



Suspensions and Permanent Exclusions Policy

Board Approved Date:	July 2026
Version:	1.0
Author Initials:	RCO/AGO
Review Date:	July 2027

Approved by: ESW Trust Board

Date: 9th July 2026

Last reviewed on: July 2026

Next review date: July 2027

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Introduction

This policy operates within the Education South West Behaviour and Attitudes Policy (Part A) and reflects the Trust's relational, inclusive and graduated approach to behaviour.

Suspensions and permanent exclusions are used only where they are proportionate, necessary and where earlier interventions have not secured safe, respectful and purposeful behaviour.

The Trust requires everyone to show respect, tolerance and understanding towards others. These principles are underpinned by our ethos which is communicated to pupils and parents as part of the culture within our schools.

The Trust adopts high expectations of behaviour, based on individual responsibility and mutual respect, to generate an environment where positive relationships between pupils and staff, and between pupils, are encouraged to flourish.

Decisions to suspend a pupil will only be taken on the balance of probabilities in response to breaches of the school's behaviour policy, including persistent disruptive behaviour.

Decisions to permanently exclude a pupil will only be taken in response to serious breaches of the school's behaviour policy and where allowing the pupil to remain in school would seriously harm the education or welfare of others.

A decision to permanently exclude a pupil is recognised by the Trust as a serious one. It will usually be the final step in a process for dealing with disciplinary offences following a wide range of other strategies, support and interventions that have been tried without success. There may, however, be exceptional circumstances in which the headteacher judges that permanent exclusion is justified because of a first or one-off offence.

The following list is not exhaustive but is indicative of the severity of offences that may lead to permanent exclusion:

- supplying or taking an illegal drug;
- supplying or drinking alcohol;
- serious actual or threatened violence against another pupil or member of staff;
- carrying an offensive weapon, for example a knife, scissors or hammer, with intent to threaten or harm;
- abuse related to a protected characteristic, including sexual orientation or gender reassignment;
- assault of a pupil or member of staff;
- ongoing persistent bullying, including cyberbullying; and
- serious damage to property.

1. Aims

- to ensure that the exclusions process is applied fairly, lawfully and consistently across the Trust;
- to ensure that the exclusions process is understood by governors, trustees, staff, parents and pupils;
- to ensure that pupils and staff in school are safe and able to learn;
- to ensure that exclusion is used only where necessary and in accordance with statutory guidance;

- to ensure that, where exclusion is used, pupils are supported to continue in education and to reintegrate successfully whenever possible; and
- to reduce the risk of pupils becoming NEET (not in education, employment or training) as a result of exclusion.

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 (July 2026). It is written for Education South West academies and should be read alongside school-level behaviour arrangements.

It is based on the following legislation and associated duties:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011;
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- Sections 64 to 68 of the School Standards and Framework Act 1998;
- Part 7, Chapter 2 of the Education and Inspections Act 2006;
- Section 579 of the Education Act 1996, which defines a school day; and
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended.

This policy should also be read alongside:

- Behaviour in Schools;
- Keeping Children Safe in Education (KCSIE);
- Mental Health and Behaviour in Schools;
- the SEND Code of Practice;
- the Equality Act 2010; and
- Understanding Your Data: a guide for school governors and academy trustees.

Headteachers, local governing bodies, trustees, local authorities, independent review panel members, clerks, SEN experts, social workers and Virtual School Heads must have regard to the July 2026 statutory guidance when carrying out functions in relation to suspensions and permanent exclusions.

3. Principles and preventative practice

This policy should be read as a companion to each school's behaviour policy and the DfE Behaviour in Schools guidance. Schools are expected to maintain a culture of high expectations, inclusion, support and clear boundaries. Suspensions and permanent exclusions are important behaviour management tools, but for the vast majority of pupils they should not be necessary because behaviour can be improved through strong universal systems, timely support and appropriate intervention.

Schools and the Trust will not operate a no exclusion approach as an end in itself. Equally, schools will not use exclusion in place of early help, pastoral support, SEND support, safeguarding action or reasonable adjustment. Decisions must be lawful, rational, reasonable, fair and proportionate.

Before exclusion is considered, schools should ordinarily have regard to the support, intervention and behaviour strategies set out in the school's behaviour policy unless the seriousness of the incident is such that immediate exclusion is justified.

In applying this policy, schools will pay particular regard to pupils who may be more vulnerable to exclusion, including:

- pupils with special educational needs and/or disabilities (SEND);
- pupils with a social worker, including those subject to a Child in Need Plan or Child Protection Plan;
- looked-after children and previously looked-after children;
- pupils experiencing mental health difficulties, trauma, bereavement or other adverse circumstances; and
- pupils at risk of becoming disengaged from education.

Informal, unofficial or unlawful exclusions are not permitted. This includes sending a pupil home to cool off without recording a suspension, pressuring parents to keep a child at home, or using part-time timetables unlawfully. Any part-time timetable must be a short-term measure for specific need, formally agreed with parents, reviewed regularly, and recorded in line with statutory guidance.

4. The decision to suspend or permanently exclude

Only the headteacher, or the acting headteacher in the headteacher's absence, can suspend or permanently exclude a pupil from school on disciplinary grounds. A permanent exclusion will be taken as a last resort, save in exceptional cases where a serious one-off incident makes permanent exclusion proportionate and lawful.

Education South West is aware that off-rolling is unlawful. Off-rolling is the practice of removing a pupil from the school roll without a formal and lawful process, or 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.

The headteacher will make the decision on the balance of probabilities, taking account of all relevant facts and evidence, including the evidence of those involved and the context in which the incident occurred.

Before deciding whether to suspend or permanently exclude a pupil, the headteacher will, as appropriate:

- investigate the incident in a fair and proportionate manner;
- consider all relevant evidence, including whether the incident was provoked and any contributory factors;
- allow the pupil to give their version of events where this is appropriate and possible;
- consider whether the behaviour may be linked to unmet or unidentified SEND, a disability, mental health needs, a safeguarding concern, bereavement, trauma or other vulnerability;
- consider whether reasonable adjustments were required under the Equality Act 2010 and whether they have been made;

- consider whether exclusion is a proportionate sanction and consistent with the school's behaviour policy;
- consider the impact of the pupil's behaviour on the education and welfare of others and on the safety of the school community; and
- consider what support and intervention has been provided already, unless the seriousness of the incident is such that immediate exclusion is justified.

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

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of others.

These are the two legal tests for permanent exclusion and both must be met.

When considering exclusion for a pupil with SEND, the headteacher and local governing body will comply with their duties under the Equality Act 2010 and the SEND framework. The governing board of relevant settings must use its best endeavours to secure appropriate special educational provision for pupils with SEN. Exclusion must not be used in a manner that is discriminatory or which unfairly increases the risk of exclusion because reasonable adjustments have not been made.

Where a pupil has a social worker, for example because they are subject to a Child in Need Plan or Child Protection Plan, and they are at risk of suspension or permanent exclusion, the headteacher should inform the pupil's social worker, the Designated Safeguarding Lead and the parents as early as possible. Where a looked-after child is likely to be subject to suspension or permanent exclusion, the Designated Teacher should contact the local authority's Virtual School Head as soon as possible. The same level of care should be taken for previously looked-after children, including engagement with parents and relevant professionals.

5. Definitions and clarifications

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

A suspension is the formal exclusion of a pupil from school for a fixed period. A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year.

A lunchtime suspension counts as half a school day. A suspension may lawfully be for part of a school day.

A permanent exclusion is the formal and permanent removal of a pupil from the school roll on disciplinary grounds following the required statutory process.

A cancelled exclusion is an exclusion which the headteacher withdraws before it has been reviewed by the governing board. Where an exclusion is cancelled, the pupil must be allowed back into school and all relevant parties notified without delay.

Off-site direction is a lawful direction for a pupil to attend education at another setting to improve behaviour. It is not a suspension or permanent exclusion and must be used in accordance with statutory guidance.

A managed move is a voluntary agreement for a pupil to move to another school as part of a planned intervention in the child's best interests. It must not be used as a means of coercion, as a disguised exclusion or in place of the statutory exclusion process.

The law does not allow a suspension to be converted into a permanent exclusion except in exceptional circumstances.

6. Roles and responsibilities

6.1 The headteacher

The headteacher is responsible for taking the decision to suspend or permanently exclude a pupil and for ensuring that the statutory process is followed. This responsibility cannot be delegated.

When a suspension or permanent exclusion is imposed, the headteacher will, without delay, notify parents of the period of suspension or the fact of permanent exclusion and the reasons for it. The notification will also state:

- the reason or reasons for the suspension or permanent exclusion;
- the length of the suspension or, for a permanent exclusion, the fact that it is permanent;
- parents' right to make representations to the governing board and how this may be done;
- where applicable, parents' right to attend a governing board meeting and to be represented at that meeting;
- for a permanent exclusion, the parents' right to request an independent review of the governing board's decision and how to do this;
- for a permanent exclusion, or where a suspension brings the pupil's total days of exclusion to more than 5 school days in any term, the parents' duty to ensure that the pupil is not present in a public place in school hours without reasonable justification during the first 5 school days of any exclusion;
- the arrangements for compulsory full-time education from the relevant day where these are known at the point of notification, or notification that such arrangements will follow without delay; and
- details of any social worker and/or Virtual School Head notification where relevant.

The headteacher will also notify the local governing body and the academy trust in line with Education South West's governance arrangements and without delay where required by law, including in the case of:

- a permanent exclusion;
- a suspension which would bring the pupil's total number of school days of suspension to more than 15 school days in a term; and
- a suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.

For all other suspensions, the headteacher will report to the local governing body and the Trust at least once a term.

The headteacher will notify the local authority without delay of any permanent exclusion and of any suspension or permanent exclusion where the pupil resides in another local authority area. Where relevant, the headteacher will also notify the social worker and the Virtual School Head without delay. The headteacher will ensure that accurate records and documentation are retained to support the decision-making process and any subsequent review.

6.2 Local governing bodies

Responsibilities for reviewing suspensions and permanent exclusions sit with the local governing body for each ESW school. Each local governing body may discharge these responsibilities through a properly constituted and trained exclusions panel or committee. References in this policy to the governing board refer to the local governing body of the individual school concerned, or a committee or panel acting under its delegated authority, except where legislation requires the full governing body to act.

The local governing body has a duty to consider the reinstatement of an excluded pupil in accordance with the statutory timescales set out in the July 2026 guidance and this policy. In carrying out its functions it must have regard to the statutory guidance, the principles of procedural fairness and natural justice, and its duties under the Equality Act 2010 and the SEND framework.

When considering an exclusion, the local governing body will consider the interests and circumstances of the pupil, the representations of all parties, the evidence available, whether the decision was lawful, reasonable and procedurally fair, and whether the sanction was proportionate in light of the school's behaviour policy and the facts of the case. Local governing bodies must ensure that panels are impartial, properly trained and able to meet statutory timescales.

6.3 The academy trust

Education South West retains oversight of the application of this policy across schools through monitoring and reporting arrangements. The Trust will ensure that governance arrangements, scheme of delegation and clerking arrangements support lawful and timely decision-making under this policy. The Trust will arrange or commission an independent review panel where this duty falls to the academy trust and will ensure appropriate training for panel members and clerks.

6.4 The local authority

The local authority is responsible for carrying out those functions required of it by legislation and statutory guidance, including arranging suitable full-time education from the sixth school day of a permanent exclusion and, where appropriate, from the sixth consecutive school day of a suspension. The local authority also has responsibilities in relation to looked-after children, Virtual School Head functions, the attendance and placement of excluded pupils, and the oversight of financial adjustments following permanent exclusion.

7. Requests for remote access meetings

Local governing body meetings and independent review panel hearings may, where lawful and appropriate, be held using remote access. Remote access should only be used where all participants are able to participate fully, the meeting can be conducted fairly, and the use of remote access will not disadvantage the pupil, the parents or any other participant.

When considering a request for remote access, the local governing body or panel will have regard to the key principles in the July 2026 statutory guidance, including whether each participant has access to suitable technology, can access all papers in advance, can see and hear proceedings clearly, can make representations effectively, and can be supported by an advocate, interpreter or representative where required.

If the use of remote access would compromise fairness, confidentiality, participation or the proper conduct of the meeting, an in-person meeting should be arranged or the meeting adjourned.

8. Cancelling exclusions or considering reinstatement

8.1 Cancelling an exclusion

The headteacher may cancel an exclusion that has not yet been reviewed by the local governing body. If this occurs, the parents, local governing body, local authority and, where relevant, the social worker and Virtual School Head, will be notified without delay.

Where an exclusion is cancelled, the pupil will be allowed back into school, any educational arrangements adjusted accordingly and records amended as required.

8.2 Considering reinstatement

The local governing body will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of the exclusion from the headteacher if:

- the exclusion is permanent;
- it is a suspension which would bring the pupil's total number of school days of exclusion to more than 15 in a term; or
- it would result in the pupil missing a public examination or national curriculum test.

The local governing body will consider any representations made by parents and by the local authority. It will either decline to reinstate the pupil, or direct reinstatement of the pupil immediately or on a particular date.

For exclusions which do not meet the threshold above, the local governing body must still consider reinstatement if parents make representations and the exclusion would bring the pupil's total number of school days of exclusion to more than 5 but not more than 15 in a term, although it is not required to direct reinstatement. For exclusions of 5 school days or fewer in a term, the local governing body must consider representations made by parents but cannot direct reinstatement.

If the pupil has a social worker and/or the Virtual School Head is involved, the local governing body should ensure that their views can be shared in line with the statutory guidance.

9. An independent review

Parents may request an independent review of a local governing body decision not to reinstate a permanently excluded pupil. The application must be made within the timescale set out in the decision letter issued by the local governing body.

For Education South West academies, the academy trust is responsible for arranging the independent review panel where the law requires this. The panel may uphold the local governing body's decision, recommend that the local governing body reconsiders its decision, or quash the decision and direct the local governing body to reconsider it.

Where requested, a SEN expert must be appointed to advise the review panel. The independent review process will take account of the statutory roles of the clerk, SEN expert, social worker and Virtual School Head.

The Trust will ensure that panel members and clerks are appropriately trained within the previous two years.

10. Education for excluded pupils

The school is responsible for setting and marking work during the first 5 school days of a suspension or permanent exclusion, where this is reasonably practicable. Parents are expected to ensure that the pupil is not present in a public place during school hours in this period without reasonable justification where the legal duty applies.

For a suspension of more than 5 consecutive school days, the governing board or academy trust must arrange suitable full-time education for the pupil from the sixth consecutive school day of the suspension.

For a permanent exclusion, the local authority must arrange suitable full-time education from the sixth school day after the first day on which the permanent exclusion took effect.

Educational provision arranged for an excluded pupil should be suitable, full-time unless the pupil's health needs mean this would not be in the pupil's best interests, and should support the pupil to continue their education without avoidable interruption.

11. Managed moves and off-site direction

Managed moves and off-site direction are recognised behaviour management tools which may, when used properly, help prevent a suspension or permanent exclusion. They must always be used lawfully, transparently and in the child's best interests.

A managed move must be voluntary and agreed by all relevant parties. It should be properly planned, clearly recorded and kept under review. It must not be used as a means of coercion, as a punitive response in place of exclusion, or as a device to remove a pupil from the school roll unlawfully. Where schools consider the use of a managed move, they will follow the guidance as outlined in the Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (July 2026).

Off-site direction may be used for the purpose of improving a pupil's behaviour but not as a sanction or punishment. It should be for a clear reason, for a limited period, be reviewed regularly, and be accompanied by appropriate safeguarding, attendance and curriculum arrangements.

Where a pupil has an Education, Health and Care Plan and a managed move or off-site placement is being considered, the school will engage with the local authority and parents and follow any applicable local and statutory processes.

A clear plan for reintegration from Off-site redirection should be agreed at the outset, and the arrangement must be reviewed at regular, specified intervals.

12. Separation of pupils for safeguarding purposes

In certain circumstances, a school can temporarily forbid a pupil from attending its premises, for example, due to an allegation of harm by one pupil against another which might require physically separating a pupil from one or other pupils. Where this is the case, the school will inform parents of the reason why a pupil has been temporarily forbidden from attending its premises and in conjunction with the DSL. This is not an exclusion on disciplinary grounds; it is a neutral safeguarding measure and must not be used as a disciplinary sanction. The governing body will be informed without delay and the school will ensure that it considers its duty under the Human Rights Act, the Equality Act and Keeping Children Safe in Education guidance. The school will work with the Local Authority and other multi agency teams involved to ensure that there is appropriate education for the pupil during the period of separation.

Separation of pupils for safeguarding purposes is likely to only be used in very rare cases and schools should consult with Trust leaders and other multi-agency teams where they are involved before making the decision to separate.

13. School registers and attendance coding

The local governing body must not remove a permanently excluded pupil's name from the school register until the school day after the day on which the local governing body has declined to direct reinstatement and no application for an independent review has been made within the legal time limit, or where an independent review has been applied for, the panel has upheld the decision not to reinstate the pupil.

Attendance must be recorded in accordance with the relevant regulations and guidance. Where alternative provision has been arranged and the pupil attends that provision, the school will use the appropriate attendance code. Where an excluded pupil is not attending alternative provision, the school will use the relevant absence code.

14. Reintegration following suspension or cancelled exclusion

Following a suspension, cancelled exclusion, period of off-site direction or separation for safeguarding purposes, the school should support the pupil to reintegrate successfully into school life and full-time education. Schools should design a reintegration strategy that offers the pupil a fresh start, helps them understand the effect of their behaviour, teaches them how to meet the school's expectations and rebuilds a sense of belonging within the school community.

A reintegration meeting should normally take place on the pupil's return to school, particularly where the suspension is for more than a short period, where there have been repeated suspensions, or where the pupil is vulnerable because of SEND, safeguarding, social care involvement or other needs.

The purpose of the reintegration meeting is to consider what support, reasonable adjustment, pastoral intervention, safeguarding action and curriculum planning may be needed to reduce the likelihood of further incidents and support successful attendance and learning.

15. Monitoring arrangements

The Trust will monitor the use of suspensions, permanent exclusions, managed moves and off-site direction across its schools to ensure that practice is lawful, proportionate, equitable and consistent with this policy.

Monitoring will include consideration of patterns and trends, including by pupil group, to identify any disproportionality and to inform improvement in behaviour, safeguarding, attendance and inclusion practice.

This policy will be reviewed annually, or sooner if updates to legislation, regulation or statutory guidance require this.

16. Links with other policies

- Behaviour Policy
- Safeguarding / Child Protection Policy / KCSIE
- SEND Policy and Information Report
- Equality and Accessibility policies
- Attendance Policy
- Alternative Provision / Off-site Direction procedures
- Children Looked After and Previously Looked After policy or guidance, where applicable

Appendix 1: Independent review panel training

- the requirements of primary legislation, regulations and statutory guidance governing exclusions, including the principles relevant to judicial review;
- the need 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, local governing bodies and panels under the Equality Act 2010; and
- the effect of section 6 of the Human Rights Act 1998 and the need to act compatibly with protected rights.

Appendix 2: Summary of governing board duties

The local governing body or properly delegated exclusion panel should use the following summary as a guide. Statutory guidance and legal advice should be followed where there is any doubt.

Situation	Duty / power
Permanent exclusion	Must meet to consider reinstatement within 15 school days; may direct reinstatement.
Suspension taking the total to more than 15 school days in a term	Must meet within 15 school days; may direct reinstatement.
Suspension leading to a missed public examination or national curriculum test	Must take reasonable steps to meet before the examination or test; may direct reinstatement.
Suspension total of more than 5 but not more than 15 school days in a term and parents make representations	Must consider representations from parents; a meeting may be convened where appropriate; may direct reinstatement.
Suspension total of 5 school days or fewer in a term and parents make representations	Must consider representations; cannot direct reinstatement.

Appendix 3: Headteacher checklist

Taking the decision

- I have taken the decision personally as headteacher or acting headteacher.
- I have investigated the incident fairly and sensitively.
- I have considered all relevant evidence and whether the account is established on the balance of probabilities.
- I have considered contributory factors, including SEND, disability, mental health, trauma, bereavement and safeguarding.
- I have considered whether reasonable adjustments were needed and made.
- I am satisfied that exclusion is lawful, proportionate and consistent with the school's behaviour policy.
- For permanent exclusion, I am satisfied that both legal tests are met (serious or persistent breach of the school's behaviour policy and allowing the pupil to remain would seriously harm the education or welfare of other (or the pupil themselves)).
- I have considered the potential safeguarding risks of suspension or permanent exclusion.

Communication and procedure

- Parents have been informed without delay, preferably by telephone or in person in the first instance, followed by written confirmation.
- The notification letter clearly states the reason or reasons, the period or type of exclusion, rights of representation and review, and educational arrangements.
- The local authority has been informed where required without delay.
- The social worker and or Virtual School Head have been informed where relevant without delay.
- The local governing body and the Trust have been informed in line with legal and trust requirements.
- All records, statements, incident reports and supporting evidence have been retained securely.

Appendix 4: Reintegration meeting record (model)

Return From Suspension

Return to School Meeting Record and Support Meeting

Pupil Name:		Purpose of the Meeting: The purpose of this meeting is to support a positive return to school following suspension. It aims to: • Restore relationships and a sense of belonging • Ensure there is a shared understanding of the events and impact • Identify needs, barriers and triggers • Agree proportionate, supportive actions to prevent reoccurrence
Year/Class:		
Attendance to Date:		
SEND Status:		
Date and Time of Meeting:		
School Lead:		
Other Staff Present:		
Parent/Carers Present:		
Other Adults Present (and their role):		

Details of the Suspension			
Date Suspension Began:		Number of Sessions of Suspension (there are two sessions per day; am & pm):	
Date Suspension Ended:			
Reason of the Suspension (as outlined in the suspension paperwork):			

As a group, explore what happened that lead to the suspension and the impact of the behaviour on all those involved:	
Pupil's voice: How do they feel about the incident now?	
What, if anything, needs to happen to rebuild relationships between staff/pupils/the wider community?	
Parent/Carer's Voice:	

From the discussion above, are there any needs or support identified that would help the pupil reintegrate to school successfully?	
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Actions/Support Plan		
Pupil Actions/Targets		What, if any, support or reasonable adjustment does the Pupil require to address/meet these actions/targets and by whom?
1		
2		
3		
Who is the Pupil's safe adult that they can contact if they need to discuss anything? Is there any specific support that the meeting feels they could offer?		

Parent/Carer Commitments
<i>How will home support positive change?</i>

Agreement			
Pupil			
I understand what is expected of me in terms of my behaviour and the actions/target outlined in this document:			
Pupil Signature:		Date:	
Parent/Carer			
I agree to work with the school to support my child's successful reintegration to school:			
Paren/Carer Signature:		Date:	
School			
The school commits to the agreed support and working with the Pupil and parents/carers to support a successful reintegration:			
Pupil Signature:		Date:	

A copy of this document should be shared with the parent/carer and Pupil. The school will retain a copy of this document on the Pupil's school file. The information within it will be shared with those who need to be aware of its content to enable to them to support the Pupil in achieving their targets and in supporting a successful reintegration to school.

Appendix 5: Parent guide (summary)

If your child has been suspended or permanently excluded, the school will write to you explaining the reason for the decision, how long the suspension lasts or that the exclusion is permanent, and what your rights are.

You have the right to make representations to the local governing body. In some cases, the local governing body must meet to consider reinstatement and may direct that your child is reinstated.

If the local governing body does not reinstate your child following a permanent exclusion, you may have the right to request an independent review. The decision letter will explain how to do this and the deadline for applying.

If your child has SEND, you may request that a SEN expert attends the independent review panel. If your child has a social worker or is looked after, the school should involve relevant professionals as early as possible.

If your child returns to school following a suspension or a cancelled exclusion, the school should put reintegration support in place.