

Emmaus CAT Suspension and Permanent Exclusions Policy

February 2025

POLICY DOCUMENT	Suspension and Permanent Exclusion Policy
Legislation/Category: Academy Schools	REQUIRED
Lead Member of Staff:	Senior Leader (Secondary) Behaviour & Personal Development
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EMMAUS CATHOLIC ACADEMY TRUST

The Diocese of Salford provides Catholic Academy Trusts, schools, and colleges for the following reasons:

1. To assist in the mission of making Christ known to all people;
2. To assist parents and carers, who are the prime educators of their children, in the education and religious formation of their children;
3. To be of service to the local Church – the Diocese – the Parish and the Christian home;
4. To be of service to society.

Emmaus Catholic Academy Trust Vision:

To provide great Catholic education across Greater Manchester.

Journey with Emmaus CAT...



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1. Policy Statement

Our core purpose is to create a healthy Catholic organisation serving the pupils in our Catholic schools, communities, families, and parishes across Greater Manchester. We are aligned in our mission to work collegially to ensure that we have great schools, strong in faith, serving society. Schools where every pupil has an equal opportunity to thrive and receive the very best Catholic education and formation. Our guiding principles and this Suspension and Permanent Exclusion Policy exist to ensure that each Emmaus CAT school has a clear and compelling vision for all of its pupils, focused on creating an inclusive environment, tailored to the needs and abilities of each and every pupil. At Emmaus CAT we will succeed with our philosophy of aligned autonomy, the belief that talent is key and the sharing of curriculum knowledge and academic rigor.

2. Aim of Emmaus CAT Policies

The aim of this, and all Emmaus CAT policies is to support the seven major themes of Catholic Social Teaching, which include;

- The dignity of work and the rights of the worker;
- Solidarity with all people;
- A preferential option for the poor;
- Stewardship and care for creation;
- The call to community and participation;
- The sacredness of life and the dignity of the human person;
- Human rights and the responsibility to protect them;

as well as ensuring that national legislation and guidance are implemented across all our schools. Our policies should not be viewed in isolation, but along with our guiding principles, as integral to all aspects of school improvement. With our policies we aim to create an effective partnership with parents and carers, the prime educators of their children, to ensure that all children reach their potential whilst setting high expectations and aspirations, in a positive and supportive environment. All Emmaus CAT policies will clearly define and communicate the core principles which underpin our Catholic culture, mission and vision.

3. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): [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](#)
- The [School Inspection Handbook](#), which defines ‘off-rolling’
- This policy complies with our funding agreement and articles of association.

4. Definitions

For the purposes of this policy – the following terminology and definitions apply:

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 admission register. This is sometimes referred to as an ‘exclusion’.

Off-site direction – when a school requires a pupil to attend another education setting temporarily, to improve their behaviour (each LA may use different terminology to define these).

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

Managed move – when a pupil is transferred to another school permanently. All parties, including parents/carers and the admission authority for the new school, should consent before a managed move occurs.

5. Statutory Exclusion procedures

At Emmaus Catholic Academy Trust, we are committed to following all statutory exclusions procedures to make sure that every child receives an education in a safe and caring environment.

Our schools aim to:

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

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.



Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting.

6. Roles and responsibilities

Emmaus Catholic Academy Trust

- Devise and review the Attendance Policy.
- Hold the Headteacher to account for the implementation of this policy.
- Provide support in the implementation of the suspensions and exclusions policy.
- Monitor attendance figures alongside the schools
- Provide training for local governors in the implementation of the policy.
- Ensure there are clear systems and processes in the reporting of suspensions and permanent exclusions to the Central Team.
- Arranging for an independent review panel (IRP) hearing to review the decision of the governing board not to reinstate a permanently excluded learner where required.
- Arrange for the IRP hearing to be held via remote access where requested by parents or excluded learners aged 18 or above.

The Headteacher

Deciding whether to suspend or exclude

- Only the Headteacher, or Acting Headteacher, can suspend or permanently exclude a pupil from the school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of the school. The Headteacher will only use suspensions and permanent exclusions as a last resort.
- If the Headteacher is unavailable to authorise the suspension, a decision should be deferred until the opportunity for authorisation is available. Pupils involved should have adaptations made within the building to ensure investigations can continue and the safeguarding of pupils is prioritised.
- A decision to suspend a pupil will be taken only:
 - In accordance with the school's behaviour policy.
 - To provide a clear signal of what is unacceptable behaviour.
 - To show a pupil that their current behaviour is putting them at risk of permanent exclusion.
- Suspensions and permanent exclusions should only be necessary when strategies, practices and interventions have been exhausted and have not been successful in improving pupils' behaviour. The school's behaviour policy must be followed in full before the suspension is authorised.



- Where suspensions have become a regular occurrence, the Headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.
- A decision to exclude a pupil will be taken only:
 - In response to serious breach of the school's behaviour policy.
 - Persistent breaches, of the school's behaviour policy; **and**
 - Where a pupil's behaviour means that allowing the pupil to remain in the school would seriously harm the education or welfare of others.
- Before deciding whether to suspend or exclude a pupil, the Headteacher will:
 - Ensure a full investigation process has been undertaken with clear evidence to support their decision making.
 - Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked.
 - Allow the pupil to give their version of events.
 - Consider whether the pupil has special educational needs (SEN).
 - Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker or is a looked-after child (LAC).
- Consider whether all alternative solutions have been explored, such as:
 - For suspensions: detentions or other sanctions provided for in the behaviour policy.
 - For exclusions: off-site direction or managed moves.
- In some cases, the LA may be notified before the final decision to Permanently Exclude is made to offer any further available support.
- 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/carer 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.

Informing parents/carers (or the pupil where they are 18 or older)

- If a pupil is at risk of suspension or exclusion, the Headteacher will inform the parents/carers/pupil as early as possible, 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 exclude a pupil, the parents/carers/pupil will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.
- The parents/carers/pupil will also be provided with the following information in writing, without delay:



- The reason(s) for the suspension or permanent exclusion.
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent.
- Information about the parents'/carers'/pupil's right to make representations about the suspension or permanent exclusion to the governing body and, where the pupil is attending alongside parents/carers, how they 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/carers/the pupil have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend.
- That parents/carers/the pupil have the right to request that the meetings be held remotely, and how and to whom they should make this request.
- Where the pupil is of compulsory school age, the Headteacher will also notify parents/carers 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 the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during ordinary school hours without a good reason. This will include specifying the dates that this duty applies.
 - Parents/carers may be given a fixed penalty notice or prosecuted if they fail to do this.
- If alternative provision is being arranged, the following information will be included, if possible:
 - The start date for any provision of full-time education that has been arranged.
 - The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant.
 - The address at which the provision will take place.
 - Any information the pupil needs in order to identify the person they should report to on the first day.
- If the Headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.
- The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.
- If the Headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers/pupil without delay and provide a reason for the cancellation. This would lead to the immediate readmission of the pupil, on the next scheduled school day.

Informing the local 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.
- Any suspension or permanent exclusion that 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 that would result in the pupil missing a National Curriculum test or public exam.
- The provision that will be made for any suspended pupil to attend any public exams.
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation and reintegration arrangements.

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.
- The Headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled and the planned reintegration.
- In some cases, the LA may be notified before the final decision to Permanently Exclude is made to offer any further available support.

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 (LAC)** is at risk of suspension or exclusion, the Headteacher will inform **the Virtual School Headteacher** as early as possible.

This is so they can 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).
 - They have decided to cancel a suspension or permanent exclusion, and why (where relevant).
- The social worker/VSH will be invited to any meeting of the local 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.

Informing the Central Team of Emmaus Catholic Academy Trust of permanent exclusions and suspensions

- The Headteacher will notify:
 - The Director of Primary Education (for primary schools) and/or an Executive Primary Leader
 - The Director of Secondary Education (for secondary schools) via the process communicated by the senior leader i/c of behaviour

Cancelling suspensions and permanent exclusions

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

- The parents/carers (or the pupil if they are 18 or older), local governing body and LA will be notified without delay.
- Where relevant, any social worker and VSH will be notified without delay.
- The notification must provide the reason for the cancellation.
- The local governing body's duty to hold a meeting and consider reinstatement ceases.
- Parents/carers (or the pupil if they are 18 or older) will be offered the opportunity to meet with the Headteacher to discuss the cancellation, which will be arranged without delay.
- The pupil will be allowed back into school without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.
- A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in an academic year or if they will have been so by the time the cancellation takes effect.

Providing education during the first 5 days of a suspension or exclusion

- If the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. If the pupil has a



special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

- If the pupil is looked after or if they have a social worker, the school will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the school will take reasonable steps to set and mark work for the pupil.

The local governing body will:

Considering suspensions and permanent exclusions

- Responsibilities regarding exclusions are delegated to the local governing body – **this body must consist of at least three non-staff governors.**
- The local governing body has a duty to consider parents'/carers'/the pupil's (if they are 18 or older) representations about a suspension or permanent exclusion.
- Within 14 days of receiving a request, the local governing body will provide the Secretary of State information about any suspensions or exclusions within the last 12 months.
- For any suspension of more than 5 school days, the governing body will ensure that suitable full-time education for the pupil has been arranged. This provision will begin no later than the sixth day of the suspension.
- Governors must meet if the total days excluded in that term is over 15.
- Governors must also meet if the total is between 5 and 15 and parents/carers request a meeting.

Monitoring and analysing suspensions and exclusions data

- The governing body will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, 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 or trends in the data related to suspensions and/or permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary.
 - The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working.
 - The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others.

- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it.
- The cost implications of directing pupils off-site.

The local authority's responsibility (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 looked after 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.

7. Considering the reinstatement of a pupil

- The local governing body 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 that would bring the pupil's total number of days out of the 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 local governing body must consider any representations made by parents/carers/the pupil (if they are 18 or older). However, it is not required to arrange a meeting with parents/carers/the pupil and it cannot direct the Headteacher to reinstate the pupil.
- Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers/pupil make representations to the local governing body, they will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers/pupil do not make representations, the local 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 local governing body 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 local governing body 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 local governing body and allowed to make representations or share information:
 - Parents/carers, or the pupil if they are 18 or older (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 Virtual School Headteacher, if the pupil is looked after.
 - A representative of the local authority.
 -
- The meeting can be held remotely at the request of parents/carers, or pupils if they are 18 or older.
- The local 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 local governing body can either resolve to:
 - Decline to reinstate the pupil, or
 - Direct the reinstatement of the pupil immediately, or on a particular date
- In reaching a decision, the local 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.
 - The representations of those attending the Local Governing Body panel
- They will decide whether or not a fact is true 'on the balance of probabilities'.
- Only the Clerk will be present alongside the panel members when the decision is made.
- 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 local governing body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:
 - The parents/carers, or the pupil if they are 18 or older.
 - The Headteacher
 - The pupil's social worker, if they have one.
 - The Virtual School Headteacher, if the pupil is looked after.
 - The local authority
 - The pupil's home authority, if it differs from that of the school
- Where an exclusion is permanent and the local governing body 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'/carers'/the pupil's (if they are 18 or older) 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/carers).
 - 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/carers/the pupil have a right to require the Emmaus CAT Central Team 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/carers/the pupil for this appointment.
- That parents/carers/the pupil must make clear if they wish for an SEN expert to be appointed in any application for a review.
- That parents/carers/the pupil may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review.
- That, if parents/carers/the pupil 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.

8. Independent Review

- If parents/carers/the pupil (if they are 18 or older) apply for an independent review within the legal timeframe, the Emmaus CAT Central Team will, at their own expense, 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/carers/pupil by the local governing body 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. Any applications made outside of this timeframe will be rejected.
- Independent reviews can be held remotely at the request of parents/carers/the pupil.
- 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.

- The review panel must follow the guiding principle of independence. They must be entirely independent from any previous involvement with the suspension and/or exclusion.
- A person may not serve as a member of a review panel if they:
 - Are a member/director of the Emmaus CAT Central Team.
 - Are the Headteacher of the excluding school or have held this position in the last 5 years.
 - Are an employee of Emmaus CAT, 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 Emmaus CAT, governing body, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality.
 - Have not completed the required training within the last 2 years.
- 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/carers 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 Virtual School Headteacher is present, the panel must have regard to any representation made by the VSH 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 **one** 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
- 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.
- Once the panel has reached its decision, the panel will notify all parties in writing without delay.
- This notification will include:
 - The panel's decision and the reasons for it.
 - Where relevant, details of any financial readjustment or payment to be made if the governing body does not subsequently decide to offer to reinstate the pupil within 10 school days.
 - Any information that the panel has directed the governing body to place on the pupil's educational record.

9. School rolls and registers

A note on off-rolling

'Off-rolling' is defined as a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension.
- A pupil's name will be removed from the school's admission register if:
 - 15 school days have passed since the parents/carers/pupil (if they are 18 or older) were notified of the local governing body's decision to not reinstate the pupil, **and** no application has been made for an independent review panel, or
 - The parents/carers/pupil 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 (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.
- Where excluded pupils are not attending alternative provision, code E (absent) will be used.
- Pupils will not be removed from the school admission register until an education establishment has been identified.



Making a return to the LA

- Where a pupil's name is to be removed from the school's 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/carer with whom the pupil normally resides.
 - At least 1 telephone number at which any parent/carer 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/carers 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/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers 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.

10. Returning from a suspension

10.1 Reintegration strategy

- Following suspension, or cancelled suspension or exclusion, 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 for the pupil:
 - Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school.
 - Daily contact in the school with a designated pastoral professional.
 - Mentoring by a trusted adult or a local mentoring charity.
 - Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage.
 - Informing the pupil, parents/carers 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/carers and other relevant parties. The part time timetable should not ordinarily exceed six continuous school weeks.

10.2 Reintegration meetings

- The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to the 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/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.
- The meeting can proceed without the parents/carers in the event that they cannot or do not attend.
- The school expects all returning pupils and their parents/carers to attend their reintegration meeting. However, in circumstances where parents do not attend, their child will not be prevented in returning to the classroom. The following must also be implemented with regards to a pupil returning:
 - A clear plan of support and expectations must be in place
 - If a reintegration meeting cannot take place immediately, for whatever reason following suspension, then provision must be made.

11. Remote access to meetings

- Parents/carers, or pupils if they are 18 or older, can request that a governing body meeting, or independent review panel be held remotely. If the parents/carers/pupil don't express a preference, the meeting will be assumed to be held in person.
- Remotely accessed meetings are subject to the same procedural requirements as in-person meetings outlined within this policy and statutory documentation.
- The local governing body and the Emmaus CAT Central Team should make sure that the following conditions are met before agreeing to allow a meeting to proceed remotely:
 - All the participants have access to the technology that will allow them to hear, speak, see and be seen.
 - All the participants will be able participate fully.
 - The remote meeting can be held fairly and transparently.
- The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:
 - Compromise the ability of participants to contribute effectively, or
 - Prevent the meeting from running fairly and transparently.

12. Monitoring arrangements

- The school will collect data on the following:
 - Attendance, permanent exclusions and suspensions.
 - Use of pupil referral units (PRUs), off-site directions and managed moves.
- The data will be analysed every year, and a report will be given to the Trust Board and Executive Leadership Team.
- The data will be analysed from a variety of perspectives including:
 - At individual school level
 - By age group
 - By time of day/week/term



- By protected characteristic
- The school and trust 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.
- The Emmaus CAT Central Team will work with schools to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any one school may be too low to allow for meaningful statistical analysis.
- This policy will be reviewed every year. At every review, the policy will be approved by the Board and disseminated to Local Governing Bodies, Trust and School Leaders.

13. Independent review panel training

- The Emmaus CAT Central Team must make sure that **all** members of an independent review panel and clerks have received training within the two 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.