

Manor Hall Academy Trust



Suspension and Exclusion Policy

Responsibility for monitoring and reviewing this policy lies with the Executive School Improvement Officer, and recommendations for change should be presented to the Directors of MHAT for verifications.

The Directors of MHAT, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to day responsibility to the Chief Executive Officer.

Directors will take account of recommendations from the Central MHAT team in review of this policy and seek HR advice as to such revisions.

Date	Version	Change	Origin of Change	Changed by
12/2/21	1	Addition of Exclusion example letters and notification to the CEO (section 3)	HAB	CSBO
Autumn	2	To make changes following the issuing of new guidance from DfE	New Guidance	J Plant – Information, Governance and Compliance Officer
Summer 23	3	To make changes following the issuing of new guidance from DfE	Revised Guidance	J Plant
Autumn 23	4	Adaption of the policy to make it more bespoke so to reflect our academies	Directors	J Plant

Contents

Manor Hall Academy Trust.....	1
Suspension and Exclusion Policy.....	1
MHAT Statement of Intent.....	3
1. Manor Hall Academy Trust and its Aims.....	4
2. Legislation and statutory guidance	4
3. The decision to suspend or exclude a pupil	5
4. Off-rolling and unlawful exclusions or suspensions	5
5. Definition of the School Day	6
6. Rules around cancelling suspensions/exclusions	6
7. Roles and responsibilities	6
8. Pupils with Special Education Needs and/or Disabilities including those with Educational Health Care Plans (EHCP)	9
9. Suspending and excluding children with social workers or looked after/previously looked after...	9
10. Considering the reinstatement of a pupil.....	10
11. An independent review.....	11
12. Remote access.....	13
13. Providing education during the first 5 days of suspension or exclusion	13
14. Using off-site direction and managed moves.....	13
15. School registers.....	14
16. Returning from a suspension	15
16.1 Reintegration strategy	15
17. Monitoring arrangements	15
18. The Local Advisory Board (LAB)'s role in monitoring pupil moves	16
19. Links with other policies	16

MHAT Statement of Intent

MHAT is exclusively comprised of special schools and Pupil Referral Units (“PRU”). The notion of any type of exclusion whether it is temporary or permanent is an important and challenging concept and one which MHAT believes requires clarity and support for all stakeholders.

Generally speaking, suspension and exclusions in MHAT should be used as a last resort, when all other options have been exhausted. The law is clear that exclusions should only be used for disciplinary reasons; suspensions/exclusions are there as a sanction in response to a pupil seriously and consciously disobeying a school rule. In order for the sanction to have any sense, meaning or impact, the following pre-conditions need to be in place:

- That the pupil understands and is intellectually and emotionally capable of displaying appropriate responses to different situations.
- That the pupil knows and understands what the school rules are and is able to gauge what constitutes “serious”.
- That the pupil is cognitively able to understand that not being allowed into school is a negative consequence to the actions taken.
-

If any of the above pre-conditions are not in place, or they are impaired for some reason, then the use of sanction by the route of suspension/exclusion would be neither desirable or in any way effective.

All pupils who attend MHAT schools are vulnerable. Attendance at school is crucial in order to meet their needs and keep them safe. Therefore, the aim of any suspension is to keep it to a minimum and to swiftly reintegrate the pupil back into the school as soon as possible.

1. Manor Hall Academy Trust and its Aims

1.1 Manor Hall Academy Trust is a multi-academy Trust. We have a number of diverse schools who have specialties in different areas such as Special Education Needs and Disabilities (“SEND”). These schools have different designations which include; Social Emotional and Mental Health (SEMH); Generic Special and Pupil Referral Unit/Alternative Provision (PRUs/AP). This means that our pupils may have:

- An Education Health and Care Plan (EHCP), for special educational needs relating to:
 - Cognition and Learning
 - Communication and Interaction
 - Social, Emotional and Mental Health
 - Sensory and Physical
- Been at risk or been excluded from mainstream education
- Have difficulty attending a school premises and may need a link provision or AP.

1.2 Manor Hall Academy Trust’s (MHAT) aims to ensure that:

- The suspension and exclusion process are applied fairly and consistently
- The suspension and exclusion process are understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become persistent absentees

1.3. Manor Hall Academy Trust has overarching Behaviour Principles which shape practice across all setting. MHAT schools all have behaviour/relationship policies, which detail the standards of behaviour that are expected. Inevitably there will be situations where there are breaches of these policies and appropriate sanctions will be made. These sanctions will include the ability of the school to suspend for a period of time or permanently exclude a pupil.

1.4 Manor Hall Academy Trust will assess and support pupils who are suffering with mental health or emotional health issues throughout this process in order to safeguard them and other pupils within the school.

2. Legislation and statutory guidance

2.1 This policy is based on the following:

- a) on statutory guidance from the Department for Education: Exclusion from maintained schools, academies and pupil referral units (PRUs) in England.
- b) It is based on the following legislation, which outline schools’ powers to exclude pupils:
 - Section 52 of the Education Act 2002, as amended by the Education Act 2011
 - The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
 - Sections 64-68 of the School Standards and Framework Act 1998
- c) In addition, the policy is based on:
 - 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’
- d) 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

e) Suspension and Exclusion for maintained schools, academies and pupil referral units in England, including pupil movement

2.2 Academies, including free schools, if applicable, add/amend: This policy complies with our funding agreement and articles of association.

3. The decision to suspend or exclude a pupil

3.1 Only the headteacher, or acting headteacher, can suspend or exclude a pupil from school. An exclusion will be taken as a last resort.

3.2 If a pupil is suspended or excluded for 6 or more days, then the Headteacher must also notify the CEO/Executive School Improvement Officer (ESIO) of Manor Hall Academy Trust. All suspensions and exclusions are reported to Directors via the Headteacher's Report.

3.3 We are committed to following all statutory suspension and exclusions procedures to ensure that every child receives an education in a safe and caring environment.

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

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

3.5 Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or exclusion were provoked
- Allow the pupil to give their version of events before a decision to suspend or exclude.
- The pupil should be informed about how their views will be used into the decision that is made. Where it is required, the pupil should be provided with support in order to express their views. This support could be from their parents or carers or via their social worker.
- Consider whether the pupil is fully understanding of the rules of the school so that we can ascertain whether they are aware of what serious or significant misbehaviour means
- The headteacher should also take into account any contributing factors identified after an incident of misbehaviour and they should consider paragraph 45 of the Behaviour in Schools Guidance¹
- Consider whether there is an appropriate alternative sanction that could be used if the child is not fully able to understand the consequences of the behaviour. Where there is a concern that a child does not fully understand the consequences of their behaviour the school should look to what additional support may be required.

4. Off-rolling and unlawful exclusions or suspensions

MHAT are aware that the following should not be used:

4.1 Off-Rolling

Off-rolling is a form of unlawful exclusion in which the child's name is removed from the register and this can include using "undue influence" over a parent to:

- Remove their child under the threat of exclusion
- Encourage them to choose elective home education or find another school place for their child

4.2 Unlawful suspension and exclusions

¹ [Paragraph 45 of the Guidance Document – Behaviour in Schools July 2022](#)

Unlawful suspensions and exclusions include directing a pupil off-site or not allowing them to attend; examples include

- Without following the statutory procedure or without formally recording the event, e.g. sending them home to cool off
- The child has a special educational need or disability (“SEND”) that the school feels unable to support
- The child has a poor academic performance
- The child has not met a specific condition, such as attending a reintegration meeting.

Ofsted will consider any evidence of off-rolling and is likely to judge a school as inadequate where it appears:

- Pupils have left the school without formal processes
- Parents have been encouraged to remove their children
- School leaders haven’t taken sufficient action to address concerns over unlawful exclusions and off-rolling.

5. Definition of the School Day

5.1 For the purposes of suspension and exclusions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

6. Rules around cancelling suspensions/exclusions

6.1 The Headteacher can cancel any exclusions that has already begun and those who have not started unless the Local Advisory Board (LAB) has not yet met to consider whether the pupil should be reinstated. In addition, an exclusion cannot be cancelled if the pupils has already been suspended for more than 45 days in a school year.

6.2 If a Headteacher is to cancel the exclusion they must notify without delay:

- Parents/career – you must also provide them with an opportunity to discuss the circumstances which led to the exclusion, without delay.
- The pupil (if they are over 18 years age or older)
- The Local Advisory Boards
- The Local Authority (“LA”)

In their notification, the Headteacher should also provide a reason for the cancellation.

6.3 If a pupil has any days outside of the school because of the cancelled suspension or exclusion these will be considered and will count towards the maximum of 45 school days that a pupil can be suspended in any school year.

6.4. In the event of a cancelled exclusion, the pupil will be offered the same support to reintegrate into the school as a pupil who has been away due a suspension. Further information concerning our reintegration strategy is listed in section 16.

7. Roles and responsibilities

7.1 The headteacher

a) Informing the Parents or Guardians

If a pupil is at risk of suspension or 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.

The headteacher will immediately provide the following information, in writing, to the parents or guardian of an excluded pupil:

- The reason(s) for the suspension or exclusion
- The length of a suspension or, for an exclusion, the fact that it is permanent
- Information about parents' right to make representations about the exclusion to the Local Advisory Board (LAB) and how the pupil may be involved in this. In addition, how any representations should be made.
- Where there is a legal requirement for the Local Advisory Board (LAB) to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is suspended or excluded that for the first 5 school days of a suspension or exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this. If alternative provision is being arranged, the following information will be included when notifying parents of a suspension or exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place
- Any information required by the pupil to identify the person they should report to on the first day

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of an exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

b) Informing the Local Advisory Board (LAB)

The headteacher will immediately notify the Local Advisory Board (LAB):

- An exclusion, including when a suspension is made into an exclusion
- Suspension or exclusions which would result in the pupil being suspended excluded for more than 5 school days (or more than 10 lunchtimes) in a term
- Suspensions or exclusions which would result in the pupil missing a public examination
- All cancelled suspensions and exclusions (also on a termly basis as part of the exclusions data).

c) Informing the LAB

The headteacher will immediately notify the Local Advisory Board (LAB):

- All suspensions and exclusions, regardless of length
- All cancelled suspensions and exclusions
- For exclusions, if the pupil lives outside of the school's LA, also inform the pupil's LA.

d) Informing the pupil's social worker, if they have one:

The headteacher will immediately notify, if they have one, the pupil's social worker:

- a) All suspensions and exclusions
- b) Any cancelled suspensions and exclusions

e) The virtual school head ("VSH") and if the child is a Looked After Child ("LAC")

The headteacher will immediately notify, if they are a LAC, the VSH:

- a) All suspensions and exclusions
- b) Any cancelled suspensions and exclusions

7.2 The Local Advisory Board

- a) Responsibilities regarding suspension and exclusions is delegated to LABs.
- b) The LAB has a duty to consider the reinstatement of a suspended or excluded pupil (see section 6).
- c) Provision does not have to be arranged for pupils in the final year of compulsory education who do not have any further public examinations to sit.

7.3 The LA

- For exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

7.4 The VSH

- For any exclusions they must be invited to participate in any Local Advisory Board (LAB) meetings and independent review panels. They should be, as far as possible involved in the review of exclusions. They can play a role in in cases LAC and previously LAC to provide information on the child's background.

7.5 The Social Workers

- For any exclusions they must be invited to participate in any Local Advisory Board (LAB) meetings and independent review panels. They should be, as far as possible involved in the review of exclusions. They can also act as the pupil's advocate and raise points out the pupil's welfare and ensure that their needs are taken into account.

7.6 Role of the Designated Safeguarding Lead ("DSL")

a. In cases involving child on child abuse

The DSL may commence a safeguarding investigation which would run in parallel to the discussions concerning suspension or excluding a pupil. The school should remain focused on safeguarding and promoting the welfare of students and providing a suitable education.

b. Where a pupil is excluded

The DSL is responsible for transferring the pupil's child protection file to their new school. This should be in completed within 5 days of an in-year transfer or within 5 days of a new terms. This should be communicated separately from the main pupil file. The DSL of the new school should be made aware of this file

8. Pupils with Special Education Needs and/or Disabilities including those with Educational Health Care Plans (EHCP)

8.1 MHAT is aware that it has responsibilities under the Equality Act 2010 to make reasonable adjustments for disabled pupils. MHAT is conscious that it should be mindful to include consideration of this when making decisions concerning suspensions and exclusion.

8.2 MHAT is similarly aware of its responsibilities under Section 66 of the Children and Families Act 2014 in that Local Advisory Board (LAB) of relevant settings, such as:

- a) Alternative Provision Academies
- b) Pupil referral units.

Must use their best endeavours to ensure that appropriate special educational provision is made for pupils with Special Education Needs and Disabilities (“SEND”), which will include any support in relation to behaviour management that they need because of their SEND.

8.3 MHAT would encourage schools to engage proactively with parents in supporting the behaviour of pupils with additional needs.

8.4 MHAT encourages its schools, where there are concerns about behaviour, or risk of suspension or permanent exclusion of a pupil with SEND, a disability or an EHCP then it should in partnership with other relevant stakeholders to consider what additional support or whether an alternative placement may be required.

8.5 Where there are behavioural concerns about a pupil who has an EHCP, the school should contact the local authority as soon as possible and consider a request to have an early annual review prior to making a decision to permanently exclude. Where a child has SEND but does not have an EHCP, the school should look to engage with external specialists to consider the current support arrangements are appropriate and if any changes are required. Schools should also consider whether to request for an EHCP assessment or review of the current package of support.

9. Suspending and excluding children with social workers or looked after/previously looked after

9.1 MHAT is aware that of some students have a social worker who is assigned to them and that school provides both opportunities and protection. However, MHAT is also aware that schools should be calm and safe environments for all pupils and staff. Therefore, where a child who has a social worker attached is at risk of suspension or exclusion, the Headteacher should contact the social worker, the DSL and the child’s parents as soon as possible to attempt to involve them and attempt to put in measures to avoid a suspension or exclusion.

9.2 Where a looked after child is likely to be the subject of a suspension or exclusion, the Designated Teacher (“DT”) should contact the VSH as soon as possible. The DT and VSH and other relevant persons should work together to put in place additional assessments and actions to help the school address the pupil’s behaviour so to avoid the need for suspension or exclusion. Where needed you should also engage with a child’s social worker, foster carers or children’s home workers.

9.3 The Personal Education Plan (“PEP”) should be reviewed every term and concerns about behaviour and how the pupil is being supported should be included in this.

9.4 Where previously looked after students who face the risk of suspension or exclusion, the schools should liaise with parents at the DT. The schools can also seek the advice of the VSH for advice.

10. Considering the reinstatement of a pupil

10.1 The LAB will consider the reinstatement of a suspended or 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 school days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination
- If requested to do so by parents, the LAB will consider the reinstatement of a suspended or excluded pupil within 50 school days of receiving notice of the suspension or exclusion if the pupil would be suspended or excluded from school for more than 5 school days, but less than 15, in a single term.

10.2 For all of the MHATs schools: Where a suspension or exclusion would result in a pupil missing a public examination, the LAB will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the LAB will consider the exclusion and decide whether or not to reinstate the pupil.

10.3 The following parties will be invited to a meeting of the LAB and they will be allowed to make representations or share information:

10.4 The following parties will be invited to a meeting of the Local Advisory Board (LAB) and allowed to make representations or share information:

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)
- 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
- PRU schools only: A representative of the local authority

10.5 The Local Advisory Board (LAB) will try to arrange the meeting within the 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.

10.6 The LAB can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

10.7 In reaching a decision, the LAB will consider whether the exclusion was lawful, reasonable and procedurally fair; whether the headteacher followed their legal duties; the welfare and safeguarding of the pupil and their peers and any evidence that was presented.

10.8 They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

10.9 Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

10.10 The LAB will notify, in writing, the headteacher, parents, the pupil (if they are over 18), the pupil's social worker or VSH (if applicable) the pupils home authority if it differs from the school and the LA of its decision, along with reasons for its decision, without delay.

10.11 Where an exclusion is permanent, the LAB's decision will also include the following:

- a) The fact that it is permanent

- b) Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
- The date by which an application for an independent review must be made
 - The name and address to whom an application for a review 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 (SEN) 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 academy trust to appoint an SEN expert to advise the review panel
 - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
 - That parents must make clear if they wish for an SEN 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

10.12 That if parents believe that the suspend or an exclusion has occurred as a result of 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. A 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

11. An independent review

11.1 If parents apply for an independent review, MHAT will arrange for an independent panel to review the decision of the Local Advisory Board (LAB) not to reinstate an excluded pupil or to consider representations about a suspension of a pupil.

11.2 The following persons should be invited to the meeting:

- Parents (where requested a friend or representative)
- The headteacher
- A representative of the LA (in the case of a Pupil Referral Unit)
- The pupil (if they are 18 or older)
- The child's social worker
- The VSH if the child is a LAC.

11.3 Applications for an independent review must be made within 15 school days of notice being given to the parents by the LAB of its decision to not reinstate a pupil.

11.4 A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a LAB member or volunteer
- LAB Members who have served as a LAB Member 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

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

- Are a member/director of MHAT, or Local Advisory Board (LAB) 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 MHAT, or the Local Advisory Board (LAB), of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with MHAT, school, Local Advisory Board (LAB), 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)

11.6 A clerk will be appointed to the panel.

11.7 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.

11.8 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. Boards should consider the representations that are made by the parents. There is no deadline for the meeting to take place but it should be arranged within a reasonable amount of time. In addition, if there are no representations made by the parents at this meeting, the board can still consider reinstatement

11.9 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.

11.10 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.

11.11 Where a VSH is present, the panel must have regard to any representation made by the social worker 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.

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

- Uphold the Local Advisory Board (LAB)'s decision
- Recommend that the Local Advisory Board (LAB) reconsiders reinstatement
- Quash the Local Advisory Board (LAB)'s decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

11.13 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.

11.14 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 Local Advisory Board (LAB) at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the Local Advisory Board (LAB) and that it ought to have considered if it had been acting reasonably.

11.15 If evidence is presented that the panel considers it is unreasonable to expect the Local Advisory Board (LAB) 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 Local Advisory Board (LAB) reconsider reinstatement.

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

11.17 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 Local Advisory Board (LAB) does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the Local Advisory Board (LAB) to place on the pupil's educational record

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

12. Remote access

12.1 MHAT can arrange so that access to the Local Advisory Board (LAB) meeting and the Independent Review Panels ("IRPs") are conducted remotely via an online platform such as Microsoft Teams. It does not however remain that the default for these meetings is that they are held in person.

12.2 The Headteacher will inform parents/carers that they have the right to request this in their exclusion letter.

12.3 Meeting can also be held remotely due to unforeseen or extraordinary circumstances such as: floods, fire or infectious illness or disease

12.4 Unless there is an unforeseen or extraordinary circumstance, the meeting will be held in person unless or is requested by the parent/carers to be held remotely.

12.5 Before MHAT will agree for a meeting to be held remotely we will ensure that:

- Confirm that all participants have access to the technology, which will allow them to:
 - Hear
 - Speak
 - See
 - Be seen
- Make sure all the participants will be able to participate fully
- Make sure that the remote meeting can be held fairly and transparently

MHAT will reserve the right to not agree to a remote meeting where we feel that the meeting would not be held in a way which allows for fairness and transparency. In this circumstance we will consult with parents/carers to investigate how a face-to face meeting can be arranged.

12.6 MHAT is aware that, on occasion, there can be technical issues when using online platforms. Therefore we will arrange for the face to face meeting without delay if technical issues cannot be resolved and they impact on the fairness or transparency of the meeting.

12.7 MHAT notes that Social Workers and Virtual School Head ("VSHs") can join remotely for the meeting, even if it is held face to face, so long as they are able to contribute effectively.

13. Providing education during the first 5 days of suspension or exclusion

13.1 MHAT will endeavour to ensure that pupils receive their education and the Headteacher should take steps to ensure that work is set and then marked during the first five days of a suspension. Schools can utilise online pathways such as Google Classroom or Oak National Academy. Please note that our responsibilities for pupils, where there is a SEND need remain in force and MHAT will need to ensure that all reasonable adjustments are made so that the child can access their education

14. Using off-site direction and managed moves

14.1 MHAT encourages and expects its schools to work with high quality alternative provision ("AP") in a way to effectively manage behaviour and prevent exclusion. Any move to an AP, whether it is on a permanent or temporary basis should be made with the child in mind and be

the best place to support the child's behaviour as well as any SEND or health needs. Local Advisory Board (LAB)s must ensure that they have regard to the statutory guidance². There is also an emphasis that the child continues to receive a broad and balanced curriculum that will support reintegration

14.2 Before a pupil is moved to AP, the following should be defined and agreed:

- The nature of the intervention
- The objective
- The timeline for meeting these objectives

14.3 Off-site direction

a) MHAT can arrange off-site provision which would require a pupil attends another education setting to improve their behaviour.

b) During the period of off-site direction:

- The pupil might be in AP on a part-time schedule with continued mainstream schooling, or full-time for a limited period
- The pupil must be dual registered
- The Local Advisory Board (LAB) must keep the placement under regular review.

15. School registers

15.1 A pupil's name will be removed from the school admissions register if:

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

15.2 Where an application for an independent review has been made, the Local Advisory Board (LAB) will wait until that review has concluded before removing a pupil's name from the register.

15.3 Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

15.5 Making a return to the LA

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 Local Authority. The return will include:

- The pupil's full name
- 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

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.

² [Alternative Provision – Statutory guidance for local authorities](#)

16. Returning from a suspension

16.1 Reintegration strategy

16.2 Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs.

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

- Welcoming the pupil back to school and reinforcing expectations with a fresh start; this includes supporting staff in this process
- Agreeing a behaviour contract
- Putting a pupil 'on report'
- Internal isolation
- Informing the pupil, parents and staff of potential external support
- Maintaining regular contact during the suspension or off-site direction
- Daily contact in school with a designated pastoral professional
- 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

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

16.5 Reintegration meetings - 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. The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parents in the event that they cannot or do not attend. 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. This process needs to be managed flexibly in a child-centered way.

17. Monitoring arrangements

17.1 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 and other stakeholders on their perceptions and experiences

17.2 The data will be analysed termly by the school and they will report back to the LAB .

17.3 The data will be analysed from a variety of perspectives including:

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

17.4 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.

- 17.5 The multi-academy trust will work with its academies to consider this data, and to analyse whether there are patterns across MHAT, recognising that numbers in any 1 academy may be too low to allow for meaningful statistical analysis.
- 17.6 This policy will be reviewed by the Executive School Improvement Officer every 2 years. At every review, the Headteachers' Advisory Board, Directors and CEO will be consulted with. The Headteacher monitors the number of suspensions or exclusions as well as attendance every term and reports back to the LAB, who in turn report to the MHAT. They also liaise with the local authority to ensure suitable full-time education for excluded pupils.

18. The Local Advisory Board (LAB)'s role in monitoring pupil moves

- 18.1 Local Advisory Board (LAB)s should have already been reviewing, evaluating and challenging what their school's data is telling them about their school. Furthermore, LABs should carefully consider the level of pupil moves and the characteristics of pupils who are moving on via an exclusion to ensure that the sanction is used, when necessary, as a last resort. This information is also monitored and evaluated at MAT level via the ESIO.
- 18.2 Local Advisory Board (LAB)s should review suspension and exclusions, those taken off roll and those on roll but attending education on site. This is because it is important to consider both the cost implications of directing children to be educated off-site in AP, and whether there is any pattern or reasons or timing of moves. This information is also monitored and evaluated at MAT level via the ESIO.
- 18.3 As a trust we should consider the information concerning exclusions to determine whether there are any patterns across the academies.

19. Links with other policies

- 19.1 This exclusions policy is linked to the schools
- Behaviour policy