



SIR ROBERT PATTINSON ACADEMY

SUSPENSION AND PERMANENT EXCLUSION POLICY

Date Reviewed in Academy: June 2026

Date approved by Trustees: July 2026

Review Date: July 2029

Serious incidents of misbehaviour leading to Suspensions or Permanent Exclusion Action to be invoked by Senior Staff in Serious Disciplinary Matters

1. PURPOSE OF THIS POLICY

This policy is designed to outline the Academy's approach to suspensions and permanent exclusions within the statutory framework as defined in Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movements (JULY 2026). It outlines where the Academy applies its own additional guidance and procedures, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the Academy. The policy should be read in conjunction with our policies on behaviour, anti-bullying, child protection and safeguarding, SEND and inclusion, and equality and diversity. This policy applies to all suspensions and permanent exclusions occurring on or after 26 July 2026.

2. PRINCIPLES

Suspension and permanent exclusion are sanctions used by the Academy only when warranted as part of creating calm, safe, and supportive environments where both pupils and staff can work in safety and are respected.

2.1 When Suspension or Permanent Exclusion May Be Used

Suspension is a sanction used by the Academy only in cases deemed as serious breaches of the Academy Behaviour Policy. A student may be at risk of suspension or permanent exclusion from the Academy for a range of breaches of the Academy code of conduct including, but not limited to:

- a. Physical assault against a pupil or adult
- b. Verbal abuse or threatening behaviour against a pupil or adult
- c. Persistent and repetitive disruption of lessons and other students' learning
- d. Use, or threat of use, of an offensive weapon or prohibited item
- e. Bullying, including cyber-bullying
- f. Racist abuse
- g. Abuse against sexual orientation or gender reassignment
- h. Abuse relating to disability
- i. Sexual violence or sexual harassment
- j. Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions

This list is not exhaustive and is intended to offer examples rather than be complete or definitive. For further details please see section 14 of Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England including pupil movements (JULY 2026).

2.2 Legal Framework

In discharging their duties, the Head Teacher and Trustees will have regard to DfE guidance "Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England Including Pupil Movements (July 2026)". They will also take into account their statutory duties in relation to special educational needs and/or disabilities, including having regard to the SEND Code of Practice; the Equality Act 2010, ensuring no discrimination, harassment, or victimisation; the Children and Families Act 2014; Keeping Children Safe in Education (KCSIE); and The Human Rights Act 1998.

2.3 Preventative Approach

Before suspending or permanently excluding a student, in most cases a range of alternative strategies will have taken place, which may include:

- In-school interventions and targeted support
- Multi-agency support
- Outreach support from alternative provision
- Booster support programmes
- Early Annual Review of EHC Plans (where applicable)
- Off-Site Direction (Temporary Placement)
- Managed Moves (Permanent Transfer)

Where a one-off incident of sufficient gravity has taken place, the use of alternative strategies may not apply.

2.4 Decision to Permanently Exclude

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

- a. In response to serious breaches or persistent breaches of the Academy's Behaviour Policy; and
- b. Where allowing the student to remain in the Academy would seriously harm the education or welfare of the student, other students, or staff in the Academy

A permanent exclusion should only be used as a last resort.

2.5 Monitoring and Equality

The Academy regularly monitors the number and characteristics of suspensions and permanent exclusions to ensure that:

- No group of students is unfairly disadvantaged through their use
- Any underlying needs of individuals are being fully met
- The sanction is only used when necessary
- Patterns and trends are identified and addressed

3. RESPONSIBILITIES OF THE HEAD TEACHER

3.1 Power to Suspend or Permanently Exclude

Only the Head Teacher (or Deputy Head Teacher acting on delegated authority in the Head Teacher's absence) has the power to suspend or permanently exclude students on disciplinary grounds.

A permanent exclusion can only be authorised by the Head Teacher.

If neither the Head Teacher nor a Deputy with delegated authority is available to authorise a suspension, a decision should be deferred until the opportunity for authorisation is available.

3.2 Investigation and Decision-Making Process

When considering the suspension or permanent exclusion of a student, the Head Teacher will ensure that the following activities are carried out:

- a. **Undertake a thorough investigation**, applying the civil standard of proof (i.e., 'on the balance of probabilities' - it is more likely than not that a fact is true)

Before deciding to suspend or permanently exclude a pupil, the Head Teacher will take the pupil's views into account, considering these in light of their age and understanding, unless it would not be appropriate to do so. The pupil will be informed about how their views have been factored into any decision made. Where relevant, the pupil will be given support to express their view, including through advocates such as parents or, if the pupil has one, a social worker.

- b. **Consider all relevant facts and firm evidence** to support the allegations

- c. **Take into account Academy policies** including:

- c., d. & e. behaviour, Rewards and Sanctions Policy
- d., d. & e. Equality Policy
- e., d. & e. Anti-Bullying Policy
- f., d. & e. Child Protection and Safeguarding Policy
- g., d. & e. SEND and Inclusion Policy

- d. **Check whether an incident appeared to be provoked** by racial, sexual, disability-related harassment, or other protected characteristics

- e. **Ensure that all students involved** have the opportunity to give their version of events

- f. **Consult other people or agencies** as appropriate (except where they may be involved in any review of the suspension)

- g. **Consider any contributing factors** identified after an incident of misbehaviour has occurred, including:

- Whether the pupil has special educational needs or disabilities
- Whether the pupil has experienced trauma or adverse childhood experiences
- Whether the pupil is a looked-after child or previously looked-after child
- Whether the pupil has a social worker
- Whether reasonable adjustments have been made for disabled pupils

- h. **Consider alternatives to exclusion**, including whether additional support or alternative placement may be required

Where the Academy has concerns about the behaviour of a pupil with SEN, a disability, or an EHC plan, the head teacher will contact the local authority about behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude. For pupils with SEN but without an EHC plan, the head teacher will review whether current support arrangements are appropriate and what changes may be required, and consider requesting an EHC assessment or a review of the pupil's current package of support.

3.3 Special Considerations for Looked-After Children and Pupils with Social Workers

For pupils with a social worker:

Where a pupil has a social worker (e.g., because they are the subject of a Child in Need Plan or a Child Protection Plan) and they are at risk of suspension or permanent exclusion, the Head Teacher will inform the pupil's social worker, the Designated Safeguarding Lead (DSL), and the pupil's parents, and will involve them all as early as possible in relevant conversations.

For looked-after children:

Where a looked-after child is likely to be subject to a suspension or permanent exclusion, the Designated Teacher will contact the local authority's Virtual School Head (VSH) as soon as possible. The Designated Teacher will seek the advice of the VSH, consider what additional assessment and support need to be put in place, consider how the Academy is using Pupil Premium Plus, consider whether an interim Personal Education Plan (PEP) review needs to be called, and engage with the child's social worker, foster carers, or children's home workers as relevant.

For previously looked-after children:

Where previously looked-after children face the risk of being suspended or permanently excluded, the Academy will engage with the child's parents and the Designated Teacher. The Academy may also seek the advice of the VSH on strategies to support the pupil.

3.4 Duration of Suspensions

The Head Teacher may suspend a student 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.

The Head Teacher will aim for the shortest possible period of suspension. However brief, a suspension plan will be made to enable the student to continue their education and to use the time to address the student's problems.

Lunchtime suspensions are counted as half a school day in determining whether a governing board meeting is triggered.

3.5 Extending or Converting Suspensions

The law does not allow for extending a suspension or 'converting' a suspension into a permanent exclusion.

In exceptional cases, usually where further evidence has come to light during the initial suspension and the Head Teacher has determined that the initial suspension was not sufficient, a further suspension may be issued to begin immediately after the first suspension ends, or a permanent exclusion may be issued to begin immediately after the end of the suspension.

3.6 Police Involvement and Criminal Proceedings

The Head Teacher need not postpone taking a decision on a suspension or permanent exclusion solely because a police investigation is underway and/or any criminal proceedings may be brought. In such circumstances, the Head Teacher will take a decision on the evidence available at the time. Where the evidence is limited by a police investigation or criminal proceedings, the Head Teacher will consider any additional steps needed to ensure that the decision to suspend or permanently exclude is fair. In all cases, the academy will follow general safeguarding principles as found in keeping children safe in education.

4. INFORMING PARENT(S)/CARER(S) ABOUT SUSPENSIONS AND PERMANENT EXCLUSIONS

4.1 Immediate Notification

Without delay, parents/carers will be notified of the decision to suspend or permanently exclude a student and the reason for the suspension or permanent exclusion.

This will be done on the day of the suspension or permanent exclusion being authorised by:

- **Telephone contact** (in the first instance, where possible)
- **In person** (where appropriate)

Although notification must not be delayed, speaking to parents in person or by telephone allows parents to ask initial questions or raise concerns directly with the Head Teacher.

In the event we have not been able to speak to a parent/carer or leave a voicemail, we will detail this in the written notification.

4.2 Written Notification

Without delay after the decision, the head teacher will provide parents with written confirmation. This written notification can be provided by delivering it directly to the parents, leaving it at their usual or last known home address, posting it to that address (first class mail), or sending it electronically (email or text) if parents have given written agreement for this kind of notice.

The written notification must include:

- A. The reason(s) for the suspension or permanent exclusion
- B. The period of suspension or, for a permanent exclusion, the fact that it is permanent
- C. Parents' right to make representations about the suspension or permanent exclusion to the board of trustees and how the pupil may be involved in this
- D. How any representations should be made
- E. Parents' right to request a remote access meeting (via live video link) and how and to whom to make this request, including that face-to-face meetings are always encouraged and remote should not be the default option
- F. Where there is a legal requirement for the board of trustees to consider reinstatement, that parents (or an excluded pupil if they are 18 years or older) have a right to attend a meeting, be represented at that meeting (at their own expense), and bring a friend
- G. For pupils of compulsory school age, the days on which parents must ensure the pupil is not present in a public place at any time during school hours (the first five school days of a suspension or permanent exclusion, or until the start date of any full-time alternative provision, or the end of the suspension, whichever is earlier)
- H. Details of where work will be set for the pupil during the suspension or permanent exclusion, including online pathways
- I. Information about alternative provision (where it has been arranged), including the start date, start and finish times, the address where provision will take place, and information required by the pupil to identify the person they should report to on the first day
- J. Whether the pupil will be able to sit any national curriculum tests or public examinations occurring during the suspension or permanent exclusion
- K. Sources of free and impartial information, including:
 - The Department's guidance for parents and carers on behaviour, suspension and permanent exclusion: <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>
 - Local SENIAS service details: <https://councilfordisabledchildren.org.uk/about-us-0/networks/information-advice-and-support-services-network>
 - Coram's child law advice service: <https://childlawadvice.org.uk/information-pages/school-exclusion/> or 0300 330 5485 (Monday to Friday, 10am – 4pm)
 - Independent provider of special education advice (IPSEA): www.ipsea.org.uk
- L. A copy of this policy or details of where it can be obtained

For permanent exclusions, the written notification must also include (where the board of trustees decides not to reinstate) that the exclusion is permanent, parents' right to ask for an independent review panel (IRP), the date by which an application for a review must be made (15 school days from the date notice is given), where and to whom an application should be submitted, that a request to hold the meeting via remote access can be made, that parents have a right to require the local authority/academy trust to appoint a SEN expert to advise the review panel, and the right to claim discrimination under the equality act 2010.

4.3 Explaining to the Pupil

A student who has been suspended or permanently excluded will have the reason for their suspension or permanent exclusion explained to them by a member of the Senior Leadership Team so that they understand the nature of their misbehaviour. The Academy will ensure that any reasonable adjustments are made, the pupil's additional needs are recognised (e.g., speech, language and communication needs, cognition difficulties, or EAL), and the pupil is enabled and encouraged to participate at all stages of the suspension or permanent exclusion process, considering their age and ability to understand. In the case of suspensions, there is an opportunity for the parent/carer and pupil to discuss the details in the readmission meeting.

5. NOTIFYING OTHER PARTIES

5.1 Notifying Social Workers and Virtual School Heads

Without delay after the decision to suspend or permanently exclude, the head teacher must also notify:

- a. The pupil's social worker (if the pupil has one) of the period of the suspension or permanent exclusion, the reason(s) for it, the days on which parents must ensure the pupil is not present in a public place (for pupils of compulsory school age), and details of alternative provision (where arranged)
- b. The virtual school head (if the pupil is looked-after) of the period of the suspension or permanent exclusion, the reason(s) for it, the days on which parents must ensure the pupil is not present in a public place (for pupils of compulsory school age), and details of alternative provision (where arranged)

This information must be provided in writing to the local authority.

The social worker and/or VSH must be informed when a board of trustees meeting is taking place and can attend the meeting should they wish to do so. They must be allowed to join via remote access regardless of the format chosen for the meeting.

5.2 Notifying the Board of Trustees

Without delay, the Head Teacher must notify the Board of Trustees of:

- a. Any **permanent exclusion** (including where a suspension is followed by a decision to permanently exclude the pupil)
- b. Any **suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days** (or more than ten lunchtimes) in a term
- c. Any **suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test**

The Head Teacher must also inform the Board of Trustees **once per term** of any other suspensions of which they have not previously been notified.

5.3 Notifying the Local Authority

The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion.

For a permanent exclusion, if the pupil lives outside the local authority area in which the Academy is located, the Head Teacher must also notify the pupil's 'home authority' of the permanent exclusion and the reason(s) for it without delay.

Notifications must include the reason(s) for the suspension or permanent exclusion and the duration of any suspension or, in the case of a permanent exclusion, the fact that it is permanent.

6. CANCELLED EXCLUSIONS

The Head Teacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the Board of Trustees has not yet met to consider whether the pupil should be reinstated. A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year.

Where an exclusion is cancelled, the Head Teacher must notify the parents, the board of trustees, the local authority, and the pupil's social worker and VSH (as applicable) without delay. The notification must provide the reason for the cancellation.

Parents must be offered the opportunity to meet the Head Teacher to discuss the circumstances that led to the exclusion being cancelled, which should be arranged without delay. The pupil must be allowed back into the academy without delay. Any days spent out of school as a result of the exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

7. EDUCATION DURING SUSPENSION OR PERMANENT EXCLUSION

The Head Teacher will take steps to ensure that work is set and marked for pupils during the first five school days of a suspension or permanent exclusion. This will include utilising online pathways. The Academy's legal duties to pupils with disabilities or SEN remain in force, including making reasonable adjustments. Any time a pupil is sent home due to disciplinary reasons and asked to log on or utilise online pathways must always be recorded as a suspension.

For suspensions of more than five school days, the Board of Trustees must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth school day of the suspension. Where a pupil receives consecutive suspensions, these are regarded as a cumulative period of suspension.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place.

For looked-after children or children with a social worker, the Academy and the local authority will work together to arrange alternative provision from the first day following the suspension or permanent exclusion where possible.

8. SEPARATION OF PUPILS FOR SAFEGUARDING PURPOSES

In certain circumstances, the Academy can temporarily forbid a pupil from attending its premises for safeguarding reasons (for example, due to an allegation of harm by one pupil against another which might require physically separating pupils). This is not an exclusion on disciplinary grounds.

The Academy will inform parents of the reason why the pupil has been temporarily forbidden from attending and the governing board will be notified without delay. This will only be used for rare circumstances and only when separating pupils is essential and cannot practicably be done in a way that lets pupils remain on school premises.

Any such decision will be made by the Head Teacher in conjunction with the designated safeguarding lead, taking into account duties under the Human Rights Act 1998, The Equality Act 2010, And Keeping Children Safe in Education guidance. The local authority must arrange education for the pupil if the academy itself or the pupil's parent does not do so.

9. OFF-SITE DIRECTION

Off-site direction is when a pupil is required to attend another education setting temporarily to improve their behaviour. The Board of Trustees is responsible for arranging off-site direction and must comply with the education (educational provision for improving behaviour) (application to academies and pupil referral units and minor amendments) regulations 2026.

Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct. It should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate.

Parents (or pupils aged 18 or over) and the local authority (if the pupil has an EHC plan) must be notified in writing no later than two school days before the placement begins. The notification must include the address, contact person, number of days, reasons and objectives, and session times.

The Board of Trustees must hold review meetings at appropriate intervals. Parents can request a review meeting in writing, and the board must comply unless there has been a review meeting in the previous 10 weeks. Not later than six days before any review meeting, parents must be invited to attend or submit written views.

During off-site direction, the pupil must be recorded in the attendance register using code d.

10. MANAGED MOVES

A managed move is used to initiate a process which leads to the permanent transfer of a pupil to another mainstream school. Managed moves must be voluntary, offered as part of a planned intervention, and agreed with all parties involved (including the parents and the admission authority of the new school). They should only occur when it is in the pupil's best interests.

The law does not allow for 'trial admissions' or 'trial managed move'. If a temporary move needs to occur to improve a pupil's behaviour, then off-site direction should be used.

Once a pupil undergoes a managed move, the pupil's name must be deleted from the academy's admission register and added to the admission register of the new school. The pupil should be registered at one school only.

Where a pupil has an EHC plan, the Academy will contact the local authority prior to the managed move and, if the local authority, both schools, and parents are in agreement, work with the local authority to follow the statutory procedures for amending the plan.

A pupil must not be permanently excluded because of their parent's (and/or pupil's where appropriate) refusal to agree a managed move.

11. STUDENTS RETURNING FROM A SUSPENSION

All students returning from a suspension are required to attend a reintegration meeting, accompanied by a parent. A pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting.

This meeting will seek to establish practical ways in which further suspensions can be avoided and behaviour modified to acceptable standards in partnership between student, parent, and the Academy. The Academy will complete a reintegration strategy that offers the pupil a fresh start, helps them understand the effect of their behaviour, teaches them how to meet high expectations of behaviour, fosters a sense of belonging, and builds engagement with learning.

The strategy will be regularly reviewed and adapted where necessary. It may be relevant to complete a risk assessment at this meeting. In some incidents, on the return from a suspension, students may be required to have a phased return to lessons or be supervised during social times.

A part-time timetable should not be used to manage a pupil's behaviour and must only be in place for the shortest time necessary.

12. APPEALS

All correspondence regarding a suspension from the Academy will inform parents of their right to make representations to the Board of Trustees about the decision to suspend.

The person who should be contacted to initiate representations or an appeal is the Clerk to the Trustees.

12.1 Suspensions of Five Days or Less in a Term

For suspensions of five days or less in a term, the Board of Trustees must consider any representations made by parents, cannot direct reinstatement, and is not required to arrange a meeting.

12.2 Suspensions of More Than Five Days (but not more than 15) in a Term

For suspensions where a pupil would be excluded for more than five but not more than 15 school days in a term, if parents make representations, the Board of Trustees must consider and decide within 50 school days of receiving notice of the suspension whether the suspended pupil should be reinstated. In the absence of any representations from parents, the Board of Trustees is not required to meet and cannot direct the reinstatement of the pupil.

12.3 Suspensions of More Than 15 Days in a Term or Affecting Exams

The Board of Trustees must consider and decide on the reinstatement of a suspended pupil within 15 school days of receiving notice of a suspension if it would bring the pupil's total number of school days out of school to more than 15 in a term (including suspensions that total 15.5 days) or it would result in the pupil missing a public examination or national curriculum test.

12.4 Format of Meetings

Appeals will usually be heard face-to-face. The Academy will ensure that meetings are arranged at a time and place convenient for all parties.

Trustee board meetings and independent review panels may be held via the use of remote access (e.g., live video link) at the request of the parent/carer/pupil (if over 18). However, face-to-face meetings should always be encouraged and remote should not be the default option. The Academy will only hold meetings via remote access if satisfied that all participants can fully participate, the meeting can be held fairly and transparently, and each participant has access to the necessary technology.

Parents must be informed in the suspension letter of their right to request a remote access meeting and how to make this request.

Social workers and virtual school heads must be allowed to join meetings via remote access, regardless of the format chosen for other participants.

13. RESPONSIBILITIES OF THE BOARD OF TRUSTEES

13.1 No Power to Suspend

The Trustees do not have the right to suspend a student.

13.2 Notification

The Head Teacher will inform the Chair of Trustees of all permanent exclusions without delay.

The Board of Trustees will routinely challenge and evaluate what the Academy's data indicates about pupil movement, including carefully considering the levels and characteristics of pupils leaving the school through permanent exclusion, removal from the admission register, off-site direction, or any other form of pupil movement to ensure that such actions are taken only when necessary, as a last resort.

The Board of Trustees will review:

- Suspensions and permanent exclusions
- Those taken off roll
- Those on the school admission register but attending education off-site
- The separation of pupils for safeguarding purposes
- Instances where pupils receive repeat suspensions
- Timing of moves and permanent exclusions, and whether there are any patterns
- Understanding the characteristics of excluded pupils
- Whether placements of pupils directed off-site are reviewed at sufficient intervals to assure the education is achieving its objectives

13.3 Regular Review

The Trustees will review the use of suspension and permanent exclusion in the Academy regularly.

14. THE ROLE OF THE TRUSTEES IN PERMANENT EXCLUSION CASES

14.1 Pupil Discipline Committee Composition

The Pupil Discipline Committee will consist of no less than three Trustees who will review the use of suspension/permanent exclusion within the Academy.

The Committee will:

- Consider the views of the parent(s)/carer(s) of a suspended student
- Decide whether or not to confirm suspensions of more than fifteen academy days
- Consider and decide on permanent exclusions

14.2 When the Committee Must Meet

The Pupil Discipline Committee must meet in cases of a permanent exclusion or a suspension where the governing board is legally required to consider reinstatement.

14.3 Timing of Meetings

The Pupil Discipline Committee must meet within 15 school days of receiving notice of a permanent exclusion or a suspension that triggers the duty to consider reinstatement, or within 50 school days for suspensions of more than five but not more than 15 days where parents have made representations.

The Committee must make reasonable endeavours to arrange the meeting within these statutory time limits and must try to have it at a time that suits all relevant parties. The decision will not be invalid simply on the grounds that it was not made within these time limits.

14.4 Who Must Be Invited

The following parties must be invited to a meeting of the Pupil Discipline Committee and allowed to make representations or share information:

- a. Parents (and, where requested, a representative or friend)
- b. The pupil if they are 18 years or older
- c. The Head Teacher
- d. A representative of the local authority (in the case of a maintained school or PRU)
- e. The child's social worker if the pupil has one
- f. f. The Virtual School Head if the child is looked-after

Taking into account the pupil's age and understanding, the pupil or their parents should be made aware of their right to attend and participate in the governing board meeting and the pupil should be enabled to make a representation on their own behalf if they wish to do so.

14.5 Legal Responsibility

The Trustees' legal responsibility is to robustly review the Head Teacher's decision to permanently exclude the student, ensuring it is lawful (with respect to legislation and the Academy's wider legal duties), reasonable, and procedurally fair.

The Committee must ensure that the Academy has exhausted all avenues of support before making such a decision.

When establishing the facts, the pupil discipline committee must apply the civil standard of proof ('on the balance of probabilities') rather than the criminal standard of 'beyond reasonable doubt'.

14.6 Considerations for Permanent Exclusions

For permanent exclusions, the Pupil Discipline Committee should normally satisfy itself that all possible strategies to improve a student's behaviour were tried without success, strategies included those in DfE guidance, including a Booster Support Programme or similar, and for children with EHC Plans, whether revising these might be better than resorting to permanent exclusion, especially in the first instance.

14.7 Decision-Making

The Pupil Discipline Committee must consider the circumstances in which the student was excluded, any representations about the exclusion made by the parent, and whether the student should be reinstated immediately, reinstated by a particular date, or not reinstated.

In the light of its consideration, the Committee can either decline to reinstate the pupil or direct reinstatement of the pupil immediately or on a particular date.

The Committee should consider whether the decision to suspend or permanently exclude the pupil was lawful, reasonable, and procedurally fair, the welfare and safeguarding of the pupil and their peers, the Head Teacher's legal duties, and any evidence that was presented in relation to the decision to exclude.

Where a social worker is present, the committee 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 suspension or permanent exclusion.

Where a virtual school head is present, the committee must have regard to any representation made by the VSH of how the child's background, education, and safeguarding needs were considered by the head teacher in the lead up to the suspension or permanent exclusion.

14.8 No Conditions on Reinstatement

The Pupil Discipline Committee may not attach conditions to the reinstatement of a student.

14.9 Notification of Decision

If the Pupil Discipline Committee upholds the Head Teacher's decision to exclude a student permanently, it will write **within one school day** to the parent(s)/carer(s) giving the reasons for the decision and providing all other guidance as set out in DfE guidance "Suspension And Permanent Exclusion From Maintained Schools, Academies And Pupil Referral Units In England Including Pupil Movements (July 2026)".

The notification must include that the exclusion is permanent, notice of parents' right to ask for the decision to be reviewed by an independent review panel (IRP), the date by which an application for a review must be made (15 school days from the date notice is given), where and to whom an application for a review should be submitted, that a request to hold the meeting via remote access can be made and how to make this request, that any application should set out the grounds on which it is being made, that parents have a right to require the academy trust to appoint a SEN expert to advise the review panel, details of the role of the SEN expert, that parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and information about the right to claim discrimination under the equality act 2010.

If the Pupil Discipline Committee upholds a decision to exclude a student permanently, it will notify the local authority in writing of this decision **within one school day** of the hearing.

14.10 Recording

The Pupil Discipline Committee should ensure that clear minutes are taken of the meeting as a record of the evidence that was considered. These minutes should be made available to all parties on request and the record of discussion should state clearly how the decisions have been reached.

A note of the Pupil Discipline Committee's views on the exclusion shall normally be placed on the student's record with a copy of the Head Teacher's exclusion letter.

The Committee should note the outcome of its consideration on the pupil's educational record, and copies of relevant papers should be kept with the educational record.

14.11 Retention of Records

Claims of discrimination to the First-tier Tribunal (Special Educational Needs and Disability), in relation to disability, or County Court, for all other forms of discrimination, can be made up to six months after the discrimination is alleged to have occurred.

The Academy will retain records and evidence relating to an exclusion for at least six months in case such a claim is made.

15. INDEPENDENT REVIEW HEARINGS

15.1 Right to an Independent Review

If applied for by parents within the legal time frame (15 school days from the date on which notice in writing of the Pupil Discipline Committee's decision is given to parents), Sir Robert Pattinson Academy Trust will arrange for an Independent Review Panel (IRP) hearing to review the decision of the Board of Trustees not to reinstate a permanently excluded student.

Parents may request an independent review panel even if they did not make a case to, or attend, the meeting at which the Trustees made their decision.

15.2 Applications Outside the Time Frame

Any application made outside the legal time frame will be rejected by the Sir Robert Pattinson Academy Trust.

The legal time frame for an application is within 15 school days of notice being given to the parents by the Pupil Discipline Committee of its decision not to reinstate a permanently excluded pupil, or where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the permanent exclusion.

15.3 Arranging the IRP

All arrangements for the Independent Review hearing will be made by the Academy Trust or the organisation commissioned by the Academy Trust to manage this process on their behalf.

This includes establishing an Independent Review Panel which complies with DfE regulations, agreeing suitable date, time, and independent venue for the hearing to take place, appointing an independent Clerk to administer the process, and arranging for a SEN expert to attend the review hearing where it has been requested by parents.

The Clerk may also provide advice to the panel and parties to the review on procedure, legislation, and statutory guidance on exclusions.

15.4 Role of the Panel

The role of the panel is to review the Board of Trustees' decision not to reinstate a permanently excluded student. In reviewing the decision, the panel must consider the interests and circumstances of the excluded student, including the circumstances in which the student was excluded, have regard to the interests of other students and people working at the Academy, and apply the civil standard of proof ('on the balance of probabilities').

15.5 Panel Decisions

Following its review, the panel can decide to:

- a. **Uphold** the Board of Trustees' decision not to reinstate
- b. **Recommend** that the Board of Trustees reconsiders their decision; or
- c. **Quash** the decision and direct the Board of Trustees to consider the exclusion again

The panel's decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The panel may only quash the Board of Trustees' decision not to reinstate if it considers that the decision was flawed when considered in the light of the principles applicable to an application for judicial review:

- A. Illegality – did the board act outside the scope of its legal powers?
- B. Irrationality – did the board rely on irrelevant points, fail to take account of all relevant points, or make a decision so unreasonable that no board acting reasonably could have made it?
- C. Procedural impropriety – was the board's consideration so procedurally unfair or flawed that justice was clearly not done?

15.6 Evidence Considerations

New evidence may be presented to the panel. The Academy may not 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 Board's decision was flawed, the panel must only take account of the evidence that was available to the Board at the time of making its decision. If evidence is presented that the panel considers it is unreasonable to expect the Board to have been aware of at the time, the panel can take account of the evidence when deciding whether to recommend reconsideration.

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

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

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

15.7 Financial Readjustment

If a panel directs the Board of Trustees to reconsider reinstatement, it may order the Academy trust to make a payment of £4,000 directly to the local authority in whose area the Academy is located, unless within ten school days of receiving notice of the panel's decision, the Board of Trustees decides to reinstate the pupil.

This sum would be in addition to any budget that would normally follow a student to a new school. The panel does not have the power to order a financial payment in circumstances where it has only recommended that the Board reconsiders the reinstatement of the pupil.

15.8 Binding Decision

The decision of the Independent Review Panel is binding on the student, parents, Board of Trustees, local authority, and Sir Robert Pattinson Academy Trust.

15.9 Adjournment

A review cannot continue if the panel no longer has representation from the required categories of panel members. In this event, the panel will be adjourned until the number can be restored.

The panel may adjourn on more than one occasion if necessary. Consideration must be given to the effect of adjournment on the parties to the review, the permanently excluded pupil and their parents, and any victim(s).

15.10 Remote Access Meetings

Face-to-face meetings should always be encouraged and remote should not be the default option. The IRP may be held via the use of remote access (e.g., live video link) at the request of the parent/carer/pupil (if over 18) or in the case of extraordinary or unforeseen circumstances.

Parents must be informed in the pupil discipline committee's decision letter of their right to request a remote access meeting and how to make this request.

Remote access meetings will only be held if the arranging authority is satisfied that all participants will be able to fully make representations and carry out their functions, each participant has access to the electronic means to allow them to hear and be heard (and see and be seen if using video) throughout the meeting, and the meeting is capable of being held fairly and transparently.

Social workers and virtual school heads must be allowed to join via remote access regardless of the format chosen for other participants, as long as the arranging authority is satisfied that they will be able to participate effectively, they can hear and be heard (and see and be seen if participating by video) throughout the meeting, and their remote participation will not prevent the meeting being fair and transparent.

16. STATUTORY GUIDANCE

In discharging their functions in relation to suspensions and permanent exclusions, the Academy will have regard to the statutory guidance issued by the Department for Education: Suspension And Permanent Exclusion From Maintained Schools, Academies And Pupil Referral Units In England Including Pupil Movements (July 2026).

17. MONITORING AND REVIEW

This policy will be reviewed BY JUNE 2029 or sooner if there are changes in legislation or DfE guidance.

The Board of Trustees will monitor the implementation of this policy through regular reports from the Head Teacher on:

- The number and characteristics of suspensions and permanent exclusions
- Pupils taken off roll
- Pupils on the school admission register but attending education off-site
- The separation of pupils for safeguarding purposes
- Patterns and trends in exclusion data
- The effectiveness of reintegration strategies
- The use of off-site direction and managed moves

This policy was approved by the Board of Trustees on: 13 July 2026

Signed: _____ **Date:** _____

Chair of Trustees: _____ **Date:** _____

Head Teacher: _____ **Date:** _____