

# **BIRMINGHAM INDEPENDENT COLLEGE**

## **Suspension and Permanent Exclusion Policy**

**NEXT REVIEW: SEPTEMBER 2027**

## 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 college aims to:

- › Make sure that the exclusions process is applied fairly and consistently
- › Help proprietors, staff, parents/carers and students understand the exclusions process
- › Make sure that students in college are safe and happy
- › Prevent students 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 college decides, in the interests of the college and not the student, to:

- › Remove a student from the college admission register without a formal, permanent exclusion, or
- › Encourage a parent/carer to remove their child from the college, or
- › Colleges with sixth forms insert: Encourage a sixth-form student not to continue with their course of study, or
- › Retain a student on the college admission register but not allow them to attend the college normally, without a formal permanent exclusion or suspension

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

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

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

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

## 2. Legislation and statutory guidance

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

It is based on the following legislation, which outlines colleges' powers to exclude students:

- › Section 51a of the Education Act 2002, as amended by the Education Act 2011
- › The College Discipline (Student 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 students
- › Section 579 of the [Education Act 1996](#), which defines 'college day'

- › The [Education \(Provision of Full-Time Education for Excluded Students\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Students\) \(England\) \(Amendment\) Regulations 2014](#)
- › [The Equality Act 2010](#)
- › [Children and Families Act 2014](#)
- › The [College Inspection Handbook](#), which defines ‘off-rolling’

### 3. Definitions

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

Permanent exclusion – when a student is removed from the college permanently and taken off the college admission register. This is sometimes referred to as an ‘exclusion’.

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

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

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

### 4. Roles and responsibilities

#### 4.1 The Head of College

##### Deciding whether to suspend or exclude

Only the head of college, or acting headteacher, can suspend or permanently exclude a student from college on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of college. The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a student will be taken only:

- › In accordance with the college’s behaviour policy
- › To provide a clear signal of what is unacceptable behaviour
- › To show a student that their current behaviour is putting them at risk of permanent exclusion

Where suspensions have become a regular occurrence, the head of college 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 student will be taken only:

- › In response to serious or persistent breaches of the college’s behaviour policy, **and**
- › If allowing the student to remain in college would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a student, the headteacher 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 student to give their version of events
- › Consider whether the student has special educational needs (SEN)

- › Consider whether the student is especially vulnerable (e.g. the student 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

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

Students 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 of college will not reach their decision until they have heard from the student, and will inform the student of how their views were taken into account when making the decision.

### **Informing parents/carers (or the student where they are 18 or older)**

If a student is at risk of suspension or exclusion, the headteacher will inform the parents/carers/student as early as possible, in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the head of college decides to suspend or exclude a student, the parents/carers/student will be informed, in person or by telephone, of the period of the suspension or exclusion and the reason(s) for it, without delay.

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

- › The reason(s) for the suspension or permanent exclusion
- › The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- › Information about the parents'/carers'/student's right to make representations about the suspension or permanent exclusion to the governing board and, where the student is attending alongside parents/carers, how they 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 student, and that parents/carers/the student have a right to attend the meeting, be represented at the meeting (at their own expense) and bring a friend
- › That parents/carers/the student have the right to request that the meetings be held remotely, and how and to whom they should make this request

If the student is of compulsory college age, the headteacher will also notify parents/carers 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 college days of the suspension or exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the parents/carers are legally required to ensure that their child is not present in a public place during college hours without a good reason. This will include specifying on which days this duty applies
- › Parents/carers 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 student needs in order to identify the person they should report to on the first day

If the 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 college reserves the right to provide the information with less than 48 hours' notice, with parents'/carers' consent.

If the headteacher cancels the suspension or permanent exclusion, they will notify the parents/carers/student without delay, and provide a reason for the cancellation.

### **Informing the governing board**

The 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 student
- › Any suspension or permanent exclusion that would result in the student being suspended or permanently excluded for a total of more than 5 college days (or more than 10 lunchtimes) in a term
- › Any suspension or permanent exclusion that would result in the student missing a National Curriculum test or public exam
- › Any suspension or permanent exclusion that has been cancelled, including the reason for the cancellation

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

The head of college 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 student lives outside the LA in which the college is located, the headteacher will also, without delay, inform the student's 'home authority' of the exclusion and the reason(s) for it.

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

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

If a:

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

This is so they can work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the head of college decides to suspend or permanently exclude a student with a social worker/a student who is looked after, they will inform the student's social worker/the VSH, as appropriate, without delay, that:

- › They have decided to suspend or permanently exclude the student
- › 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 student'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 student'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 student's welfare are taken into account.

### **Cancelling suspensions and permanent exclusions**

The head of college 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 (or the student if they are 18 or older), 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 (or the student if they are 18 or older) will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- › The student will be allowed back in college without delay

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

A permanent exclusion cannot be cancelled if the student has already been excluded for more than 45 college days in a college 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 student is not attending alternative (AP) provision, the head of college will take steps to ensure that achievable and accessible work is set and marked for the student. If the student has a special educational need or disability, the head of college will make sure that reasonable adjustments are made to the provision where necessary.

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

## **4.2 The Proprietorship**

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

The proprietorship has a duty to consider parents'/carers'/the student's (if they are 18 or older) representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded student (see sections 5 and 6) in certain circumstances.

Within 14 days of receiving a request, the proprietorship 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 college days, the proprietorship will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension.

The proprietorship board does not have to arrange such provision for students 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 review, challenge and evaluate the data on the college's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The governing board will consider:

- › How effectively and consistently the college's behaviour policy is being implemented
- › The college register and absence codes
- › Instances where students receive repeat suspensions
- › Interventions in place to support students 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 students, and whether students who share any particular characteristic are suspended or excluded more than others
- › Whether the placements of students directed off-site into alternative provision are reviewed at sufficient intervals to assure the college that the education is achieving its objectives and that students are benefiting from it
- › The cost implications of directing students 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 college day after the first day of the exclusion.

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

## **5. Considering the reinstatement of a student**

The Proprietorship will consider and decide on the reinstatement of a suspended or permanently excluded student within 15 college days of receiving the notice of the suspension or exclusion if:

- › The exclusion is permanent
- › It is a suspension that would bring the student's total number of days out of college to more than 15 in a term; or
- › It would result in a student missing a public exam or National Curriculum test

Where the student has been suspended, and the suspension does not bring the student's total number of days of suspension to more than 5 in a term, the Proprietorship must consider any representations made by parents/carers/the student. However, it is not required to arrange a meeting with parents/carers/the student and it cannot direct the head of college to reinstate the student.

Where the student has been suspended for more than 5, but not more than 15 college days, in a single term, and the parents/carers/student make representations to the board the Proprietorship will consider and decide on the reinstatement of a suspended student within 50 college days of receiving notice of the suspension. If the parents/carers/student do not make representations, the board is not required to meet and it cannot direct the headteacher to reinstate the student.

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

- › Parents/carers, or the student (and, where requested, a representative or friend)
- › The student, 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 of College
- › The student's social worker, if they have one

- › The VSH, if the student is looked after

The meeting can be held remotely at the request of parents/carers, or students if they are 18 or older. 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 Proprietorship can either:

- › Decline to reinstate the student, or
- › Direct the reinstatement of the student 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 Proprietorship will consider:

- › Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- › Whether the headteacher followed their legal duties
- › The welfare and safeguarding of the student 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 student's educational record, and copies of relevant papers will be kept with this record.

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

- › The parents/carers, or the student if they are 18 or older
- › The headteacher
- › The student's social worker, if they have one
- › The VSH, if the student is looked after
- › The local authority
- › The student's home authority, if it differs from the college's

Where an exclusion is permanent and the Proprietorship has decided not to reinstate the student, the notification of decision will also include the following:

- › The fact that it is a permanent exclusion
- › Notice of parents'/carers'/the student's (if they are 18 or older) 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 college 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 student's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- › That, regardless of whether the excluded student has recognised SEN, parents/carers/the student have a right to require the 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/carers/the student for this appointment



- › That parents/carers/the student must make clear if they wish for an SEN expert to be appointed in any application for a review
- › That parents/carers/the student 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/the student 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/carers/the student (if they are 18 or older) apply for an independent review within the legal timeframe, the LA will, at their own expense, arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 college days of notice being given to the parents/carers/student by The Proprietorship of its decision to not reinstate the student **or**, if after this time, within 15 college 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/the student. See section 9 for more details on remote access to meetings.

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 college 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 college in a paid capacity, disregarding any experience as a college governor or volunteer
- › Current or former college 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 the LA of the excluding college
- › Are the headteacher of the excluding college, or have held this position in the last 5 years
- › Are an employee of the LA or the governing board, of the excluding college (unless they are employed as a headteacher at another college)
- › Have, or at any time have had, any connection with the LA, college, governing board, parents/carers or student, 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 student, including the circumstances in which the student was permanently excluded, and have regard to the interests of other students and people working at the college.

Taking into account the student's age and understanding, the student or their parents/carers will be made aware of their right to attend and participate in the review meeting and the student 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 student'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 student's experiences, needs, safeguarding risks and/or welfare may be relevant to the student'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 headteacher in the lead up to the permanent exclusion, or are relevant to the student'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 college 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 student within 10 college days
- › Any information that the panel has directed the governing board to place on the student's educational record

## 7. College registers

A student's name will be removed from the college admission register if:

- › 15 college days have passed since the parents/carers/student (if they are 18 or older) were notified of The Proprietorship decision to not reinstate the student, and no application has been made for an independent review panel, or
- › The parents/carers/student 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 college days, the governing board will wait until that review has concluded before removing a student's name from the register.

While the student's name remains on the college's admission register, the student's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the student being registered at any other college) has been made for an excluded student and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another college or educational establishment, code D (dual registration) will be used.

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

## **Making a return to the LA**

Where a student's name is to be removed from the college admissions register because of a permanent exclusion, the college will make a return to the LA. The return will include:

- › The student's full name
- › The full name and address of any parent/carer with whom the student normally resides
- › At least 1 telephone number at which any parent/carer with whom the student 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 college the student will attend, including the name of that college and the first date when the student attended or is due to attend there, if the parents/carers have told the college the student is moving to another college
- › Details of the student's new address, including the new address, the name of the parent/carer(s) the student is going to live there with, and the date when the student is going to start living there, if the parents/carers have informed the college that the student 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 student's name.

## **8. Returning from a suspension**

### **8.1 Reintegration strategy**

Following suspension, or cancelled suspension or exclusion, the college will put in place a strategy to help the student reintegrate successfully into college life and full-time education.

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

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

- › During the suspension or offsite direction and welcoming the student back to the college
- › Regular reviews with the student and parents/carers to place progress being made and raised address any concerns at an early stage

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 student, parents/carers and other relevant parties.

### **8.2 Reintegration meetings**

The college will clearly explain the reintegration strategy to the student in a reintegration meeting before or on the student's return to college. During the meeting the college will communicate to the student that they are getting a fresh start and that they are a valued member of the college community.

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

## 9. Remote access to meetings

Parents/carers, or students if they are 18 or older, can request that a governing board meeting, or independent review panel be held remotely. If the parents/carers/student 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 LA should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- › All the participants have access to the technology that will allow them to hear, speak, see and be seen
- › All the participants will be able participate fully
- › The remote meeting can be held fairly and transparently

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 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

## 10. Monitoring arrangements

The college will collect data on the following:

- › Attendance, permanent exclusions and suspensions
- › Use of student referral units (PRUs), off-site directions and managed moves
- › Anonymous surveys of staff, students, governors and other stakeholders on their perceptions and experiences

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

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

The college 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 students are identified by this analysis, the college will review its policies in order to tackle it.

**All colleges add:**

This policy will be reviewed by the Operations Manager every 2 years.

## 11. Links with other policies

This policy is linked to our:

- › Behaviour policy
- › SEND policy

## Appendix 1: independent review panel training

The LA 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 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