3.5 Specific considerations for pupils with SEND

The August 2024 guidance strengthens duties to pupils with SEND. The headteacher will give particular consideration to:

- Whether a multi-agency assessment is needed to address underlying causes of behaviour
- Whether an EHC needs assessment should be requested
- Whether an existing EHC plan needs urgent review
- Whether the school has made all reasonable adjustments required under the Equality Act 2010
- Whether specialist advice has been sought (e.g., from educational psychologist, SENCO, external agencies)
- Whether the behaviour is a manifestation of the pupil's SEND
- Whether additional support or intervention could prevent exclusion

The headteacher will not exclude a pupil with SEND where the behaviour is a direct result of their disability and reasonable adjustments have not been made.

3.6 Avoiding discrimination

The headteacher will ensure that the decision to suspend or permanently exclude does not discriminate against pupils on the basis of protected characteristics.

The headteacher will be particularly mindful that:

- Pupils with SEND are disproportionately excluded nationally
- Pupils from certain ethnic groups are disproportionately excluded nationally
- Looked after children are disproportionately excluded nationally

The headteacher will regularly review exclusion data by protected characteristics to identify and address any patterns of disproportionate exclusion.

3.7 Safeguarding during the decision-making process

If there are safeguarding concerns about the pupil, the headteacher will:

- Consult with the Designated Safeguarding Lead (DSL)
- Consider whether a referral to children's social care is needed
- Consider the impact of exclusion on the pupil's safety and welfare
- Ensure appropriate support is in place during any suspension period

3.8 Managed moves

A managed move is when a pupil is transferred to another school permanently with the agreement of all parties, including the parents and the admission authority of both schools.

Managed moves should be:

- Voluntary - parents must consent and the pupil should be involved in the decision where appropriate
- In the pupil's best interests
- Used to give the pupil a fresh start in a new school
- Not used to avoid following proper exclusion procedures (this would be off-rolling)

The headteacher will ensure that:

- A managed move is properly recorded and documented
- The receiving school has full information about the pupil's needs
- A trial period is agreed with a clear review point
- Support is provided to help the pupil settle in the new school
- The move is not presented as an alternative to permanent exclusion to pressure parents to agree

3.9 Permanent exclusion as a last resort

Permanent exclusion is the most serious sanction and will only be used as an absolute last resort when:

- All other strategies and interventions have been tried and have failed, or
- The breach of the behaviour policy is so serious that allowing the pupil to remain in school would seriously harm the education or welfare of others

Examples of behaviour that might warrant permanent exclusion include:

- Serious actual or threatened violence against another pupil or member of staff
- Sexual abuse or assault
- Supplying an illegal drug
- Carrying an offensive weapon
- Persistent and defiant behaviour that puts others at risk

Even in cases of serious one-off incidents, the headteacher will consider all mitigating factors before deciding on permanent exclusion.

4.1 Suspension

A suspension is when a pupil is temporarily removed from the school. 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 does not have to be for a continuous period. A pupil may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year.

4.2 Permanent exclusion

A permanent exclusion is when a pupil is permanently removed from the school (except if the exclusion is successfully overturned by the governing board or an independent review panel).

A pupil cannot return to the school from which they have been permanently excluded unless their exclusion is overturned.

4.3 Lunchtime suspensions

Pupils can be suspended from the school premises at lunchtime. Lunchtime suspensions are counted as half a school day for statistical purposes and in determining whether a governing board meeting is triggered.

4.4 School Day

For the purposes of suspensions and permanent exclusions, a school day is defined as any day on which there is a school session.

Therefore, INSET days or staff training days do not count as school days.

4.5 Internal suspension

An internal suspension is when a pupil is removed from their usual classroom for a short period but stays in school to work in a separate, supervised space.

Internal suspensions:

- Are not the same as suspensions (where the pupil is sent home)
- Do not require the same notification procedures as suspensions
- Should be used when a pupil's behaviour is disruptive or escalating but does not meet the threshold for sending the pupil home
- Must be recorded and monitored

4.6 Managed move

A managed move is the transfer of a pupil to another mainstream school permanently with the agreement of all parties, including the parents and the admission authority of both schools.

Managed moves are voluntary and must not be used to circumvent the exclusion process.

5.1 The headteacher

The headteacher is responsible for:

- Making the decision to suspend or permanently exclude a pupil
- Ensuring the decision is lawful, reasonable and procedurally fair
- Complying with all notification requirements
- Ensuring appropriate education is arranged during suspension
- Ensuring safeguarding arrangements are in place during suspension
- Leading the reintegration process following suspension

5.1.1 Informing parents of a suspension or permanent exclusion

The headteacher will inform the parents without delay and by the end of the afternoon session on the day the decision is made to suspend or permanently exclude their child. Notification will be in writing (this can be by letter, email or another written format). The headteacher will also attempt to contact parents by telephone.

5.1.2 Informing parents about their legal responsibilities during suspension

The headteacher will notify parents by the end of the afternoon session on the day of the suspension that:

For the first 5 school days of a suspension (or until the start date of alternative provision, if earlier), parents are legally required to ensure that their child is not present in a public place during school hours without good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

- School hours means any time when the school is in session (this includes morning and afternoon sessions).
- A public place includes streets, parks, shopping centres and other places to which the public have access. Good reasons for the child being in a public place might include:
 - Medical appointments (with evidence)
 - Attending alternative provision arranged by the school
 - Being accompanied by a parent for a specific necessary purpose

5.1.3 Informing parents about alternative provision

If alternative provision is being arranged for the pupil, the headteacher will provide the following information:

- The start date for the alternative provision
- The start and finish times, including times for morning and afternoon sessions where relevant
- The address where the provision will take place
- Any information the pupil needs to identify the person they should report to on the first day
- Travel arrangements (if applicable)

5.1.4 Informing the governing board

The headteacher will notify the chair of governors of:

Must notify immediately:

- Any permanent exclusion (including when a suspension is converted to a permanent exclusion)
- Any suspension which would result in the pupil being excluded for more than 5 school days** (or more than 10 lunchtimes) in a term
- Any suspension which would result in the pupil missing a public examination or national curriculum test

Must notify once per term:

- All other suspensions

5.1.5 Informing the local authority

The headteacher will notify the local authority of:

- Any permanent exclusion (including when a suspension is converted to a permanent exclusion)
- Any suspension which would result in the pupil being excluded for more than 5 school days** (or more than 10 lunchtimes) in a term
- Any suspension which would result in the pupil missing a public examination or national curriculum test

For all other suspensions, the headteacher will notify the local authority once per term.

5.1.6 Informing the social worker and virtual school head

If the pupil has a social worker, the headteacher will notify the social worker without delay of:

- Any suspension or permanent exclusion
- The reason(s)
- The duration (if applicable)

If the pupil is looked after (in the care of the local authority), the headteacher will notify the pupil's virtual school head (VSH) without delay of:

- Any suspension or permanent exclusion
- The reason(s)
- The duration (if applicable)

5.1.7 Arranging education during suspension

For suspensions of 5 school days or fewer:

The headteacher will set and mark work for the pupil to complete at home. This work should be accessible and achievable for the pupil.

For suspensions of more than 5 school days:

The headteacher will work with the governing board to arrange suitable full-time education for the pupil. This provision must begin no later than the sixth day of the suspension.

The provision must be suitable to the pupil's age, ability, aptitude and any SEND they may have.

5.1.8 Safeguarding responsibilities during suspension

The headteacher will ensure that:

- The pupil's welfare and safeguarding needs are considered throughout the suspension
- If the pupil has a social worker, they are informed and involved
- If the pupil is looked after, the VSH is informed and involved
- Any safeguarding concerns are addressed, including making referrals to children's social care if needed
- The pupil and family are signposted to support services
- Contact is maintained with the pupil and family during the suspension period
- A risk assessment is completed if there are safeguarding concerns about the pupil being at home

5.1.9 Considering whether to withdraw a suspension or permanent exclusion

The headteacher may withdraw a suspension or permanent exclusion that has not yet been reviewed by the governing board.

The headteacher will consider withdrawing if:

- New evidence comes to light that changes the decision
- The decision was made in error
- The suspension or exclusion was not lawful, reasonable or procedurally fair

If a suspension or permanent exclusion is withdrawn:

- The headteacher will notify parents, the governing board, the local authority, and the social worker/VSH (if applicable) without delay
- The pupil will be allowed to return to school
- The suspension or permanent exclusion will be removed from the pupil's educational record
- Parents will be offered the opportunity to meet with the headteacher to discuss the circumstances

5.1.10 Record keeping

The headteacher will ensure that:

- A record is kept of all suspensions and permanent exclusions, including:
 - The pupil's name
 - The reason(s) for the suspension or exclusion
 - The duration (for suspensions)
 - Whether the pupil has SEND, an EHC plan, or is looked after
 - The pupil's protected characteristics (for monitoring purposes)
 - What alternative strategies were tried before the decision
 - Evidence considered in making the decision
- All notifications sent to parents, the governing board, the local authority, and social worker/VSH are kept on file
- Records are stored securely and in line with data protection requirements
- Records are retained in line with the school's retention schedule

5.2 The governing board

5.2.1 Overall responsibilities

The governing board is responsible for:

- Ensuring the school has a clear and fair suspension and permanent exclusion policy
- Reviewing this policy regularly (at least every 2 years)
- Monitoring the use of suspension and permanent exclusion to ensure it is used appropriately and not discriminatory
- Ensuring the headteacher acts lawfully and reasonably when suspending or permanently excluding pupils
- Considering the reinstatement of suspended or permanently excluded pupils in certain circumstances (see section 6)
- Ensuring appropriate education is arranged for suspended pupils
- Ensuring governors who may sit on exclusion panels are appropriately trained
- Reviewing exclusion data regularly to identify patterns and trends
- Taking action to address any disproportionate exclusion of pupils with protected characteristics

5.2.2 Delegation of responsibilities

The governing board will establish an exclusions panel (also called a "discipline committee") consisting of at least 3 governors.

This panel has delegated authority to:

- Consider the reinstatement of suspended or permanently excluded pupils
- Make decisions on behalf of the full governing board regarding exclusions

5.2.3 Considering reinstatement

The governing board (through its exclusions panel) has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances.

5.2.4 Arranging alternative provision for suspensions

For suspensions of more than 5 school days, the governing board will work with the headteacher to arrange suitable full-time education for the pupil.

5.2.5 Providing information to the Secretary of State

Within 14 days of receipt of a request, the governing board will provide the Secretary of State with information about any exclusions in the last 12 months.

5.2.6 Monitoring and reviewing exclusions

The governing board will:

- Receive a report from the headteacher at least termly on:
 - The number and type of suspensions and permanent exclusions
 - The reasons for exclusions
 - The demographic characteristics of excluded pupils (including SEND, looked after status, ethnicity, sex, etc.)
 - Patterns and trends in exclusion data
 - Alternative strategies being used to prevent exclusions
- Review exclusion data to identify:
 - Whether any groups are disproportionately excluded
 - Whether exclusions are being used appropriately
 - Whether the behaviour policy is effective
 - Whether additional support or training is needed
- Take action if concerns are identified, such as:
 - Commissioning an independent review of behaviour and exclusions
 - Providing additional training for staff
 - Reviewing and updating policies
 - Ensuring additional support for pupils at risk of exclusion

5.2.7 Publishing information

The governing board will publish information about the school's use of suspension and permanent exclusion on the school website, including:

- This policy
- The number of suspensions and permanent exclusions each year
- Information about how the school supports pupils at risk of exclusion

5.3 The local authority (LA)

The local authority has the following responsibilities:

5.3.1 Arranging education for permanently excluded pupils

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

This provision must:

- Be suitable to the pupil's age, ability, aptitude and any SEND they may have
- Be full-time (equivalent to the hours the pupil would receive in mainstream school)
- Continue until the pupil is either reinstated or enrolled in another school

5.3.2 Arranging independent review panels

The LA is responsible for arranging independent review panels (IRPs) when parents request a review of a permanent exclusion decision (for maintained schools and PRUs).

The LA must:

- Arrange the IRP within the required timescales (see section 7)
- Ensure panel members are appropriately trained and independent
- Appoint a clerk to the panel
- Arrange a SEND expert if requested by parents
- Meet the costs of the IRP

5.3.3 Supporting schools

The LA may provide support to schools on:

- Behaviour management strategies
- Alternatives to exclusion
- Support for pupils at risk of exclusion
- Training for staff and governors
- Data analysis and monitoring

5.3.4 Monitoring exclusions

The LA will monitor exclusions across all schools in its area to:

- Identify patterns and trends
- Identify schools with high or disproportionate exclusion rates
- Provide support and challenge to schools where needed
- Ensure pupils are receiving appropriate education during exclusions

5.4 Parents and carers

Parents and carers have the following rights and responsibilities:

5.4.1 Rights

Parents have the right to:

- Be informed in writing of any suspension or permanent exclusion without delay
- Receive clear information about the reasons for the exclusion
- Make representations to the governing board about the exclusion
- Attend any governing board meeting to consider reinstatement

- Be represented at the meeting (at their own expense)
- Bring a friend to the meeting
- Request that the meeting be held remotely (via video link)
- Request an independent review panel if a permanent exclusion is upheld
- Request a SEND expert to attend the independent review panel (at no cost)
- Make a claim of discrimination under the Equality Act 2010 if they believe the exclusion was discriminatory

5.4.2 Responsibilities

During a suspension, parents are legally required to ensure their child is not present in a public place during school hours for the first 5 days of the suspension (or until alternative provision starts, if earlier), without good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to comply with this duty.

Parents are also expected to:

- Work with the school to address the behaviour that led to the exclusion
- Attend any reintegration meeting following a suspension
- Support their child to engage with any work set during the suspension
- Ensure their child attends any alternative provision arranged
- Engage with any support offered to the family

5.5 The pupil

5.5.1 Rights

Pupils have the right to:

- Give their version of events before a decision to suspend or exclude is made
- Have their views heard in a way that is appropriate to their age and understanding
- Make representations to the governing board (with support if needed)
- Attend the governing board meeting if they wish (taking into account their age and understanding)
- Continue to receive education during any suspension
- Be supported to reintegrate into school following a suspension
- Be treated fairly and without discrimination

5.5.2 Responsibilities

Pupils are expected to:

- Engage with any work set during a suspension
- Attend any alternative provision arranged
- Attend the reintegration meeting following a suspension
- Work with staff to improve their behaviour
- Follow the school's behaviour policy

Considering the Reinstatement of a Pupil

6.1 When the governing board must consider reinstatement

The governing board (through its exclusions panel) must consider the reinstatement of a suspended or permanently excluded pupil in the following circumstances:

- Any permanent exclusion | Within 15 school days of receiving notice from the headteacher

- Suspension that brings the pupil's total days out of school to more than 15 in a term | Within 15 school days of receiving notice from the headteacher
- Suspension that would result in the pupil missing a public exam or national curriculum test | Before the exam/test if reasonably practicable, or within 15 school days if not. The chair (or vice-chair) may consider alone if a full panel cannot meet in time
- Suspension that brings the pupil's total days out of school to between 5 and 15 (inclusive) in a term** | Within 50 school days of receiving notice, if parents request a meeting
- Suspension that brings the pupil's total days out of school to 5 or fewer in a term | The governing board is not required to meet, but must consider any representations from parents. The governing board cannot direct reinstatement

6.2 Arranging the meeting

6.2.1 Timing

The clerk to the governing board will arrange the meeting within the timescales set out above.

The meeting should be arranged at a date, time and location that is convenient for all parties, as far as is reasonably practicable.

6.2.2 Notifying attendees

The clerk will notify the following people of the meeting at least 5 school days in advance:

Must be invited:

- Parents (or the pupil if they are 18 or over)
- The headteacher
- A representative of the local authority (for maintained schools and PRUs)
- The pupil's social worker (if they have one)
- The pupil's virtual school head (if they are looked after)

May attend:

- The pupil (taking into account their age and understanding)
- A friend or representative of the parents (at the parents' request)
- A representative of the local authority or "home authority" for academies (if parents request, and with the panel's consent)

6.2.3 Remote hearings

Parents have the right to request that the meeting be held remotely (via video link). If parents do not request a remote hearing and there are no extraordinary circumstances, the meeting must be held in person.

6.3 Who can attend the meeting

6.3.1 The exclusions panel

The panel must consist of at least 3 governors and will appoint one member to chair the meeting.

6.3.2 The clerk

A clerk will be appointed to:

- Arrange the meeting
- Notify attendees
- Provide advice to the panel on procedure and law
- Take minutes of the meeting

- Draft the decision letter

6.3.3 Parents and the pupil

Parents have the right to:

- Attend the meeting
- Make oral and/or written representations
- Be represented by someone else (at their own expense)
- Bring a friend for support
- Call witnesses (with advance notice)

The pupil should be allowed to attend and participate in the meeting, taking into account their age and understanding.

6.3.4 The headteacher

The headteacher has the right to:

- Attend the meeting
- Make oral and/or written representations
- Call witnesses
- Be represented by someone else

The headteacher should present their case to the panel, including:

- The reasons for the suspension or permanent exclusion
- The evidence considered
- What alternative strategies were tried
- How SEND and discrimination were considered
- Why the decision was lawful, reasonable and procedurally fair

6.3.5 Local authority representative

For academies:

A representative of the local authority or the pupil's "home authority" may attend as an observer if parents request it, but can only make representations with the panel's consent.

6.3.6 Social worker

If the pupil has a social worker, they must be invited to attend. The social worker may join remotely even if the meeting is face-to-face.

6.3.7 Virtual school head (VSH)

If the pupil is looked after (in the care of the local authority), the virtual school head (VSH) must be invited to attend.

The role of the VSH is similar to the social worker - to provide information about the pupil's circumstances and ensure their welfare is considered. The VSH may join remotely even if the meeting is face-to-face.

6.4 The Panel's decision making

The panel must consider whether the decision to suspend or permanently exclude was:

1. **Lawful** - did the headteacher have the legal power to make the decision?
2. **Reasonable** - was it a reasonable response to the behaviour, taking into account all circumstances?
3. **Procedurally fair** - was the process followed correctly and fairly?

6.4.1 Standard of proof

The panel will decide whether a fact is true 'on the balance of probabilities' (i.e., more likely than not), rather than the criminal standard of 'beyond reasonable doubt'.

6.4.2 Consideration of SEND

The panel must give particular consideration to whether:

- The pupil has SEND (whether or not they have an EHC plan or formal diagnosis)
- The behaviour may have been a result of the pupil's SEND
- The school made reasonable adjustments for the pupil
- The school provided appropriate support for the pupil's SEND
- Additional support or intervention could have prevented the exclusion
- An EHC needs assessment should be requested
- An existing EHC plan needs urgent review

The panel should not reinstate a pupil if the behaviour was a direct result of their SEND and the school had made all reasonable adjustments. However, if the panel finds that reasonable adjustments were not made, or that the behaviour was a result of unmet SEND needs, this may be grounds for reinstatement.

6.4.3 Consideration of discrimination

The panel must consider whether the exclusion may amount to discrimination under the Equality Act 2010. If the panel finds evidence of discrimination, this may be grounds for reinstatement.

6.4.4 Minutes and record-keeping

The clerk will take clear minutes of the meeting. These minutes must be made available to all parties on request. The outcome will be recorded on the pupil's educational record.

6.5 The panel's decision

6.5.1 Options available to the panel

The panel can make one of two decisions:

1. Uphold the headteacher's decision to suspend or permanently exclude - the pupil will not be reinstated
2. Direct reinstatement of the pupil - the pupil must be reinstated either:
 - Immediately, or
 - On a particular date

The panel cannot:

1. Change the length of a suspension
2. Impose conditions on reinstatement
3. Direct the headteacher to take other action

6.5.2 Factors in the decision

In deciding whether to direct reinstatement, the panel should consider:

- Whether the exclusion was a proportionate response to the behaviour
- Whether all alternative strategies had been tried
- Whether the school followed its own policies and procedures
- Whether the decision was influenced by discrimination or failure to make reasonable adjustments
- The welfare of the pupil and other pupils
- Whether reinstatement is in the best interests of the pupil and the school community

6.5.3 When the panel should consider allowing the pupil to sit exams

If a suspension or permanent exclusion would result in the pupil missing a public examination or national curriculum test, the panel should consider whether it would be appropriate to:

- Reinstatement the pupil for the sole purpose of sitting the exam/test, or
- Allow the pupil onto the school premises for the sole purpose of sitting the exam/test (without full reinstatement), or
- Facilitate the pupil sitting the exam/test in another way (e.g., at an alternative venue)

6.6 Notifying the decision

The chair of the panel will notify the following people of the decision without delay and in writing.

6.6.1 Timing

The notification should be sent within 1 school day of the meeting where possible, and no later than the timescales set out in the statutory guidance.

6.7 If reinstatement is directed

6.7.1 The headteacher's duty

If the governing board directs reinstatement, the headteacher must comply with the direction.

The pupil must be reinstated:

- Immediately, or
- On the date specified by the panel

6.7.2 Reintegration support

The school must support the pupil to reintegrate back into school life.

The school should:

- Design a reintegration strategy that offers the pupil a fresh start
- Help the pupil improve their behaviour to meet expectations
- Provide appropriate support to address the underlying causes of the behaviour
- Monitor the pupil's progress and wellbeing
-

6.7.3 Reviewing procedures

If the governing board directs reinstatement, this may indicate that there is something that needs to be adjusted in the school's procedures or approach.

The headteacher and governing board should:

- Review the case carefully to understand why reinstatement was directed
- Identify any weaknesses in policies, procedures or practice
- Take action to prevent similar issues in future
- Consider whether staff need additional training
- Review the behaviour policy and exclusions policy if needed

6.8 If the exclusion is upheld

6.8.1 For suspensions

If a suspension is upheld, the pupil will have already served the suspension period (or will complete it as originally directed).

The pupil will return to school following the reintegration process.

6.8.2 For permanent exclusions

If a permanent exclusion is upheld, parents have the right to request an independent review panel.

The pupil's name cannot be removed from the school roll until:

- 15 school days have passed since parents were notified of the decision and no application for an independent review has been made, or
- Parents have stated in writing that they will not be applying for an independent review, or
- An independent review panel has concluded and the permanent exclusion has been upheld or the panel has recommended reconsideration but the governing board has decided not to reinstate

The local authority is responsible for arranging suitable full-time education for the pupil from the sixth day of the permanent exclusion.

7.1 What is an independent review panel?

An independent review panel (IRP) is an independent panel that reviews the governing board's decision to uphold a permanent exclusion.

Parents have the right to request an IRP if the governing board decides not to reinstate their child following a permanent exclusion.

Important: Parents can only request an IRP for permanent exclusions, not for suspensions.

7.2 Who arranges the IRP?

The academy trust arranges and funds the IRP.

The arranging authority must ensure the IRP is held at their own expense.

7.3 Applying for an IRP

7.3.1 Deadline for applications

Parents must apply for an IRP within 15 school days of receiving written notification of the governing board's decision not to reinstate the pupil.

Exception: If parents have made a claim for discrimination under the Equality Act 2010 regarding the exclusion, they can apply for an IRP within 15 school days of a final determination on their discrimination claim.

7.3.2 How to apply

The application must be made in writing to the arranging authority.

7.3.3 Late applications

Any application made outside the 15-school day timeframe must be rejected, except where parents made a discrimination claim.

7.4 Arranging the IRP hearing

7.4.1 Timing

The IRP hearing must take place within 15 school days of the day on which the parent's application for a review was made.

7.4.2 Venue

The hearing must take place in an accessible venue. The venue should be neutral.

The hearing should ****not**** be held at the excluding school, to maintain independence.

7.4.3 Remote hearings

Parents have the right to request that the IRP be held remotely (via video link).

The arranging authority must arrange a remote hearing if parents request it.

7.5 The SEND expert

Parents have the right to request that a SEND expert attend the IRP, even if the pupil does not have formally identified SEND.

If parents request a SEND expert, the arranging authority must appoint one at no cost to the parents.

7.6 Documents to be provided

At least 5 school days before the IRP hearing, all parties must receive:

- The governing board's decision not to reinstate
- The reasons for the governing board's decision
- The parents' application for review
- Any policies or documents the governing board was required to consider in making its decision
- The headteacher's report to the governing board
- Any other relevant documents

A list of everyone who will attend the hearing and their role should also be provided.

7.10 The IRP's decision-making

7.10.1 What the IRP considers

The IRP does not reconsider the original decision to permanently exclude.

Instead, the IRP reviews whether the governing board's decision to uphold the permanent exclusion was flawed.

7.10.2 Evidence the IRP can consider

The IRP can only consider evidence that was available to the governing board at the time of their review.

The IRP cannot consider new evidence that was not available to the governing board, except:

- To determine whether the governing board's decision was flawed
- To decide whether to recommend reconsideration

7.11 Possible outcomes of the IRP

The IRP can make one of three determinations:

- Uphold the governing board's decision
- Recommend the governing board reconsider reinstatement
- Quash the decision and direct the governing board to reconsider reinstatement

7.12 Notifying the IRP decision

The IRP will notify the following people of its decision without delay and in writing:

- The parents (or pupil if they are 18 or over)
- The headteacher
- The governing board
- The local authority

- The pupil's "home authority" (if different from the school's LA)
- The pupil's social worker (if applicable)
- The pupil's virtual school head (if applicable)

Admission Register

8.1 Removing a pupil's name from the admission register

8.1.1 During a suspension

A pupil's name must not be removed from the school admission register during a suspension, regardless of the length of the suspension.

The pupil remains on roll throughout the suspension period.

8.1.2 During a permanent exclusion

A pupil's name must not be removed from the school admission register while:

- The governing board is considering reinstatement, or
- An application for an independent review panel (IRP) could be made, or
- An IRP is considering the case

8.1.3 When a pupil's name can be removed following permanent exclusion

A pupil's name can only be removed from the admission register when one of the following applies:

1. 15 school days have passed since the parents were notified of the governing board's decision not to reinstate the pupil and no application has been made for an IRP
2. The parents have stated in writing that they will not be applying for an IRP
3. An IRP has concluded and:
 - The IRP upheld the governing board's decision, or
 - The IRP recommended or directed reconsideration, the governing board reconsidered, and decided not to reinstate
4. The parents have enrolled the pupil in another school
5. A managed move has been completed and the pupil is on roll at another school

8.2 Recording suspensions and permanent exclusions

The school will maintain a record of:

- All suspensions, including the reason, length, and pupil details
- All permanent exclusions, including the reason and pupil details
- The outcomes of governing board reviews
- The outcomes of independent review panels

8.3 Pupil's educational record

The following information will be placed on the pupil's educational record:

- Details of any suspension or permanent exclusion
- The reason for the exclusion
- The outcome of any governing board review
- The outcome of any independent review panel
- Any directions from the IRP about what should be recorded

This information will be transferred to any new school the pupil attends.

8.4 Managed moves

During a managed move trial period:

- The pupil may be on roll at both schools (dual registration)
- If the managed move is successful and becomes permanent, remove the pupil's name from the admission register
- If the managed move is unsuccessful, the pupil returns to the original school

Reintegration Following a Suspension

9.1 The school's duty to support reintegration

While not a statutory requirement, paragraph 27 of the DfE's August 2024 guidance states that schools should have a strategy to reintegrate pupils successfully following a suspension.

The Willows School is committed to supporting all pupils to reintegrate successfully following a suspension.

Our reintegration strategy aims to:

- Offer the pupil a fresh start
- Help the pupil understand the impact of their behaviour
- Support the pupil to meet our behaviour expectations
- Foster a renewed sense of belonging
- Build engagement with learning
- Address any underlying causes of the behaviour

9.2 Support during the suspension period

Reintegration begins during the suspension period, not just when the pupil returns.

9.2.1 Communication with the pupil and family

During the suspension, the school will:

- Maintain regular contact with the parents
- Ensure the pupil and parents understand the reasons for the suspension
- Explain what behaviour needs to improve when the pupil returns
- Check on the pupil's welfare and any safeguarding concerns
- Provide information about support available

9.2.2 Providing work during suspension

For suspensions of 5 days or fewer:

The school will:

- Set appropriate work for the pupil to complete at home
- Ensure the work is accessible and achievable for the pupil

- Take into account the pupil's SEND when setting work
- Mark and provide feedback on the work where possible
- Ensure the pupil can access an equivalent curriculum to what they would receive in school

For suspensions of more than 5 days:

The school will:

- Arrange suitable full-time alternative provision from day 6
- Ensure the provision is appropriate for the pupil's needs
- Monitor the pupil's attendance and progress at the alternative provision
- Maintain contact with the pupil and the alternative provision

9.2.3 Safeguarding during suspension

During the suspension period, the school will:

- Consider any safeguarding risks to the pupil
- Complete a risk assessment if there are concerns about the pupil being at home
- Maintain contact with the pupil's social worker (if applicable)
- Maintain contact with the virtual school head (if the pupil is looked after)
- Make referrals to children's social care if new concerns arise
- Signpost parents to support services (e.g., parenting support, mental health services, SEND support)

9.2.4 Working with external partners

During the suspension, the school will:

- Communicate with any alternative provision providers the pupil is attending
- Stay in contact with behavioural professionals, educational psychologists, or other professionals working with the pupil
- Share relevant information (with appropriate consent and in line with data protection)
- Coordinate support between school and external agencies

9.2.5 Supporting other pupils and staff

The school will also:

- Check in with any pupils who were affected by the behaviour that led to suspension
- Support staff who were affected by the incident
- Prepare pupils and staff for the suspended pupil's return
- Put in place any necessary safety measures or adjustments

9.3 Arranging the reintegration meeting

9.3.1 Timing

The school will arrange a reintegration meeting for the pupil's first day back at school. The school will inform parents of the meeting as soon as possible during the suspension period (ideally on the first day of suspension) to give them plenty of notice.

9.3.2 Attendance at the meeting

Who should attend:

The reintegration meeting should include:

- The pupil (taking into account their age and understanding)
- Parents/carers
- A senior member of staff (e.g., headteacher, deputy headteacher, inclusion lead)

- The pupil's class teacher or key adult
- The SENCO
- Other relevant staff as appropriate (e.g., pastoral lead, learning mentor, teaching assistant)

External partners may also be invited.

9.3.3 If parents cannot attend

The school will make every effort to arrange the meeting at a time convenient for parents. However, the pupil's return to school must not be delayed or prevented if parents are unable or unwilling to attend the reintegration meeting.

9.4 The reintegration strategy and plan

Before the reintegration meeting, the school will prepare a reintegration plan for the pupil. The plan will be discussed and agreed with the pupil during the reintegration meeting, so they have ownership of it.

9.5 Monitoring progress and reviewing the plan

After the pupil returns to school, the school will:

1. Hold frequent check-ins with the pupil to discuss how they're progressing with their targets
2. Monitor progress using an agreed system (e.g., daily report card, traffic light system, sticker chart, verbal check-ins)
3. Celebrate successes - recognize and praise the pupil when they meet their targets
4. Address challenges - if the pupil is struggling, discuss what's difficult and what might help

9.6 Reduced timetables

A reduced or part-time timetable may be used in very exceptional circumstances to help a pupil transition back to school following a suspension.

Monitoring Arrangements

10.1 Who is responsible for monitoring

The headteacher is responsible for:

- Monitoring the use of suspension and permanent exclusion
- Analysing exclusion data
- Reporting to the governing board
- Taking action to address any concerns

The governing board is responsible for:

- Reviewing exclusion data and reports from the headteacher
- Challenging and scrutinizing the school's use of suspension and permanent exclusion
- Ensuring the school is complying with its legal duties
- Taking action if concerns are identified

The office staff will support by:

- Maintaining accurate records of suspensions and permanent exclusions

- Liaising with the local authority as required
- Providing administrative support for exclusion meetings

10.2 What will be monitored

The school will monitor:

- The number and type of exclusions
- The reasons for exclusions
- The characteristics of excluded pupils
- Patterns and trends
- Outcome of exclusions
- Alternative strategies

10.3 Reporting to the governing board

10.3.1 Termly reports

The headteacher will provide a written report to the governing board at least termly (and more frequently if there are concerns).

10.3.2 Annual report

The headteacher will provide a comprehensive annual report to the governing board.

10.4 Reporting to the local authority

The school will report exclusion data to the local authority as required.

10.5 Publishing information

The school will publish information about exclusions on the school website. This information will be updated annually.

Links with other policies

This suspension and permanent exclusion policy will be reviewed annually. It should be read in conjunction with the following school policies:

- Behaviour Policy
- SEND Policy and information report
- Equality & Diversity Policy

Signed: Malcolm Shaw
Headteacher