



Pendle Community High School & College Suspension and Permanent Exclusion Policy

Pendle Community High School and College (PCHS and C) actively promotes positive relationships and behaviour based upon the following principles:

- A happy, safe, positive, and calm learning environment.
- A strong sense of community – i.e. mutually beneficial relationships and positive attitudes, values and beliefs which facilitate strong self-discipline and responsible citizens, who in turn value and can co-operate with others.
- An emotional literate and solution-focussed organisation which fosters positive and desired behaviours, including how to effectively manage conflict and repair harm.
- A restorative culture i.e. working **'with'** students to effect change rather than doing **'to'** them.
- A personalised approach to negative behaviour i.e. support will always be designed around individual needs and the likely functions of behaviour of an individual, which is subsequently well-planned, implemented, monitored and analysed at various levels and in different ways across school and college.

At the heart of PCHS&C are our values of

Honesty
Embrace Diversity
Ambition
Respect
Togetherness

and the core expectations that underpin our positive relationships and behaviour strategy are as follows:

In our school and college community we care for and respect ourselves,
other people, our environment and always try our best!

We are committed to following all statutory exclusion procedures to ensure that every child receives an education in a safe and caring environment. Therefore, any decision to suspend or exclude a pupil / student, either for a fixed period or permanently is seen as the last resort by Pendle Community High School and College, while always bearing in mind our duty of care to students and staff. We actively communicate to students, parents and staff high expectations of standards of conduct. A range of policies and procedures are in place to promote good behaviour and appropriate conduct, including a positive relationships, behaviour and SEMH Policy, promoting positive mental health and wellbeing policy and anti-bullying policy.

Pendle Community High School and College take account of the special educational needs of a student when considering whether or not to exclude. The Headteacher will ensure that reasonable steps have been taken to respond to a student's disability so the student is not treated less favourably for reasons related to their special educational needs and disability and will always consider whether the pupil is especially vulnerable e.g. the student has a social worker, or is a looked-after child (CLA) or whether there are safeguarding issues pertaining to the safety or vulnerability of the student. Only the Headteacher, or acting Headteacher, can suspend or permanently exclude a pupil from school on

disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The Headteacher will only use permanent exclusion as a last resort.

PCHSC aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents and pupils understand the exclusions process
- Ensure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

Reasonable steps include:

- Differentiation in the Positive Relationships, Behaviour and SEMH Policy
- Developing strategies to support the student's behaviour e.g. multi-element intervention plans, sensory diets, reward systems
- Requesting external help with the student, such as intervention from the Early Action team, addressing Adverse Childhood Experiences such as Domestic Abuse via appropriate programmes, Brighter Lives, Young Minds.
- Staff training

Where reasonable adjustments to policies and practices have been made, to accommodate a student's needs and to avoid the necessity for suspension or exclusion as far as possible, exclusion may still be justified, if there is a material and substantial reason for it.

A specific incident affecting order and discipline in the school / college may be such a reason. No exclusion will be initiated without having first exhausted other strategies or, in the case of a serious single incident, a thorough investigation which includes ensuring the pupil gives their version of events. The Headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The Headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision.

Reasons for suspensions or exclusion may include:

- Serious breach of the school's rules or policies
- Risk of harm to the education or welfare of the student or others in the school / college. Any exclusion will be at the recommendation of the Headteacher and the discretion of the Governors

Suspension (previously known as Fixed Term Exclusion)

Suspensions will be used for the shortest time necessary to secure benefits without adverse educational consequences. Exclusion for a period of time from half a day to 15 days for persistent or cumulative problems would be imposed only when the school / college had already offered and implemented a range of support and management strategies. This can be up to a maximum of 45 days in an academic year.

These strategies could include:

- Discussion with the student
- Mentoring (adult support)

- Discussion with parents / carers / social worker that a pupil is at risk of suspension or exclusion, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour
- Setting targets and agreeing an individual action plan
- Checking on any possible provocation
- Mediation
- Counselling
- Multi-agency support

Permanent Exclusion

A permanent exclusion is a very serious decision and the Headteacher will consult with a governor before enforcing it. As with suspension, it will follow from a range of strategies and be seen as the last resort, or it will be in response to a very serious breach of school / college rules and policies, such as: Serious actual or threatened violence against another student or a member of staff

- Possession or use of an illegal drug on the school premises
- Persistent deliberate bullying and/ or persistent racial harassment
- Persistent verbal abuse to a pupil or an adult
- Use or threat of use of an offensive weapon or prohibited item
- Persistent bullying
- Sexual misconduct
- Drug and alcohol related
- Leaving the premises
- Persistent damage to school property
- Persistent or general disruptive behaviour that impacts on the efficient education of other students

The decision to exclude

If the Headteacher decides to exclude a student he/she will:-

- Ensure that there is sufficient recorded evidence to support the decision
- Explain the decision to the student
- Contact the parents / carers, explain the decision and ask that the child be collected
- Send a letter to the parents /carers confirming the reason for the exclusion, whether it is a permanent or suspension (temporary exclusion), the length of the exclusion and any terms or conditions agreed for the student's return. Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this

How any representations should be made:

- Where there is a legal requirement for the governing body to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend
- The Headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that for the first 5 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies. Parents may be given a fixed penalty notice or prosecuted if they fail to do this

- In cases of more than a day's suspension , ensure that appropriate work is set and that arrangements are in place for it to be marked
- Plan how to address the student's needs on his/her return
- Plan a meeting with parents / carers and student on his/her return. An exclusion will not be enforced if doing so may put the safety of the student at risk.

Informing the governing body

The Headteacher will, without delay, notify the governing body of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil (i.e if further pertinent information has been discovered during an investigation)
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam
- The Headteacher will notify the governing body once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

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

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent
- For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the Headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

Informing the pupil's social worker and/or virtual school head (VSH)

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the Headteacher will inform the social worker as early as possible
- Pupil who is a looked-after child (CLA) is at risk of suspension or exclusion, the Headteacher will inform the VSH as early as possible

This is in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

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

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

The social worker / VSH will be invited to any meeting of the governing body about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or

circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

Cancelling suspensions and permanent exclusions

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

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

The governing body

Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and permanent exclusions are delegated to the **Governors pupil disciplinary committee** consisting of at least 3 governors.

The **Governors pupil disciplinary committee** has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil in certain circumstances.

Procedure for Appeal

If parents/carers wish to appeal against the decision for a suspension, the matter will be referred to the governing body. Two governors, who were not involved in the initial decision to exclude, will acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within five days. Records relating to the decision to exclude and the parents' complaint will be copied to all parties no later than two days prior to the hearing. In no circumstances however will the school or its staff be required to divulge to parents or others any confidential information on or the identities of students or others who have given information which has led to the suspension or which the Headteacher has acquired during an investigation. The parents may be accompanied to the hearing by one other person. This may be a relative, teacher, friend or representative from LCC SENDIASS, formerly parent partnership. Legal representation will not normally be appropriate. If possible the governors will resolve the parents' / carers' complaint without the need for further investigation.

Where further investigation is required, governors will decide how it should be carried out. After consideration of all the facts considered to be relevant, the governors will reach a decision on whether to uphold or rescind the exclusion or make other recommendations. This decision will be made within ten days of the hearing. Parents / carers will be informed in writing of the governors' decision and the reasons for it. Their decision will be final. The governors' findings and any recommendations will be sent in writing to the parents, Headteacher and governing body.

Parents are entitled to appeal against a governing body's decision if it has upheld the Headteacher's decision to permanently exclude their child; even if they did not make a case to, or attend, the governors' meeting. This appeal will be heard by an Independent Review panel.

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

Monitoring and analysing suspensions and exclusions data

The governing body will challenge and evaluate the data on the school's use of suspension, exclusion and managed moves.

The governing body will consider:

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

The local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

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

Considering the reinstatement of a pupil

The **Governors pupil disciplinary committee** will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of days out of school to more than 15 in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the **Governors pupil disciplinary committee** must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the Headteacher to reinstate the pupil.

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

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, **the Governors pupil disciplinary committee** will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the chair of the governing body (or the vice-chair, if necessary) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing body and allowed to make representations or share information:

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

The governing body will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The **Governors pupil disciplinary committee** can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date (except in cases where the body cannot do this – see earlier in this section)

In reaching a decision, the **Governors pupil disciplinary committee** of the governing body will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the Headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing body
- They will decide whether or not a fact is true 'on the balance of probabilities'.

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

The **Governors pupil disciplinary committee** will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the **Governors pupil disciplinary committee** has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing body's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion

- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the LA to appoint an SEN expert to advise the review panel
- Details of the role of the SEN expert and that there would be no cost to parents for this appointment
- That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

Independent review

If parents apply for an independent review within the legal timeframe, the LA will arrange for an independent panel to review the decision of the governing body not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the **Governors pupil disciplinary committee** of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governor category and 2 members will come from the Headteacher category. At all times during the review process there must be the required representation on the panel.

A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer

Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or Headteachers during this time
Headteachers or individuals who have been a Headteacher within the last 5 years

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

- Are a member of the LA of the excluding school
- Are the Headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the LA, or the governing body, of the excluding school (unless they are employed as a Headteacher at another school)
- Have, or at any time have had, any connection with the LA school, governing body, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover)

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

Taking into account the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEN expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

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

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

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

- Uphold the governing body's decision
- Recommend that the governing body reconsiders reinstatement
- Quash the governing body's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)
- New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing body at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing body and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing body to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing body reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

School registers

A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents were notified of the **Governors pupil disciplinary committee's** decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing body will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they

attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

Making a return to the LA

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the pupil's name.

Returning from a suspension

Reintegration strategy

Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents and staff of potential external support
- Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

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

Reintegration meetings

The school will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

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

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

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

Behaviour outside School

Students' behaviour outside school-on-school trips and sporting events is subject to the school's Positive Relationships, Behaviour and SEMH policy. Negative behaviour in such circumstances will be dealt with as if it had taken place in school.

Attendance Registers

The attendance registers following suspension (exclusion of a student temporarily), he/she will be marked as absent using Code E.

Monitoring arrangements

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Anonymous surveys of staff, pupils, governors and other stakeholders on their perceptions and experiences

The data will be analysed every term by the DSL and will be reported back to the Headteacher & governors at School Effectiveness Sub committees for Leadership and Culture (SESC) meetings.

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

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

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

A note on off-rolling

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

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

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

- Without following the statutory procedure or formally recording the event
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance

- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

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](#).

It is based on the following legislation, which outlines schools' powers to exclude pupils:

Section 51a of the [Education Act 2002](#), as amended by the [Education Act 2011](#)
[The School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#)

In addition, the policy is based on:

Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils

Section 579 of the [Education Act 1996](#), which defines 'school day'

The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)

[The Equality Act 2010](#)

[Children and Families Act 2014](#)

Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

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

Links with other policies

This exclusions policy is linked to our:

- Positive relationships, behaviour and SEMH policy
- Promoting positive mental health and well-being policy
- Anti-Bullying policy
- SEN policy and information report

Appendix 1: independent review panel training


The LA must make sure that all members of an independent review panel and clerks have received training within the 2 years prior to the date of the review.

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an

understanding of how the principles applicable in an application for judicial review relate to the panel's decision making

- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of Headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

Policy approved by governors:	October 2022
Review Date:	September 2023
Signed: T Ashton, Chair of Governors	
Signed: D Grogan, Head Teacher	