Trinity Multi Academy Trust

Policy:	TSFA Suspension and Revocation of Place Policy
Date of review:	September 2026
Date of next review:	September 2027
Lead professional:	Assistant Principal (or other SLG with responsibility for academy behaviour)
Status:	Non - Statutory

1. Introduction

1.1 Students will be encouraged and supported by staff to always perform to the best of their ability. The curriculum and lessons have been designed to interest and motivate students to want to do well.

1.2 The Governors and staff recognise that most students behave well all the time, and the academy's rewards system will recognise this. However, there may be times when the behaviour of one or more students does not meet academy expectations and disrupts the learning and/or is a threat to the health and safety of staff and/other students. In this case, the Principal may decide to revoke the place of a student.

1.3 In discharging their duties, the Principal and Governors of the academy will have regard to DfE guidance.

1.4 A decision to suspend or revoke the place of a student will only be taken:

- In response to serious breaches of the Academy's Behaviour and Discipline Policy; **or** if allowing the student to remain in the academy would seriously harm the learning or welfare of the student or other students in the academy
- In cases where there has been a major breach of normal expectations of conduct
- In cases where there has been persistent defiance of academy authority or disruption of teaching and learning.

1.5 Before taking the decision to revoke the place of a student, in most cases a range of alternative strategies will have been tried.

2 Serious incidents of misbehaviour leading to suspension or revocation of place

2.1 Action to be invoked by Senior Staff in Serious Disciplinary Matters:

- Over serious matters a senior member of staff, i.e., a Vice Principal or a member of the Senior Leadership Team, must interview students. If the nature of the incident is very serious then two staff members should be present to conduct the interview
- The student should be questioned fairly and be given ample opportunity to give a response
- The student should be asked to provide a written statement of what happened and asked to sign it. At this stage this statement will help the Principal (or Vice Principal, in the Principal's absence) to decide on what further action should be taken.

2.2 In discharging their duties, the Principal (or Vice Principal, in the Principal's absence) and Governors of the academy will have regard to DfE guidance. In exceptional circumstances where, in the Principal's (or Vice Principal, in the Principal's absence) judgment, it is appropriate to revoke the place of a student for a first or 'one off' offence. These might include:

- Serious actual or threatened violence with safeguarding concerns for others or the student themselves
- Sexual abuse or assault
- Possession/supplying an illegal drug
- Carrying an offensive weapon.

2.3 These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the discipline and well-being of the college community.

3 Responsibilities of the Principal

3.1 The Principal alone (or the Vice Principal, in the Principal's absence) has the power to revoke a student's place and the senior team have the power to suspend a student. In considering revocation of place the Principal should carry out a range of activities including:

- Undertaking a thorough investigation
- Considering all the relevant facts and firm evidence to support the allegations
- Considering the Academy's Behaviour Policy. including the Equal Opportunities and Anti-Bullying policies
- Checking whether an incident appeared to be provoked by racial or sexual harassment
- Ensuring that all students involved, including those students with learning difficulties, have the opportunity to give their version of events
- Consulting other people or agencies except where they may be involved in any review of the suspension
- Ensuring time has been given to addressing and supporting the student's individual problems

3.2 Before deciding to revoke a place the Principal (or Vice Principal, in the Principal's absence) will normally first try a range of strategies including suspension, revocation of subject and/or terminal agreement. Normally only when other strategies have been tried without success will the Principal consider revocation of place.

3.3 There are occasions when the severity of the offence will merit revocation of place, even when there has been no record of poor behaviour.

4 Informing Parents/ Carers about the Suspension and Revocation of Place

4.1 The Principal (or Vice Principal, in the Principal's absence) will make sure the parent/carer is notified immediately, ideally by telephone, and that the telephone call is followed by an electronic written communication within one college day.

4.2 Written communications about revocation of place will explain: -

- Why the Principal or senior team decided to revoke the students place and the steps taken to try to avoid the decision
- The arrangements for enabling the student to continue his/her education, including setting, and marking the student's work
- The parent's right to state their case through appeal to the Governing Board
- Who the parents should contact if they wish to state their case in appeal (usually the Clerk to the Governors)
- The latest date by which the parent can put a written statement (appeal) to the Governing Board
- Who the parents should contact if they think the suspension or revocation of place relates to any other form of discrimination
- The parent's right to see and have a copy of their child's record
- The date the revocation of place takes effect, and a summary of any relevant previous warnings, suspensions or other disciplinary measures taken before the present incident.
- The next steps a parent or student should take, highlighting their right to appeal.

~~5~~ Informing the Governing Board

5.1 The Principal will inform the Chair of the Governing Board of: -

- All revocations of place
- All suspensions which deny students the opportunity to take a public examination.

5.2 Suspensions will be reported termly, unless the Governing Board asks for more frequent reports.

6 Responsibilities of the Governing Board

6.1 The Governing Board does not have the right to revoke the place of a student. The Governing Board will establish, when the need arises, an Appeals Review Panel.

6.2 If any suspension would cause the student to miss sitting a public examination the Governing Board will try to meet before the public examination. Where a public examination is concerned, if it is not practical for the Governing Board to meet, the Chair of the Governors will consider the suspension. Alternative arrangements to allow a suspended student to take public examinations will be considered.

7 Appeals of a revocation of place decision

7.1 Parents of student's whose places are revoked from the academy have the right to apply for an Appeal against the decision. This application is made to the academy who in turn will organise an Appeal Panel Review.

7.2 An application for Appeal Panel Review must be lodged in writing to the Clerk within 5 college days from the date the parent receives notice of the decision of the Principal. The panel should meet as soon as possible but in any event within 10 college days of the notification of appeal.

8 Arranging an Appeal

The revocation of place letter from the Principal will inform the parents (or student if they are 18 years old) of their right to an appeal against the decision of the Principal to revoke their/their child's place. The letter will give the name and contact details of the Clerk and explain that the Parent's notice of appeal must be in writing and set out the grounds of the application. The letter will tell the parents that the final date for lodging an application will be 5 college days from the date the parent receives notice from the Principal.

8.1 The day on which the parent is given notice will be taken to be the second college day after the date of posting by first class post, or where the notice is hand-delivered, the date of delivery (unless a different date of receipt can be demonstrated). No appeal application will be accepted if it is made after the final date for lodging an application.

8.2 The Appeal Panel will comprise three Governing Board members plus a clerk.

8.3 The Appeal Panel may not reinstate pupils purely based on minor 'technicalities' relating to prior procedure, where they are persuaded on the merits of the case that the revocation of place was justified and would not otherwise direct that the pupil should be reinstated. The Appeal Panel will rather consider afresh the question of whether the pupil should be reinstated.

8.4 Those entitled to attend a hearing and present their case are: -

- The parent, who may be represented by a legal or other representative.
- The student.
- The Principal, or representative of the Principal, who may make oral representations.
- Three nominated members of the Trinity MAT Governing Board who may make oral representations. (This is usually the Chair of the Governing Board Meeting)

8.5 The Principal (or Vice Principal, in the Principal's absence) and Governing Board may also make written representations. Wherever possible, the Clerk will make available all written evidence to the panel members and the parent five working days in advance of the hearing. The student, if the parent requests, will normally be allowed to attend the hearing and speak on his / her own behalf.

9 Procedure at the Appeal Hearing

9.1 The Appeal hearing will be held at the academy. The Appeal Panel will do everything possible to establish an atmosphere of informality where the parties can present their cases effectively.

9.2 In considering an appeal, the panel will decide whether the student did what he or she is accused of doing. If more than one incident of misconduct is alleged, the panel will decide on

each incident. If satisfied on the balance of probabilities that the student did what he / she was alleged to have done, and then the panel will decide whether, considering all relevant factors, revocation of place was a reasonable response to that conduct. Relevant factors must include:

- The broader interests of other students and staff in the academy, as well as those of the excluded student.
- The academy's published Discipline Policy.
- Where other students were involved in the same incident and were also disciplined, the fairness of the revocation of place in relation to the sanctions imposed on the other students involved.

9.3 To reach a decision, the panel may need to hear evidence from those directly or indirectly involved, including the student. The Principal may not introduce new reasons for the revocation of place. However, the parent may put forward new information that may not previously have been available. If this happens, the Governing Board should be given an opportunity to respond.

9.4 At the start of the hearing the chair will welcome the parties and introduce those present, pointing out that the decision is binding on them. The chair will explain the order in which the parties entitled to be heard will state their case and that there will be an opportunity for questioning by the other parties afterwards.

9.5 The panel members may also ask questions of the other parties to the review or of any witnesses who appear, to clarify an issue or to elicit more information. The aim will be for panel members to ask their questions at the end of each party's statement and following questions by the other parties.

9.6 The chair will order proceedings and lead the panel in establishing the relevant facts. If the parent appears to be having difficulty in presenting their case, the chair should intervene to assist them to ensure that their case is established and that factual matters not in dispute are clearly identified. The chair will assist parents who have English as a second language or who have literacy problems, and who may not have understood all the paperwork. It is for the panel to consider how best to enable parents and pupil to access the meeting, for example by providing an interpreter.

9.7 If the Appeals Panel wishes to vary the notified procedure, they should only do so after hearing the views of all the parties present and entitled to make representations.

9.8 Sufficient time will be allowed for each party to put its case forwards. The panel should ensure that parents are given the opportunity to comment on relevant information obtained from the Principal. Care must be taken to ensure that no party attending the hearing is present alone with the Appeals Panel.

9.9 In exceptional cases the panel may adjourn an Appeal to a later date. If there is an adjournment, it is essential that no part of the proceedings takes place other than in the presence of all the panel members

10 Evidence and Witnesses

10.1 Where the academy's case rests largely or solely on physical evidence, and where the facts are in dispute, then the physical evidence, if practicable, should be retained and be available to the panel, if they wish to see it. Where there are difficulties in retaining physical evidence, photographs or signed witness statements are acceptable as evidence.

10.2 The Appeals Panel cannot compel witnesses to attend, and any witnesses must therefore appear before it voluntarily. The Appeals Panel may wish to call witnesses who saw the incident or behaviour which gave rise to the revocation of place. They may also wish to call a teacher or teachers (other than the Principal) who investigated the incident and interviewed students.

10.3 The Principal (or Vice Principal, in the Principal's absence) has the right to make written representations to the panel and to appear and make oral representations (including a Principal who has left).

10.4 Where adult witnesses are unwilling to appear in person or are unavailable, the panel must rely on their written statements, copies of which will have been circulated to all parties by the clerk before the hearing. In the case of witnesses who are students of the academy, it will generally be appropriate for the panel to rely on their written statements. Students may, however, appear as witnesses in person if they do so voluntarily and their parents' consent. All written witness statements must be attributed and signed, except in cases where the college has good reason to wish to protect the anonymity of students. In such cases the statement will not be attributed, and some names may be blanked out but the statement must be dated. The general principle remains that someone accused of something is entitled to know the substance and the source of the accusation. If any witnesses are going to appear in person, all parties need to know the details in advance of the day of the hearing.

10.5 The calling of character witnesses is at the discretion of the panel but should be allowed unless there is good reason to refuse. It is for the panel to decide whether any witnesses, having given evidence, should remain for the remainder of the hearing.

10.6 If any of the parties intend to raise matters or produce documents at the hearing which are not covered by the statement of decision or the notice of an Appeals Panel these should be submitted to the clerk to the Appeals Panel in good time before the hearing. If substantial new issues are raised for the first time at the hearing, an adjournment may be necessary to allow all parties to consider the issues.

10.7 The Appeals Panel will rehear all the facts of the case. If parents have fresh evidence to present to the panel they may do so. The Appeals Panel can decide to either uphold the Principal's decision; recommend that the Principal reconsiders reinstatement; or quash the decision and direct that the Principal reconsiders reinstatement. If the Appeals Panel recommends reinstatement or quashes the Principals decision, all parties should be notified as soon as possible.

10.8 Under no circumstances can an Appeals Review continue if the number of panel members drops below three at any stage during the review. Once an Appeals Review has begun, no panel member may be substituted by a new member for any reason.

10.9 Parents also have a right to ask for an SEN (Special Educational Needs) expert to attend the review at no extra cost to them, even if their child does not have recognised special educational needs. The SEN will act like an expert witness, using the evidence provided to the panel to give impartial advice on how special educational needs might be relevant to the revocation of place. They will focus on whether the colleges policies for pupils with SEN, and were applied to your son/daughter, were legal, reasonable and procedurally fair. However, the SEN expert will not assess the child's special educational needs.

11 Record of the Proceedings of an Appeals Review

11.1 The clerk to an Appeals Review Panel should take minutes of the proceedings, the attendance, the voting and record the decision in a format approved by the Appeals Review Panel.

12 After the Hearing

12.1 The decision of the Appeals Review Panel is binding on all parties. The Appeals Review Panel will communicate its decision to all parties by the end of the second college day after the appeal review hearing. Where a hearing is held on the last day of term or outside term-time,

the panel will notify all parties by the end of the second working day after the conclusion of the hearing.

12.2 If the Appeal Review Panel upholds the Principal's decision, the Principal should remove the student's name from the academy's roll the day after the conclusion of the Appeals Review.