KEYS
Academy Trust

Suspension and Permanent Exclusion Policy

KEYS Academy Trust
Unlocking the future

Version control summary and overview details

TKAT Statutory Policy

- All schools require a policy on this area.
- There should be no changes to the core text.
- LGBs will minute that they have noted Trust approval and will adopt the policy effective immediately.
- This is a Trust policy to be implemented by all schools within The Keys Academy Trust to ensure a consistent approach for all.

Version control

Version 2 July 26

- New elements of DfE guidance School suspensions and permanent exclusions - GOV.UK effective from 26th July 2026
- Overall strengthening of last resort language around permanent exclusion and addition of safeguarding separation provision.
- Addition of updated policy guidance documentation
- Updated definitions
- Additional clarity and explanation regarding headteacher responsibilities including information
- Sharing clarification.
- Additional clarity of LGB responsibilities
- Expanded list of off rolling examples

Reviewed by (Trust Officer)	Hester Wooller, CEO
Approved by TKAT Trustee Committee:	Trust Board
Trust date of approval:	Jul.26
Trust date of next review:	Jul.28

TKAT vision

We are a family of distinctive schools at the heart of the diverse communities we serve. In line with our Christian ethos, we aspire to excellent learning and pastoral care for pupils and staff and are committed to being open and welcoming to all.

Key areas of note

Please note the following, which will be applicable throughout the policy:

- Any reference to 'headteacher' should read as whatever title is relevant to the school using the policy (i.e. Executive Headteacher/Head of School or Headteacher). Anything else will be explicitly referenced within the policy.
- Any reference to 'everyone' to staff, trustees, local governors and pupils.
- Any reference to 'we' should be read as The Keys Academy Trust.
- Any reference to 'parents' should be read as 'parents, carers and guardians'.

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1. Aims

1.1 The Keys Academy Trust (TKAT) is committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment. TKAT values diversity, diversity of needs and aims to keep suspensions and permanent exclusions as infrequent as possible.

1.2 Our schools aim to:

- Ensure that the suspensions and permanent exclusions process is applied fairly and consistently.
- Help local governors, staff, parents and pupils understand the exclusions process.
- Ensure that pupils in school are safe and happy.
- Prevent pupils from becoming not in education, employment or training (NEET).
- Ensure all suspensions and permanent exclusions are carried out lawfully.
- Permanent exclusion only used as the last resort for a pupil.

1.3 TKAT recognises that pupils with additional needs, disabilities or disadvantaged backgrounds are disproportionately affected nationally by suspension and exclusion. TKAT has measures in place to ensure that early intervention and use of alternative strategies before suspension of exclusion.

1.4 TKAT continues to commit to using suspension and/or permanent exclusions as a last report, when all alternative options have been exhausted. Alternatives that will be explored as part of an inclusive risk assessment process are off site direction, managed moves, behaviour action plans, or additional support within the school or within other TKAT schools, if appropriate. These will all be explored in conjunction with the pupil, the parent/s and any relevant external specialists.

2. Legislation and statutory guidance

2.1 This policy is based on guidance from the Department for Education School suspensions and permanent exclusions - GOV.UK effective from 26th July 2026.

2.2 It has due regard to all relevant legislation, which outlines schools' powers to exclude pupils, including, but not limited to the following:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023
- In addition, the policy is based on:
- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
- The Equality Act 2010
- Children and Families Act 2014
- https://www.legislation.gov.uk/ukpga/2014/6/contentsThe Inspection information for state-funded schools, which defines 'off-rolling'.

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

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

- DfE (2024) "Behaviour in Schools"
- DfE (2014) "Special educational needs and disability code of practice 0 to 25 years"
- DfE (2018) "Mental health and behaviour in schools".

3. Definitions

3.1 **Suspension** – when a pupil is temporarily removed from the school for a fixed period for behaviour management purposes. This was previously referred to as a 'fixed-term exclusion'. At the end of the period, they are expected to return to school following a reintegration meeting. A pupil may receive a maximum of 45 days of suspension in a single academic year before being permanently excluded.

3.2 **Permanent exclusion** – when a pupil is removed from the school roll permanently following a serious breach or persistent breaches of the school's behaviour policy. When a pupil is removed, the pupil is prevented from attending the school again. A decision to permanently exclude will only be taken in response to a serious breach or persistent breaches of the school's behaviour policy, and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others, such as staff or pupils, in the school.

3.3 **Off-site direction** – when the Board of Trustees uses its general powers to arrange for a pupil to attend another education setting temporarily, to improve their behaviour. A direction off-site can be used before a managed move, assuming it is to improve behaviour, with the pupil being dual registered for that period. Two school days' notice must be given to parents prior to off-site direction commencing.

3.4 **Managed move** – when a pupil is transferred to another school permanently where it is thought to be in a pupil's best interests. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. (Note: The Keys Academy Trust is the admission authority for all our schools). There cannot be a trial period for managed moves. A managed move cannot override the schools admissions process. A school that is full or has a waiting list will not be able to admit a pupil on a managed move unless the pupil would be at the top of the waiting list.

3.5 **Cancelled exclusion** – an exclusion that has been cancelled before the local governing body has met to consider whether the pupil should be reinstated.

3.6 **Reinstatement** – Following a permanent exclusion, a parent may make representations to the Local Governing Body to request a Local Governors' Disciplinary Committee (LGDC) to consider whether to reinstate the pupil to the school.

3.7 **Safeguarding separation** – allows the school to temporarily forbid a pupil from attending its premises if you need to separate 2 or more pupils for safeguarding purposes.

4. Roles and responsibilities

4.1 This Policy applies to all members of TKAT community. Each school within TKAT will apply suspensions and exclusions in accordance with this policy and ensure that its content is relayed to staff, parents and pupils.

4.2 **The Headteacher**

4.2.1 Only the Executive headteacher/Headteacher of a school (or acting executive headteacher/headteacher), can suspend or permanently exclude a pupil from school (on the grounds identified in this policy). However, the headteacher must discuss this and seek approval from the CEO for both suspensions and permanent exclusions (see 4.3 and 4.4). For this policy, the term 'headteacher' will be used to denote the person of highest responsibility in the school (Executive Headteacher or Headteacher).

4.2.2 The headteacher is also responsible for the following:

a) Ensuring suspensions and permanent exclusions are used only as a last resort and only for disciplinary reasons.
b) Making lawful, reasonable and fair and evidence-based decisions, considering all relevant circumstances, including safeguarding, SEND, equality duties and proportionality.
c) Considering alternatives before exclusion where appropriate including reviewing underlying causes of behaviour (e.g. identifying unmet needs) alongside external professionals
d) Deciding the length of any suspension or whether permanent exclusion is appropriate.
e) Informing parents, the local governing body, local authority, social worker (where applicable) and Virtual School Head (where applicable) without delay.
f) Arranging and set suitable work from the first day of suspension.
g) Arranging full-time education from the sixth consecutive school day for suspended pupils where required.
h) Supporting reintegration following suspension.
i) Cancelling an exclusion before the local governing body has considered reinstatement, following statutory procedures, if applicable and deemed appropriate within the bounds of the policy and DfE guidance.

4.3 **The CEO**

4.3.1 The CEO has responsibility for approving any suspensions and/or permanent exclusions.

4.3.2 The CEO (and delegated team of professionals, such as Hub Leaders) also has responsibility for the following:

a) Provide strategic oversight of suspension and permanent exclusion practice across the Trust.
b) Quality assure exclusion decisions
c) Monitor Trust-wide exclusion data and trends.
d) Ensure consistency, legality and proportionality across all schools.
e) Report exclusion patterns and vulnerable group analysis to Trustees.
f) Commission training for leaders, governors and behaviour leads as appropriate.

4.4 **Trustees**

a) Ensure statutory guidance is implemented across the Trust.
b) Ensure governance arrangements enable LGB duties to be discharged effectively.
c) Support quality assurance and monitoring of exclusion practice across the Trust.
d) Ensure compliance with equality and safeguarding duties.
e) Hold school leaders to account for the lawful, fair and proportionate use of suspension and permanent exclusion.
f) Ensure exclusion data is monitored to identify trends or disproportionate impact on particular groups.
g) Arrange an Independent Review if required.

4.5 **Local Governing Body (LGB)**

a) Ensure statutory guidance is implemented across the school/s it oversees.
b) Arrange Local Governors' Disciplinary Committee (LGDC) hearings for permanent exclusions.

c) Support quality assurance and monitoring of exclusion practice across the Trust.
d) Ensure compliance with equality and safeguarding duties.
e) Hold school leaders to account for the lawful, fair and proportionate use of suspension and permanent exclusion.
f) Consider parents' representations where required.
g) Review exclusions within statutory timescales.
h) Decide whether a suspended or permanently excluded pupil should be reinstated.
i) Ensure decisions are lawful, reasonable and procedurally fair.
j) Remove a permanently excluded pupil from the school roll when legally required.
k) Ensure suspension and permanent exclusion data is monitored to identify trends or disproportionate impact on particular groups (see 20.0).

4.6 **Local Authority (LA)**

a) Arrange suitable full-time education from the sixth school day following a permanent exclusion.
b) Be notified of all suspensions and permanent exclusions.
c) Monitor exclusion practice and fulfil statutory responsibilities regarding attendance, safeguarding and vulnerable children.
d) Consider use of Fair Access Protocols where appropriate.

4.7 **Parents**

a) Ensure the child is not present in a public place during school hours for the first five school days of a suspension or permanent exclusion unless there is reasonable justification.
b) Engage with the school regarding the incident and reintegration arrangements.
c) Make representations to the local governing body where entitled.
d) Request, if they wish, a Local Governors' Disciplinary Committee (LGDC), following a school's decision to issue a permanent exclusion.

4.8 **Pupils**

a) Be given the opportunity to share their views where appropriate, taking account of age and understanding.
b) Complete work set during suspension.
c) Engage with reintegration support following suspension.
d) Attend alternative provision when directed.

4.9 **Virtual Head (where applicable)**

a) Promote the educational interests of looked-after and previously looked-after children.
b) Receive notification of exclusions.
c) Work with schools and carers to minimise disruption to education and support reintegration or transition.

4.10 **Social worker (where applicable)**

a) Receive notification of suspensions and permanent exclusions.
b) Work with the school and family to support the child's welfare, education and reintegration.
c) Attend meetings where appropriate to represent the child's interests.

4.11 **Local Governors' Disciplinary Committee (LGDC)**

a) Review local governing body decisions following permanent exclusions when requested by parents.
b) Decide whether to uphold the decision, recommend reconsideration, or quash the decision and direct the local governing body to reconsider.
c) Ensure decisions are lawful, reasonable and procedurally fair.

5. Reasons for suspension or permanent exclusion

5.1 **Reasons for suspension or permanent exclusion**

5.1.1 A decision to suspend or permanently exclude a pupil will be taken only:

a) In response to serious or persistent breaches of the school's behaviour policy, and
b) If allowing the pupil to remain in school would seriously harm the education or welfare of others.

5.1.2 The reasons or circumstances that may warrant a suspension or permanent exclusion include:

a) Physical assault against a pupil
b) Physical assault against an adult
c) Verbal abuse or threatening behaviour against a pupil
d) Verbal abuse or threatening behaviour against an adult
e) Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by a school's behaviour policy
f) Bullying
g) Racist abuse
h) Abuse against sexual orientation or gender reassignment
i) Abuse relating to disability.

6. Before deciding to suspend or permanently exclude a pupil

6.1 Before deciding whether to suspend or permanently exclude a pupil, the headteacher and CEO will:

- Ensure that all multi-tiered interventions have been undertaken prior to support pupils before suspension/exclusion is considered (e.g. pastoral support plans, risk assessments, mentoring, counselling, off-site education).
- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Ensure that the pupil voice has been heard, there has been parental involvement and there has been any relevant input from social worker or external specialist during the process
- Consider whether the pupil has special educational needs/disability (SEND)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored (see 6.2 and 6.3).

6.2 For suspensions: detentions or other sanctions provided for in the behaviour policy

6.3 For permanent exclusions: off-site direction (for temporary placements) or managed moves (which are permanent and not used as trial placements). See 8.0 for more detail.

7. Taking the decision to suspend or permanently exclude a pupil

7.1 **Gathering views**

7.1.1 The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or permanently exclude, unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker. Decisions to suspend or permanently exclude a vulnerable pupil require extra scrutiny (e.g. if the pupil is a looked After Child or has specific social/ethnic vulnerabilities).

7.1.2 The headteacher and CEO will not reach their decision until they have heard from the pupil (if appropriate) and will inform the pupil of how their views were taken into account when making the decision.

7.1.3 TKAT regularly promotes professional development for its staff on inclusive practices and SEND awareness. TKAT staff are equipped to respond to pupils' unmet needs rather than default to suspension or exclusions.

7.2 **CCTV, witness evidence and pupil views**

7.2.1 TKAT schools may use closed circuit television (CCTV) within their premises. This is to provide a safe and secure environment for pupils, staff and visitors. If behavioural incidents are recorded on CCTV, the footage may be viewed as part of the investigation and the content considered before imposing a sanction. If CCTV is relied upon for a decision on a suspension or exclusion, then it will be shown in some format (redacted as necessary) at any LGDC review meeting.

7.3 **Deciding whether to suspend**

7.3.1 The decision to suspend is made with the headteacher of the school, and only once it has been approved by the CEO.

7.3.2 Every decision made will be proportionate to the seriousness of the behaviour, with reference to the school's behaviour policy. The decision can be made in respect of behaviour inside or outside of school.

7.3.3 A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy.
- To provide a clear signal of what is unacceptable behaviour.
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion.

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

7.4 **Deciding whether to permanently exclude**

7.4.1 The decision to permanently exclude is made with the headteacher of the school, and only once it has been approved by the CEO.

7.4.2 Every decision made will be proportionate to the seriousness of the behaviour, with reference to the school's behaviour policy. The decision can be made in respect of behaviour inside or outside of school.

8. Offsite direction and managed moves

8.1 When considering off-site direction, the school complies with the Education ("Educational Provision for Improving Behaviour" and "Application to Academies and Pupil Referral Units and Minor Amendments") Regulations 2026, and has regard to the "Arranging alternative provision: a guide for local authorities and schools" guidance.

8.2 Before directing a pupil off-site or agreeing a managed move, the school will:

- Ensure the pupil's views are sought and considered
- Be able to evidence that appropriate interventions have already been implemented
- Share relevant information with the receiving setting and the local authority (LA), including attainment data, risk assessments and support strategies

8.3 Where a managed move is being considered for a pupil with a social worker, the school will inform, at the earliest opportunity:

- The social worker
- The DSL
- Parents (unless this would create a safeguarding risk)
- For looked after children: the virtual school head (VSH)

8.4 If it is decided that a managed move is in the pupil's best interests, the original school and new school will work together to make sure that any personal education plan (PEP) that the pupil has is reviewed and amended to reflect the move.

9. Additional needs and circumstances

9.1 Where there are concerns about the behaviour, or risk of suspension or permanent exclusion, of a pupil with SEN, a disability or an education, health and care (EHC) plan, the school will, in partnership with external professionals and others (including where relevant, the LA), consider what additional support or alternative placement may be required. This will involve assessing the suitability of provision for the pupil's SEN or disability.

9.2 Where a pupil has an EHC plan, the school will contact the LA about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude the pupil.

9.3 If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil, or if a pupil has been reinstated to the school, it is likely that complex and difficult decisions will need to be made. These decisions will be made alongside the school's safeguarding duties and its duty to provide an education.

9.4 **Deciding whether to temporarily remove a pupil from the school site for safeguarding reasons (Safeguarding Separation)**

9.4.1.1 In exceptional circumstances, the headteacher, with the CEO's approval, may decide to temporarily prevent a pupil from attending the school site for safeguarding reasons. This is not an exclusion on disciplinary grounds.

9.4.1.2 This measure will only be used when:

- It is necessary to separate pupils to ensure safety, and
- There is no reasonable alternative that would allow all pupils to remain on site
- Decisions will be made on a case-by-case basis, led by the designated safeguarding lead (DSL) and informed by multi-agency working where appropriate (e.g children's social care or the police).

9.4.1.3 Where this measure is used, the school will:

- Inform parents/carers without delay, including the reasons for the decision
- Notify the Trust and local local governing body without delay
- Provide work for the pupil to complete at home, or work with the LA to ensure suitable education is arranged
- Support the pupil's reintegration, as soon as it is safe to do so.

10. Informing parents

10.1 **Informing parents of a suspension or permanent exclusion**

10.1.1 If a pupil is at risk of suspension or permanent exclusion, the headteacher will inform the parents as early as possible, in order to work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

10.1.2 If the headteacher, with the CEO's approval, decides to suspend or permanently exclude a pupil, the parents will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason/s for it, without delay. If a parent cannot be contacted, the suspension or permanent exclusion may still proceed, providing every reasonable opportunity has been taken to make contact with the parent.

10.1.3 The parent will also be provided with the following information in writing, without delay:

- The reason/s for the suspension or permanent exclusion.
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent.
- Information about the parents' right to make representations about the suspension or permanent exclusion to the Local governing body (LGB) for a LGDC.
- Whether their pupil will be able to sit any national curriculum test(s) or public exams occurring during the suspension or permanent exclusion

10.1.4 When notifying parents about a suspension or permanent exclusion, the headteacher should draw attention to relevant sources of free and impartial information as set out in Appendix 2.

10.1.5 If the pupil is of compulsory school age, the headteacher will also notify parents/carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 school days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. This will include specifying on which days this duty applies.
- Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

10.1.6 If alternative provision is being arranged to improve behaviour, the written notification will include:

- The start date for any provision of full-time education that has been arranged.
- The address at which the provision will take place.
- The name of the person the pupil should report to on arrival.
- The duration of the placement.
- The reasons for, and objectives of, the placement.
- The start and finish times of any such provision.
- Where 2 sessions per day are provided:
    - What time the morning sessions starts.
    - What time the afternoon session ends.
    - What time the break between them starts and ends.
    - Where a single session per day is provided.
    - What time the session starts and ends

10.1.7 If the headteacher does not have all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

10.1.8 The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

10.1.9 If the headteacher cancels the suspension or permanent exclusion, they will notify the parents without delay, and provide a reason for the cancellation.

10.2 **Informing parents who wish to make representations to the Local Governing Body (LGB) to arrange a Local Governors' Disciplinary Committee (LGDC)**

10.2.1 When parents request an LGDC, they will be provided with the following information in writing:

- How any representations should be made.
- How they, as parents (and a pupil, if they will attend with their parents) will be involved in an LGDC, if applicable.
- That any attendance at an LGDC is at the parents' (and any person they bring with them) own expense.
- Of their right to attend the meeting, and be represented at the meeting (at their own expense) by a friend or appropriate person (and, where appropriate, more than 1, subject to reasonable limits set by the LGB).
- That parents have the right to request that the meetings be held remotely, and how and to whom they should make this request.

10.3 **Informing the Trust and the LGB**

10.3.1.1 The headteacher will, without delay, seek approval of the CEO and notify the LGB of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil.
- Any suspension or permanent exclusion that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term.
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam. Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, LGB will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test.

Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation.

10.4 **Informing the local authority (LA)**

10.4.1 The headteacher will notify the LA of all suspensions and permanent exclusions using the reporting forms, regardless of the length of a suspension.

10.4.2 The notification will include:

- The reason/s for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent.

10.4.3 For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

10.4.4 The headteacher must notify the LA without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

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

10.5.1 If a pupil with a social worker (and/or is a pupils who is a looked-after child (LAC)) is at risk of suspension or permanent exclusion, the headteacher will inform the social worker as early as possible. This is so they can work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour.

10.5.2 Where a looked-after child is at risk of suspension or permanent exclusion, the school will consider how effectively the current personal education plan (PEP) is being implemented, and

- Whether an interim review of the PEP needs to take place
- How the school is using Pupil Premium Plus.

10.5.3 If the headteacher (with the approval of the CEO as applicable for a suspension or permanent exclusion), decides to suspend or permanently exclude a pupil with a social worker and/or a pupil who is looked after, they will inform the pupil's social worker/the VSH, as appropriate, without delay, that:

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

10.5.4 The headteacher must notify the social worker/VSH without delay of any cancelled exclusions, including the reason the exclusion was cancelled.

10.5.5 The social worker/VSH will be invited to any meeting of the LGDC about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks, and the pupil's welfare are taken into account.

11. Cancelling suspensions and permanent exclusions

11.1 The headteacher, with the approval of the CEO, may cancel a suspension (or cancel a permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the local governing body (LGB).

11.2 Where there is a cancellation:

- The parents, the Trust, the LGB and the LA will be notified without delay.
- Where relevant, any social worker and VSH will notified without delay.
- The notification must provide the reason for the cancellation.
- The LGB's duty to hold a meeting and consider reinstatement ceases.
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay.
- The pupil will be allowed back in school, without delay.
- As referred to above, the headteacher will report to the Trust and LGB once per term on the number of cancellations.

11.3 Regardless of the cancellation, any days spent out of school as a result of any suspension or permanent exclusion, prior to the cancellation, will count towards the maximum of 45 school days of suspensions permitted in any school year. This includes if a child was permanently excluded and then the permanent exclusion is cancelled.

11.4 A permanent exclusion cannot be cancelled if the pupil has already been suspended for more than 45 school days in a school year, or if they will have been by the time the cancellation takes effect.

12. Providing education during the first 5 school days of a suspension or permanent exclusion

12.1 During the first 5 school days of a suspension, if the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Microsoft Teams, Google Classroom or Oak Academy or any other online pathway the school uses may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

13. The Local Governing Body (LGB) and the Local Governors' Disciplinary Committee (LGDC)

13.1 **Considering suspensions and permanent exclusions**

13.1.1 Responsibilities regarding suspensions and permanent exclusions are delegated to the local governing body (LGB).

13.1.2 To consider the reinstatement of a pupil in the circumstances outlined in 15.0 of this policy, a Local Governors' Disciplinary Committee (LGDC) will be formed. An LGDC is comprised of three local governors which may be drawn either from the school's local governing body (LGB), or from the local governing bodies of other Trust schools.

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

13.2 **Considering the reinstatement of a pupil as part of representations to the LGDC**

13.3 The LGDC is only required to meet if the parents make representations to the LGB. Otherwise, it cannot direct the headteacher to reinstate the pupil.

13.4 If applicable to make representations to the LGDC, the LGDC will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

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

13.5 Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, parents may make representations to the LGB, but an LGDC cannot be called. Instead, the LGB may consider any representations made by parents. However, they are not required to arrange a meeting with parents and they cannot direct the headteacher to reinstate the pupil.

13.6 Where the pupil has been suspended for more than 5 – but not more than 15 school days – in a single term, and the parents make representations to the LGB, the LGDC will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension.

13.7 Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, LGDC will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the LGDC may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil at a later date.

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

- Parents (and, where requested, a representative or friend) (and, where appropriate, more than 1, subject to reasonable limits set by the LGB).
- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend).
- The headteacher.
- The pupil's social worker, if they have one.
- The VSH, if the pupil is looked after.

13.9 LGDC meetings can be held remotely only at the request of parents (see the relevant section in this policy).

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

13.11 **Decision making**

13.11.1 The LGDC can either:

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

13.11.2 In reaching a decision, the LGDC will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair.
- Whether the Headteacher followed their legal duties.
- The welfare and safeguarding of the pupil and their peers.
- Any evidence presented to the LGDC.

13.11.3 They will decide whether or not a fact is true 'on the balance of probabilities.

13.11.4 The clerk/governance professional will be present when the decision is made.

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

13.11.6 The LGDC will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents
- The Headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The Keys Academy Trust
- The local authority
- The pupil's home authority, if it differs from the school's.

13.12 Where involving a permanent exclusion and the LGDC has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion.
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel.
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the LGDC's decision is given to parents).
- The name and address to which an application for a review and any written evidence should be submitted.
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs and/or disabilities (SEND) are considered to be relevant to the permanent exclusion.
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Trust to appoint a SEND expert to advise the review panel.
- Details of the role of the SEND expert and that there would be no cost to parents for this appointment.
- That parents must make clear if they wish for a SEND expert to be appointed in any application for a review.
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review.
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place.

13.13 Where pupils leave the school (including in year transfers) the designated safeguarding lead should ensure their child protection file is transferred to the new school or college as soon as possible, and within 5 days for an in year transfer or within the first 5 days of the start of a new term. This should be transferred separately from the main pupil file, ensuring secure transit, and confirmation of receipt should be obtained. Receiving schools and colleges should ensure key staff such as designated safeguarding leads and special educational needs coordinators (SENCOs)

14. Off-rolling

14.1 Our schools are aware that off-rolling is unlawful. Ofsted defines off-rolling as the following:

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

14.2 We explicitly prohibit "informal" or "unofficial suspensions/exclusions (e.g. sending a pupil home without formal paperwork and will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without following the statutory procedure contained in the School Discipline (Pupil Exclusions and Reviews) (England) (Amendment and Transitional Provision) Regulations 2023 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 school feels unable to support.
- Due to poor academic performance.
- Because they haven't met a specific condition, such as attending a reintegration meeting.
- By exerting undue influence on a parent to encourage them to remove their child from the school.
- Moving a pupil to off-site AP where this is not in their best interests.
- Encouraging a post-16 student not to continue with their course of study when this is against the best interests of that pupil.
- Sending a pupil home without a formal suspension regardless of whether it occurs with the agreement of parents.
- Placing a pupil on a part-time timetable for behavioural reasons.
- Intentionally removing a pupil from the school roll without correctly following regulations.

15. Independent review

15.1 If parents apply for an independent review within the legal timeframe, the Trust will arrange for an independent panel to review the decision of the LGDC not to reinstate a permanently excluded pupil:

15.2 Applications for an independent review must be made:

a) Within 15 school days of notice being given to the parents by LGDC of its decision to not reinstate the pupil **or**,
b) If after the time outlined in 15.2 a), within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

Any applications made outside of this timeframe will be rejected.

15.3 Independent reviews can be held remotely at the request of parents. See the relevant section within this policy for more details.

15.4 A panel of 3 or 5 members will be constituted. At all times during the review process there must be the required representation on the panel. The panel will be made up of representatives from each of the categories below for a 3-member panel:

- 1 lay member to chair the panel who has not worked in any school in a paid capacity, not including any experience as a school governor or volunteer
- Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time

- Headteachers or individuals who have been a headteacher within the last 5 years.

For a 5-member panel, 2 members will come from the school governor category and 2 members will come from the headteacher category.

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

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

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

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

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

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

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

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

- Uphold the LGDC's decision
- Recommend that the LGDC reconsiders reinstatement
- Quash the LGDC's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed based on the relevant principles).

15.12 New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced. In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the LGDC at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the LGDC and that it ought to have considered if it had been acting reasonably.

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

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

15.15 Once the panel has reached its decision, the panel will notify all parties in writing without delay. This notification will include:

- The panel's decision and the reasons for it.
- Where relevant, details of any financial readjustment or payment to be made if the LGDC does not subsequently decide to offer to reinstate the pupil within 10 school days.
- Any information that the panel has directed the LGDC to place on the pupil's educational record.

16. School registers

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

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

16.2 Where an application for an independent review has been made within 15 school days, the LGB will wait until that review has concluded before removing a pupil's name from the register (if applicable).

16.3 While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register.

16.4 During off-site direction to another school or educational establishment, code D (dual registration) will be used.

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

16.6 A pupil will be registered at 1 school only. Where a managed move is agreed, the pupil's name will be removed from the admission register when the move becomes permanent. Where a pupil attends off-site provision, the original school retains responsibility for the pupil's registration unless and until a permanent move is agreed.

16.7 **Making a return to the LA**

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

- The pupil's full name and address.
- The full name and address of any parent with whom the pupil normally resides.
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency.
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion).

- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school.
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house.

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

17. Returning from a suspension

17.1 **Reintegration strategy**

17.1.1 Following a suspension, period of off-site direction, separation for safeguarding purposes, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

17.1.2 Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

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

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Contact in school with a designated pastoral professional
- Regular reviews with the pupil and parents to praise progress being made and raise and address concerns at an early stage
- Informing the pupil, parents and staff of potential support.

17.1.4 Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary.

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

17.2 **Reintegration meetings**

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

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

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

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

18. Remote access to meetings

18.1 Parents can request that a LGDC meeting, or independent review panel be held remotely. If the parents don't express a preference, the meeting will be held in person.

18.2 Requests for remote meetings may be refused where, following a risk assessment, it is considered that a remote format would not allow the meeting to be conducted fairly, transparently, or with full participation due to safeguarding reasons.

18.3 In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

18.4 Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

18.5 The LGDC and the Trust should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology which will allow them to hear, speak, see and be seen.
- All the participants will be able participate fully.
- The remote meeting can be held fairly and transparently.

18.6 Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.
The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively; or
- Prevent the meeting from running fairly and transparently.

19. Monitoring and analysing suspensions and exclusions data

19.1 **The school**

19.1.1 The school will collect data on the following:

- Attendance, permanent exclusions and suspensions.
- Use of pupil referral units, off-site directions and managed moves.
- Anonymous surveys of staff, pupils, governors, trustees and other stakeholders on their perceptions and experiences.

19.2 **The LGB**

19.2.1 The LGB will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

19.2.2 The LGB will:

- Closely scrutinise patterns of all pupil movement, including suspensions, permanent exclusions, off-site direction and managed moves.
- Ensure these measures are only used as a last resort.
- Review any use of separation from site for safeguarding purposes.
- Challenge the school's leadership team to identify and address emerging trends.

19.2.3 The LGB will consider:

- How effectively and consistently the school's behaviour policy is being implemented.
- The school register and absence codes.
- Instances where pupils receive repeat suspensions.
- Interventions in place to support pupils at risk of suspension or permanent exclusion, ensuring that all multi-tiered interventions have been undertaken prior to support pupils before suspension/exclusion is considered (e.g. pastoral support plans, risk assessments, mentoring, counselling, off-site education).
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working.
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or permanently excluded more than others.
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it.
- The cost implications of directing pupils off-site.

19.2.4 Governors will hold leaders to account and make informed decisions. To enable them to do so, they will make use of performance data in the following areas:

- Pupil numbers, attendance and exclusions.
- Attainment and progress.
- Curriculum planning and class sizes.
- Financial management and governance.
- Quality assurance.
- Safeguarding and wellbeing.
- The school community, including staff, pupils, parents and the LGB.

19.3 **The Trust**

19.3.1 The data will be analysed every term by a member of the TKAT staff. Each school will report back to the LGB and the Trust.

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

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

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

19.3.4 The Trust will work with its schools to consider this data and to analyse whether there are patterns across the Trust, recognizing that numbers in any one school may be too low to allow for meaningful statistical analysis.

19.3.5 This policy will be reviewed by the Curriculum Effectiveness and Church Ethos Committee every 2 years or in line with DfE guidance. At every review, the policy will be approved by the Trust and shared with its schools.

20. Links with other policies

20.1 This exclusions policy operates in conjunction with other school policies including the following:

- Behaviour policy
- SEND policy and information report
- Anti-Bullying Policy
- Child Protection and Safeguarding Policy

Appendix 1: independent review panel training

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

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making,
- The need for the panel to observe procedural fairness and the rules of natural justice,
- The role of the chair and the clerk of a review panel,
- The duties of headteachers, governing boards and the panel under the Equality Act 2010,
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act.

Appendix 2 Sources of free and impartial information for parents.

When notifying parents about a suspension or permanent exclusion, the headteacher should draw attention to relevant sources of free and impartial information. This information should include:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here – https://www.gov.uk/government/publications/school-exclusions-guide-for-parents.
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found here – https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network.
- Coram's Child Law Advice service can be found through their website https://childlawadvice.org.uk/information-pages/school-exclusion/ or contacted on 300 330 5485 from Monday to Friday, 8am – 6pm.
- ACE education run a limited service and can be reached on 0300 0115 142 on Monday to Wednesday from 10am to 1pm during term time. Information can be found on the website: http://www.ace-ed.org.uk/.
- Independent Provider of Special Education Advice (known as IPSEA – www.ipsea.org.uk) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities.