

# Moorside Community Primary School

## Suspension and Permanent Exclusion Policy 2025



Approved by:	Date:
Last reviewed on:	January 2026
<b>Summary of changes:</b>	<ul style="list-style-type: none"><li>• Strengthened preventative measures &amp; SEND duties.</li><li>• Added missing statutory definitions.</li><li>• Strengthened Head Learner decision-making requirements.</li><li>• Expanded statutory content in notification letters.</li><li>• Strengthened Governors' duties.</li><li>• Strengthened reintegration requirements.</li><li>• Added full off-site direction statutory process.</li><li>• Added full managed move statutory process.</li><li>• Expanded remote-access safeguards.</li><li>• Strengthened monitoring &amp; equality duties.</li></ul>
Next review due by:	September 2026

Approved by **forbes**solicitors.

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## 1. Aims

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

Our school aims to:

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

### A note on off-rolling

'Off-rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carer to remove their child from the school, or
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carer(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#), or formally recording the event.

The school will not use any form of informal or unrecorded exclusion, including sending pupils home without following the statutory suspension process. Any such practice is unlawful and constitutes off-rolling

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

The school will ensure that early intervention, graduated responses, reasonable adjustments, and multi-agency input are used wherever possible to avoid exclusion. Exclusion will not be used for minor breaches, behaviour linked to unmet SEND needs, or circumstances where the school has not yet identified or addressed underlying needs.

### No Blanket Exclusion Policies

In line with DfE statutory guidance (2024), the school will not adopt a 'no exclusions' policy. Such policies are unlawful and can create safeguarding risks. Decisions will always be based on individual circumstances, the evidence available, and statutory thresholds.

## 2. Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): [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](#)
- The [School Inspection Handbook](#), which defines 'off-rolling'

### 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 admission register. This is sometimes referred to as an 'exclusion'.

Off-site direction – Off-site direction is a statutory power enabling the governing board to direct a pupil to attend an alternative setting for the purpose of improving behaviour.

This includes:

- Review of the placement every **30 school days**
- Setting clear objectives and expected outcomes
- Written notice to parents stating purpose, duration, monitoring and review arrangements.

Parent/carer - any person who has parental responsibility and any person who has care of the child.

Managed move - A managed move is a **voluntary agreement** between schools, requiring **parental consent**, with formal documentation, review checkpoints (6 and 12 weeks), and no use of 'trial' placements

A school day - A 'school day' is defined by Section 579 of the Education Act 1996 as any day when the school is open to pupils for teaching.

Lunchtime suspension - A lunchtime suspension counts as one half-day of suspension. During a lunchtime suspension, the school will ensure the pupil is supervised safely and has access to appropriate facilities.

### 4. Roles and responsibilities

#### 4.1 The Head Learner

References in statutory guidance to the 'headteacher' are interpreted as 'Head Learner' for the purposes of this policy

##### Deciding whether to suspend or exclude

Only the head learner, or acting head learner, 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 head learner will only use permanent exclusion as a last resort.

A decision to suspend a pupil will be taken only:

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

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

A decision to 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

Decisions relating to suspension or permanent exclusion will also consider relevant DfE guidance including:

- *Behaviour in Schools (2024)*
- *Searching, Screening and Confiscation*
- *Use of Reasonable Force*  
as referenced in national statutory advice.

Where concerns persist, the school will also consider referral to Local Authority Early Help services to ensure coordinated multi-agency support in line with local thresholds.

**Before any exclusion is considered, the Head Learner must ensure there is documented evidence of:**

- **Early help and pastoral interventions**
- **Behaviour plans and reasonable adjustments**
- **Consideration of unmet special educational needs**
- **Consultation with relevant professionals (including but not limited to Salford EPS, Inclusion Team, health and social care)**

**Before any decision to suspend or permanently exclude is made, the school will follow an explicit escalation pathway, ensuring:**

- All reasonable adjustments have been implemented and reviewed
- Tailored behaviour interventions have been trialled and evaluated
- Relevant professionals (e.g., EPS, Inclusion Teams, health, social care) have contributed to a coordinated support plan
- Parents/carers have been engaged throughout
- Alternative strategies (including short-term interventions, pastoral support and curriculum adaptation) have been exhausted

These steps will be formally recorded as part of the decision-making process.

Exclusion **must not** be used for minor incidents or for behaviour that is a manifestation of unmet SEND

Before deciding whether to suspend or exclude a pupil, the head learner will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- 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:
- For suspensions: detentions or other sanctions provided for in the behaviour policy
- For exclusions: off-site direction or managed moves

Where appropriate, the school will consult with Salford's Primary Inclusion Team, Educational Psychology Service, and the Virtual School to explore early intervention strategies and support packages prior to considering suspension or permanent exclusion.

The head learner will consider the views of the pupil, considering 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/carer or social worker.

The head learner will not reach their decision until they have heard from the pupil and will inform the pupil of how their views were considered when making the decision.

**Informing the governing board**

The head learner 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 that would result in the pupil being suspended or permanently excluded for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam

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

Notifications to parents/carers may be delivered by letter, email, or text message, provided they include all required statutory information

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

The head learner 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 head learner will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

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

### **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 head learner 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 head learner will inform the **VSH** as early as possible

In line with Salford LA guidance, the school will notify the pupil's social worker and/or Virtual School Head at the earliest stage of concern, before a decision to suspend or exclude is made, to allow for collaborative planning and support.

If the head learner 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 pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to cancel a suspension or permanent exclusion, and why (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 head learner may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents/carers, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the head learner to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school without delay

Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year.

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

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

If the pupil is not attending alternative (AP) provision, the head learner will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such Seesaw be used for this. If the pupil has a special educational need or disability, the head learner will make sure that reasonable adjustments are made to the provision where necessary. Work set for Day 1 to Day 5 will be planned to ensure curriculum continuity and match the pupil's current programme of study, so far as is reasonably practicable

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.

**For suspensions totalling more than 5 school days in a term**, the governing board must ensure suitable full-time education begins no later than day 6 (DfE, 2024).

For permanent exclusions, the Local Authority must arrange suitable full-time education from day 6.

For pupils who are looked-after or have a social worker, the school and Local Authority must work together to secure provision from day 1 where possible

### **Required statutory content in suspension and exclusion letters (DfE 2024)**

- Reason(s) for suspension/permanent exclusion
- Duration/that the exclusion is permanent
- Parent responsibilities for days 1–5
- Day-6 education arrangements (who provides it)
- Right to make representations to governing board
- Right to request an IRP (for PEX) + 15-day deadline
- Right to request an SEN expert
- Equality Act discrimination routes (FTT/county court; 6-month less one day deadline)
- Where parents/carers allege discrimination (non-disability), claims are brought in the **County Court** within **6 months less one day** of the act; disability cases concerning schools are brought in the **SEND First-tier Tribunal** (time limits apply)
- Links to independent advice (Coram / SENDIASS)

Suspensions:

- Start and end date including count of school days
- Duty to provide day-6 provision (if applicable)
- Parent responsibilities for the first 5 days
- Sources of independent advice (Coram, SENDIASS)

Permanent Exclusions:

- Day-1 duty to notify social worker/VSH
- Details of AP provided
- IRP deadlines, application route, SEN expert rights
- Equality Act discrimination claim routes

## **4.2 The governing board**

### **Considering suspensions and permanent exclusions**

The governing board has a duty to consider parents'/carers 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.

The governing board will ensure all statutory notifications and exclusion returns are submitted to the Local Authority and via the school census as required by DfE guidance.

For suspensions totalling more than 5 school days, the governing board is legally responsible for ensuring that full-time education is in place from day 6. Moorside Community Primary School has an agreement with Mossfield Primary School to provide mutual support should this situation arise.

### **Monitoring and analysing suspensions and exclusions data**

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

Governing board **must** consider:

- Whether **due process** was followed
- Whether the exclusion was **proportionate**
- Whether appropriate **alternatives** were considered
- Whether the decision is **evidence-based and documented**
- That all governors involved in exclusion decisions have **up-to-date mandatory training** (DfE 2024 requirement)

The governing board will also 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
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

All governors involved in exclusion decisions must have completed mandatory DfE exclusion training within the last **2 years**, as required by statutory guidance.

### **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 looked after 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 Governing Board 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 that would bring the pupil's total number of days out of school to more than 15 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 governing board must consider any representations made by parents/carers. However, it is not required to arrange a meeting with parents/carers and it cannot direct the head learner to reinstate the pupil.

Where the pupil has been suspended for more than 5, but not more than 15 school days, in a single term, and the parents/carers make representations to the board, the governing board will consider and decide on the reinstatement

of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents/carers do not make representations, the board is not required to meet and it cannot direct the head learner to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the governing board 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 chair of the governing board (or the vice-chair, if necessary) 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/carers, (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 head learner
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

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 governing board 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 governing board will consider:

- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the head learner 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'.

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

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 governing board will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers,
- The head learner
- 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 governing board 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'/carers' 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/carers)
- 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/carers have a right to require the Local Authority 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/carers for this appointment
- That parents/carers must make clear if they wish for an SEN expert to be appointed in any application for a review
- That parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers 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
- Parents/carers will be informed of their right to request an independent review panel and how to do so, including the deadline for submission, the right to request an SEN expert, and the option to be supported by a representative or friend.

All evidence considered by the governing board when deciding on reinstatement will be retained securely and made available for the Independent Review Panel should parents/carers apply for a review.

## 6. Independent review

If parents/carers apply for an independent review within the legal timeframe, the Local Authority will, at their own expense, 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/carers by governing board 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. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers. See section 9 for more details on remote access to meetings.

Where parents/carers pursue a discrimination claim under the Equality Act 2010, the 15-day deadline for applying for an Independent Review Panel may instead run from the date of the tribunal or court's final determination, in line with DfE statutory guidance (2024)..

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 head learner 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 head learners during this time
- Head learners or individuals who have been a head learner within the last 5 years
- A person may not serve as a member of a review panel if they:
  - Are a member of the Local Authority of the excluding school
  - Are the head learner of the excluding school, or have held this position in the last 5 years
  - Are an employee of the Local Authority, or the governing board, of the excluding school (unless they are employed as a head learner at another school)
  - Have, or at any time have had, any connection with the Local Authority, school, governing board, parents/carers 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/carers 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 VSH of how any of the child's background, education and safeguarding needs were considered by the head learner 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

### **Reconsideration Following an Independent Review Panel Decision**

If the Independent Review Panel directs the governing board to reconsider its decision, the governing board will reconvene within the DfE statutory timeframe to review the permanent exclusion decision again.

The governing board must:

- Reconsider the exclusion **without delay** and within the timeframe outlined in DfE 2024 guidance.
- Ensure that no governor who participated in the original decision takes part in the reconsideration meeting.
- Apply the correct legal standards, including procedural fairness and the balance of probabilities. The governing board is not required to reinstate the pupil but must give clear reasons if it upholds the original decision. These reasons will be communicated in writing to parents/carers, the LA, social worker and VSH where appropriate.

### **Police Involvement and Parallel Criminal Proceedings**

Where an incident leading to a suspension or permanent exclusion is subject to a police investigation or criminal proceedings, the school will follow the expectations set out in Part 14 of the DfE *Suspension and Permanent Exclusion Guidance* (August 2024).

The Head Learner and governing board will:

- Avoid prejudicing police investigations by limiting internal evidence gathering when advised by police.

- Continue to make decisions on suspension/permanent exclusion on the **balance of probabilities**, even if a criminal investigation is ongoing.
- Ensure that parallel processes (criminal or school) do not unnecessarily delay required meetings, unless advised otherwise by the police or DfE guidance.

The school will maintain communication with the police and the Local Authority Designated Officer (LADO) where appropriate.

### **Financial Readjustment or Payment**

In accordance with Part 13 of the DfE statutory guidance (2024), where the governing board does not reinstate a pupil following an IRP direction or recommendation, the Local Authority may impose a financial readjustment or require a payment from the school.

Any such payment will be managed in accordance with Local Authority procedures, and the governing board will comply with all associated statutory requirements.

## **7. School registers**

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

- 15 school days have passed since the parents/carers were notified of the Governing Board's decision to not reinstate the pupil, and no application has been made for an independent review panel, or
- The parents/carers 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:

Moorside uses the full DfE attendance code set (updated August 2024).

- **B** – Off-site **face-to-face** supervised educational activity (not remote learning).
- **D** – Dual registration during off-site direction.
- **E** – Suspended/permanently excluded and no provision in place.
- **K** – Education arranged by the Local Authority under s19 EA 1996.
- **Q** – Unable to attend due to lack of access arrangements.
- **Y1–Y7** – Detailed unavoidable-cause categories replacing legacy Y.

From **19 Aug 2024**, entries using **B**, **K** and **Y7** must include a brief **note/descriptor** (for example, provider and activity for B/K; reason for Y7), in line with statutory attendance data requirements.

In line with Ofsted's 2024 attendance-coding expectations, the school will also ensure compliance with new coding requirements for supervised off-site activities and part-time timetable arrangements. Where pupils are on part-time or flexi-school arrangements, attendance will be recorded using the correct updated codes (including the C2 code where required), and the rationale, duration and review dates for such arrangements will be formally documented and available for inspection.

These attendance codes reflect the DfE's statutory attendance regulations updated in August 2024 and must be applied in accordance with those legal requirements.

Remote/online work does **not** count as present.

### **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/carer with whom the pupil normally resides
- At least 1 telephone number at which any parent/carer 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/carers 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/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers 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, or cancelled suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education.

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

Reintegration planning must be evidenced in pupil records and reviewed regularly with parents/carers

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

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- 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/carers to praise progress being made and raise and address any concerns at an early stage

Informing the pupil, parents/carers and staff of potential external support 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.

Where a part-time timetable is used for exceptional reasons (e.g., reintegration or medical needs), the school will:

- Set a clear duration, objectives and review schedule
- Ensure parental agreement and local authority oversight
- Review the arrangement regularly to ensure it remains necessary and lawful
- Record the arrangements and coding accurately in line with DfE and Ofsted expectations.

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

### 8.2 Reintegration meetings

The school will clearly 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/carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.

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

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

Attendance at a reintegration meeting cannot be used as a condition for a pupil's return to the classroom.

## 9. Off-site Direction

The governing board may direct a pupil to attend another education setting for the purpose of improving their behaviour. Off-site direction must always be used in the pupil's best interests and is a **temporary, time-limited intervention and reviewed at least every 30 school days; longer-term arrangements must move to the correct statutory route (e.g., managed move or EHCP review)**

### 9.1 Purpose of the Placement

Moorside uses off-site direction under section 29A Education Act 2002 and the Education (Educational Provision for Improving Behaviour) Regulations 2010. Off-site direction is a temporary, time-limited intervention used only to improve future behaviour, never as a sanction. Off-site direction will be used only when a temporary placement in another education setting is likely to:

- Improve a pupil's behaviour or enable assessments of underlying needs
- Provide a more suitable environment to address behavioural, social, emotional or mental-health needs
- Offer targeted support that cannot be delivered effectively within school
- Prevent escalation to suspension or permanent exclusion

The pupil will continue to receive a broad and balanced curriculum that supports reintegration to Moorside Community Primary School.

## 9.2 30-School-Day Review Cycle

The governing board must review an off-site direction **at least every 30 school days** in line with DfE statutory guidance (2024).

Reviews will evaluate whether:

- The placement is achieving its stated objectives
- The pupil is making academic, pastoral, and behavioural progress
- Adjustments, extension, or reintegration should be considered

Parents/carers (and the local authority where the pupil has an EHC plan) may request a review in writing. The governing board will comply unless a review has taken place within the previous 10 school weeks.

## 9.3 Maximum Duration Rules

- Off-site directions must be **time-limited**, based on the pupil's needs and the agreed objectives.
- The total duration will be agreed with the alternative provider and reviewed regularly.
- Long-term placements should not occur under off-site direction. If longer-term provision becomes necessary, other statutory routes (e.g., managed move or EHCP review) must be considered.
- Pupils directed off-site to another school must be dual-registered for the duration of the placement

## 9.4 Written Parental Notice

Written notice will be provided **at least 2 school days before** the placement begins, in line with the **Education (Educational Provision for Improving Behaviour) Regulations 2010**. Before a placement begins, the school will provide parents/carers with **written notice** containing:

- The reason for the off-site direction and the purpose of the placement
- The name, location, and timetable of the alternative provision
- The intended duration and review schedule
- The objectives and expected outcomes
- How progress will be monitored and shared with parents
- Attendance expectations and safeguarding arrangements
- How parents/carers can request a review

Where a pupil has an EHC plan, the local authority will also be notified.

## 9.5 Safeguarding Checks

Before any placement begins, the school will ensure that:

- The Alternative Provision (AP) setting meets statutory safeguarding requirements
- Staff at the AP are appropriately vetted (including enhanced DBS where required)
- Risk assessments are completed for travel, supervision, and the learning environment
- Clear communication lines between the school and the AP are in place

Safeguarding responsibility remains shared, and any concerns raised by the AP will be acted on immediately. Any safeguarding concerns raised by the alternative provision must be communicated to the school immediately, and the school will act in accordance with statutory safeguarding procedures.

The school will ensure ongoing oversight of any Alternative Provision (AP) used, including monitoring curriculum alignment, safeguarding arrangements, attendance, progress and suitability. Records of AP visits, communication and quality assurance will be maintained and available for inspection.

## 9.6 Attendance Coding

Attendance will be recorded in accordance with DfE guidance:

- **Code D (Dual Registration)** is used for pupils temporarily attending off-site provision
- If the pupil is not present at AP, the AP will investigate first.
- Where the pupil remains on roll at Moorside, the school retains overall attendance responsibility and will follow attendance procedures where non-attendance continues.

## 9.7 Process for Ending or Reviewing the Placement

At the end of the placement, the school will:

1. **Obtain a final report** from the AP (attendance, behaviour, curriculum progress, outcomes).
2. **Seek the pupil's views** on the placement experience.
3. Use this information to plan a supportive and structured **reintegration process**, which may include:
  - Reintegration meetings
  - Pastoral support
  - Curriculum adaptation
  - Continued multi-agency involvement

If reintegration is not appropriate (e.g., end of Year 11 AP placement), the school will ensure appropriate transition arrangements into further education, training, or employment.

## 10. Managed Moves

A managed move is a voluntary, formal agreement that initiates a permanent transfer of a pupil to another mainstream school as part of a planned behaviour intervention. A managed move must always be undertaken in the pupil's best interests, never as a form of off-rolling or to remove a pupil due to additional needs or attainment.

### 10.1 Principles of a Managed Move

A managed move must:

- Be **voluntary** and agreed by **all parties**: the current school, the receiving school, the relevant admission authority, and the pupil's parents/carers
- Be used only as part of a **planned, evidence-based intervention**
- Be **preceded by information-sharing** between both schools and, where relevant, the local authority
- Be supported by a clear **integration strategy** at the new school
- Not be used as a "trial period" under any circumstances
- Not involve pressure or coercion of parents/carers, which would constitute unlawful off-rolling

Managed moves should only be considered when a fresh start in another school is likely to improve the pupil's behaviour, engagement, or wellbeing. Managed moves are voluntary and cannot be used on a 'trial' basis. Once a pupil is admitted to the receiving school, they may only be removed from roll for statutory reasons listed in the Pupil Registration Regulations.

### 10.2 Decision-Making and Preconditions

Before a managed move is proposed, the school must evidence that:

- Interventions and reasonable adjustments have already been attempted
- Multi-agency support (e.g., Inclusion Team, EPS, social care) has been involved where appropriate
- Parents/carers have been fully involved and supported
- The move is likely to support the pupil's needs better than remaining in the current school

Schools should seek advice from the Local Authority Inclusion Team and follow any local protocols.

A pupil may move between academies and maintained schools, in either direction, as long as all parties agree.

## 10.3 Agreement Between Schools

Before the move begins, both schools must agree:

- The start date
- Expectations for the pupil
- Induction and transition arrangements
- How information will be shared between schools
- Review dates (typically at **6 weeks** and **12 weeks**)
- Safeguarding arrangements and record transfer
- Plans for curriculum continuity and pastoral support

A managed move is only confirmed once all parties have agreed in writing.

## 10.4 Registration and Admissions

Once the move becomes permanent:

- The receiving school **must add the pupil to its admission register** on the first day of the permanent transfer
- The original school must remove the pupil from its roll
- Both schools must notify their **LA admissions team** of the change

Managed moves **cannot “fail”**, and there are no lawful “trial admissions.” Once admitted, the pupil may only be removed from roll for one of the statutory reasons listed in the Pupil Registration Regulations.

## 10.5 Role of Parents/Carers

Parents/carers must:

- Be fully informed
- Have the opportunity to ask questions and explore alternatives
- Provide written consent
- Not experience pressure, suggestion, or requirement to accept a managed move

Any sense of pressure constitutes **off-rolling** and is unlawful.

## 10.6 Multi-Agency Involvement

Where appropriate, the school will involve:

- The Local Authority
- Educational Psychology service
- SALT or health professionals
- Social worker or Virtual School Head (for pupils with social workers or LAC)

For pupils with an **EHC plan**, the local authority must be consulted before any change of placement.

## 10.7 Monitoring and Review

The receiving school will conduct reviews at **6 weeks** and **12 weeks**, considering:

- Behaviour
- Attendance
- Engagement with support
- Pupil views
- Parent/carer views
- Any emerging needs or adjustments required

If all parties agree that the pupil is successfully settled, the move becomes permanent.

## 10.8 If the Pupil Struggles to Settle

If concerns arise, the schools must:

- Review support and provision
- Consider further reasonable adjustments
- Explore additional multi-agency support

However:

**The pupil cannot simply return to the original school**, as the law does not permit “failed” managed moves or trial placements.

Any change of placement must follow statutory admissions and registration procedures.

## 10.9 Attendance During the Transition

During the managed move process:

- Attendance responsibility sits with the **receiving school** once the move is agreed
- If attendance concerns arise, the receiving school must work with the family first
- Standard attendance procedures apply, including referral to the LA if non-attendance persists

## 11. Remote access to meetings

This section implements DfE 2024 statutory guidance Part Eleven and Annex A on remote governing-board and IRP meetings.

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

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

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

The governing board and the Local Authority should make sure that remote meetings proceed only where:

- a) all participants can hear, speak, see and be seen;
- b) all can participate fully;
- c) the meeting can be held fairly and transparently;
- d) identities are verified and confidentiality confirmed.

Where remote access prevents any participant from engaging fully or compromises fairness, the meeting will be adjourned and reconvened in person without delay. (Part Eleven & Annex A).

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

- The school must verify the identity of all remote participants
- All parties must confirm confidentiality expectations
- Recording is not permitted, except as a disability-related reasonable adjustment

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

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

## 12. Monitoring arrangements and Equality Duties

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), 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 half-term by Ms S. Howard and the Senior Leaders. Ms S. Howard (Head Learner) will report back to the governors in full Governing Board meetings.

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. The school will specifically monitor the use of suspensions, off-site direction and permanent exclusion for patterns of disproportionality affecting pupils with SEND, pupils from ethnic minority backgrounds, children with social workers and looked-after children. Where such disproportionality is identified, the school will take documented action to review decisions, adjust practice, and ensure compliance with the Equality Act 2010 and national expectations to reduce unequal outcomes

This policy will be reviewed by the head learner and the senior leaders in September 2026 to ensure that it aligns with the new relationship policy. At every further review, the policy will be approved by the Governing Board at future governors meetings.

Exclusion data will be included within the school's **published Equality Duty reporting**, and the school must demonstrate that monitoring leads directly to **changes in practice**.

## 13. Links with other policies

This policy is linked to our:

- Interim Behaviour policy
- SEND policy
- SEN information report

## **Appendix 1: independent review panel training**

The Local Authority must make sure that all members of an independent review panel and clerks/governance professionals 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/governance professional of a review panel
- The duties of head learners, 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