ALDRIDGE EDUCATION

Suspensions and Permanent Exclusions Policy

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Contents

1. Introduction 4
2. Legislation and guidance 4
3. Aims 5
4. Who was consulted? 5
5. Scope and publication 5
6. Definitions 5
7. Authority to suspend and exclude 6
8. Decision to suspend or permanently exclude 6
9. Duty to inform parents or carers 8
10. Duty to inform the Local Authority (LA) 9
11. Duty to inform the Local Governing Committee (LGC) 9
12. Duty to inform the learner's social worker and/or virtual school head (VSH) 10
13. 'Off-rolling' 10
14. Criminal investigations 10
15. Arranging education for suspended learners 11
    During the first five days of a suspension 11
    For a suspension of more than five school days 11
16. Cancelling a suspension 11
16. Considering suspensions and permanent exclusions 12
17. Remote Meetings 13
18. Reaching a decision 14
19. Notification of considered permanent exclusions 14
20. Independent review panels 15
21. Guidance on Aldridge Education's duty to reconsider reinstatement following a review 16
22. Reintegration 16
23. Academy registers 16
24. Reporting, monitoring and analysing suspensions and exclusions data 17
25. Links to other policies and procedures 17
26. Appendix 1 – Suspension Letter to Parents – Template
27. Appendix 2 - Permanent Exclusion Letter to Parents – Template
28. Appendix 3 – Suspension Appeals process

1. Introduction

For the vast majority of learners, suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other learners and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.'

DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including l pupil movement'.

Aldridge Education is committed to providing an environment where all people can feel safe, happy, accepted and integrated. It is important that an orderly framework should exist within which effective teaching and learning can take place.

Our emphasis will be on recognising and celebrating effort and success, so that all learners feel valued. We will teach learners to take responsibility for their own actions and to accept the consequences of their choices. We will adopt a zero-tolerance approach to bullying and any such incidents will be dealt with promptly and firmly. As a last resort suspension or permanent exclusion may be considered.

We regularly monitor the number of suspensions and permanent exclusions to ensure that no group of learners is unfairly disadvantaged through their use, and that any underlying needs of individuals are being fully met.

This policy applies to all staff across all of Aldridge Education, including support staff, teachers and leadership in all academies, members of the local governing committee, volunteers, and staff directly employed within the Aldridge central team.

2. Legislation and guidance

The principal will be conversant with and will follow the latest guidance in:

DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.

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

- Sec 51a of the Education Act 2002 (Amended 2011)
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Part 7, chapter 2 of the Education and Inspections Act 2006
- Sec 579 of the Education Act 1996
- The latest version of Keeping Children Safe in Education
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- The European Convention on Human Rights (ECHR)
- Equality Act 2010
- Education (Independent School Standards) Regulations 2014
- Children and Families Act 2014

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

- *DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'*.
- DfE (2024) 'Behaviour in schools Advice for headteachers and school staff'
- DfE (2024) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

- The School Inspection handbook

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

3. Aims

To provide a fair and easily understood process that will support members of the local governing committee, staff, parents/carers, and learners in:

- ensuring that the academy is a safe and happy environment.
- encouraging good behaviour and respect for others within and outside of the academy
- promoting self-discipline and proper regard for authority among learners
- to state what is expected of learners
- to state what is expected from parents and carers
- ensuring learners do not become NEET (not in education, employment or training).
- ensuring that the suspensions and exclusions process is applied fairly and consistently
- helping governors, staff, parents/carers and learners understand the suspensions and exclusions process
- ensuring all suspensions and permanent exclusions are carried out lawfully
- ensuring all suspensions and permanent exclusions are accurately recorded on Academy MIS system and CPOMS (where there are safeguarding concerns and/or where the learner is known to Children's Social Care)

We will not suspend or exclude a learner unlawfully by telling or forcing them to leave, or not allowing them to attend school without following the statutory procedure contained in the School Discipline (Learner Exclusions and Reviews) (England) Regulations 2012, or formally recording the event.

4. Who was consulted?

Aldridge Education worked with their academy senior leadership teams and staff to develop this policy in consultation with parents/carers, learners, and staff. All learners are consulted at the beginning of each academic year on the rules, rewards, and sanctions.

5. Scope and publication

This policy is available on the academy website and on request from the academy office. This policy can be made available in large print or other accessible formats if required.

The academy rules (Academy Specific) can be found in the academy behaviour policy, and learners are made aware of them. The behaviour Policy is available on the academy website and on request from the academy office.

6. Definitions

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

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

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

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

Managed move – when a learner 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.

7. Authority to suspend and exclude

Suspensions and permanent exclusions can only be authorised by the Principal. This responsibility will not be delegated to anyone else.

The Principal can consult Aldridge Education Trust and their legal advisors to assist and advise in this decision, but the final decision will always rest with the principal.

The Principal will always liaise with Aldridge Education Trust and seek legal advice where any potential permanent exclusion involves a child with special educational needs or a disability (SEND), or a looked-after or previously looked-after child, or a child with an allocated social worker, or for any exclusion where the circumstances are particularly complex.

8. Decision to suspend or permanently exclude

The Principal will be conversant with and will follow the guidance in:

DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.

A decision to permanently exclude a learner will only be taken:

- in response to a serious breach, or persistent breaches, of the academy's behaviour policy; and
- where a learner's behaviour means that allowing the learner to remain in the academy would seriously harm the education or welfare of the learner or others in the academy.

They will not be made:

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

If any learner is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'. See Sec 11 of the policy for more information on off-rolling.

When establishing the facts in relation to a possible suspension or permanent exclusion, the Principal will always apply the civil standard of proof i.e., on the balance of probabilities it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.'

A learner may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. They can also be excluded permanently. Details of all suspensions or permanent exclusions will be recorded on Academy MIS system, or CPOMS (where there are safeguarding concerns or where the learner is known to Children's Social Care)

Where suspensions have become a regular occurrence, the Principal will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

Before issuing a suspension or permanent exclusion, the Principal will do the following:

- **Investigation and evidence:** Ensure that a thorough investigation has been carried out and recorded on the Suspension Checklist (Appendix 1), considering all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the suspension or exclusion were provoked.

As per the academy's Behaviour Policy, the Principal may consider the behaviour of a learner outside the academy as grounds for a suspension or permanent exclusion.

- **Learner voice:** Allow and encourage the learner to give their version of events. The Principal will give the learner an opportunity to present their case, considering their age and understanding, before taking the decision to suspend or exclude unless it would not be appropriate to do so. Learners who need support to express their views will be allowed the support of an advocate, such as a parent/carer or social worker.

- **Alternative solutions:** Consider whether all alternative solutions have been explored, such as:
    - For suspensions, detentions or other sanctions provided for in the behaviour policy, such as internal or off-site suspensions
    - For permanent exclusions, off-site direction or managed moves

- **Vulnerable learner:** Find out whether the learner comes into a category that is known to be a particularly vulnerable group (e.g., learners with SEND, free school meal (FSM) learners; looked after children; learners with a social worker; certain ethnic groups; (for example traveller children) and consider whether all supportive and preventative strategies have been fully utilised.

- **SEND:** Where a learner has any SEND, the principal will consider if any reasonable adjustments need to be made and ensure the learner has been provided with adequate support, and to consider whether any further support can be provided. The principal will seek to understand the underlying cause of the behaviour and consider whether the learner's SEND influenced their behaviour and if it did, whether it is still appropriate to issue the/a sanction.

- **Social worker/Virtual School Head:** Where a learner has a social worker or a Virtual School Head (VSH) the principal will ensure they and, as appropriate, any parents/carers; the Designated Safeguarding Lead; and the designated lead for Looked-After Children are involved as early as possible in relevant conversations.

- **Consider alternatives:** Consider whether all relevant initial intervention strategies set out in the Behaviour in Schools guidance and alternative solutions have been explored, including an off-site direction or managed move.

- **Mitigating circumstances:** Consider whether possible short-term mitigating circumstances such as bereavement, mental health issues etc, could have impacted on the learner's behaviour.

- **Safeguarding:** Consider whether there are any safeguarding concerns and whether the Designated Safeguarding Lead should be consulted.

- **Seek guidance** from Aldridge Education and where appropriate their legal advisors.

The Principal will keep a written record of the actions taken including the signed accounts of witnesses. Any suspension or exclusion of a learner, even for short periods of time, will be formally recorded on Academy MIS system

The Principal will not:

- suspend or permanently exclude any learner for non-disciplinary reasons

- use suspension or exclusion informally or unofficially. Children will not be sent home to 'cool off' even with parents' or carers permission – **this is an illegal suspension**

- extend or 'convert' a suspension into a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first suspension; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

Post suspension , the Principal will ensure the following:

- Reintegration meetings take place with the parent/carer and learner after a suspension, to assist the reintegration of the learner back into school and promote the improvement of their behaviour. Details of this meeting will be recorded on the Reintegration meeting form (Appendix 2) and uploaded onto Academy MIS system.

- All learners return to school immediately following a suspension, even if the parental reintegration meeting has not taken place.

9. Actions and targets identified from the reintegration meeting to be actioned by staff member conducting the meeting Duty to inform parents or carers

If a learner is at risk of suspension or exclusion, the Principal will inform the parents/carers/learner (if 18 years or older) as early as possible, in order to work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

Following the Principal's decision to suspend or permanently exclude a learner, they will immediately inform the parents/carers, in person or by telephone, of the period of the suspension / permanent exclusion and the reasons behind this.

They will then follow this up in writing (electronically if written permission has been received from the parents for notices to be sent this way) stating the following:

- The reason(s) for the suspension or permanent exclusion
- The length of the fixed-period suspension or, for a permanent exclusion, the fact that it is permanent
- Their right to raise any representations about the suspension or permanent exclusion to Aldridge Education, including how the learner will be involved in this and how the representations will be made
- Their right to attend a meeting where there is a legal requirement for the Academy and Aldridge Education to consider ~~a~~ suspension or permanent exclusion, and the fact that they are able to bring an accompanying individual
- The arrangements that have been made for the learner to continue their education prior to the organisation of any alternative provision, or the learner's return to the academy
- Relevant sources of free, impartial information
- Their right to request that the meeting be held remotely, and how and whom they should make this request
- Details of the reintegration meeting for the learner and parent/carer once the suspension has been served

Where the learner is of compulsory school age, the Principal will inform the parents or carers by the end of the afternoon session that:

- For the first five days of the suspension (or until the start date of any alternative provision or the end of the suspension where this is earlier), parents and carers are legally required to ensure that their child is not present in a public place during academy hours without justification, and that parents or carers may receive a penalty fine if they fail to do so.

Where the Principal has arranged alternative provision, they will also inform the parent(s) or carer(s) of the following:

- The start and end date for any provision of full-time education
- The start and finish times for the provision, including times for morning and afternoon sessions, where relevant. The address at which the provision will take place

- Any information necessary for the learner 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 on the first day of the suspension or permanent exclusion, they will provide the information in a subsequent written notice without further delay, and within 48 hours of the learner beginning the provision. If the alternative provision is due to begin before the sixth day of the suspension, the Principal can give less than 48 hours of notice, with consent from parents or carers.

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

If the Principal cancels the suspension or permanent exclusion, they will notify the parents/carers/learner (if 18 years or older) without delay and provide a reason for the cancellation. See sec 14 for further information.

10. Duty to inform the Local Authority (LA)

When Principals suspend or permanently exclude a learner, they must also notify the local authority, without delay. Legislative changes mean that this must be done regardless of the length of a suspension.

(*DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.*)

The Principal will inform the LA, without delay, of the following:

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

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

All notifications to the LA will include the reasons for suspension or permanent exclusion and the duration of any fixed-period suspension.

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

11. Duty to inform the Local Governing Committee (LGC)

The Principal will, , notify the LGC of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a learner. This will be shared with the Chair of Governors within two working days. The rest of the committee will be informed at the next full LGC meeting.
- Any suspension or permanent exclusion that would result in the learner being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term. This will be via the next full LGC meeting.
- Any suspension or permanent exclusion that would result in the learner missing a National Curriculum test or public exam. This will be via the next full LGC meeting.
- Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation. This will be via the next full LGC meeting.

12. Duty to inform the learner's social worker and/or virtual school head (VSH)

As noted above, if a:

- Learner with a social worker is at risk of suspension or permanent exclusion, the Principal will inform the social worker as early as possible.
- Learner who is a looked-after child (LAC) is at risk of suspension or exclusion, the Principal will inform the VSH as early as possible.
  This is in order to work together to consider what factors may be affecting the learner's behaviour, and what further support can be put in place to improve the behaviour.

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

- They have decided to suspend or permanently exclude the learner.
- 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 learner'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 learner's social worker/VSH will be invited to any meeting about the suspension or permanent exclusion. This is so they can provide advice on how the learner'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 learner's welfare are considered.

13. 'Off-rolling'

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

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

We will not suspend or permanently exclude learners unlawfully by directing them off site, or not allowing learners to attend the academy:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'.
- Because they have special educational needs and/or a disability (SEND) that the academy feels unable to support.
- Due to poor academic performance.
- Because they have not met a specific condition, such as attending a reintegration meeting.
- By exerting undue influence on a parent or carer to encourage them to remove their child from the academy.

14. Criminal investigations

- The Principal will not postpone taking a decision to suspend or permanently exclude a learner due to a police investigation being underway, or any criminal proceedings that are in place.
- The Principal will give consideration when deciding to suspend or permanently exclude a learner where evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.
- If Aldridge Education 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.

15. Arranging education for suspended learners

During the first five days of a suspension

- During the first five days of a suspension, if the learner is not attending alternative (AP) provision, the Principal will take steps to ensure that achievable and accessible work is set and marked for the learner. Online pathways may be used for this.
- If the learner has a special educational need or disability, the Principal will make sure that reasonable adjustments are made to the provision where necessary.
- If the learner is looked after or if they have a social worker, the academy will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this is not possible, the academy will take reasonable steps to set and mark work for the learner, including the use of online pathways.

For a suspension of more than five school days

- For a suspension of more than five school days for a learner of compulsory school age, the academy will arrange suitable full-time education for the learner to begin no later than the sixth day of the exclusion. However, the academy will attempt to start this provision as soon as possible.
- Academies will ensure that work set is achievable and accessible and is marked for the learner. If the learner is looked after or if they have a social worker, the academy will work with the LA to arrange alternative provision 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 learner, including the use of online pathways.
- Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is as a result of suspension or more than one suspension.
- Provision does not have to be arranged for learners in the final year of compulsory education who do not have any further public examinations to sit
- For permanent exclusions, the learner's home LA has responsibility for arranging suitable full-time education for the learner.

If a learner with SEND has been suspended, the Academy and Aldridge Education Trust will ensure that:

- Any alternative provision is arranged in consultation with the learner's parents or carers, who can request preferences.
- When identifying alternative provision, any EHC plan is reviewed or the learner's needs are reassessed, in consultation with the learner's parents or carers and the LA SEND team.
- The Principal will ensure that reasonable adjustments are made to the provision, where necessary.

16. Cancelling a suspension

The Principal may cancel a suspension or permanent exclusion that has already begun or not yet started, but this will only be done where it has not yet been reviewed by the LGC. In the event of a cancellation of a suspension or permanent exclusion the Principal will notify all parties concerned as to the reason(s) for the cancellation.

Where there is a cancellation:

- The parents or carers; or the learner (if they are 18 years or older), Local Governing Committee and Local Authority will be notified without delay.
- Where relevant, any social worker and Virtual School Head will be notified without delay.
- The notification must provide the reasons for the cancellation
- The LGC's duty to hold a hearing and consider reinstatement ceases. Parents or carers or the learner (if they are 18 or older) will be offered the opportunity to meet with the Principal without delay to discuss the cancellation.
- The Principal will report to Aldridge Education once per term on the number of cancellations; and the learner will be allowed back in the academy without delay

Any days out of school, before a cancelled suspension / permanent exclusion will count towards the maximum of 45 days a learner can be suspended in any school year. Note that a permanent exclusion can't be cancelled if a learner has already been suspended for more than 45 days in a school year.

Where a suspension / permanent exclusion has been cancelled the learner should be reintegrated without delay and offered the same support as a learner who has been suspended on their return to school.

In the case of a cancelled suspension / permanent exclusion, the organising authorities duty to consider reinstatement stops and it no longer needs to meet.

Details of all cancelled suspensions need to be recorded accurately on Academy MIS system, in line with the Trust's data reporting guidelines.

16. Considering suspensions and permanent exclusions

- Aldridge Education are kept informed by the Principal of all suspensions and exclusions.
- The LGC will consider any representations made by parents or carers regarding suspensions or permanent exclusions and where necessary convene a meeting to consider the reinstatement of an excluded learner (meeting the conditions outlined below).
- Parents or carers and, where requested, a friend or representative, the Principal, and a member of the LA will be invited to attend any consideration of exclusions and will be able to make representations.
- Any meeting to consider reinstatement of a learner will be arranged at a date and time convenient for all parties, and in compliance with any statutory time limits.
- For permanent exclusions, the learners home LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion
- For learners 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.

The LGC will consider the reinstatement of a learner, where:

- The exclusion is permanent.
- The suspension is fixed period and would bring the learner's total number of excluded school days to more than 15 in any given term.
- When learners have been excluded for more than 15 days within a term the arranging authority must consider reinstatement within 15 days.
- The exclusion would result in the learner missing a public examination.

In the case of a fixed-period suspension where the learner's total number of suspended days is more than 5 but less than 15 school days within a term, if requested by the parents or carers, Aldridge Education will consider suspensions within 50 school days of receiving notification.

In the case of a fixed period suspension, where the learner's total number of suspended school days does not amount to more than five, in the absence of any such representations, Aldridge Education is not required to meet and cannot direct the reinstatement of the learner.

Where suspension would result in a learner missing a public examination Aldridge Education will consider the before the test to decide whether the learner should be reinstated in time to take the examination. Aldridge Education will also consider whether it would be appropriate to allow the excluded learner to enter the premises to take the examination.

When considering the reinstatement of a permanently excluded learner, the LGC will:

- Only discuss the exclusion with the parties present at the meeting.
- Ask for any written evidence prior to the meeting.
- Circulate any written evidence and information to all parties, at least five school days in advance of the meeting.
- Allow learners and parents or carers to be accompanied by a person of their choice to 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 excluded learner 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 learner, including the grounds for exclusion.

17. Remote Meetings

- The Principal must inform parent/carers: learners (18 years or older) of their right to make a request for a remote meeting when notifying them of the permanent exclusion. Meetings can also be remote in unforeseen or extraordinary circumstances. For example, school closure due to:
- Floods
- Fire
- Infectious illness / disease

Note that where these extraordinary circumstances don't apply and parent/carers don't request a remote meeting, then the meeting **must** be held in person.

The arranging authority for the remote meeting should:

- Confirm that all the participants have access to the technology which will allow them to:
  - Hear
  - Speak
  - See
  - Be seen

- Make sure all the participants will be able participate fully, including making arrangements where there are language barriers
- Make sure that the remote meeting can be held fairly and transparently

If the arranging authority aren't satisfied that a remote meeting can be held fairly and transparently, then they should consult with parents/carers/learner (if 18 years or older) to decide how a face-to-face meeting can be arranged.

If a technical issue occurs that prevent participants holding the meeting fairly or transparently, a face-to-face meeting must be arranged without delay.

Social workers and virtual school heads can be invited to join the meeting remotely even if the meeting is held in person.

18. Reaching a decision

After considering permanent exclusions, the LGC will either:

- Decline to reinstate the learner.
- Direct the reinstatement of the learner immediately, or on a specified date.

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

The LGC will apply the civil standard of proof when responding to the facts relating to an 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 LGC 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 exclusion of the learner was lawful, proportionate and fair, considering the principal's legal duties and any evidence that was presented to Aldridge Education in relation to the decision to exclude.
- Record the outcome of the decision on the learner'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 an exclusion but cannot reinstate the learner.

19. Notification of considered permanent exclusions

The LGC will notify the parents or carers of the permanently excluded learner, the Principal and the LA of their decision following the consideration of an exclusion, in writing and without delay.

In the case of a permanent exclusion, where the LGC decides not to reinstate the learner, they will notify the parents or carers:

- That it is permanent, and 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 any application should set out the grounds on which it is being made and that, where appropriate, this should include reference to how a learner's SEND is considered relevant to the exclusion.
- That, regardless of whether a learner has been identified as having SEND, the parents or carers have a right to require Aldridge Education to ensure a SEND expert attends the review.
- Of the role of the SEND expert that will attend the review, and that the parents or 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 LGC will also notify parents or carers that, if they believe an 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 LGC will notify the parents or carers, and all other parties involved, of the decision that was made and the reasoning for this, in sufficient detail.

20. Independent review panels

Full guidance can be found at:

DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'.

Applications for an independent review must be made by the parents or carers within 15 school days of notice being given to the parents or carers by the LGC of its decision to not reinstate a learner. If parents or carers apply for an independent review, Aldridge Education will arrange for an independent panel to review the decision not to reinstate a permanently excluded learner.

The role of the IRP panel is to review the LGCs decision not to reinstate a permanently excluded learner. In reviewing the decision, the panel will consider the interests and circumstances of the excluded learner, including the circumstances in which the learner was excluded, and have regard to the interests of other learners and people working at the academy.

If requested by parents or carers with their application for an independent review, Aldridge Education will appoint a SEN expert to attend the review and must cover the associated costs of this appointment. Invitations will be extended to the learner's social worker and/or a virtual school head (LAC) where appropriate.

A panel of three or five members will be constituted with representatives from each of the categories below. Where a five-member panel is constituted, two members will come from the school governor category and two members will come from the headteacher category.

- 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.
- members of the local governing committee who have served as a governor for at least 12 consecutive months in the past five years, provided they have not been teachers or headteachers/principals during this time.
- Headteachers/principals or individuals who have been a headteacher/principal within the past five years.

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

- Are a member/director of the Trust or members of the local governing committee of the excluding academy.
- Are the principal of the excluding academy or have held this position in the past five years.
- Are an employee of the Trust, or the members of the local governing committee, of the excluding academy (unless they are employed as a principal at another academy).
- Have, or at any time have had, any connection with the Trust, academy, members of the local governing committee parents or learner, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartially.
- Have not had the required training within the past two years.

When the organising authority is considering the reinstatement of a learner, the clerk should be present to make a record of the discussion, which should state clearly how decisions have been reached. The independent panel will decide one of the following:

- Uphold the academy's decision.
- Recommend that the academy reconsiders reinstatement.
- Quash the academy's decision and direct that the academy to reconsider reinstatement (only when the decision is judged to be flawed).

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

21. Guidance on Aldridge Education's duty to reconsider reinstatement following a review

Full guidance can be found at:

DfE (2024) 'Suspension and Permanent Exclusion from maintained schools, academies and learner referral units in England, including learner movement'

Where the panel directs or recommends that the LGC reconsiders whether a learner should be reinstated, the LGC must do so within ten school days of being given notice of the panel's decision. Notice is deemed to have been given on the day of delivery if it is delivered directly or on the second working day after posting if it is sent by first class mail.

The LGC will conscientiously reconsider whether the learner should be reinstated, whether the panel has directed or merely recommended it to do so. Whilst the LGC may still reach the same conclusion as it first did, it may face challenge in the courts if it refuses to reinstate the learner, without strong justification.

In the case of either a recommended or directed reconsideration, the governing board must notify the following people of their reconsidered decision, and the reasons for it, in writing and without delay:

- the parents or carers
- the principal
- the local authority; and, where relevant, the 'home authority'
- the social worker (where appropriate)
- the virtual school head (where appropriate)

22. Reintegration

The academy will explain the reintegration strategy to the learner in a reintegration meeting on the learner's return to the academy, following a suspension or reinstatement.

During the meeting the academy will communicate to the learner that they are getting a fresh start and that they are a valued member of the academy community. The learner, parents or 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 or carers if they cannot or do not attend – the learner should be allowed to return to the academy and access their learning.

This meeting will seek to establish practical ways in which further exclusion can be avoided and behaviour modified to acceptable standards in partnership between learner, parents or carers, and academy. Details of the meeting will be recorded on the Reintegration Meeting form (Appendix 2) and uploaded onto Academy MIS system.

23. Academy registers

A learner's name will be removed from the academy admissions register if:

- 15 school days have passed since the parents or carers were notified of the LGCs decision to not reinstate the learner and no application has been made for an independent review panel, or
- The parents or carers 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, the Principal will wait until that review has concluded before removing a learner's name from the register.

Where alternative provision has been made for an excluded learner and they attend it, the correct codes will be used on the attendance register, as per the statutory attendance guidance.

24. Reporting, monitoring and analysing suspensions and exclusions data

In addition to regular updates relating to suspensions and exclusions the Principal will evidence elements of this information in their formal termly report to their LGC and also via the trustwide desktop review document. This will include:

- the number and type of suspensions and/or permanent exclusions
- Analysis of subgroup suspensions and exclusions data including for SEND and other disadvantaged groups
- the reasons, gender, and age of learners and whether they were already on Pastoral Support Plans
- repeated suspensions and the academy's response to them
- links with parents and carers
- attendance figures for persistently absent learners
- the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation
- follow-up action, including what has subsequently happened to permanently-excluded learners.

Aldridge Education will challenge and evaluate the data on the academy's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

Aldridge Education will consider:

- How effectively and consistently the academy's behaviour policy is being implemented
- The academy attendance register and absence codes
- Instances where learners receive repeat suspensions
- Interventions in place to support learners at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded learners, and why this is taking place
- Whether the placements of learners directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that learners are benefiting from it
- The cost implications of directing learners off-site

Aldridge Education Trust will also work with all academies to consider this data, and to analyse whether there are patterns across Aldridge Academies, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.

25. Links to other policies and procedures

This Policy is linked to the following policies:

- Behaviour Policy
- Child Protection and Safeguarding Policy
- Anti-bullying Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Equality Statement and Objectives

Appendix 1- Suspension Checklist

This form should be completed and presented to the Principal with relevant supporting evidence **BEFORE** a learner is excluded. Where possible, the learner should be isolated from the main body of the school whilst information is obtained, and a decision made on next steps

Member of staff completing form	
Role	
Date completed	
Date checklist provided to the Principal	

Name of learner	
Year & Tutor group	
Date of incident	
Time/period incident took place	
Was restraint/physical intervention used by staff? Y/N (circle)	If yes, please ensure details are included within the information presented which includes:- Member of staff involved Restraint/physical intervention used Reason(s) for restraint/physical intervention Any injuries sustained to learner/staff

Action	Y/N	Details
What are the details of the incident? Include details of the behaviour breach that has taken place.		
Is there an account written by the learner which is signed and dated?		Ensure that **all** accounts are attached to this form to allow the Principal to have complete overview of events
Is there an account that has been written on behalf of the learner which is signed and dated? If yes, please provide details of who this was done by		Ensure that **all** accounts are attached to this form to allow the Principal to have complete overview of events
Are there witness accounts from any staff and learners who witnessed the incident (if relevant)? Are these signed and dated?		Ensure that **all** accounts are attached to this form to allow the Principal to have complete overview of events
Were correct academy procedures followed when dealing with the incident/behaviour? For		

example, de-escalation techniques, warning system		
Do you believe that the learner was clear about the academy expectations as set out in the behaviour policy and the potential outcomes?		
Are there any extenuating circumstances that might reasonably mitigate exclusion for the learner? For example, family situation, mental health concerns, bereavement, bullying?		
Is the learner on the SEND register (K) or do they have an EHCP?		
Is the learner within an identified group where special considerations should be a factor?		SEND, LAC, PP, Black Caribbean, Gypsy/Roma, Irish Traveller heritage
Has an intervention checklist been completed and/or updated?		Ensure that a copy of all interventions are attached to this form
What is the evidence of impact from interventions provided. Why?		Has the learner engaged? How long has the intervention been happening? Where external support is being offered, are there any updates on impact from the provider? Also include details of any intervention offered that was refused by the parent/carer or learner
Will the proposed exclusion result in the learner missing a public exam or National Curriculum test?		
Number of days suspensions being proposed		Please note that this is a proposal. The Principal will make the final decision.
Total number of FTSs issued to this learner this term		

To be completed by the Principal, or, in their absence, an appointed member of SLT

Action	Y/N	Details
Do you believe, based on the balance of probabilities, that the learner has done what is alleged?		
Does the incident and supporting evidence warrant a suspension?		
Are the reasons for the suspension lawful, reasonable, fair and proportionate?		
Is further information required to allow you to make a final decision?		

Fixed term suspensions (FTS)

Action	Details
How many days FTS are you issuing?	

Including this suspension, what is the total number of FTSs issued to this learner this term?	Please note that an LGC panel meeting will need to be arranged if this suspension takes the learners number of days to 15.5 days or more.
Total number of FTSs issued to this learner this academic year?	Please note that an LGC panel meeting will need to be arranged if this suspension takes the learners number of days to 45.5 days or more.
Is day 6 provision required? If so, what provision will be used?	
Staff member arranging day 6 provision (where applicable)	
Date and time of reintegration meeting	
What member of staff will be attending the reintegration meeting?	
Staff members to be informed of this suspension and by whom.	Name staff here who will be informed and who will do this.
Signature of Principal or nominated member of SLT	If not the Principal, then name of SLT member signing off this form needs to be inserted here

Permanent Exclusions (PEX)

Action	**Details**
If this is a permanent exclusion, was there a serious breach or persistent breaches of the academy's behaviour policy?	
Will allowing the learner to remain in the academy seriously harm the education or welfare of them or others in the academy?	
Will a FTS be issued prior to the PEX, if so how many days?	
Signature of Principal	

Copy of this form is to be uploaded onto Academy MIS system.

Appendix 2- Reintegration Meeting Form

This form is to be used to record information regarding the learner's reintegration back into school following their fixed term suspension. The purpose of the meeting is to assist the reintegration of the learner into school and promote the improvement of their behaviour.

Name of learner	
Year & Tutor group	
Date(s) of exclusion	
Number of days suspended	
Reason for suspension	
Date reintegration meeting is taking place	
Staff present and their role	
Parent(s)/Carer(s) present	

Targets for behaviour and learning

Targets will be set for [Insert learners name] (minimum of 3) as part of this meeting and will focus on improving their behaviour and attitude to learning. These will be monitored by [Insert staff member's name]

Area for development	Current score (0-5); 0=never, 5 =always	Target score (0-5) 0=never, 5=always	How will we achieve this?	Timescale/review date
e.g. Come prepared to work	3	5	Arrive on time Bring pen and other equipment	3 weeks from meeting

Interventions to support improved behaviour

Interventions that can support [Insert learners name] will be discussed and agreed in this meeting. All agreed interventions will form part of the support measures that will be put in place for [Insert learners name].

These will be recorded, monitored and reviewed by school to ensure that they are meeting the behavioural needs of the [Insert learners name]. Parent(s) and carer(s) will be kept informed of the impact of these interventions on their child's behaviour.

Intervention offered	Has this been agreed by parent/carer and learner?	What is the expected impact on behaviour?	Review date

Additional actions

Action [modify as appropriate]	Yes/ No	Reason	Staff member to action/ monitor	Date of completion or review
Restorative meeting / Mediation				
Report card				
PSP				
SEND support				
Other (specify)				

Additional comments

This section is to record the learner parent and school's voice on what has been discussed and agreed at the meeting.

Learner comments	Parent/Carer's comments	School/College's comments

Signature of Learner	
Signature of parent/carer	
Signature of school/college	

Copy of this form is to be uploaded onto Academy MIS system.