

# Reach Academy Trust

## Suspension and Permanent Exclusions Policy 2023-24

*Suspension (formerly referred to as a fixed term exclusion) occurs when a student's behaviour results in their removal from lessons in school for a designated period. In exceptional circumstances, permanent exclusions may be given. The Academy follows the updated DfE Guidance on Suspensions and Permanent Exclusions 2023. A full copy of this guidance is available on the DfE government website.*

*The Academy will only levy suspensions and permanent exclusions following implementation of the schools behaviour policy and when it is deemed absolutely necessary to preserve a safe and calm environment within school and. However, we will never shirk from taking appropriate action when necessary.*

*There will be a reintegration meeting with the student and their parents after every suspension.*

Approved by:	Local Governing Body	Date: 26th September 2023
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Last reviewed on:	September 2022
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Next review due by:	September 2024
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## 1. Aims

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

Reach Academy Feltham aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, parents and pupils understand the exclusions process
- Ensure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

### A note on off-rolling

Reach Academy Feltham is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

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

We will not suspend or exclude pupils unlawfully by directing them off site, or not allowing pupils to attend school:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met a specific condition, such as attending a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from the school

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement.](#)

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines 'school day'
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)

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

### 3. Definitions

Suspension – when a pupil is removed from the school for a fixed period. This was previously referred to as a ‘fixed-term exclusion’.

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ‘exclusion’.

Off-site direction – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve their behaviour.

Parent – any person who has parental responsibility and any person who has care of the child. Where it says parent, but the pupil over is 18 years old, they will engage in the process rather than a parent/carer.

Managed move – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs.

### 4. Roles and responsibilities

#### 4.1 The co-headteachers

Deciding whether to suspend or exclude

Only the two named co-headteachers, Rebecca Owen and Matilda Browne, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school. The co-headteachers will only use permanent exclusion as a last resort.

The offences listed below, although not an exhaustive list, may lead to suspension. In some circumstances they may lead to a permanent exclusion.

- Physical assault towards another student or adult;
- Verbal abuse/threatening behaviour towards another student or member of staff;
- Bullying;
- Wilful and repeated transgression of protective measures in place to protect public health;
- Sexual misconduct;
- Racist abuse;
- Abuse against sexual orientation and gender identity;
- Abuse relating to disability;
- Property damage;
- Drug/alcohol abuse or possession of drugs/alcohol;
- Disruptive or non-compliant behaviour;
- Theft;
- Use or threat of use of a weapon or prohibited item;
- Inappropriate use of social media or online technology;
- The use of, possession of or supply of any illicit substances or materials (including pornography);
- Leaving the school site without permission;
- Behaviour outside of school.
- Carrying on their person or bringing onto school site an item which could cause harm;
- Arson;
- Extortion;
- Serious and persistent refusal to follow the Academy rules and expectations.

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

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

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked. It is important to note that a school does not need to prove beyond reasonable doubt that an incident occurred or did not occur
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The co-headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.

Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent or social worker.

The co-headteacher will not reach their decision until they have heard from the pupil, and will inform the pupil of how their views were taken into account when making the decision. All decisions made are lawful, reasonable, proportionate and procedurally fair.

### Informing parents

If a pupil is at risk of suspension or exclusion the co-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.

If the co-headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay. Should the pupil be 18 or over, then they will be informed directly. A meeting will take place in person, unless there are extenuating circumstances or parents/carer or a young person (if 18 or older) requests this to take place remotely. Parents/Carers or the young person (if 18 or older) should be alerted that they may request the meeting to take place remotely.

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

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend.

The co-headteacher will also notify parents without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

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

If alternative provision is being arranged, the following information will be included, if possible:

- 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 the pupil needs in order to identify the person they should report to on the first day

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

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

### Informing the governing board

The co-headteacher will, without delay, notify the governing board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test or public exam

The co-headteacher will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

### Informing the local authority (LA)

The co-headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

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

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

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

If a:

- Pupil with a social worker is at risk of suspension or permanent exclusion, the co-headteacher will inform the social worker as early as possible
- Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the co-headteacher will inform the VSH as early as possible

This is 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.

If the co-headteacher decides to suspend or permanently exclude a pupil with a social worker / a pupil who is looked after, they will inform the pupil's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the pupil

- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the pupils ability to sit a National Curriculum test or public exam (where relevant)

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

### Cancelling suspensions and permanent exclusions

The co-headteacher may cancel a suspension or permanent exclusion before it has started and one that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents, governing board and the LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation
- As referred to above, the co-headteacher will report to the governing board once per term on the number of cancellations
- The pupil will be allowed back in school
- Any days of suspension served pre the cancellation will count towards the total number of days the pupil has been suspended across the school year

### Providing education during the first 5 days of a suspension or permanent exclusion

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

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

## 4.2 The governing board

### Considering suspensions and permanent exclusions

Responsibilities regarding exclusions are delegated to the Local Governing Body.

The Local Governing Body has a duty to consider parents' representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded pupil (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the governing board will provide the secretary of state with information about any suspensions or exclusions within the last 12 months.

For any suspension of more than 5 school days, Reach Academy, in liaison with Hounslow LA will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

The school does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit.

### Monitoring and analysing suspensions and exclusions data

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

The governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and why this is taking place
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

### 4.3 The local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth school day after the first day of the exclusion.

For pupils who are LAC or have social workers, the LA and the school will work together to arrange suitable full-time education to begin from the first day of the exclusion.

## 5. Considering the reinstatement of a pupil

The Local Governing Body will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of days out of school to more than 15, including 15.5 days, in a term; or
- It would result in a pupil missing a public exam or National Curriculum test

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the Local Governing Body must consider any representations made by parents. However, it is not required to arrange a meeting with parents and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the Local Governing Body will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the Local Governing Body will, as far as reasonably practicable, consider and decide on the reinstatement of the



pupil before the date of the exam or test. If this is not practicable, the Local Governing Body may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

The following parties will be invited to a meeting of the governing board 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 relevant co-headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

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

The Local Governing Body can either:

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

In reaching a decision, the Local Governing Body will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the co-headteacher followed their legal duties
- The welfare and safeguarding of the pupil and their peers
- Any evidence that was presented to the governing board

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

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

The Local Governing Body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents, or the pupil, if they are 18 or older
- The co-headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the Local Governing Body has decided not to reinstate the pupil, the notification of decision will also include the following:

- The fact that it is a permanent exclusion

- Notice of parents' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (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 Hounslow LA 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
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

## 6. Independent review

If parents apply for an independent review within the legal timeframe, Reach Academy Trust will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Local Governing Body of its decision to not reinstate the pupil or, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

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 governor category and 2 members will come from the headteacher category. At all times during the review process there must be the required representation on the panel.

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

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

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

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.

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.

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 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.

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

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board 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 governing board reconsider reinstatement.

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

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 governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

## 7. School registers

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

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

Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. 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.

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

## 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 LA. 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.

## 8. Returning from a suspension

### 8.1 Reintegration strategy

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.

It is important that pupils are ready to rejoin school following a suspension of any length and all strategies are employed to prevent another suspension. 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.

During the meeting, pupils will hand in any work completed during the suspension and discuss ways in which the pupil will reintegrate into the school community. All pupils will be assigned an intensive coach to monitor these strategies and meet with the family each week to discuss progress. This will last for 6 weeks but can be extended if required.

Strategies can include:

- Daily contact with the pupils intensive coach;
- Use of a report card and personalised rewards;
- Academic support; and
- Mentoring with a member of staff or external agency such as Place2be.

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.

## 9. Managed Moves

A managed move is used to initiate a process that leads to the transfer of a pupil to another mainstream school permanently as a preventative measure to permanent exclusion. Managed moves may be used as a method of intervention after other methods of intervention have not been successful and a permanent move is seen as in the best interests of the pupil. This is a voluntary process which requires the agreement of the initial school, new school and parents of the pupil involved. Reach Academy follows all guidance on managed moves highlighted in the DfE guidance.

A Managed Move may be suitable in the following circumstances (not all have to apply):

- Where a pupil refuses to attend their current school due to breakdown in social relationships
- Where a pupil is at risk of permanent exclusion from their current school eg for a one-off extreme behaviour
- Where the opportunity for a fresh start in a new school would be of benefit to the child
- Parents/carers are in full agreement and supportive of the process
- Where a pupil has reached the threshold for a Permanent Exclusion, that exclusion has been issued but a Managed Move has been deemed likely to be successful and agreed between schools and all relevant stakeholders on the understanding that were that move to be unsuccessful the Permanent Exclusion would be reinstated.

A Managed Move would NOT be appropriate in the following circumstances:

- Where a straightforward transfer to another school is being sought by the parents/carers
- Where the school believes the pupil is unlikely to succeed in another mainstream school
- The child is not on a school roll
- A child with EHCP cannot be Managed Moved without a change to their EHCP. Looked After Children can be offered a Managed Move but only with the agreement and support of the Virtual School.
- Students in Year 11 or last half of Year10 other than in very exceptional circumstances

Details on the Managed Move Process can be found in the Appendices.

## 9. Monitoring arrangements

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

The data will be analysed every Cycle by Phil Fowkes, Deputy Headteacher. He will report back to the co-headteachers, who will report back to the Local Governing Body.

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

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.

## 10. Links with other policies

This exclusions policy is linked to our:

- Behaviour policy
- SEN policy and information report

## Appendix 1: independent review panel training

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

Training must have covered:

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

Appendix 2 - Rights to Appeal letter for Families  
Reach Academy Feltham  
Suspension or Permanent Exclusion from school  
Review by governing bodies : A guide for parents and carers

Note: The term 'exclusion' has been used here to refer to suspension or permanent exclusion unless specific to the type of exclusion.

1. The government requires us to formally tell you when the principal/head teacher of an academy has decided to exclude your child. The attached letter does this.
2. It is important for you to know that suspension or permanent exclusion can only be for a breach of the academy behaviour policy, and may be for a fixed term period or permanent. The letter tells you what type of exclusion has been imposed and its length.
3. You may seek advice about the exclusion by contacting Reach Academy Feltham, the local authority where you live and also by seeking advice from an independent source. The letter which accompanies this note tells you who you can get in touch with.
4. You have a right to make representations to the governing body of the academy about this exclusion. When and how this will happen will depend on the type of exclusion and the period of time involved.
5. 3 members of the governing body are *required to review* all permanent exclusions, those that amount to your child being suspended for more than 15 days in one term and those that mean your child will (as a result of the suspension) miss a public examination or National Curriculum Test (NCT).
6. You will be invited by Reach Academy Feltham to attend review meetings which should normally take place (depending on the availability of governors) within 15 days if the exclusion of your child is in one of the following categories :
  - *permanent exclusion*
  - Where your child will *miss a public exam or NCT because of the suspension*. Although 15 days is set as a desirable time, the governing body should as far as is reasonably practical meet to consider the suspension before the date of the examination or test. If this is not practical, the Chair of the governing body can in these circumstances make a decision without other governors being involved.



- a suspension that will take your child's total days of suspension *above 15 days in one term*.
7. Where a suspension is for a period of more *than 5 schools days but not more than 15 days in a single term*, the governing body, if requested by you to do so, must consider the reinstatement of your child within 50 school days of receiving notice of the suspension.
  8. Where your child has received a suspension that does not bring his/her suspensions to *more than 5 days in one term*, the governing body must consider your representations, but it cannot direct reinstatement and *is not required to arrange a meeting with you*. All lawful suspensions of this length have to be completed and the governing body cannot direct that a pupil returns to school at an earlier date. However, if governors disagree with the Co-Headteacher's decision a note to this effect can be placed on a pupil's school record.
  9. You are entitled to invite a representative of the local authority to attend a meeting of an Academy's governing body as an observer. However the local authority representative can only make representations with the governing body's consent.

*If you have difficulty in understanding this note, please contact Reach Academy Feltham on the number quoted in the attached letter which notifies you of the exclusion.*

## Appendix 3: Letter to families - 1-5 day suspension

DATE

ADDRESS

Dear ,

### Suspension of NAME, DOB

I am writing to confirm my decision to exclude NAME for a fixed period of XXX day/s. This means that they will not be allowed in the Academy during this period. This suspension begins on DATE and ends on DATE.

I realise that this suspension may well be upsetting for you and your family, but the decision to exclude NAME has not been taken lightly. NAME has been excluded for the fixed period because they have broken the Academy Code of Conduct by XXX

NAME will be given work in their suspension meeting or told how to access it online. They should have this fully completed for submission to school on XXX at XXX when you and NAME will return to school (they need to be wearing full school uniform) to meet with a designated teacher for a reintegration meeting. The purpose of this reintegration meeting is to discuss how best NAME's return to school can be managed. I would like you to attend this as it is important that NAME makes a successful re-entry into the school community. Part of the reintegration plan will include serving one day of in-class isolation on XXX. Failure to attend a reintegration interview will be a factor taken into account by a magistrates' court if, on future application, they consider whether to impose a parenting order on you.

You have a duty to ensure that your child is not present in a public place during Academy teaching hours on DATE unless there is reasonable justification for this. I must advise you that you may be prosecuted or receive a penalty notice from the local authority if your child is present in a public place during school hours on the specified date of the suspension. If so it will be for you to show reasonable justification.

You have the right to make representations about this decision to the governing body. If you wish to make representations please contact Tom Sawbridge (Chair of the Governing Body) at Reach Academy Feltham (address and phone number above) as soon as possible. Whilst the governing body has no power to direct reinstatement, they must consider any representations you make and may place a copy of their findings on your child's Academy record.

If you think this suspension has occurred as a result of discrimination then you may also make a claim under the Equality Act 2010 to the First Tier Tribunal (Special Education Needs and Disability) in the case of disability discrimination, or the County Court, in the case of other forms of discrimination. Making a claim would not affect your right to make representations to the governing body.

You have the right to see a copy of NAME's academic record. Due to confidentiality restrictions, you will need to notify me in writing if you wish to be supplied with a copy of NAME's record. I will be happy to supply you with a copy if you request it.

You may wish to contact Mrs Hilary Baker, Access to Education Team Leader at London Borough of Hounslow on 0208 583 2784. Alternatively you can write to her at Access to Education, Children's & Adult's Services, London Borough of Hounslow, 4<sup>th</sup> Floor Hounslow House, 7 Bath Road, Hounslow, Middlesex TW3 3EB or by email to [exclusions@hounslow.gov.uk](mailto:exclusions@hounslow.gov.uk) who can provide advice.

You may also find it useful to contact Coram Children's Legal Centre, which is an independent national advice centre that offers information and support on state education, including on suspension from school. They can be contacted on 0300 330 5485 or at [www.childrenslegalcentre.com](http://www.childrenslegalcentre.com). A copy of the Government's guidance on suspensions can be downloaded from the Department for Education's website at [www.education.gov.uk](http://www.education.gov.uk).

NAME's suspension expires on XXX and we expect them to be back in the Academy on XXX.

Please do not hesitate to contact me if you wish to discuss any aspect of the letter further.

## Appendix 4: Hounslow Educational Partnership Managed Move Process

### Stage One

A Managed Move may be agreed between headteachers of any HEP school for any student on their roll, wherever they may reside. Prior to arranging a Managed Move, the headteacher of the home school should ensure that all reasonable steps have been taken to support the child's needs in school. This should include the involvement of external support agencies, where appropriate.

The headteacher of the home school must ensure they have sought the views of the parents/carers and child to agree the appropriateness of a Managed Move. The headteacher should then contact HEP director to inform them of the request for a Managed Move, in order to check the central Fair Access Panel Monitoring Sheet for points awarded for MM on an in and awards basis. The Monitoring Sheet holds two years of records. The most appropriate host school will be noted and recorded on the database.

### HEP Managed Move Protocol 2020-21

A Managed Move (similar to a Fair Access placement) sits over and above the PAN. The student remains on the roll of the home school for the transition period.

If the parents are in agreement with a Managed Move, the headteacher of the home school is responsible for contacting the headteacher of the host school to request a Managed Move.

### STAGE TWO

- Once the host school has agreed to the Managed Move, a meeting should be arranged at the host school including representatives from both schools, parents/carers and the child.
- It is expected that the child attends the Managed Move meeting to enable them to express their views.
- It may be appropriate for the existing headteacher to discuss funding arrangements before the start of the Managed Move with the new headteacher (e.g. Free School Meals, Pupil Premium).
- At the meeting, the following should be agreed:
  - ✓ The start date for the Managed Move
  - ✓ Support arrangements for the child in the host school including any measurable targets. This should address any additional learning needs of the child
  - ✓ Review dates (minimum of four weekly during term time)
  - ✓ Identify a named person who will lead the reviews in the host school and a lead person in the home school for communication updates.
  - ✓ Timelines and what will happen if the Managed Move is successful or unsuccessful
  - ✓ Arrangements for dual registration and reporting attendance to the home school (absences and follow up are the responsibility of the host school)
  - ✓ Arrangements for responding to instances of inappropriate behaviour at the host school
  - ✓ Any other arrangements needing clarification
  - ✓ The Managed Move agreement form is completed and signed by all stakeholders (Appendix 1). The headteacher of the home school should inform HEP of the agreed Managed Move by sending the completed Managed Move form to [managedmoves@hounsloweducationpartnership.co.uk](mailto:managedmoves@hounsloweducationpartnership.co.uk). This form will be stored for the time of the trial period - 12 weeks. The information in it may be shared with the Local Authority by HEP through the Fair Access Panel as a point of reference during the same trial period.

### STAGE THREE: REVIEW ARRANGEMENTS

As part of the support programme for the child, a member of staff in the host school should meet as a minimum weekly with the child to review progress towards the Managed Move targets. This provides the opportunity for the voice of the child to be heard and to identify what is both working well and areas where further support may be required.

The host school should provide the home school with a weekly record of the child's attendance unless agreed differently at the initial set up meeting.

Regular review meetings (approx every four weeks) should be scheduled during the trial period between the host school, parent/carer, young person and any other relevant agencies present. The home school link person will be invited.

During the review meetings the child's progress towards the agreed targets and reports from any external support agencies should be shared with those at the meeting. The focus should be on identifying strategies to support the child in being successful and sustaining the place in the host school.

At the final review meeting (end of 12 week trial period), a decision must be made as to whether the host school deems the Managed Move to be successful and the child transfers permanently to the host school. On the agreed date, the pupil's name must be deleted from the admission register of the home school and the child is sole registered at the host school. The home school must:

- inform [managedmoves@hounsloweducationpartnership.co.uk](mailto:managedmoves@hounsloweducationpartnership.co.uk) of the outcome of the Managed Move within 2 working days with the date of agreed transfer
- Remove the child from their roll from the agreed date
- The CTF file should be sent to the host school within 5 working days. HEP will:

- Will inform the LA by 10.00 am on the first possible monday following on from being informed of the transfer. This information will be used to update the monitoring sheet, which will be shared alongside the FAP paperwork for that weeks meeting.

The host school now becomes the current school and they must:

- inform the LA of the enrolment through completion of the 'Starters Form'.
- Will place the student on their roll from the agreed date

## Appendix 5: Flowchart of governing board's duty

### A summary of the governing board's duties to review the headteacher's exclusion decision

