



## **SUSPENSIONS & EXCLUSIONS POLICY**

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<b>AUTHOR/ORIGINATOR:</b>	Governance Lead
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## Contents:

### Statement of Intent

1. Legal Framework
2. Roles & Responsibilities
3. Grounds for Suspension or Exclusion
4. The Principal's power to Suspend and Exclude
5. Factors to Consider when Suspending or Excluding a Pupil
6. Preventative Measures
7. Duty to Inform the Parents/Carers
8. Duty to inform the Governing Board's Academy Committee and the Local Authority
9. Duty to Inform Social Workers and the Virtual School Head (VSH)
10. Arranging Education for Suspended and Excluded Pupils
11. Considering Suspensions and Exclusions
12. Reaching a Decision
13. Notification of Considered Suspensions and Exclusions
14. Removing Permanently Excluded Pupils from the Academy Register
15. Independent Review Panel
16. Appointing a SEND Expert
17. The Role of the SEND Expert
18. Appointing a Clerk
19. The Role of the Clerk
20. The Duties of the Independent Review Panel
21. Conducting Governing Board Panel Review Meetings or Independent Review Panels via Remote Access
22. Reconsidering Reinstatement Following a Review
23. Criminal Investigations
24. Training Requirements
25. Using Data
26. Monitoring and review

### Appendices:

- A. Ambitions Academies Trust – Making the Decision to Suspend or Exclude
- B. Suspension & Exclusion Checklist
- C. Flowchart for reviewing the Principal's suspension or exclusion decision
- D. Panel Required Record Sheet
- E. Information Pack Checklist

## Statement of Intent

At Ambitions Academies Trust, we understand that having high expectations for good behaviour and discipline is essential for promoting a high-quality education.

Amongst other disciplinary sanctions, the Trust recognises that suspension and exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the Behaviour Policy.

Suspending or excluding a pupil may also be required in instances where allowing the pupil to remain in one of the Trust's academies would be damaging to the education and welfare of themselves or others; in all cases, suspending or excluding pupils should only be used as a means of last resort.

The Trust has created this policy to clearly define the legal responsibilities of the Principal, the Trust Board and Academy Committee (the academy's governing board) and the Local Authority when responding to pupil suspensions and exclusions, to ensure that they are dealt with both fairly and lawfully and in line with DfE statutory guidance.

This policy also aims to secure a pupil's right to an education despite having been suspended or excluded, by ensuring that appropriate arrangements are in place.

A "**suspension**" is defined as the temporary removal of a pupil from the academy for behaviour management purposes. 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.

An "**exclusion**" is defined as the permanent removal of a pupil from the academy, in response to a serious breach or persistent breaches of the Academy's Behaviour Policy and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupils or staff in the academy.

## 1. Legal Framework

This policy has due regard to the related statutory legislation including, but not limited to, the following:

- The Education Act 1996
- The Education Act 2002
- The Education and Inspections Act 2006
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- The European Convention on Human Rights (ECHR)
- The Equality Act 2010
- The School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023

This policy also has due regard to statutory and non-statutory guidance, including, but not limited to, the following:

- DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement' DfE (2016) 'Behaviour and discipline in schools'
- DfE (2022) 'Behaviour in Schools'
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

This policy will be implemented in conjunction with the following school policies and procedures:

- Behaviour Policy
- Anti-Bullying Policy
- Special Educational Needs and Disability (SEND) Policy
- Child Protection and Safeguarding Policy
- Care & Control Policy

## 2. Roles & Responsibilities

### **The Local Authority is responsible for:**

- Having due regard to the relevant statutory guidance when carrying out its duties in relation to the education of Looked After Children (LAC)
- Arranging suitable full-time education for any pupil of compulsory school age **excluded permanently**, in coordination with the school
- Reviewing and reassessing pupils' needs in consultation with their parents where they have an EHC plan and are excluded permanently, with a view to identifying a new placement

### **The Trust is responsible for:**

- Arranging for an independent review panel hearing to review the decision of the governing board's Review Panel not to reinstate a permanently excluded pupil where required
- Arranging for the independent review panel hearing to be held via remote access where requested by parents or excluded pupils aged 18 and above
- Providing information, within 14 days of a request, to the Secretary of State and LA about any exclusions within the last 12 months

- Arranging suitable full-time education for any pupil of compulsory school age who is **suspended**, where required
- Using data to evaluate the Trust's practices regarding intervention, suspension and exclusion

**The Principal is responsible for:**

- Implementing good levels of discipline to ensure all pupils can benefit from the opportunities provided by education and to minimise potential suspensions and exclusions
- Applying the civil standard of proof when establishing the facts in relation to a suspension or exclusion
- Complying with their statutory duties in relation to pupils with SEND when administering the suspension or exclusion process, as outlined in the Special Educational Needs and Disabilities (SEND) Policy
- Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a pupil has suffered bereavement, experienced bullying or has a mental health issue
- Considering the use of a multi-agency assessment for a pupil who demonstrates persistent disruptive behaviour
- Reviewing the effectiveness of suspensions and exclusions as sanctions, e.g. if a pupil has received multiple suspensions or is approaching the legal limit for suspensions in an academic year
- Considering what extra support may be needed to identify and address the needs of individual pupils, particularly those with SEND, those eligible for Free School Meals (FSM), Looked After Children (LAC) and those from certain ethnic groups
- Engaging effectively with parents in supporting the behaviour of pupils with additional needs.
- Determining whether a pupil will be suspended or excluded on disciplinary grounds
- Adhering to their responsibilities when cancelling an exclusion before the governing board's Review Panel has met to consider whether the pupil should be reinstated. Withdrawing any suspensions or exclusions that have not been reviewed by the Review Panel, where appropriate
- Ensuring any decision to suspend or exclude is lawful, rational, reasonable, fair and proportionate
- Complying with the requirements of the Equality Act 2010 when deciding whether to suspend or exclude a pupil
- Ensuring they have considered their legal duty of care when sending a pupil home following a suspension or exclusion
- Making the decision to suspend or exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings
- Liaising with the Sector Director for suspensions longer than 5 days to arrange 6<sup>th</sup> day provision.
- Consulting with the CEO prior to a permanent exclusion being issued
- Notifying a pupil's parents without delay where the decision is taken to suspend or exclude the pupil, including the days on which the parents must ensure the pupil is not present in a public place at any time during school hours, as well as any other necessary information statutorily required
- Ensuring that all information provided to parents is clear and easily understood
- Ensuring that the case worker for a Looked After Child (LAC) or a child with an EHCP is informed
- Notifying the Academy Committee Chair of their decision to suspend or exclude a pupil where appropriate, as well as the pupil's home authority if required
- Notifying the Academy Committee once per term of suspensions and exclusions in the Principal's report to the Academy Committee

- Organising suitable work for suspended or excluded pupils where alternative provision cannot be arranged

### **The Governing Board's Review Panel is responsible for**

- Considering parents' representations about suspensions and exclusions within 15 school days of receiving notice if the appropriate requirements are met
- Where a suspension or exclusion would result in a pupil missing a public examination or test, considering the suspension or exclusion before this date
- Considering whether it would be appropriate for a pupil to be permitted onto the school premises to sit the public examination or test
- Arranging the representation meeting at a time and date convenient to all parties, but in compliance with the statutory time limits
- Arranging for the representation meeting to take place via remote access where requested by parents or excluded pupils aged 18 and over
- Adhering to its responsibilities to consider the reinstatement of pupils
- Considering the interests and circumstances of the suspended or excluded pupil, including the circumstances in which they were suspended or excluded, and have due regard to the interests of others at the academy
- Using the civil standard of proof (based on the 'balance of probabilities', it is more than likely that the fact is true) when establishing the facts relating to a suspension or exclusion
- Ensuring clear minutes are taken of the representation meeting
- Appointing a clerk to provide advice to the review panel and other parties on procedure, law and statutory guidance on suspensions and exclusions
- Noting the outcome of the representation meeting on the pupil's education record, along with copies of relevant papers for future reference
- Notifying the pupil's parents, the Principal and LA of its decision and the reasons for it, without delay
- Where appropriate, informing parents of where to apply for an Independent Review Panel.
- Informing parents of relevant sources of information
- Ensuring a pupil's name is removed from the school admissions register, where appropriate.
- Reconvening within 10 school days to reconsider reinstatement of a pupil where directed to do so by an Independent Review Panel

### **The Clerk to the Review Panel is responsible for:**

- Informing the appropriate individuals that they are entitled to:
  - Make written representations to the panel
  - Attend the hearing and make oral representations to the panel
  - Be represented
- Circulating copies of relevant papers at least five school days before the review to all parties.
- Giving all parties details of those attending and their role, once the position is clear
- Attending the review and ensuring that minutes are produced in accordance with instructions from the panel within the timeframe of the policy

### 3. Grounds for Suspension or Exclusion

The Trust's academies will only suspend or exclude a pupil where it is absolutely necessary and, where all other possible disciplinary sanctions, as detailed in the Behaviour Policy, have failed to be successful.

See Appendix A - 'Making a decision to suspend or exclude a Pupil'

The following behaviour may underline the academy's decision to suspend or exclude a pupil:

- Persistent disruptive behaviour
- Physical assault against an adult
- Physical assault against a pupil
- Verbal abuse or threatening behaviour against an adult
- Verbal abuse or threatening behaviour against a pupil
- Damage
- Bullying
- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse

Pupils can be suspended on a fixed-period basis, i.e. up to 45 school days within a year, or permanently excluded. Similarly, pupils can be permanently excluded following a suspension, where further evidence is presented.

In all cases, the Principal will decide whether a pupil will be subject to a suspension or exclusion, depending on what the circumstances warrant.

### 4. The Principal's Power to Suspend and Exclude

Only the Principal has the power to suspend or exclude a pupil from their academy and is able to decide whether either a suspension or exclusion is appropriate. All suspensions and exclusions will be issued on disciplinary grounds only.

The Principal will consult with the CEO of Ambitions Academies Trust before a pupil is excluded from their academy.

The Principal is able to suspend pupils from the academy where their behaviour is disruptive during lunchtime. All lunchtime suspensions will be counted as half a school day. The Principal is also able to consider a pupil's disruptive behaviour outside of the academy premises as grounds for suspension or exclusion, in accordance with the academy's Behaviour Policy.

Any decision made to suspend or exclude a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions or exclusions and the academy's wider legal duties, including the European Convention on Human Rights (ECHR). At all times, the Principal will take into account their legal duties under the Equality Act 2010 and the 'Special Educational Needs and Disability Code of Practice: 0 to 25 Years', ensuring that they do not discriminate on any grounds and will not increase the severity of a pupil's suspension or exclusion on these grounds.

The Principal will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.

The Principal may cancel any suspension or exclusion that has already begun, or one that has not yet begun; however, this power will only be used if the suspension or exclusion has not already been reviewed by a Review Panel.

Where a suspension or exclusion is cancelled, the Principal will notify the pupil's parents/carers, the Academy Committee Chair, the LA and, where relevant, the virtual school head (VSH) and the pupil's social worker. The notification will also provide the reason for the cancellation. The Principal will offer the pupil's parents the opportunity to meet with them to discuss the circumstances that led to the cancellation of the suspension or exclusion and the pupil will be allowed back into school without delay.

When a suspension or exclusion is cancelled, the Review Panel's duty to consider reinstatement ceases and there is no requirement to hold a meeting to consider reinstatement.

Any days spent out of school as a result of a suspension or exclusion prior to it being cancelled will count towards the maximum 45 school days that a pupil can be suspended in an academic year. A permanent exclusion will not be cancelled if the pupil has already been suspended for more than 45 school days in an academic year or if they will have been so by the time the cancellation takes effect.

The Principal will report the number of suspensions and exclusions that have been cancelled, alongside the circumstances around and reasons for cancellation, to the Academy Committee once per term, to allow the Academy Committee to have appropriate oversight.

The Principal will not issue any 'informal' or 'unofficial' suspensions or exclusions, such as sending a pupil home to 'cool-off', regardless of whether or not the parents/carers have agreed to this. The Principal will not use the threat of exclusion as a means of instructing parents/carers to remove their child from the premises.

All suspensions and exclusions will be formally recorded on the pupil information system.

All suspensions and exclusions that require a Review Panel to be convened will be reported to the Trust's Central Team using the 'Panel Required Record Sheet' – Appendix D.

## **5. Factors to Consider when Suspending or Excluding a Pupil**

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

- Allow the pupil the opportunity to present their case once evidence has been collected
- Take into account any contributing factors that are identified after a case of poor behaviour has occurred, e.g. if the pupil's wellbeing has been compromised, or they have been subjected to bullying
- Take into consideration whether the pupil has received multiple suspensions or is approaching the legal limit of 45 suspended days per school year and whether suspension is serving as an effective sanction
- Consider early intervention to address underlying causes of disruptive behaviour, including liaising with external agencies, to assess pupils who demonstrate consistently poor behaviour



The Principal will consider what extra support may be available for vulnerable pupil groups whose suspension and exclusion rates are higher, to reduce their risk of suspension or exclusion, including the following:

- Looked after Children (LAC)
- Pupils eligible for Free School Meals (FSM)
- Pupils with Special Educational Needs (SEND)
- Certain ethnic groups

The Principal will consider avoiding excluding pupils who are 'looked after' or pupils, those with Social, Emotional and Mental Health Difficulties (SEMH) or pupils with an with an Education Health Care Plan (EHCP) and seek to work proactively with the Local Authority to find alternative solutions.

Where any member of staff has concerns about vulnerable pupil groups and their behaviour, they will report this to the Principal, who will instigate a multi-agency assessment to determine whether the behavioural issues might be a result of educational, mental health or other needs and vulnerabilities.

Where Special Educational Needs and Disabilities (SEND) or Social, Emotional and Mental Health (SEMH) issues are identified, an individual Pastoral Support Plan (PSP) will be created using the graduated response outlined in the academy's Behaviour Policy. If the pupil continues to endanger the physical or emotional wellbeing of other pupils or staff, despite exhausting the graduated response process, then suspension or exclusion may be considered.

In accordance with the Equality Act 2010, under no circumstances will a pupil with identified SEND or SEMH issues be suspended or excluded before the graduated response process has been completed by the Principal investigating the incident.

Where a pupil with SEND or SEMH issues is excluded because of a SEND- or SEMH-related need that could not be met at the school, detailed records will be kept highlighting that these pupils are closely tracked and showing that the school has a close relationship with the pupil's next destination.

The Principal will work in conjunction with the parents of any pupil with additional needs to establish the most effective support mechanisms.

## **6. Preventative Measures**

Before taking a final decision to exclude, the Principal will consider whether it is in the best interests of all parties to initiate off-site directions or managed moves as preventative measures to exclusion.

### **Off-site Direction**

In Academies, the Trust Board may use their general powers to arrange for any registered pupil to attend at any place outside the school premises for the purpose of receiving educational provision intended to improve their behaviour.

The Principal will decide, in communication with the pupil and their parents, whether off-site direction is an appropriate solution to manage a pupil's behaviour and avoid suspension or exclusion. Where all parties agree to this course of action, the academy will work with the pupil and their parents to discuss and agree a plan for the off-site direction, including a proposed maximum period of time that the pupil will be at the alternative provision and any alternative options that will be considered once the time limit has been reached, e.g. managed moves.

The Principal will ensure that parents and the LA, if the pupil has an EHC plan, are notified, in writing with information about the placement no later than two school days before the relevant day.

The academy will keep any off-site placements under review by holding review meetings at intervals deemed appropriate. The academy will ensure, where possible, that review meetings are convened at a time suitable for the pupil's parents and will invite parents, in writing, to each review meeting no later than six days before that date. Where parents request, in writing, that the academy hold a review meeting, this will be arranged as soon as is reasonably practicable, unless there has been a review meeting in the previous 10 weeks.

The academy will decide at each review meeting whether the arrangement will continue and for what period of time; the meeting will also decide arrangements for further reviews. Reviews will be recorded in writing, including any decisions made regarding the placement.

### **Managed Moves**

Where it is thought to be in a pupil's best interest to transfer them to another mainstream school permanently, the Principal will discuss this with the parents of the pupil and the LA (if the pupil has an EHC plan). Managed Moves will only go ahead with the voluntary agreement of all parties involved, including the parents and the admission authority of the new school.

The academy will ensure that detailed records are kept of any decision to initiate a managed move, including evidence that appropriate initial intervention has been carried out. The school will participate in information sharing with the pupil's new school, including sending data on prior and current attainment, academic potential and any risk management strategies. The academy will also co-operate with the pupil's new school to create an effective integration strategy.

Parents who have concerns that a managed move is being forced on them or who are unhappy with a managed move will be referred to the Trust's Complaints Policy and Procedure.

## **7. Duty to Inform Parents/Carers**

Following the Principal's decision to suspend or exclude a pupil, they will immediately inform the parents/carers, or the excluded pupil if they are 18 or older, in person or by telephone, supported by email communication, of the period of the suspension, or permanency of the exclusion and the reasons behind this.

The Principal will inform the parents/carers in writing (electronically if written permission has been received from the parents/carers for notices to be sent this way) of the following:

- The reason(s) for the suspension or exclusion
- The length of the suspension or permanency of the exclusion
- Their right to raise any representations about the suspension or exclusion to the Academy including how the pupil will be involved in this and how the representations will be made
- Their right to make a request to hold the meeting via remote access and how this request can be made
- Their right to attend a meeting where there is a legal requirement for the governing board's Review Panel to consider the suspension or exclusion and the fact that they are able to bring an accompanying individual
- The arrangements that have been made for the pupil to continue their education prior to the organisation of any alternative provision, or the pupil's return to the academy
- Relevant sources of free, impartial information

Where the pupil is of compulsory school age, the Principal will inform the parents/carers by the end of the afternoon session that, for the first five days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), parents are

legally required to ensure that their child is not present in a public place during school hours without justification and that parents may receive a penalty fine if they fail to do so.

Where the Principal has arranged alternative provision, they will also inform the parents/carers of the following:

- The start and end date for any provision of full-time education
- The address at which the provision will take place
- Any information necessary for the pupil to identify the person they should report to on the starting date

Where the Principal is unable to provide information on alternative provision by the end of the afternoon session, they will provide the information in a subsequent written notice without further delay and within 48 hours of the pupil beginning the provision.

If the alternative provision is due to begin before the sixth day of the suspension or exclusion, the Principal is able to give less than 48 hours of notice, with parental consent.

If the Principal has decided to suspend the pupil for a further fixed period following their original suspension or to permanently exclude them, they will notify the parents/carers without delay and issue a new suspension or exclusion notice to parents/carers.

## **8. Duty to Inform the Governing Board's Academy Committee and the Local Authority**

The Principal will inform the Academy Committee Chair, without delay, of the following:

- Any permanent exclusions (including where a suspension is followed by a decision to permanently exclude the pupil)
- Any suspensions that would result in the pupil being suspended for more than five school days in a term (or more than 10 lunchtimes)
- Any suspensions or exclusions which would result in the pupil being absent from an examination or national curriculum test

For any suspensions, other than those above, the Principal will notify the Academy Committee once per term.

The Principal will inform the Local Authority of all suspensions or exclusions, regardless of their length, without delay.

All notifications to the Academy Committee Chair and the LA will include the reasons for the suspension or exclusion and the duration of any suspension.

If a pupil who is suspended lives outside the LA in which the academy is located, the Principal will notify the pupil's 'home authority'.

## **9. Duty to Inform Social Workers and the Virtual School Head (VSH)**

When a pupil has been suspended or excluded, the Principal will, without delay, notify the pupil's social worker, if they have one, and the VSH, if they are a looked-after child. This notification will include the period of any suspension and the reasons for suspension or permanent exclusion.

Social workers and/or the VSH will also be informed when a meeting of the Review Panel is taking place and will be invited to attend the meeting should they wish to do so.

Social workers and VSHs will be allowed to join a Review Panel meeting or independent review panel via the use of remote access, as long as the arranging authority is satisfied they will be able to participate effectively, they can hear and be heard throughout the meeting and their remote participation will not prevent the meeting being fair and transparent.

## **10. Arranging Education for Suspended and Excluded Pupils**

For any suspensions of more than five school days, the academy will arrange suitable full-time education for the pupil, which will begin no later than the sixth day of suspension. Where a pupil receives consecutive suspensions, these will be regarded as cumulative and full-time education will still have to be provided from the sixth day of suspension. For exclusions, full-time education will be provided for the pupil from the sixth day of exclusion.

The academy will not arrange full-time education for any pupil who is currently in their final year of compulsory education and who does not have any further public examinations to sit.

The Trust is aware that it is beneficial to suspended and excluded pupils to begin their alternative education arrangements before the sixth day of suspension or exclusion; therefore, the academy will always attempt to arrange alternative provision before the sixth day. Where it is not possible to arrange alternative provision during the first five days, the academy will ensure that they take reasonable steps to set and mark work for the pupil.

If a pupil with SEND has been suspended or excluded, the academy will ensure that:

- Any alternative provision is arranged in consultation with the pupil's parents/carers, who are able to request preferences
- When identifying alternative provision, any EHC plan is reviewed or the pupil's needs are reassessed in consultation with the pupil's parents/carers

## **11. Considering Suspensions and Exclusions**

The governing board's Review Panel will consider any representations made by parents regarding suspensions and exclusions.

Parents/carers and, where requested, a friend or representative, the Principal and a member of the Local Authority will be invited to attend any consideration of suspensions and exclusions and will be able to make representations.

Any meeting to consider reinstatement of a pupil will be arranged at a date and time convenient for all parties and in compliance with any statutory time limits. Parents/carers and excluded pupils, if they are over 18, will also be able to request that the meeting is held via remote access.

Where it is appropriate to the pupil's age and level of understanding, the pupil will also attend any consideration meeting and will be enabled to make a representation on their own behalf if they desire to do so.

A Review Panel will consider the reinstatement of a suspended or excluded pupil, where:

- The exclusion is permanent
- The suspension would bring the pupil's total number of suspended school days to more than 15 in any given term
- The suspension or exclusion would result in the pupil missing a public examination

In the case of a suspension where the pupil's total number of suspended days is more than 5 but less than 16 school days (this includes suspensions that exceed 15 school days by less than a whole day, e.g. one that totals 15.5 days) within a term, if parents make representations, the Review Panel will consider suspensions within 50 school days of receiving the notice of suspension. In the absence of any representations from parents, the Review Panel will consider the reinstatement on their own.

Where a suspension will take a pupil's total number of school days out of school above five but less than 15 for the term and parents have not requested a Panel Review meeting, the governing board will not be required to consider the pupil's reinstatement but it will have the power to do so if it deems it appropriate.

Where a suspension will not bring a pupil's total number of days of suspension to more than five days in a term, the governing board will consider all representations made by parents; however, the board cannot direct the reinstatement of the pupil and it is not required to arrange a meeting with parents.

Where suspension or exclusion would result in a pupil missing a public examination, the Review Panel will consider the suspension or exclusion before the test to decide whether the pupil should be reinstated in time to take the examination.

In academies, if it is not practicable for a sufficient number of panel members to consider the decision before the examination, a smaller sub-committee will consider the suspension or exclusion and decide whether or not to reinstate the pupil.

In light of the above, the Review Panel will also consider whether it would be appropriate to allow the suspended or excluded pupil to enter the premises to take the examination.

When considering the reinstatement of a pupil, the Review Panel will:

- Only discuss the suspension or exclusion with the parties present at the meeting
- Ask for any written evidence prior to the meeting. See Appendix E – Information Pack Checklist
- Circulate any written evidence and information to all parties, at least five school days in advance of the meeting
- Allow pupils and parents/carers to be accompanied by a person of their choice at the meeting.
- Consider what reasonable adjustments need to be made to support the attendance and contribution of parties at the meeting
- Identify the steps needed to enable and encourage the suspended or excluded pupil to attend the meeting and speak on their behalf, or how they may contribute personal views by other means if attendance is not possible
- Consider the interests and circumstances of the excluded pupil, including the grounds for suspension or exclusion

## **12. Reaching a Decision**

After considering suspensions and exclusions, the governing board's Review Panel will either:

- Decline to reinstate the pupil

- Direct the reinstatement of the pupil immediately, or on a specified date

If reinstatement would make no practical difference, e.g. if the pupil has already returned to the academy following a suspension or the parents/carers make clear they do not want their child reinstated, the Review Panel will still consider whether the pupil should be officially reinstated and whether the Principal's decision to suspend or exclude the pupil was fair, lawful and proportionate, based on the evidence presented.

The Review Panel will apply the civil standard of proof when responding to the facts relating to a suspension or exclusion, i.e. that on the 'balance of probabilities' it is more likely than not that the facts are true.

To reach a decision, the Review Panel will:

- Identify the steps they intend to take to ensure that all parties involved will have the opportunity to participate and present their views
- Ensure that minutes are taken of the meeting as a record of the evidence that was considered.
- Ask all parties to withdraw from the meeting before concluding their decision
- Consider whether the suspension or exclusion of the pupil was lawful, proportionate and fair, taking into account the Principal's legal duties and any evidence that was presented to the Panel in relation to the decision
- Record the outcome of the decision on the pupil's educational records, along with copies, which will be kept for at least six months
- Make a note of their findings, where they have considered a suspension or exclusion but cannot reinstate the pupil

### **13. Notification of Considered Suspensions and Exclusions**

The governing board's Review Panel will notify the parents/carers of the suspended or excluded pupil, the Principal and the LA of their decision following the consideration of a suspension or exclusion in writing and without delay.

In the case of exclusion, where the Review Panel decides not to reinstate the pupil, they will notify the parents/carers:

- That the exclusion is permanent
- Of their right for it to be reviewed by an Independent Review Panel
- Of the date by which an application for review must be made
- Of the name and address of whom the review application should be submitted to
- That a request to hold the meeting via remote access can be made and how to do this
- That any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a pupil's SEND is considered relevant to the exclusion
- That, regardless of whether a pupil has been identified as having SEND, the parents/carers have a right to require the Panel to ensure a SEND expert attends the review
- Of the role of the SEND expert that will attend the review and that the parents/carers will not be charged for this
- That they are required to make it clear if they wish for a SEND expert to attend the review
- That they may appoint someone at their own expense to make representations to the panel

The Review Panel will also notify parents/carers that, if they believe a suspension or exclusion has been issued as a result of discrimination, then they are required to make a claim under the Equality Act 2010 to the First-tier Tribunal (SEND) and that this should be within six months of when the discrimination allegedly took place.

After any conclusion, the Review Panel will notify the parents/carers and all other parties involved of the decision that was made and the reasoning for this, in sufficient detail.

#### **14. Removing Excluded Pupils from the Academy Register**

The Principal will remove pupils from the academy register if:

- 15 school days have passed since the parents/carers were notified of the Review Panel's decision not to reinstate the pupil and no application for an independent panel review has been received
- The parents/carers have stated in writing that they will not be applying for an independent panel review following an exclusion

If an application for an independent panel review has been made within 15 school days, the Principal will wait until the review has been determined or abandoned, and until the Review Panel has completed any reconsideration that the IRP Panel recommended or directed it to carry out, before removing the pupil from the academy register.

If a pupil's name is to be removed from the register, the Principal will make a return to the LA, which will include:

- All the particulars which were entered in the register
- The address of any parent with whom the pupil normally resides
- The grounds upon which the pupil's name is to be removed from the register

Any return to the LA will be made as soon as the grounds for removal are met and no later than the date in which the pupil's name was removed.

If a pupil's name has been removed from the register and a discrimination claim is made, the pupil may be reinstated following a decision made by the First-tier Tribunal (SEND) or County Court.

Whilst a pupil's name remains on the admissions register, the appropriate code will be used to mark the pupil's attendance:

- Code B: Education off-site
- Code D: Dual registration
- Code E: Absent and not attending alternative provision

#### **15. Independent Review Panel**

Ambitions Academies Trust will review the governing board Review Panel's decision not to reinstate an excluded pupil, if the parents/carers submit their application for this within the required time frame.

The Trust will constitute an independent review panel of three or five members that represent the following categories:

- A lay member to chair the panel. This individual will not have worked in any school in a paid capacity
- A current or former school governor who has served for at least 12 consecutive months in the last five years
- A Principal or individual who has been a headteacher within the last five years

Parents/carers are required to submit their applications within:

- 15 school days of the Review Panel's notification of their decision
- 15 school days of the final determination of a discriminatory claim made under the Equality Act 2010

Any application made outside of this timeframe will not be reviewed. Parents/carers are able to request an independent panel review even if they did not make a case to, or attend, the Review Panel's initial consideration of the exclusion.

Parents can request that independent review panels take place via remote access.

The Trust will adhere to all statutory guidelines when conducting an independent panel review, as outlined in the DfE's statutory guidance.

## **16. Appointing a SEND Expert**

If requested by parents/carers in their application for an independent review panel, Ambitions Academies Trust will appoint a SEND expert to attend the panel and cover the associated costs of this appointment. Parents have a right to request the attendance of a SEND expert at a review regardless of whether the school recognises that their child has SEND.

The Trust will make arrangements to indemnify the SEND expert against any legal costs and expenses reasonably incurred as a result of any decisions or actions connected to the review and which are taken in good faith.

An individual will not serve as a SEND expert if they have, or at any time have had, any connection with the local authority, academy, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their ability to act impartially; however, an individual is not taken to have such a connection solely because they are an employee of the Trust.

The SEND expert will be a professional with first-hand experience of the assessment and support of SEND, as well as an understanding of the legal requirements on academies in relation to SEND. Examples of suitable individuals might include educational psychologists, specialist SEND teachers, SENCOs and behaviour support teachers.

Recently retired individuals are not precluded from fulfilling this role, however, the Trust will, during interview, assess the knowledge of such individuals in order to ensure that they have a good understanding of current practice and the legal requirements on academies in relation to SEND.



Whilst individuals are not automatically taken to be partial simply because they are an employee of, or contracted by, the Trust, they will not have had any previous involvement in the assessment or support of SEND for the excluded pupil, or siblings of the excluded pupil. The Trust will request that prospective SEND experts declare any conflict of interest at the earliest opportunity.

The final decision on the appointment of a SEND expert is for the Trust to make, but it will take reasonable steps to ensure that parents/carers have confidence in the impartiality and capability of the SEND expert. Where possible, this will include offering parents/carers a choice of SEND expert. In order to meet its duties within the statutory time frame, the Trust will consider maintaining a list of individuals capable of performing the role of SEND expert in advance of a request.

The Trust will determine the amount of any payment in relation to the appointment of the SEND expert, such as financial loss, travel and subsistence allowances.

## **17. The Role of the SEND Expert**

The SEND expert's role is analogous to an expert witness, providing (orally and/or written) impartial advice to the panel on how SEND might be relevant to the exclusion. The SEND expert will base their advice on the evidence provided to the panel. The SEND expert's role does not include making an assessment of the pupil's SEND.

The focus of the SEND expert's advice will be on whether the Academy's policies which relate to SEND, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair. If the SEND expert believes that this was not the case, they will, where possible, advise the panel on the possible contribution this could have made to the circumstances of the pupil's exclusion.

Where the academy does not recognise that a pupil has SEND, the SEND expert will advise the panel on whether they believe the school acted in a legal, reasonable and procedurally fair way with respect to the identification of any SEND that the pupil may potentially have and any contribution that this could have made to the circumstances of the pupil's exclusion.

The SEND expert will not criticise an academy's policies or actions simply because they believe a different approach should have been followed or because another school might have taken a different approach.

## **18. Appointing a Clerk**

The Trust will decide whether to appoint a clerk to the independent review panel, or to make alternative arrangements to administer the panel.

Where a clerk is appointed, the Trust will ensure that the clerk did not serve as clerk to the governing board's Review Panel when the decision was made not to reinstate the pupil.

## **19. The Role of the Clerk**

The clerk's role is to provide advice to the panel and parties to the review on procedure, law and statutory guidance on exclusions.

The clerk will:

- Identify, in advance of the meeting, whether the excluded pupil wishes to attend the panel hearing, taking reasonable steps to enable the pupil to feedback their views, irrespective of their attendance
- Identify, in advance of the meeting, whether any alleged victims of the incident leading up to the exclusion wish to attend the panel hearing, taking reasonable steps to enable them to feedback their views, irrespective of their attendance
- Ensure that the panel is able to hear from any witnesses to the incident leading to the exclusion, taking into account the fact that some of these people may be pupils at the school. Pupils under 18 will not be allowed to appear in person without parental consent
- Inform the parents/carers, Principal and Review Panel that they are entitled to make oral and written representations to the panel, attend the hearing and be represented
- Ensure that all parties are:
  - Provided with copies of relevant papers at least five school days before the review, notifying the panel if any requested documents have not been provided in case the panel wishes to adjourn until a later date
  - Informed about who is attending the meeting and what their roles are
- Attend the review and ensure that minutes are produced in accordance with instructions from the independent review panel

Where a clerk is not appointed, the LA will undertake the functions outlined above.

## **20. The Duties of the Independent Review Panel**

The role of the panel is to review the governing board Review Panel's decision not to reinstate an excluded pupil. In reviewing the decision, the panel will consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded and have regard to the interests of other pupils and people working at the school. The panel will apply the civil standard of proof rather than the criminal standard of 'beyond reasonable doubt'.

Following the review, the panel will do one of the following:

- Uphold the decision
- Recommend that the Review Panel reconsiders reinstatement
- Quash the decision and direct that the Review Panel reconsiders reinstatement

The IRP panel's decision does not have to be unanimous and can be decided by a majority vote. It is binding on the pupil, parents/carers, the governing board's Review Panel, Principal and LA.

## **21. Conducting Governing Board Review Panel meetings or Independent Review Panels via Remote Access**

Parents/carers, or suspended/excluded pupils if they are 18 or older, will be able to request that Panel Review meetings or independent review panels are held via remote access. However, parents/carers and pupils will be made aware that this is not the default option.

Where a parent/carer or pupil makes a request correctly in line with instructions set out in the Principal's or Review Panel's written notification, the Review Panel or Trust will hold the meeting via the use of remote access.

Remote meetings and panels will be held in accordance with timelines for face-to-face meetings.

Where a request for a meeting to be held via remote access is not made, or the parent or pupil does not state a preference, the meeting or panel will be held in person unless it is not practicable to do so.

If there is a reason related to extraordinary events or unforeseen circumstances, e.g. an outbreak of an infectious illness, which means it is not reasonable for a meeting or panel to be held in person, it may be held via remote access.

Meetings will only be held via remote access if the Review Panel or Trust is satisfied that that the meeting can be held fairly and transparently. If this cannot be done, the Review Panel or Trust will consult with the parent/carer to discuss how a face-to-face meeting can be arranged that will be convenient for them.

If there are technological or internet issues during a remote meeting which compromises the ability for participants to be seen or heard or prevents the meeting from being held fairly and transparently and it is not reasonably practicable to resolve, a face-to-face meeting will be arranged without delay.

When holding meetings or panels via remote access, the Review Panel or Trust will:

- Comply with relevant equalities legislation
- Enable access to the support that the parent/carer is entitled to, including the presence of a friend
- Confirm with all participants that they have access to the technology that will allow them to participate in the meeting or panel
- Ensure all the participants will be able to put across their point of view and/or fulfil their function
- Ensure the remote meeting or panel can be held fairly and transparently

## **22. Reconsidering Reinstatement Following a Review**

Where the independent review panel **instructs** the governing board's Review Panel to reconsider their decision not to reinstate a pupil, they will do so within 10 school days of being given notice of the independent review panel's decision.

The Trust is aware that if, following an **instruction** to reconsider, the Review Panel does not offer to reinstate the pupil, then the academy will be required to make a payment of £4,000 directly to the LA area in which the academy is located.

Where the independent review panel **recommends** that the Review Panel should reconsider their decision not to reinstate a pupil, they will do so within 10 school days of being given notice of the review panel's decision.

The Trust is aware that if, following a **recommendation** to reconsider, the Review Panel does not offer to reinstate the pupil, it will not be subject to a financial adjustment.

If, following reconsideration, the Review Panel offers to reinstate the pupil but the parents/carers decline, no adjustment will be made to the school's budget.

Following reconsideration, the Review Panel will notify the parents/carers, the Principal and the LA of their reconsidered decision and the reasons for this.

## **23. Criminal Investigations**

The Principal will not postpone taking a decision to suspend or exclude a pupil due to a police investigation being underway or any criminal proceedings that are in place.

Particular consideration will be given by the Principal when deciding to suspend or exclude a pupil where evidence is limited by a police investigation to ensure that any decision made is fair and reasonable.

If the governing board's Review Panel is required to consider the Principal's decision in these circumstances, they will not postpone the meeting and will make a decision based on the evidence available.

## **24. Training Requirements**

The Trust will ensure that all independent review panel members and clerks have received training within the two years prior to the date of the review. Training will cover:

- The requirements of the legislation, regulations and statutory guidance governing suspensions and exclusions
- The need for the panel to observe procedural fairness and the rules of natural justice.
- The role of the chair of a review panel
- The role of the clerk to a review panel
- The duties of Principals, Review Panel and the IRP panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 and the need to act in a manner compatible with human rights protected by that Act

Clerks will also have an up-to-date understanding on developments in case law which are relevant to suspension and exclusion.

## **25. Using Data**

The Principal will ensure that all data regarding suspensions and exclusions is collected and provided to the Trust Board and Academy Committee on a termly basis.

The Academy Committee will review this data regularly in order to:

- Consider the effectiveness and consistency in implementing the Behaviour Policy
- Gather information on where pupils are receiving repeat suspensions
- Evaluate interventions in place to support pupils at risk of suspension and exclusion including where there are patterns which may indicate that certain policies and support measures are or are not working

The Trust Board will review this data regularly in order to:

- Consider the level of pupil moves and the characteristics of pupils who are moving on any permanent exclusions to ensure that this is only being used as a last resort

- Gather information on pupils who are taken off the roll and those who are on the roll but attending education off-site
- Determine whether there are any patterns of suspensions and exclusions across the Trust
- Understand any variations in the rolling average of permanent exclusions to ensure they are only used when necessary
- Understand any protected characteristics of suspended and excluded pupils and evaluate equality considerations
- Analyse whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives

## **26. Monitoring and Review**

This policy will be reviewed annually by the Trust Board.

All members of staff will be required to familiarise themselves with this policy as part of their induction programme.

## Appendix A – Ambitions Academies Trust – Making a Decision to Suspend or Exclude

Template in the AAT Exclusions Panel Information Team

[Making the Decision to Suspend or Exclude - NEW.docx](#)

Name of pupil							
Previous number of suspensions this year							
Pupil characteristics:	<table border="1"> <tr> <td>SEN K</td> <td></td> </tr> <tr> <td>EHCP</td> <td></td> </tr> <tr> <td>LAC</td> <td></td> </tr> </table>	SEN K		EHCP		LAC	
SEN K							
EHCP							
LAC							
Ethnicity							
Summary of incident that has occurred (bullet points only)							
Has the pupil explained the reason for their behaviour personally?							
Reason for suspension or exclusion: e.g. persistent disruptive behaviour, physical assault							

Point to Consider	Response																								
Identify how the behaviour presented by the pupil meets the consequence of suspension or exclusion in the Behaviour Policy.																									
Are there any mitigating factors with regard to this incident?	<table border="1"> <tr> <td>Provocation from the other pupil</td> <td></td> </tr> <tr> <td>The pupil's general medical and emotional condition</td> <td></td> </tr> <tr> <td>New to the academy and possibly unaware of the Behaviour Policy</td> <td></td> </tr> <tr> <td>Encouraged by others to act inappropriately</td> <td></td> </tr> <tr> <td>A relatively minor role in relation to others</td> <td></td> </tr> <tr> <td>An impulsive act or committed in the heat of the moment</td> <td></td> </tr> <tr> <td>A first offence</td> <td></td> </tr> <tr> <td>Previous behaviour and character suggesting repetition of behaviour is unlikely</td> <td></td> </tr> <tr> <td>An apology for the behaviour</td> <td></td> </tr> <tr> <td>Showing repentance and willingness to assume responsibility</td> <td></td> </tr> <tr> <td>Admission of the offence</td> <td></td> </tr> <tr> <td>Readiness to make restitution towards the victim (s)</td> <td></td> </tr> </table>	Provocation from the other pupil		The pupil's general medical and emotional condition		New to the academy and possibly unaware of the Behaviour Policy		Encouraged by others to act inappropriately		A relatively minor role in relation to others		An impulsive act or committed in the heat of the moment		A first offence		Previous behaviour and character suggesting repetition of behaviour is unlikely		An apology for the behaviour		Showing repentance and willingness to assume responsibility		Admission of the offence		Readiness to make restitution towards the victim (s)	
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Readiness to make restitution towards the victim (s)																									

Are there any aggravating factors with regard to this incident?	Failure to heed warnings about similar behaviour in the past	
	Previous warnings about the risk of suspension or exclusion	
	Premeditated offence	
	Use of a weapon	
	History of similar incidents	
	Witness intimidation	
	Victim sustaining physical injury requiring medical attention	
	Victim being vulnerable – for example, younger	
	Significant support from the academy to modify behaviour	
	Encouraging others to behave inappropriately in relation to the offence	
	Showing no contrition or no willingness to accept responsibility	
	Not willing to co-operate or actively seeking to frustrate it	
Are there any wider issues the pupil is experiencing which may have triggered the behaviour being considered for suspension or exclusion?		
Is there an appropriate alternative sanction given wider issues with the pupil and mitigating/aggravating circumstances?	Have they been in after school learning?	
	If so how many times and for how long?	
	Have they been in InEx?	
	If so how many times and for how long?	
When did the most recent parental contact take place and what was agreed/discussed?	Date:	
Do they have a Pastoral Support Plan (PSP) or equivalent?  If so what is the date of their last PSP? Has it been reviewed?	PSP: Date:	
Is the pupil on report? If so what level?	No Level of report: school	
Is a request for SEN review needed?	Yes / No	
If pupil has an EHCP is an interim review required?	Yes / No	
Is a professionals meeting required?	Yes / No	
Have you completed the Level of intervention form and what level is the pupil currently (1-4) and why	Yes / No Level: Why:	
Does the behaviour warrant a managed move?		
Does the behaviour warrant a redirection to another educational provider?	Yes / No	

**PRINCIPAL ONLY:** If the decision to suspend or exclude contradicts statutory and non-statutory guidance what is the reason for this?

Serious breach of Behaviour Policy	
Persistent breaches of the Behaviour Policy	
Education and welfare of other pupils affected	

Final decision	
Date(s) of Suspension or Exclusion	
Signed	

**Administration:**

Will this suspension take the pupil's total number of days missed above 5 in a term? If Yes, inform the Academy Committee Chair.	
Will this suspension or exclusion result in the pupil being absent from an examination or national curriculum test. If Yes, inform the Academy Committee Chair.	
Will the suspension take the pupil's total number of days missed to above 15 in a term? If Yes, a Review Panel meeting must be arranged. Inform the Trust's Governance Lead and the Academy Committee Chair.	
Is this a consecutive suspension which would result in pupil being suspended for more than 5 days in total and consequently 6 <sup>th</sup> day provision applies?	
Is this a potential exclusion? If Yes, has the CEO been consulted?	
Has an exclusion been issued? If Yes, an Exclusion Review Panel meeting must be arranged. Inform the Trust's Governance Lead and the Academy Committee Chair	
Is this a suspension that is above 5 days? If Yes, inform the Academy Committee Chair	
Has the LA been informed?	
Has the suspension or exclusion been recorded on SIMs?	

**Academy Committee**

The AAC Chair is informed of suspensions that take the pupil's total number of days missed above 5 in a term?	
The AAC Chair is informed of suspensions above 5 days	
The AAC Chair is informed of consecutive suspensions resulting in the pupil being suspended for more than 5 days in total and consequently requiring 6 <sup>th</sup> day provision	
The Academy Committee will review the data in the termly Principal's Summary Report and discuss key points at the Committee Meeting	



**PRINCIPAL ONLY:** If the decision to exclude contradicts statutory and non-statutory guidance what is the reason for this?

Serious breach of Behaviour Policy	
Persistent breaches of the Behaviour Policy	
Education and welfare of other pupils affected	

Final decision	
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## Appendix B – Suspensions & Exclusions Checklist

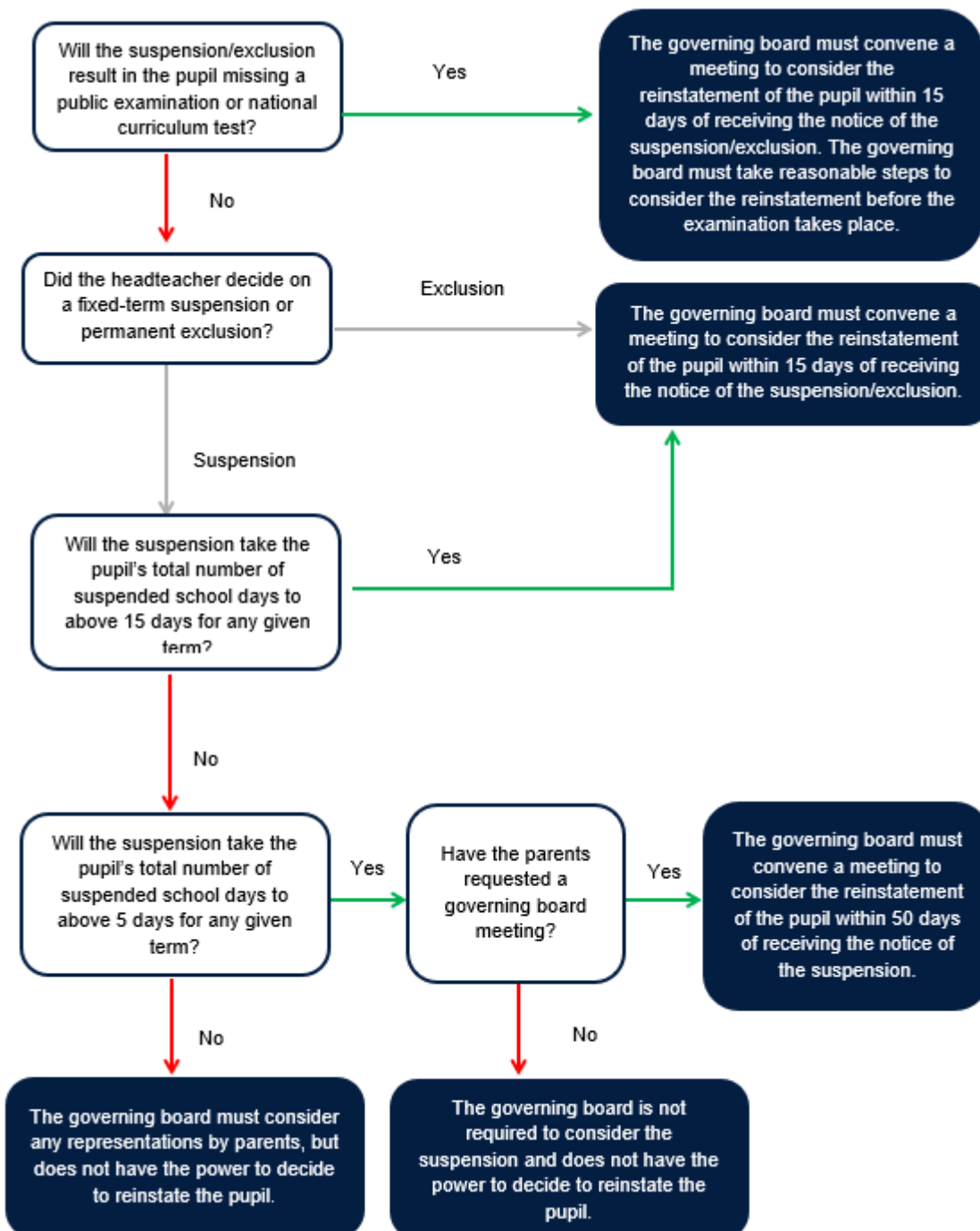
### All Suspensions & Exclusions

	Activity	Person Responsible	Day	Complete
1.	Decision to Suspend or Exclude a Student	Principal	1	
2.	Inform Parents/Carers using the template letter	Principal	Without Delay	
3.	Inform the Pupil's Social Worker as appropriate (58)	Principal	Without Delay	
4.	Inform the Virtual School Head as appropriate (59)	Principal	Without Delay	
5.	Log Suspension or Exclusion on SIMS	Administrator or HR Academy Lead	Without Delay	
6.	<p>Inform the Local Authority (81) - <b>BCP</b></p> <p><b>Suspensions</b> - notify BCP using the online SAM form <a href="http://servelec-synergy.com">Synergy - Enquiry (servelec-synergy.com)</a></p> <p><b>Permanent Exclusions</b> – notify BCP sending the PEX Notification <a href="#">BCP LA Permanent Exclusion Notification Form.xlsx</a> and the Exclusion Parent Letter to <a href="mailto:schoolinclusion@bcpcouncil.gov.uk">schoolinclusion@bcpcouncil.gov.uk</a></p>	HR Academy Lead	Without delay	
	<p>Inform the Local Authority (81) – <b>Dorset Council</b></p> <p><b>Suspensions</b> – Dorset will access the information from SIMS via Orchestra – no further action needed.</p> <p><b>Permanent Exclusions</b> – notify Dorset via <a href="#">Children missing out on education - Dorset Council sel - Introductionf-service portal (achieveservice.com)</a> and include the Parent Letter and completed Funding Declaration</p>	<p>All Saints Academy Senior Pupil &amp; Policy Administrator</p> <p>Wey Valley Academy</p> <p>HR Academy Lead</p>		
7.	<p>Liaise with the Local Authority - <b>BCP</b></p> <p>BCP will provide a Risk Assessment and an Alternative Provision Form to be completed and returned along with other specified documents</p>	Head of Year DSL and SENDCO as required	Within 24 hours	
	<p>Liaise with the Local Authority – <b>Dorset Council</b></p> <p>Dorset Inclusion will liaise with the Principal</p>		Without Delay	
8.	<p>Inform the AAC Chair (79) of</p> <ul style="list-style-type: none"> <li>Any Permanent Exclusion</li> <li>Any Suspension resulting in a <u>total of 5 or more school days in a term</u></li> <li>Any suspension or PEX resulting in a pupil missing an exam</li> </ul>	<p>Principal</p> <p>No details relating to the student or incident to be shared</p>	Without Delay	
9.	<p><b>Permanent Exclusions</b></p> <p>BCP will request that a risk assessment and an alternative provision form be completed/returned</p>	<p>Principal</p> <p>May be completed by the HOY / DSL / SENCO</p>	Within 24 hours of request	
10.	Information of alternative provision (67)	Principal	No later than 48 hours before start of provision	

## Suspensions & Exclusions requiring a Review Panel Meeting

	Activity	Person Responsible	Day	Complete
11.	Update the 'Panel Required' Record Sheet on Teams	Panel Clerk	1	
12.	Inform Governance Lead to convene a panel	Panel Clerk	1	
13.	Prepare Information Pack	Principal	By Day 5	
14.	Determine meeting attendees (non-panel)	Panel Clerk	By Day 5	
15.	Determine availability of Principal/Parents/Others (102)	Panel Clerk	By Day 5	
16.	Convene a Panel of AAC Members/Trustees	Governance Lead	By Day 5	
17.	Meeting Date Confirmed for all Attendees	Panel Clerk	By Day 5	
18.	Allocate a MS Team for the Documents to be made available to the panel members	Governance Lead	By Day 5	
19.	Meeting Rooms booked - the Panel/Clerk, Principal and Parents to be in separate locations until invited by the panel to join the formal meeting	Panel Clerk	By Day 9	
20.	Finalise the Panel Meeting Agenda	Panel Clerk	By Day 9	
21.	Letter to Parent/Carer confirming the date of the panel meeting and all meeting arrangements	Panel Clerk	By Day 9	
22.	Pack to Parents/Carers	Panel Clerk	No later than 5 school days prior to the meeting	
23.	Pack to all other parties	Panel Clerk	No later than 5 school days prior to the meeting	
24.	Pack Uploaded to Teams for the Panel	Panel Clerk	No later than 5 school days prior to the meeting	
25.	Confirmation of Parent/Student/Other Attendees	Panel Clerk		
26.	Attend the pre-meeting of Panel	Panel & Clerk	Date of meeting	
27.	Attend the Formal Review Panel Meeting	All Invitees	Date of meeting	
28.	Prepare the Outcome Letter Include date for IRP appeal if PEX has been upheld	Panel Clerk	Date of meeting	
29.	Outcome Letter Approval	Panel Chair	Without Delay	
30.	Outcome Letter to Parents/the LA/Social Worker/VSH	Panel Clerk	Without delay	
31.	Draft Meeting Minutes	Panel Clerk	Within 10 days of Panel Review	
32.	Meeting Minutes Approval	Panel Chair	Within 10 days of Panel Review	
33.	Pack filed on Teams to be used in the event of IRP	Governance Lead	Within 10 days of Panel Review	
34.	PEX – Request for an Independent Review	Parent/Carer	Within 15 days of Panel Review	
35.	PEX – Remove pupil from school roll if no IRP request and notify the Local Authority  BCP – email to <a href="mailto:schoolinclusion@bcpcouncil.gov.uk">schoolinclusion@bcpcouncil.gov.uk</a> advising the decision and a copy of the Outcome Letter	Panel Clerk	15 days after Panel Review	

## Appendix C – Flowchart for reviewing the Principal’s suspension or exclusion decision



## Appendix D – Panel Required Record Sheet

The Record Sheet is located in the 'AAT Exclusions Panel Information' Team. There is a separate sheet for each academy.

HR Academy Leads and Principals are responsible for ensuring the information is recorded.

The Governance Lead will use this information as required to ensure that the Trust complies with this policy and the DfE Statutory Guidance for Suspensions and Exclusions.

PANEL REQUIRED FOR A PERMANENT EXCLUSION OR A SUSPENSION THAT TAKES A PUPIL'S TOTAL NUMBER OF SUSPENDED DAYS ABOVE 15 IN A TERM																				
Student Surname	Student Forename	Year Group	Date of Exclusion	The 15th Day stated in the Parent Letter	Permanent Exclusion (Year No)	Number of Days of this Present Suspension	Reason	TOTAL Number of Days Suspended (including this present suspension)	Total number of days excluded in 15/16	Total number of days excluded in 14/15	Total number of days excluded in 15/16	Nature of Involvement of Social Worker or LA	Date of Panel Meeting	Time of Panel Meeting	Panel Chair (1)	Panel Member (2)	Panel Member (3)	Clerk to the Panel	Team for the electronic Pack	Outcome

## Appendix E – Information Pack Checklist

	Document	Included
1.	<b>Panel Meeting Agenda</b>	
2.	<b>Letter of Principal's Decision to Suspend or Exclude</b>	
3.	<b>Principal's Summary</b> <ul style="list-style-type: none"> <li>• Summary of the reason for the suspension/exclusion</li> <li>• Summary of Incident(s)</li> <li>• If a PEX ensure a clear explanation why a PEX not suspension</li> <li>• Protected Characteristics</li> <li>• The Pupil's feedback about the suspension/exclusion</li> <li>• Parent/Carer feedback about the suspension/exclusion</li> <li>• Summary of suspensions/exclusions – academic year to date</li> <li>• Summary of behaviour incidents by type/SIMS entry</li> <li>• Contextual Information</li> <li>• Family Factors</li> <li>• Academic Summary</li> <li>• Achievements &amp; Successes</li> <li>• Barriers to Learning</li> <li>• Peer Relationships &amp; General Wellbeing</li> <li>• Attendance Monitoring Summary (where relevant)</li> <li>• Aspirations / Interests and Career Aims / Future Progression</li> <li>• Summary of Support &amp; Interventions</li> </ul>	
4.	<b>Witness Statements and Photos</b> <ul style="list-style-type: none"> <li>• Relevant to the incident(s) leading to the suspension or exclusion</li> <li>• Note – CCTV can be presented at the Panel Meeting</li> </ul>	
5.	<b>Behaviour Report from SIMS</b>	
6.	<b>Summary of Support</b> <ul style="list-style-type: none"> <li>• Interventions</li> <li>• Pastoral Support Plan – the most recent</li> <li>• Timetable</li> <li>• Referrals made</li> <li>• External Support &amp; Agencies</li> <li>• Adjustments made to policy</li> </ul>	
7.	<b>Achievement Log</b>	
8.	<b>Progress Report – the most recent</b>	
9.	<b>Attendance Report</b>	
10.	<b>SEND Information</b> <ul style="list-style-type: none"> <li>• Support given</li> <li>• Reasonable adjustments made</li> </ul>	
11.	<b>Medical Information</b> <ul style="list-style-type: none"> <li>• Medical Notes</li> <li>• Medication</li> </ul>	
12.	<b>Safeguarding Chronology</b>	

<b>13.</b>	<b>Risk Assessment</b> • What has the Academy done to mitigate	
<b>14.</b>	<b>Appendix A - Chronology of suspensions extracted from SIMS</b> • By academic year since joining school	
<b>15.</b>	<b>Appendix B – Letters of all other suspensions</b>	

**Provide Electronic Links to**

- The Academy’s Behaviour Policy
- The Trust’s Suspension & Exclusion Policy
- The DfE Suspension and Permanent Exclusion Statutory Guidance