



# The First Federation Trust Policy for Suspension and Permanent Exclusion

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## 1 Introduction

- 1.1 The First Federation Trust's suspension and permanent exclusion policy aims to set out the process that will be followed and the additional considerations around suspensions and permanent exclusions that the Trust will apply. Good behaviour and self-discipline lead to effective learning and help prepare children and young people for life beyond the school gate.
- 1.2 Where the First Federation Trust's approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff are protected from disruption and can learn in safe, calm, and supportive environments.
- 1.3 The Trust will always have regard to the [Statutory Guidance on Suspensions and Permanent Exclusions](#) (August 2024) when making decisions on suspensions and exclusions and will follow the law, as set out in the following:
  - Section 52 of the Education Act 2002, as amended by the Education Act 2011
  - The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
  - Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at 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
- 1.4 This policy should be read in conjunction with the following policies:
  - Anti-bullying policy
  - Pupil behaviour policy
  - Individual school relational policy and practice
  - Equality policy
  - Safeguarding and child protection policy
  - SEND policy and information report

## 2 Application of policy

- 2.1 This policy applies to all members of the Trust community. Each school within the Trust will apply suspensions and permanent exclusions in accordance with this policy and ensure that its contents are relayed to all staff, parents, and pupils.

### 3 Definitions for Suspensions and Permanent Exclusions

- 3.1 Suspensions (previously called fixed-term exclusions) are where a pupil is temporarily removed from the school as an essential behaviour management tool consistent with a school's behaviour policy for one or more fixed periods (up to a maximum of 45 school days in a single academic year) and does not have to be for a continuous period. A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. A suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion.
- 3.2 Permanent exclusions are where, subject to a decision of the governing board to reinstate the pupil to the school, 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 For the purposes of suspensions and permanent exclusions, the school day is defined as any day which there is a school session. Therefore, INSET or other staff training days do not count as a school day.
- 3.4 Our Trust is aware that off-rolling is unlawful. Ofsted defines off-rolling as: "... the practice of removing a pupil from the school 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."

### 4 Roles and responsibilities

All members of the Trust community are expected to follow this policy. Roles, responsibilities and expectations of each section of the Trust community are set out in detail below.

#### **The Head of School**

- 4.1 All decisions to suspend or permanently exclude a pupil will be taken by the Head of School after considering all the circumstances and after consulting with their Link Director (or another member of the Trust Educational Leadership Team such as the school improvement officer). Every decision made will be proportionate to the seriousness of the behaviour with reference to the school's pupil behaviour policy.
- 4.2 The Head of School can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated.

- 4.3 When an exclusion has been cancelled, the Head of School must notify the parents, the governing board, the Local Authority, and the pupil's social worker and Virtual School Headteacher as applicable, without delay. The notification must also provide the reason for the cancellation.

### **The Trustees**

- 4.4 The governing board, Director of Inclusion and the SEMH Lead will be informed, without delay, of all suspensions and permanent exclusions via email with relevant documentation.
- 4.5 The governing board is responsible for forming committees to review exclusions and suspensions when it is required to do so, it is requested by parents, or it is, in its view, prudent to review an individual decision. In each case, the decision of the Pupil Discipline Committee, formed by the governing board will be to decide whether to uphold the exclusion or suspension, or instead to reinstate the pupil to the school.

### **Parents**

- 4.6 Parents will be informed without delay of any suspension or exclusion and there is an ability to make representations regarding any suspension or permanent exclusion decision. Details will be provided on the rights parents have with every letter that is sent from the Head of School.

### **Local Authority**

- 4.7 The Local Authority will be informed without delay of all suspensions or permanent exclusions regardless of length using the local authority template or online reporting system.
- 4.8 For permanent exclusions, the Local Authority is responsible for arranging suitable full-time education to begin no later than the sixth day after the first day the permanent exclusion took place. Where a pupil has an EHCP, the Local Authority will work with the school and parents/carers to review the plan or reassess the child's needs and provision.

### **The Virtual School**

- 4.9 All pupils of the schools in the Trust are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the behaviour policy will apply.

### **Pupils**

- 4.10 All pupils of the schools in the Trust are expected to follow the expectations regarding their behaviour to ensure that all pupils can learn and participate in school life effectively. Where those expectations are breached, the behaviour policy will apply.

## **5 Witness evidence and pupil views**

- 5.1 Where witness evidence is relied upon, whether that be from a pupil or a staff member, the statement(s) will be provided at any trustees' review meeting. All statements will be signed and dated unless the Head of School has good reason to protect the anonymity of the relevant witness. Reasons may include threats of reprisals.
- 5.2 Before taking a decision to suspend or exclude and where appropriate, the Head of School will take the pupil's views into account, considering these in light of their age and understanding, and inform the pupil 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. The Head of School will also take account of any contributing factors identified after an incident of misbehaviour has occurred using the Head of School checklist and discussions with their Link Director (or another member of the Trust Educational Leadership Team to support).

## **6 Reintegration strategy meetings following suspension or off-site direction**

- 6.1 Where a pupil is suspended or is directed to be educated off-site, upon return to the school both the pupil and parents will be invited to a reintegration strategy meeting. The purpose of the meeting is to:
- offer the pupil a fresh start,
  - help them understand the impact of their behaviour on themselves and others,
  - teach them to how meet the high expectations of behaviour in line with the school culture,
  - foster a renewed sense of belonging within the school community; and
  - build engagement with learning

It is recognised by the Trust that the pupil involvement will need to be carefully planned to meet their needs and enable them to be fully involved. For example this could be completed virtually prior to coming onto the school site or held later on the day of return to enable reconnection with key adults first.

- 6.2 The school will employ various measures to support a pupil's successful reintegration including:
- daily contact with a trusted adult in school;
  - a Relational Support Plan supported by a Co-Regulation Plan;

- agreed behaviour targets leading to personalised rewards;
  - ensuring the pupil receives academic support upon return to catch up on any lost progress;
  - planned pastoral interventions;
  - mentoring by a trusted adult or a local mentoring charity;
  - regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage; and
  - informing the pupil, parents and staff of potential external support.
- 6.3 Whilst reintegration meetings are highly encouraged by the Trust, pupils will not be prevented from being admitted to the school or being put in mainstream classes because a meeting has not taken place.
- 6.4 A written record of the Reintegration meeting must be shared with the parent/carer and relevant school staff. A Trust template is available to use.

## **7 Suspensions before a permanent exclusion**

- 7.1 In exceptional circumstances, pupils may receive a suspension prior to a permanent exclusion. For each decision, the Head of School will send the relevant letter setting out the rights of parents. A suspension cannot be converted into a permanent exclusion and so any subsequent permanent exclusion would be a fresh decision due to commence immediately after the suspension had ended. Exceptional circumstances may include where further evidence has come to light or where the incident was serious and time is required to fully investigate the circumstances and consider alternatives.

## **8 Directing off-site and managed moves**

- 8.1 Before taking any decision to permanently exclude a pupil, the Head of School will consider whether a direction to attend alternative provision and/or a managed move as part of a planned intervention would be a reasonable alternative that should be considered.
- 8.2 In the case of directing a pupil off-site to alternative provision, the aim of any direction is for it to be used as a short-term measure as part of the school's behaviour management strategy to improve a pupil's behaviour where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate. While parental consent is not needed, discussions would take place with parents to feed in their views about the options.
- 8.3 For a managed move to take place there needs to be agreement between the school, the parents and the new school that a managed move should occur. Before a managed move is agreed to, the pupil will attend the new school for a trial period to ensure that the new school would be suitable for them. We will share relevant information

with the new school and check that they have an integration strategy. At the end of this period, the relevant parties (including the parents) will review the placement before a decision is taken about whether the move becomes permanent.

## **9 Independent review panels (IRPs)**

- 9.1 The local authority arranges IRPs on the Trusts behalf, and requests where a permanent exclusion decision has been upheld should be made using the online form available on Devon County Council Education Inclusion Service [here](#) within 15 school days]. For IRP enquiries, please email [appeals@devon.gov.uk](mailto:appeals@devon.gov.uk)
- 9.2 Further details on the role and powers of IRPs can be found in Part Ten of the Statutory Guidance on Exclusions.

## **10 Reconsideration by the governing board**

Where an IRP either recommends reconsideration or quashes the initial decision of the governing board, the decision will be considered within 10 school days. This may involve a rehearing with oral evidence given by the school and parents or may be a reconsideration with only the governing board members and the clerk present.

## **11 Complaints**

If parents have any concerns or complaints over the application or implementation of this policy or feels that they are being pressured into a managed move, they should raise their concerns with a staff member or the Head of School in accordance with the Trust's complaints policy. If the concern relates to an exclusion, the statutory procedure set out in the exclusions statutory guidance will be followed.

In the Statutory Guidance on suspensions and exclusions, there is only provision for the parents of a child who has been excluded to make representations to have the Head of School's decision overturned. There is no provision in the guidance for the representations other parents to be a reason for suspension or exclusion, nor any recommendations by a complaints process outcome.

## **12 Equality impact**

The Trust does all it can to ensure that its policies do not discriminate against pupils or others, either directly or indirectly, in line with any Equality Act 2010 protected characteristics. This includes race, religion, disability, sexual orientation, and sex.

## **13 Monitoring arrangements**

The Director of Inclusion, the Senior Leadership Team and the Trust SEMH Lead review data on suspensions and exclusions monthly at panels to ensure that the use of suspensions and exclusions is appropriate. Trustees receive a termly report on suspensions and exclusions and hub boards receive individual school reports each half term. The following are monitored by the hub board

members, trustees, Director of Inclusion, the Senior Leadership Team and the SEMH Lead to ensure the processes and support for pupils are appropriate:

- the interventions put in place for pupils at risk of suspension and permanent exclusion
- the processes in place for determining and reviewing directions to alternative provision and that such placements are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- the full-time educational provision for pupils of compulsory school age from the sixth consecutive school day of a suspension, in particular checking the provision is suitable and quality-assured to ensure that:
  - any previous placements have been evaluated, including support for any applicable SEND;
  - there is a process in place to monitor the pupil's attendance and behaviour at the provision
  - the correct attendance code is being used
  - the pupil's child protection file and any other information relevant to the pupil's safeguarding and welfare has been securely transferred to their new setting as early as possible
- whether there is any variation within the year on suspensions and permanent exclusions and the characteristics of pupils
- the cost implications of directing children to be educated off-site in alternative provision and whether there are any patterns to the reasons or timing of moves
- whether the school register and absence codes have been recorded correctly
- how the behaviour policy is applied and specifically its consistency
- the circumstances in which pupils receive repeat suspensions
- whether Personal Education Plans for looked after children have been reviewed on a termly basis.