

SUSPENSION AND PERMANENT EXCLUSION POLICY

September 2026

We consider equality implications before and at the time that we develop policy and take decisions, not as an afterthought, and we keep them under review on a continuing basis. All policies are approved by the governing board and reviewed annually.



But the plans of the Lord stand firm for ever, the purposes of his heart through all generations.

Psalms 33:11

New International Version

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1.Aims

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

Our school aims to:

- Ensure that the exclusions process is applied fairly, consistently and lawfully.
- Help governors, staff, parents and pupils understand the exclusions process.
- Ensure that pupils in school are safe and happy.
- Prevent pupils from becoming NEET (not in education, employment or training).
- Ensure exclusion is used only as a last resort, following a graduated response and evidence-based behaviour interventions, in line with Behaviour in Schools (DfE, 2024).
- Ensure safeguarding considerations are central to all exclusion decisions, including the lawful use of safeguarding separation where appropriate.

A note on off-rolling

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

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

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

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

Examples of unlawful off-rolling include:

- Using part-time timetables for behavioural reasons.
- Sending pupils home informally.
- Discouraging pupils from continuing post-16 courses.
- Moving pupils to alternative provision primarily for the school’s benefit.

- Removing pupils from roll following a failed managed move.

2. Legislation and statutory guidance

This policy is based on:

- Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, including Pupil Movement (DfE, July 2026).
- Behaviour in Schools (DfE, 2024).
- School Attendance Regulations (2024 update).
- Off-site Direction Regulations (2024/2025).
- Section 51A of the Education Act 2002.
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.
- Part 7, Chapter 2 of the Education and Inspections Act 2006.
- Section 579 of the Education Act 1996.
- The Education (Provision of Full-Time Education for Excluded Pupils) Regulations 2007 and 2014 amendments.
- The Equality Act 2010.
- Children and Families Act 2014.

3. Definitions

Suspension – removal from school for a fixed period.

Permanent exclusion – removal from school permanently.

Off-site direction – temporary attendance at another setting to improve behaviour.

Managed move – permanent transfer to another school with consent of all parties.

Parent – anyone with parental responsibility or day-to-day care.

Safeguarding separation (new 2026 category)

A temporary measure preventing a pupil from attending school for safeguarding reasons, not disciplinary reasons.

This is not a suspension or exclusion.

It must be lawful, proportionate, time-limited, and compliant with safeguarding, equality and human rights duties.

4. Roles and responsibilities

4.1 The headteacher

The headteacher may suspend or permanently exclude a pupil only:

- In response to serious or persistent breaches of the behaviour policy, and
- If allowing the pupil to remain in school would seriously harm the education or welfare of others.

Before deciding, the headteacher will:

- Consider all relevant facts on the balance of probabilities.
- Allow the pupil to give their version of events.
- Consider SEND, vulnerability, safeguarding risks and whether reasonable adjustments have been made.
- Consider whether a Pastoral Support Plan (PSP) is in place or required.
- Consider whether a multi-agency assessment is appropriate.
- Consult ESC/DSPL behaviour support services where appropriate.
- Ensure compliance with the Equality Act 2010.
- Note that truancy is not a lawful reason for exclusion.
- Consider alternatives such as off-site direction or a managed move.

The headteacher will follow all statutory requirements when informing parents, the governing board, the LA, social workers and the Virtual School Head.

4.2 The governing board

The governing board will:

- Consider reinstatement in all cases required by law.
- Ensure exclusion decisions are lawful, reasonable and procedurally fair.
- Invite and allow the LA representative to make representations.
- Analyse patterns in exclusion data, including SEND, repeat suspensions, timing and off-site direction placements.
- Ensure behaviour strategies and interventions were exhausted before exclusion.
- Review off-site direction placements at appropriate intervals.

Remote access hearings

Where a governing board meeting is held via remote access, the board will ensure:

- All parties can hear and be heard clearly.
- The meeting remains fair and procedurally sound.
- Parents consent to remote access.

5. Considering the reinstatement of a pupil

The committee of 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 which 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 committee of the governing board must consider any representations made by parents. However, it is not required to arrange a meeting with parents, and it cannot direct the headteacher to reinstate the pupil.

Suspension and Permanent Exclusion Policy

Where the pupil has been suspended for more than 5 days, but less than 16 days, in a single term, and the parents make representations to the board, the committee of 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 do not make representations, the board is not required to meet, and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the committee of 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 (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 headteacher
- The pupil's social worker, if they have one
- The VSH, if the pupil is looked after
- A representative of the local authority

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 committee of 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 committee of the governing board 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 pupil and their peers
- Any evidence that was presented to the governing board

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

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

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

- The parents, or the pupil, if they are 18 or older
- The headteacher
- The pupil's social worker, if they have one

- The VSH, if the pupil is looked after
- The local authority
- The pupil's home authority, if it differs from the school's

Where an exclusion is permanent and the committee of 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' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEN) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require 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 for this appointment
- That parents must make clear if they wish for a SEN expert to be appointed in any application for a review
- That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That, if parents believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

6. Independent review

If parents apply for an Independent Review Panel (IRP), the LA will arrange it.

The IRP will:

- Consider the interests and circumstances of the pupil.
- Consider safeguarding, SEND, social worker and VSH representations.
- Apply the correct standard of proof.
- Ensure fairness and procedural compliance.

Procedural requirements (updated 2026)

- IRP meetings may be held via remote access where appropriate.
- The SEN expert must be independent and have completed required training within the last 2 years.

- The school cannot introduce new reasons for the exclusion or the governing board's decision not to reinstate.
- New evidence may only be considered if it could not reasonably have been known to the governing board at the time of its decision.

7. School registers

Attendance will be recorded in line with statutory guidance, including:

- Code B or D for alternative provision.
- Code E for absence.
- Updated attendance codes for off-site direction (2024 regulations).

8. Returning from a suspension

8.1 Reintegration strategy

The school will implement a reintegration strategy which may include:

- Regular contact during suspension.
- Daily pastoral support.
- Mentoring.
- PSPs where appropriate.
- ESC/DSPL behaviour support involvement.
- Multi-agency assessment where needed.
- Regular review meetings with parents and pupils.

Part-time timetables will not be used as a behaviour management tool.