



THE BISHOPS' BLUE COAT CHURCH OF ENGLAND HIGH SCHOOL

Suspension and Permanent Exclusion Policy

All of the policies that shape our lives and daily practice at Bishops` are informed by our Christian vision and values: to know, nurture and inspire our students to be the best version of themselves, so that they can live 'life in all its fullness'
(John 10:10)

Is this policy statutory?	Yes
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1. Statement of Intent

Our school vision states that:

The Bishops' Blue Coat Church of England High School is an exciting place to be. We know, nurture and inspire our community to be the best version of themselves through a better understanding of the Christian faith, our core values and a rich set of opportunities. Students achieve academically whilst growing personally and spiritually. Through their engagement in society at Bishops' and beyond our students make a positive difference through wise action, resilience and a sense of responsibility. Our community is enabled to live a life guided by Jesus, to flourish and have 'life in all its fullness.' (John 10:10).

We understand that good behaviour and discipline is essential for promoting a high quality of education. This Policy is informed by the Christian values which are the basis for the school's work and any actions taken under this policy will reflect this.

The DfE Suspension and Permanent Exclusion Guidance 2023 states that

'Good behaviour in schools is essential to ensure that all students benefit from the opportunities provided by education. The government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. For the vast majority of students, suspensions¹ and permanent exclusions may not be necessary, as other strategies can manage their behaviour. If these 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 students and teaching staff can work in safety and are respected.'

The Bishops' Blue Coat CE High School is committed to providing optimum learning opportunities for all its students and supporting this provision through all difficulties experienced by students. Any suspension or permanent exclusion in this context is a major decision and will be made within clear parameters. All decisions will be lawful, reasonable, and fair.

2. Legal Framework

This policy has due regard to all relevant legislation including, but not limited to, the following:

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

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

- DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and student referral units in England, including student movement'

- DfE (2024) 'Behaviour in Schools' Advice and Guidance for Headteachers
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'
- DfE (2018) 'Mental health and behaviour in schools'

This policy operates in conjunction with the following school policies:

- BESt behaviour Policy
- Dignity and Respect Anti-bullying Policy
- Special Educational Needs and Disabilities (SEND) Policy
- Child Protection and Safeguarding Policy

3. Roles and Responsibilities

The governing board is responsible for:

- Providing information to the Secretary of State and LA about any suspensions and exclusions within the last 12 months.
- Arranging suitable full-time education for any student of compulsory school age who is suspended, where required.
- Considering parents/carers' representations about suspensions and exclusions within 15 school days of receiving notice if the appropriate requirements are met.
- Where a suspension or exclusion would result in a student missing a public examination or test, considering the suspension or exclusion before this date.
- Considering whether it would be appropriate for a student to be permitted onto the school premises to sit the public examination or test.
- Adhering to its responsibilities to consider the reinstatement of students.
- Considering the interests and circumstances of the suspended or excluded student, including the circumstances in which they were suspended or excluded, and have due regard to the interests of others at the school.
- Using the civil standard of proof (based on the 'balance of probabilities', it is more than likely that the fact is true) when establishing the facts relating to a suspension or exclusion.
- Noting the outcome of the representation meeting on the student's education record, along with copies of relevant papers for future reference.
- Notifying the student's parents/carers, the headteacher and the LA of its decision and the reasons for it, without delay.
- Appointing a clerk to provide advice to the relevant panel and parties to the review on procedure, law and statutory guidance on suspensions and exclusions.
- Where appropriate, informing parents/carers of where to apply for an independent review panel.
- Ensuring a student's name is removed from the school admissions register, where appropriate.
- Reconvening within 10 school days to reconsider reinstatement of a student where directed to do so by the suspensions and exclusions review panel.
- Using data to evaluate the school's practices regarding intervention, suspension and exclusion.
- Arranging for an independent review panel hearing to review the decision of the governing board not to reinstate a permanently excluded student where required.
- Arranging for the independent review panel hearing to be held via remote access where requested by parent/carers or excluded students aged 18 and above.

The headteacher is responsible for:

- Implementing good levels of discipline to ensure all students can benefit from the opportunities provided by education and to minimise potential suspensions and exclusions.
- Applying the civil standard of proof when establishing the facts in relation to a suspension or exclusion.
- Complying with their statutory duties in relation to students with SEND when administering the suspension or exclusion process, as outlined in the Special Educational Needs and Disabilities (SEND) Policy.
- Considering any contributing factors that are identified after an incident of poor behaviour has occurred, e.g. if a student has suffered bereavement, experienced bullying or has a mental health issue.
- Considering the use of a multi-agency assessment for a student who demonstrates persistent disruptive behaviour.
- Reviewing the effectiveness of suspensions and exclusions as sanctions, e.g. if a student has received multiple suspensions or is approaching the legal limit for suspensions in an academic year.
- Considering what extra support may be needed to identify and address the needs of individual students, particularly those with SEND, those eligible for FSM, LAC and those from certain ethnic groups.
- Engaging effectively with parents/carers in supporting the behaviour of students with additional needs.
- Determining whether a student will be suspended or excluded on disciplinary grounds.
- Adhering their responsibilities when cancelling an exclusion before the governing board has met to consider whether the student should be reinstated. Withdrawing any suspensions or exclusions that have not been reviewed by the governing board, where appropriate.
- Ensuring any decision to suspend or exclude is lawful, rational, reasonable, fair and proportionate.
- Complying with the requirements of the Equality Act 2010 when deciding whether to suspend or exclude a student.
- Ensuring they have considered their legal duty of care when sending a student home following a suspension or exclusion.
- Making the decision to suspend or exclude based on the evidence available at the time, regardless of any police investigation and/or criminal proceedings.
- Notifying a student's parents/carers without delay where the decision is taken to suspend or exclude the student, including the days on which the parents/carers must ensure the student is not present in a public place at any time during school hours, as well as any other necessary information statutorily required.
- Ensuring that all information provided to parents/carers is clear and easily understood.
- Notifying the governor responsible and LA of their decision to exclude a student where appropriate, as well as the student's home authority if required.
- Notifying the governing board once per term of any exclusions in the headteacher's report to governors.
- Organising suitable work for excluded students where alternative provision cannot be arranged.

4. Grounds for Suspension or Exclusion

A “**suspension**” is defined as the temporary removal of a student from the school for behaviour management purposes. A student may be suspended for one or more fixed periods, up to a maximum of 45 school days in a single academic year. A suspension does not have to be for a continuous period. An “**exclusion**” is defined as the permanent removal of a student from the school, in response to a serious breach or persistent breaches of the school’s Behaviour Policy, and where allowing the student to remain in school would seriously harm the education or welfare of the students or staff in the school.

The school will only suspend or exclude a student where the Headteacher feels it is necessary to provide a clear signal of what is unacceptable behaviour as part of the school Behaviour Policy (BESt). This may be in response to one-off incidents or persistent behaviour issues. The Headteacher will not postpone taking a decision to suspend a student due to a police investigation being underway, or any criminal proceedings that are in place but will be mindful evidence is limited by a police investigation, to ensure that any decision made is fair and reasonable.

The following examples of behaviour may warrant the decision to suspend or exclude a student (this list is not exhaustive):

- Physical assault against a student
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a student
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item
- Child on child abuse (eg; bullying)
- Being found in possession of/supplying a prohibited substance
- Discriminatory abuse, e.g. racist, homophobic, biphobic, transphobic or ableist abuse
- Persistent disruptive behaviour

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

- There has been a serious breach of the Behaviour Policy or persistent breaches of the Behaviour Policy

and

- Allowing the student to remain in school would seriously harm the education or welfare of the student or others such as staff or students in the school.

Students can be suspended on a fixed-period basis, i.e. for up to 45 school days within a year, or permanently excluded. Similarly, students can be permanently excluded following a suspension, where further evidence is presented. In all cases, the headteacher will decide whether a student will be subject to a suspension or an exclusion, depending on what the circumstances warrant.

5. The Headteacher’s Power to Suspend and Exclude

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

The headteacher is able to suspend students where their behaviour is disruptive during lunchtime. All lunchtime suspensions will be counted as half of a school day. The headteacher is also able to consider

a student's disruptive behaviour outside of the school premises as grounds for suspension or exclusion, in accordance with the school's Behaviour Policy.

When sending a student home following any suspension or exclusion, the headteacher will ensure that they exercise their duty of care at all times and will always inform the parents/carers.

Any decision made to suspend or exclude a student will be lawful, proportionate and fair, with respect to legislation relating directly to suspensions and exclusions and the school's wider legal duties, including the ECHR. At all times, the headteacher will take into account their legal duties under the Equality Act 2010 and the 'Special educational needs and disability code of practice: 0 to 25 years', ensuring that they do not discriminate on any grounds and will not increase the severity of a student's suspension or exclusion on these grounds.

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

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

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

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

Any days spent out of school as a result of a suspension or exclusion prior to it being cancelled will count towards the maximum 45 school days that a student can be suspended or excluded in an academic year. A permanent exclusion will not be cancelled if the student has already been suspended or 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.

6. Prevention

Bishops' Expected Standards (BESt) is well known by staff, students and parents/carers and is referred to in the school's shared purpose and Home School Agreement. There are a number of responses to support positive behaviour. The school will not suspend a student unless it is necessary to do so, such as in response to serious or continuous breaches of the school's Behaviour Policy or if allowing the student to continue in school would harm the education or welfare of other students or staff.

Other than in the case of serious one-off incidents, the permanent exclusion of students will be the final sanction at the end of a lengthy series of supportive procedures.

7. Reintegration

Following any suspension, the school will take reasonable steps to meet with parents/carers and students to ensure there is clarity around the reasons for the action and to discuss the student's reintegration/readmission. At the meeting, the strategy for reintegration and managing the student's behaviour will be discussed and targets set to improve positive behaviour.

Off-site direction

Where interventions or targeted support have not been successful in improving a student's behaviour, a Headteacher can direct a student to off-site provision. Depending on the individual needs and circumstances of the student, off-site direction can be agreed at another mainstream school as a 'step out or extended step out', or alternative provision. This can be full-time or a combination of part-time support and continued mainstream education. A proposed maximum period of time should be discussed and agreed upon as part of the planning phase for an off-site direction. Alternative options should also be considered once the time limit has been reached, including a Managed Move on a permanent basis (if a student is in a mainstream school) upon review of the time-limited placement. During the off-site direction, students will remain on-roll at Bishops' and be 'dual registered'. Pastoral teams will work closely with students and other providers to evaluate provision.

All stages of preventative and supportive work are documented, and parents/carers are always informed of any action taken by the school. Continuous misbehaviour will bring the student to the point of suspension or exclusion. It should be noted that, in order to progress to this stage, the student must have seriously contravened school expectations, either by a one-off exceptional circumstance or through persistent breaches of the Behaviour Policy.

8. Duty to Inform Parents/Carers

Following the Headteacher's decision to suspend or exclude a student, the school will inform the parents/carers without delay, (or the excluded student if they are 18 or older), of the period of the suspension, or permanency of the exclusion, and the reasons behind this. This will be done in person or by telephone, supported by email communication.

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

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

Where the student is of compulsory school age, the headteacher will inform the parents/carers by the end of the afternoon session that for the first five days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), parents/carers are legally required to ensure that their child is not present in a public place during school hours without justification, and that parents/carers may receive a penalty fine if they fail to do so.

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

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

Where the headteacher is unable to provide information on alternative provision by the end of the afternoon session, they will provide the information in a subsequent written notice without further delay.

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

9. Duty to Inform the Governing Board and LA

The headteacher will inform the governing board, without delay, of the following:

- Any permanent exclusions (including where a suspension is followed by a decision to permanently exclude the student)
- Any suspensions which would result in the student being suspended for more than 5 school days in a term (or more than 10 lunchtimes)
- Any suspensions or exclusions which would result in the student being absent from an examination or national curriculum test

For any suspensions and exclusions, other than those above, the headteacher will notify the governing board once per term.

The headteacher will inform the LA of all suspensions or exclusions, regardless of their length, without delay.

All notifications to the governing board and LA will include the reasons for suspension or exclusion and the duration of any suspension.

If a student who is suspended or excluded lives outside the LA in which the school is located, the headteacher will notify the student's 'home authority'.

10. Duty to Inform Social Workers and the Virtual School Head (VSH)

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

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

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

11. Arranging Education for Suspended and Excluded Students

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

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

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

12. Considering Suspensions and Exclusions

The governing board will consider any representations made by parents/carers regarding suspensions and exclusions.

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

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

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

The governing board will consider the reinstatement of a suspended or excluded student, where:

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

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

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

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

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

If it is not practicable for a sufficient number of governors to consider the decision before the examination, a smaller sub-committee will consider the suspension or exclusion and decide whether or not to reinstate the student.

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

When considering the reinstatement of a student, the governing board will:

- Only discuss the suspension or 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 students and parents/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 suspended or excluded student 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 student, including the grounds for suspension or exclusion.

13. Reaching a Decision

After considering suspensions and exclusions, the governing board will either:

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

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

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

To reach a decision, the governing board will:

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

14. Notification of Considered Suspensions and Exclusions

The governing board will notify the parents/carers of the suspended or excluded student, the headteacher, and the LA of their decision following the consideration of a suspension or exclusion, in writing and without delay.

In the case of exclusion, where the governing board decides not to reinstate the student, they will notify the parents/carers:

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

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

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

15. Removing Excluded Students from the School Register

The headteacher will remove students from the school register if:

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

If an application for an independent panel review has been made within 15 school days, the headteacher will wait until the review has been determined, or abandoned, and until the governing board has completed any reconsideration that the panel recommended or directed it to carry out, before removing the student from the school register.

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

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

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

If a student's name has been removed from the register and a discrimination claim is made, the student may be reinstated following a decision made by the First-tier Tribunal (SEND) or County Court. Whilst a student's name remains on the admissions register, the appropriate code will be used to mark the student's attendance:

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

16. Independent Review Panel

Independent Review Panels contribute to a robust process of scrutiny to ensure that exclusions are lawful, reasonable, and procedurally fair.

If applied for by parents/carers within the legal time frame, the academy trust must, at their own expense, arrange for an IRP hearing to review the decision of a governing board not to reinstate a permanently excluded student.

An independent review panel of three or five members is a panel of people that represent the following categories:

- A lay member to chair the panel. This individual will not have worked in any school in a paid capacity

- A current or former school governor who has served for at least 12 consecutive months in the last 5 years
- A headteacher or individual who has been a headteacher within the last 5 years

Parents/carers are required to submit their applications within:

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

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

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

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

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

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

Where a clerk is appointed, the Academy Trust will ensure that the clerk did not serve as clerk to the governing board when the decision was made not to reinstate the student.

17. The Duties of the Independent Review Panel

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

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

- Uphold the decision
- Recommend that the governing board reconsiders reinstatement
- Quash the decision and direct that the governing board reconsiders reinstatement

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

18. Governing Board Meetings/Independent Review Panels via Remote Access

Parents/carers, or excluded students if they are 18 or older, will be able to request that governing board meetings or independent review panels are held via remote access; however, parents/carers and students will be made aware that this is not the default option.

Where a parent/carer or student makes a request correctly in line with instructions set out in the headteacher's or governing board's written notification, the governing board or Academy Trust will hold the meeting via the use of remote access.

Remote meetings and panels will be held in accordance with timelines for face-to-face meetings. Where a request for a meeting to be held via remote access is not made, or the parents/carer or student does not state a preference, the meeting or panel will be held in person unless it is not practicable to do so.

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

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

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

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

Where a suspension or exclusion began before 1 September 2023 and a governing board meeting has not yet been held, the headteacher will notify the parent/carer, either on 1 September or as soon as possible afterwards, that they can ask the governing board to hold the meeting via the use of remote access. This also applies if an exclusion began before 1 September and the parent/carer is entitled to make representations but has not yet done so. The headteacher's notification will explain how requests must be made and to whom and that requests must be made within three school days of the notification.

Where an exclusion began before 1 September 2023 and an independent review panel has not yet been held, the governing board must notify the parent/carer, either on 1 September or as soon as possible that they can ask the independent review panel to hold the meeting via the use of remote access. This also applies if an exclusion began before 1 September and the parent/carer is entitled to apply for an independent review panel but has not yet done so. The notification will explain how requests must be made and to whom and that requests must be made within three school days of the notification.

19. Reconsidering Reinstatement Following a Review

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

The school is aware that if, following an **instruction** to reconsider, the governing board does not offer to reinstate the student, then the school will be required to make a payment of £4,000 directly to the LA area in which the school is located.

Where the independent review panel **recommends** that the governing board should reconsider their decision not to reinstate a student, they will do so within 10 school days of being given notice of the review panel's decision. The school is aware that if, following a recommendation to reconsider, the governing board does not offer to reinstate the student, it will not be subject to a financial adjustment. If, following reconsideration, the governing board offers to reinstate the student, but the parents/carers decline, no adjustment will be made to the school's budget.

Following reconsideration, the governing board will notify the parents/carers, headteacher and LA of their reconsidered decision and the reasons for this.

20. Criminal Investigations

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

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

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

21. Training Requirements

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

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

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

22. Using Data

The headteacher will ensure that all data regarding suspensions and exclusions is collected and provided to the governing board on a **termly** basis. The governing board will review this data regularly in order to:

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

- Gather information on students who are taken off the roll and those who are on the roll but attending education off-site.
- Consider the effectiveness and consistency in implementing the Behaviour Policy.
- Understand any variations in the rolling average of permanent exclusions to ensure they are only used when necessary.
- Understand the characteristics of suspended and excluded students and evaluate equality considerations.
- Gather information on where students are receiving repeat suspensions.
- Evaluate interventions in place to support students at risk of suspension and exclusion, including where there are patterns which may indicate that certain policies and support measures are or are not working.
- Analysing whether the placements of students directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives.

23. Monitoring and Review

This policy will be reviewed every 3 years by the headteacher in conjunction with the governing board.

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

Bishops' Blue Coat High School - Readmission Meeting Form

Name:

T/Group:

Date of Readmission Meeting:

TEAMS / In-person:

Date of Suspension/Internal isolation:

Number of Days:

Reason for Suspension/Internal Isolation: (See incident report forms etc. for detail)

People present at readmission interview:

Main Points of Discussion (use separate sheets if necessary)

1

2

3

4

Readmission agreement:

The student will:

The parents/carers will:

The school will:

Review date for targets to be reviewed

Has a TAF been offered to this family? Please give details of TAF offer/provision.

Key documents to reference as part of readmission conversation.

Behaviour records (including BESt points) – check parent /carer and student have IRIS log ins
Attendance records
Student educational passport if relevant
Last monitoring report
Our shared purpose home school agreement

Signature (School)

Signature (Student)

Signature (Parent/Guardian)

(Sometimes signatures will not be included e.g. where the readmission meeting has been conducted by phone or where this form is written up after the meeting)