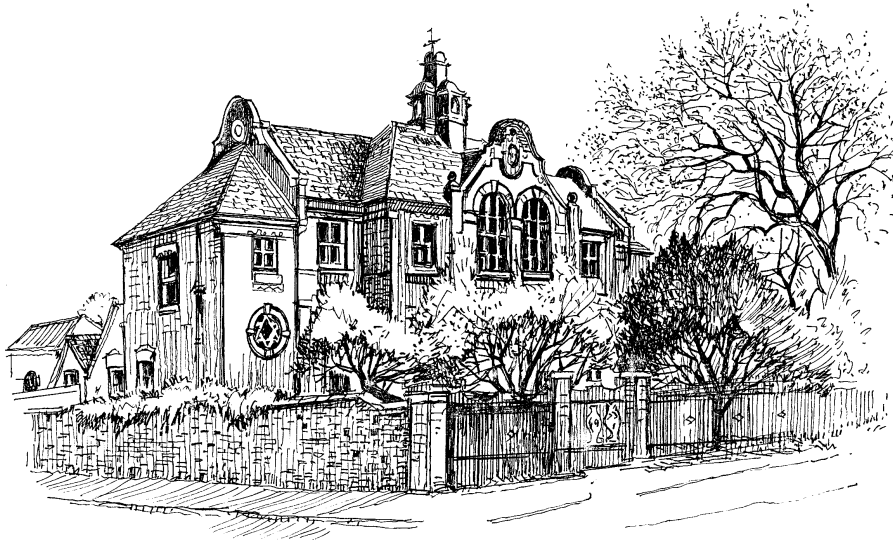


# St. Edward's C of E Primary School



*'Our vision is to be fruitful in all that we do'*

## Suspension and Permanent Exclusion Policy

The Governing Body of St Edward's CE Primary School adopted this policy  
On 19<sup>th</sup> November 2025.

## Contents

1. Aims
2. Legislation and statutory guidance
3. Definitions
4. Roles and responsibilities
5. Considering the reinstatement of a pupil
6. Independent review
7. School registers
8. Returning from suspension
9. Monitoring arrangements
10. Links with other policies
11. Appendix 1: A summary of the governing board's duties to consider reinstatement

## 1. Aims

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

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

### **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 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 by not allowing pupils to attend school:

- Without following the statutory procedures or formally recording the event e.g. we would not condone sending them home to 'cool off'
- Because they have special educational needs and/or disabilities (SEND) that the school feels unable to support
- Due to poor academic performance
- Because they haven't met specific conditions such as a reintegration meeting
- By exerting undue influence on a parent to encourage them to remove their child from school

## **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*

It is based on the following legislation, which outlines schools' powers to exclude pupils:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which sets out parental responsibility for excluded pupils
- Section 579 of the Education Act 1996, which defines 'school day'
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Pupils) (England) (Amendment) Regulations 2014
- The Equality Act 2010
- Children and Families Act 2014

## **3. Definitions**

***Suspension*** – when a pupil is removed from the school for a fixed period. This was previously referred to as a 'fixed-term exclusion'

***Permanent Exclusion*** – when a pupil is removed from the school permanently and taken off the school roll. This is sometimes referred to as an ***exclusion***.

***Off-site direction*** – when a governing board of a maintained school requires a pupil to attend another education setting temporarily, to improve and support behaviour.

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

***Managed Move*** – when a pupil is transferred to another school permanently. All parties, including parents and the admission authority for the new school should consent before a managed move occurs.

## **4. Roles and responsibilities**

### **The Headteacher**

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

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

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

### **Reasons for exclusions**

The government trusts headteachers to use their professional judgement based on the individual circumstances of the case when considering whether to exclude a pupil. The reasons below are examples of the types of circumstances that may warrant a suspension or permanent exclusion:

- Physical assault against a pupil
- Physical assault against an adult
- Verbal abuse or threatening behaviour against a pupil
- Verbal abuse or threatening behaviour against an adult
- Use, or threat of use, of an offensive weapon or prohibited item that has been prohibited by the school's behaviour policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability

This list is not exhaustive and is intended to offer examples rather than be complete or definitive.

Before issuing a suspension or permanent exclusion, the Headteacher will:

- **Investigate and evidence:** Ensure that a thorough investigation has been carried out and consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked. As per the school's Pupil Behaviour Policy, the Headteacher may consider the behaviour of a pupil outside school as grounds for an exclusion.
- **Pupil voice:** Allow and encourage the pupil to give their version of events. The Headteacher will give the pupil an opportunity to present his or her case taking into account their age and understanding, before taking the decision to exclude unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed support of an advocate, such as a parent or social worker.

- **Vulnerable pupil:** Find out whether the pupil comes into a category that is known to be a particularly vulnerable group (e.g. pupils with SEND, free school meal (FSM) pupils; looked after children (LAC); pupils with a social worker; certain ethnic groups; (for example traveller children)) and consider whether all supportive and preventative strategies have been fully utilised.
- **SEND:** Where a pupil has any SEND, the Headteacher will consider if any reasonable adjustments need to be made and use their individual Positive Behaviour Plans and risk assessments to ensure the pupil has been provided with adequate support and to consider whether any further support can be provided. The Headteacher will seek to understand the underlying cause of the behaviour and consider whether the pupil's SEND influenced their behaviour and if it did, whether it is still appropriate to issue the/a sanction.
- **Social worker/VSH:** Where a student has a social worker or a Virtual School Head (VSH) the Headteacher will ensure they and, as appropriate, any parents/carers; the Designated Safeguarding Lead; and the designated lead for Looked-After Children are involved as early as possible in relevant conversations.
- **Consider alternatives:** Consider whether all relevant initial intervention strategies and alternative solutions have been explored, including an off-site direction or managed move.
- **Mitigating circumstances:** Take into account possible short-term mitigating circumstances such as bereavement, mental health issues etc.
- **Safeguarding:** Consider whether there are any safeguarding concerns in consultation with the Designated Safeguarding Lead.
- **Seek guidance** from the Local Authority

### **Informing parents**

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

If the headteacher decides to suspend or exclude a pupil, the parents will be informed of the period of the suspension or exclusion and the reason(s) for it without delay:

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

- The reason(s) for the suspension or exclusion
- The length of the suspension or for a permanent exclusion the fact that it is permanent
- Information about parents' rights to make representation about the suspension or permanent exclusion to the governing body and how the pupil may be involved
- How any representations should be made
- Where there is a legal requirement for the governing body to hold a meeting to consider the reinstatement of a pupil, and that parents have the right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The headteacher will also notify parents 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 school days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier) the parents are legally required to ensure that

their child is not present in a public place during school hours without good reason. This will include specifying on which days this duty applies

- Parents 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 pupil 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 on the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide information with less than 48 hours' notice, with parents' consent.

### **Informing Social Workers and Virtual School Heads about exclusion**

- **If a pupil with a social worker** is at risk of suspension or permanent exclusion, the headteacher will inform **the social worker** as early as possible.
- **If a pupil who is a looked-after child (LAC)** is at risk of suspension or exclusion, the headteacher will inform the Virtual School Head as early as possible.

This is in order to work together to consider what factors may be affecting the pupils' behaviour and what further support can be put in place to improve the behaviour.

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

- They have decided to suspend or permanently exclude the pupil
- The reason(s) for the decision
- The length of the suspension or for permanent exclusion, the fact that it is permanent
- If the suspension or permanent exclusion affects the pupil's ability to sit National Curriculum tests or public exams (where relevant)

The social worker/VSH will be invited to any meetings of the governing body about the suspension or permanent exclusion. This is so they can provide advice on how the pupil's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the pupil's welfare are taken into account.

### **Informing the governing body**

The headteacher will, without delay, notify the governing body of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspensions or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total or more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the pupil missing a National Curriculum test

The headteacher will notify the governing body once per term of any other suspensions of which they have not previously been notified and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

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

The headteacher will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

### **Alternative education**

#### **During the first five days of a suspension**

During the first five days of a suspension, if the pupil is not attending alternative (AP) provision, the Headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways such as Google Classroom may be used for this. If the pupil has a special educational need or disability, the Headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

#### **For a suspension of more than five school days**

For a suspension of more than five school days for a pupil of compulsory school age, the school will arrange suitable full-time education for the pupil to begin no later than the sixth day of the suspension. However, the school will attempt to start this provision as soon as possible.

Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is as a result of suspension or more than one suspension.

For permanent exclusions, the pupil's home LA has responsibility for arranging suitable full-time education for the pupil.

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

### **Considering suspension and permanent exclusions**

Responsibilities regarding suspension and permanent exclusions are delegated to the exclusions and suspensions committee of the governing body consisting of at least 3 governors.

This committee of the governing body has a duty to consider parents' representations about a suspension or permanent exclusion (See Appendix 1). It has a duty to consider the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

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

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

- Parents (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 Governing Body 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 committee cannot do this – see earlier in this section)

In reaching a decision, the committee 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 Governing Body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents
- 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 Governing Body 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 an 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 within the legal timeframe, the LA will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

### **Guidance on providing exclusion data**

Within 14 days of receiving an information request, the governing body will provide the secretary of state, and the Local Authority, with information about any suspensions or exclusions with the last 12 months.

### **Monitoring and analyzing suspension and exclusion data**

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

The governing body will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils received repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variation in the rolling average of permanent exclusions, to understand why this is happening and to make sure they are only used when necessary
- Timing of moves and permanent exclusions and whether there are any patterns including any indications which may highlight where policies or support are not working
- The characteristics of suspended or permanently excluded pupils
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site

### **The Local Authority (LA)**

For permanent exclusions, the LA will arrange suitable full-time education no later than the sixth school day after the first day of exclusion.

For pupils who are LAC or have a social worker, the LA and the school will work together to arrange suitable full-time education from the first day of the exclusion.

## **7. School registers**

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

- 15 school days have passed since the parents were notified of the Governing Body's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made within 15 school days, the governing board will wait until that review has concluded before removing a pupil's name from the register. While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register. Where excluded pupils are not attending alternative provision, code E (absent) will be used.

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

Where a pupil's name is to be removed from the school admissions register because of a permanent exclusion, the school will make a return to the LA.

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

### **Reintegration strategy**

Following suspension, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education. Where necessary, the school will work with third-party organisations to identify whether the pupil has any unmet special educational and/or health needs. The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

### **Reintegration meetings**

The school will explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community. The pupil, parents, a member of senior staff, and any other relevant staff will be invited to attend the meeting. The meeting can proceed without the parents in the event that they cannot or do not attend. The school expects all returning pupils and their parents to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

## **9. Monitoring arrangements**

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions

- Use of pupil referral units, off-site directions and managed moves

The data will be analysed every term by the Headteacher. The data will be analysed from a variety of perspectives including:

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

The school will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the school will review its policies in order to tackle it.

## **10. Links with other policies**

This exclusions policy is linked to our:

- Behaviour policy
- Anti-bullying Policy
- SEN policy and information report
- Child Protection and Safeguarding Policy

## **Appendix 1**

### **A summary of the governing board's duties to consider reinstatement:**

1. Is it a permanent exclusion? If the answer is yes, the governing board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the permanent exclusion. If the answer is no, go to step 2.

2. Is it a suspension that alone, or in conjunction with previous suspensions / exclusions, will take the pupil's total number of days out of school above 15 for a term? If the answer is yes, the governing board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the suspension. This includes suspensions that exceed 15 school days by less than a whole day, e.g. one that totals 15.5 days. If the answer is no, go to step 3.

3. Is it a suspension or permanent exclusion that will result in the pupil missing a public exam or national curriculum test? If the answer is yes, the governing board must convene a meeting to consider reinstatement within 15 school days of receiving notice of the suspension or permanent exclusion. The governing board must also take reasonable steps to meet before the date of the examination. If this is not practical, the chair of governors may consider pupil's reinstatement alone. If the answer is no, go to step 4.

4. Will the suspension(s) take the pupil's total number of school days out of school above five but less than 16 for the term? If the answer is yes, go to step 5. If the answer

is no, the governing board must consider any representations made by parents but does not have the power to decide whether to reinstate the pupil.

5. Has the parent made representations? If the answer is yes, the governing board must convene a meeting to consider reinstatement within 50 school days of receiving notice of the suspension. If the answer is no, the governing board is not required to consider the suspension and does not have the power to decide to reinstate the pupil.