



## Norman Street Primary School

# SUSPENSION AND PERMANENT EXCLUSION POLICY

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| <b>Approved by</b>           |                                                                         |
| <b>Name:</b>                 | Rev. Keith Teasdale                                                     |
| <b>Position:</b>             | Chair of Governors                                                      |
| <b>Signed:</b>               | <i>[To be signed following Governing Body approval of this version]</i> |
| <b>Version Date:</b>         | September 2026                                                          |
| <b>Version No:</b>           | 8                                                                       |
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KAHSC – September 2026 (V8)

## Review Sheet

Each entry in the table below summarises the changes to this Policy and procedures made since the last review (if any).

This review sheet has been devised as a version history to help speed up the review and communication process. Highlighting shows altered text and the version description can explain what the main changes are and also where text has been cut from. Devise your own to reflect the version history of this Policy in your setting and the amendments you have adopted.

| Version | KAHSC Version Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Date of Review/Revision |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| 1       | Original                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | September 2020          |
| 2       | Minor update to make temporary reference to the COVID-19 pandemic into a permanent reference to any public health emergency that impacts on a governing board's ability to meet to discharge their legal duties on exclusion.                                                                                                                                                                                                                                                                      | September 2021          |
| 3       | Removed on page 1 reference and links to DfE additional Covid-19 addendum on exclusions which ceased on 27 March 2022 and following introduction of UKHSA 'Living with Covid-19' guidance.                                                                                                                                                                                                                                                                                                         | April 2022              |
| 4       | Significant legal updates that schools must take account of when setting out the Governing Body's/Board of Trustees' Policy and procedures related to permanent exclusion, suspension rather than fixed term exclusion, off-site direction, and managed moves. Significant updates to language and terminology regarding reasons and the process with new or significantly updated sections including the process, re-instatement, re-integration, appealing, off-rolling, and making a complaint. | September 2022          |
| 5       | Review to take account of changes in the DfE statutory guidance in force from 1 September 2023 and to update links to KAHub and external websites.                                                                                                                                                                                                                                                                                                                                                 | September 2023          |
| 6       | Revised to take account of changes in the DfE statutory guidance in force from 1 September 2024.                                                                                                                                                                                                                                                                                                                                                                                                   | September 2024          |
| 7       | Minor changes to links and deletions where websites or links no longer exist.                                                                                                                                                                                                                                                                                                                                                                                                                      | September 2025          |
| 8       | Reviewed and substantially updated to reflect the DfE's revised statutory guidance 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Including Pupil Movement' (published 26 May 2026, in force from 26 July 2026), which replaces the August 2024 edition. Key changes incorporated: a clarified definition of exclusion (disciplinary grounds only, and does not include a non-disciplinary safeguarding                               | September 2026          |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
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|  | <p>separation); a new section on the temporary separation of pupils for safeguarding purposes; off-site direction powers extended to Pupil Referral Unit management committees; managed moves clarified to exclude any form of 'trial' move and to require compliance with the School Admissions Code; explicit confirmation that permanent exclusion is used only as a last resort; and strengthened expectations on Governing Body/Board of Trustees monitoring of pupil movement data, including safeguarding separations.</p> |  |
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## Contents

1. Policy statement
2. Reasons for suspension or permanent exclusion
3. Deciding to suspend or permanently exclude
4. The suspension and exclusion process
  - 4.1 Suspension
  - 4.2 Separation of pupils for safeguarding purposes
  - 4.3 Off-site direction
  - 4.4 Managed move
  - 4.5 Permanent exclusion
  - 4.6 Cancelling exclusions
5. Re-instatement
6. Appealing to an Independent Review Panel (IRP)
7. Requests for remote access meetings for Governing Body/Board meetings or IRPs
8. Safeguarding
9. Reintegration
10. Suspension or exclusion of a child who has special educational needs or disabilities (SEND)
11. Marking attendance registers and off-rolling pupils
12. Making a complaint
13. References

## 1. Policy statement

Norman Street Primary School is committed to our positive approach to encouraging good behaviour which is essential to ensure all pupils can benefit from the educational opportunities we provide and reach their full potential.

The Government supports Head teachers in using suspension, off-site direction, managed moves, and permanent exclusion as essential behaviour management tools when warranted as part of creating a calm, safe, and supportive environment that brings out the best in every pupil and in which all pupils and staff can work in safety and are respected. For the vast majority of pupils, suspension and permanent exclusion should not be necessary, as other approaches can effectively manage their behaviour. Where approaches to behaviour management have been exhausted, a suspension may sometimes be necessary; a permanent exclusion will only ever be used as a last resort, where it is accepted that not all pupil behaviour can be changed by pastoral processes or consequences in school.

We will not adopt a 'no exclusion' policy as an end in itself. We recognise that this can create perverse incentives for schools and, in some cases, can present safeguarding issues and expose staff and pupils to unreasonable risks. Instead, we work to create an environment in which suspension or permanent exclusion is not needed because pupil behaviour does not require it.

We recognise our responsibility to communicate clearly to pupils, staff, and parents, our behaviour expectations, and the responsibility of all individuals working with pupils to ensure that no suspension or exclusion will be initiated without first exhausting other strategies, or in the case of a serious incident, a thorough investigation.

This Policy describes the arrangements and procedures for suspending or permanently excluding a pupil from school on disciplinary grounds and is in line with the statutory guidance 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Including Pupil Movement' (Department for Education, published 26 May 2026, in force from 26 July 2026), to which further detailed reference will be made. It should be read in conjunction with the school's Behaviour Policy which sets out in more detail the disciplinary grounds that may lead to suspension or exclusion.

During a local or national emergency which significantly impacts on the ability of our Governing Body/Board of Trustees to meet to discharge their legal duties regarding suspensions and exclusions, an Addendum to this Policy may become necessary and we will follow relevant DfE statutory guidance in place at that time to devise it. It will describe any temporary changes made to our school suspension or exclusion process due to the emergency and must be read in conjunction with this Policy.

### Policy Definitions

|                        |                                                                                                                                                                                                                                                                                                                                                                       |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Parent</b>          | A child's birth parents or anyone who has parental responsibility (which includes the Local Authority where it has a care order in respect of the child) and any person (for example, a foster carer) with whom the child lives (Education Act 1996). Where possible, all those with parental responsibility will be involved in the suspension or exclusion process. |
| <b>Relevant person</b> | The parent (or the pupil if aged 18 or over) that this school has legal obligations to under The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012.                                                                                                                                                                                         |

|                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Term</b>                                   | The autumn, spring, or summer terms of the academic year.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Academic year</b>                          | Our academic year beginning with the first day of school after 31 July and ending with the first day of school after the following 31 July.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Exclusion</b>                              | Removal of a pupil from school on disciplinary grounds only. It does not include a situation where a pupil is sent away from school, or told not to attend, for a reason that is not disciplinary – for example, a temporary safeguarding separation (see below).                                                                                                                                                                                                                                                                                                                                             |
| <b>Suspension</b>                             | 'Exclusion (from school) for a fixed period' for a pupil for one or more fixed periods of time up to a maximum of 45 school days in a single academic year.                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Permanent exclusion</b>                    | When a pupil is no longer allowed to attend a school (unless the pupil is reinstated).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Cancelled exclusion</b>                    | Exclusion that has been cancelled, withdrawn or rescinded before the governors have met to consider whether the pupil should be reinstated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Separation (for safeguarding purposes)</b> | A temporary requirement, made on safeguarding grounds and not as a disciplinary sanction, that a pupil does not attend school premises – for example, while an allegation of harm by one pupil against another is being managed. This is not an exclusion. The Local Authority must arrange suitable education for the pupil if the school or the pupil's parents do not do so.                                                                                                                                                                                                                               |
| <b>Managed move</b>                           | A voluntary process which leads to the transfer of a pupil to another mainstream school permanently. The law does not permit 'trial' managed moves or 'trial admissions'.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Remote access</b>                          | Refers to a meeting arranged by the governing board or arranging authority that is carried out via electronic means such as a live video link.                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Off-site direction</b>                     | When the Governing Body of a maintained school, or (from 26 July 2026) the management committee of a Pupil Referral Unit, requires a pupil to attend another education setting to improve their behaviour. The Board of Trustees of an academy or multi-academy trust, not included in the legislation, can also use 'off-site direction'.                                                                                                                                                                                                                                                                    |
| <b>Alternative Provision (AP)</b>             | Suitable full-time education arranged for a pupil from the sixth school day (or earlier) of a suspension or the sixth school day (or earlier) after the first day of a permanent exclusion under s100 of the Education and Inspections Act 2006, OR education arranged for pupils who are unable to attend a mainstream or special school and who are not educated at home, whether for behavioural, health, or other reasons. Either can include Pupil Referral Units (PRUs), AP academies and free schools, and hospital schools, or independent, registered, unregistered, and further education settings. |

## 2. Reasons for suspension or permanent exclusion

Only the Head teacher at this school can suspend or permanently exclude a pupil on disciplinary grounds.

We use suspension to clearly signal what is unacceptable behaviour in line with our Behaviour Policy, to show a pupil that their current behaviour is putting them at risk of permanent exclusion. Where suspensions are becoming a regular occurrence for a pupil, the Head teacher will consider whether suspension alone is an effective sanction and whether additional strategies need to be put in place to address behaviour.

The decision to suspend a pupil will only be taken in response to a serious breach or persistent breaches of our Behaviour Policy, or where allowing the pupil to remain in school would seriously harm the education or welfare of other people or the pupil themselves in the school. A decision to permanently exclude a pupil will only be taken where the same conditions are met and permanent exclusion is used as a last resort, after other approaches to managing the pupil's behaviour have been exhausted.

While the following is not a definitive list, examples of the types of circumstances that may warrant a suspension or permanent exclusion include:

- 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 item prohibited by our Behaviour Policy
- Bullying
- Racist abuse
- Abuse against sexual orientation or gender reassignment
- Abuse relating to disability
- Behaviour outside the school which contravenes our Behaviour Policy
- Any other behaviours that compromise the safety of other children or staff

When reporting to the DfE, we can give up to 3 reasons for each suspension or permanent exclusion.

## 3. Deciding to suspend or permanently exclude

When we decide to suspend or permanently exclude a pupil from school (regardless of the length of time), we will:

- take account of our legal duty of care when sending a pupil home;
- establish the facts in relation to the decision according to the civil burden of proof i.e. on 'the balance of probabilities' (whether the breach more than likely did than did not, happen) and not the criminal burden of proof, 'beyond reasonable doubt';
- take account of the pupil's views, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so, and inform the pupil how their views have been factored into the decision made, providing support to express their view (for example through a parent or, if they have one, a social worker) where relevant;

- take care in the process not to discriminate against, harass or victimise pupils because of sex, race, disability, religion or belief, sexual orientation, pregnancy/maternity, or gender reassignment and make reasonable adjustments to ensure everyone can participate in the process, including where a difficulty may be due to English not being a child or parent's first language;
- communicate with parents without delay in person or by telephone in the first instance to give them an opportunity to ask questions or raise concerns with the Head teacher. Parents will be directed to the DfE guidance 'School exclusions: guide for parents';
- communicate decisions clearly and in writing by delivering any written notification of the decision to suspend or permanently exclude a pupil in-person directly to their parents, by leaving it at their usual or last known home address, or by posting it to that address, but with all due regard for necessary reasonable adjustments as above. We will only make this kind of notification via email, secure app, or another agreed electronic method if we have a written agreement with parents that we can;
- notify, without delay, the Governing Body/Board of Trustees, the Local Authority, and the pupil's home Authority, regardless of the length of a suspension, so that they can arrange, where necessary, continuing education if different from the school's (to include reporting to Governors/Trustees once per term of any other suspensions they have not previously been notified of);
- within 14 days of a request, provide the Secretary of State for education and the Local Authority with information about any exclusions within the last 12 months.

## 4. The suspension and exclusion process

### 4.1 Suspension

A suspension, where a pupil is temporarily removed from this school and must stay at home, can be for one or more fixed periods of time, up to a maximum of 45 school days in a single academic year, and does not have to be continuous periods.

A suspension can be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period. Lunchtime suspensions are counted as half a school day in determining whether a Governing Body/Board of Trustees meeting is triggered.

We aim to make a suspension the shortest time necessary to ensure minimal disruption to the child's education, whilst being mindful of the seriousness of the breach of Policy that led to it.

A suspension cannot be extended or 'converted' to a permanent exclusion. In exceptional cases, usually where further evidence has come to light, a further suspension may be issued to begin immediately after the first period ends; or a permanent exclusion may be issued to begin immediately after the end of the suspension.

When the decision is made to suspend a pupil from school, the Head teacher will:

- Inform parents without delay explaining the reason(s) for the suspension and how long it will last. This is usually done in person or by telephone by the end of the afternoon session on the first day of the suspension (or permanent exclusion) at the latest.
- Notify parents in writing without delay of the following information:
  - the reason(s) for the suspension and how long it will last;

- that during the first 5 days of any suspension, the pupil must not be in a public place during school hours and if parents fail to ensure this without reasonable justification, they will be committing an offence and may be given a fixed penalty notice or be prosecuted;
- that work has been set and will be marked for pupils during the first five school days of a suspension and how this can be accessed, which may include the use of online pathways such as Google Classroom or Oak National Academy;
- if alternative provision of full-time education is being arranged and, if it can reasonably be found out within the timescale, the start date, start and finish times, address, and reporting details for that provision;
- the parents' right to make representations about the suspension to the Governing Body/Board of Trustees and how the pupil can be involved in this;
- the parents' (or an excluded pupil if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how, and to whom, to make this request;
- how any representations should be made; and
- where there is a legal requirement for the Governing Body/Board of Trustees to consider whether the pupil should be reinstated, that parents (or a pupil if they are 18 years or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.

This school understands how important it is to write legally correct letters about suspension and permanent exclusion and the process, so we will use templates provided or recommended to us by our Local Authority. We also understand that failure to notify a parent regarding being in a public place and the penalties, or about alternative provision by the required time, does not relieve our Head teacher of the duty to serve the notice.

A notice will not be considered invalid solely because it has not been given by the required time.

If information will be sent home with the pupil, our Head teacher will consider sending a duplicate copy by an alternative method or confirming that the information has been received.

- Provide information about relevant sources of free and impartial information including Coram's Child Law Advice service (0300 330 5485, Monday to Friday, 10am–4pm), the Independent Provider of Special Education Advice (IPSEA), and the SEN or SEND Information Advice & Support Services Network (Cumberland SENDIAS Service).
- Ensure that the pupil still receives their education by taking steps to ensure that work is set and marked for the first five school days of a suspension (or until the start date of any full-time alternative provision or the end of the suspension if this is earlier).
- Ensure that arrangements are in place for Alternative Provision (AP) of education for a pupil from the 6th day of their suspension if it is for more than 5 days (or if consecutive shorter suspensions have now accumulated to more than 5 days). Where this information was not available by the end of the afternoon session on the first day, we will provide it without delay and no later than 48 hours before the AP is due to start, except where AP begins before the sixth day, in which case less than 48 hours' notice may be given with parents' consent.
- Inform other key workers such as the Virtual School Head (VSH) if the pupil is a 'cared for' Child and their social worker if they have one, without delay after the decision. Both the social worker and/or VSH will be informed when a Governing Body/Board of Trustees meeting is taking place, so that they can share information with us, and may attend where parents make representation if they want to.

- Inform the Governing Body/Board of Trustees without delay of any permanent exclusion, any suspension or permanent exclusion resulting in more than 5 school days (or ten lunchtimes) in a term, and any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test.
- Inform the Local Authority without delay of all school suspensions (regardless of length) or permanent exclusions, including the reason(s) and the duration or, for permanent exclusion, the fact that it is permanent. Where the pupil lives outside our Local Authority area, we will also notify the pupil's 'home authority'.
- Arrange a re-integration meeting on the pupil's return to school where all those concerned can discuss the best way forward to support future behaviour.
- Remove permanently excluded pupils from the school roll at the right time.

When a pupil has disabilities or special educational needs we will make reasonable adjustments in how we support them during this period.

Any time a pupil is sent home due to disciplinary reasons, including when asked to use online pathways instead of coming to school, will always be recorded as a suspension.

Where suspensions are becoming a regular occurrence for a pupil, we will consider whether suspension alone is an effective sanction for them and whether additional strategies need to be put in place to address behaviour.

## **4.2 Separation of pupils for safeguarding purposes**

In certain circumstances – for example, where an allegation of harm by one pupil against another means pupils need to be kept apart while it is managed – the Head teacher may temporarily forbid a pupil from attending the school premises for safeguarding reasons. This is not a suspension or exclusion on disciplinary grounds, and it will only be used in rare circumstances, where it is essential and cannot practicably be achieved in a way that allows the pupil(s) concerned to remain on the premises.

Any decision to separate a pupil in this way will be made by the Head teacher, working closely with the Designated Safeguarding Lead (or a deputy), on a case-by-case basis, using professional judgement and, where needed, with the support of other agencies such as children's social care and the police. We will fully consider our duties under the Human Rights Act 1998, the Equality Act 2010, and Keeping Children Safe in Education, and will act reasonably, rationally, and in a procedurally fair way.

We will inform parents of the reason for the separation and notify the Governing Body/Board of Trustees without delay. If neither the school nor the pupil's parents make suitable alternative arrangements, the Local Authority must arrange suitable education for the pupil for the period of the separation.

A pupil who has been separated for safeguarding purposes will be supported to reintegrate in the same way as a pupil returning from a suspension (see Section 9).

## **4.3 Off-site direction**

Off-site direction is when Governors/Trustees (or, from 26 July 2026, the management committee of a Pupil Referral Unit) require a pupil to attend another education setting to improve their behaviour because interventions or targeted support to do so in school have not been successful. This school uses it to arrange time-limited placements at Alternative Provision (AP) or another mainstream school for the shortest time necessary.

When possible, we will use in-school interventions or targeted support from AP to meet a pupil's individual needs and circumstances, whether behavioural or special educational. A part-time timetable will not generally be used to manage a pupil's behaviour and, where it is, it will only be in place for the shortest time necessary.

Off-site direction into AP can be full-time or a combination of part-time support with AP and continued mainstream education for a proposed maximum period of time to be agreed on as part of the planning phase. Plans will also consider alternative options once the time limit has been reached, including a managed move on a permanent basis on review of the time-limited placement.

While a pupil is directed off-site to another school, they will be recorded on our attendance register using Code D, indicating that they are absent with the school's leave to attend the other setting at which they are also registered.

The Governing Body/Board of Trustees will notify the parents (or the pupil if 18 or older) (and the Local Authority if the pupil has an Education, Health, and Care Plan (EHCP)) in writing and provide information about the placement as soon as is practical after the direction has been made and no later than two school days before the start date. Our written notice will include: the address at which the provision will be delivered; who the pupil should report to on first attending; the number of days for which the direction applies; the reasons for, and objectives of, the direction; and the relevant session times.

Parents (or pupils aged 18 or over) and, where the pupil has an EHCP, the Local Authority, can request, in writing, that Governors/Trustees hold a review meeting. When this happens, we must comply with the request as soon as is practical, unless there has already been a review meeting in the previous 10 weeks.

The length of time a pupil spends in another mainstream school or AP and the reintegration plan will be kept under review by the Governing Body/Board of Trustees through review meetings at suitable intervals throughout the placement.

We will write to invite parents (or the pupil if 18 or older, and the Local Authority if the pupil has an EHCP) to attend a review meeting or to submit in writing before the date of the meeting their views as to whether off-site direction should continue, no later than six days before the meeting date. Reviews will involve the school, parents, the pupil, and other agencies as relevant (for example, a social worker, CAMHS, MASH or Youth Justice Teams) to establish agreed monitoring points, and will be recorded in writing and be frequent enough to provide assurance that the off-site direction is achieving its objectives.

The Governing Body/Board of Trustees will give written notification of their decision on whether the placement should continue and, if so, for what period of time, including the reasons for it, to the parent no later than six days after the date of the review meeting.

To support a pupil with reintegration back into school here, the focus of intervention while off-site will remain on ensuring they continue to receive a broad and balanced curriculum in line with any reasonable adjustments needed due to SEND, whilst any inappropriate behaviours requiring intervention are being addressed.

#### **4.4 Managed move**

A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves will only be offered as part of a planned intervention when we have evidence that it is in the pupil's best interests. It is voluntary, to be agreed with all parties involved, including the parents and the admissions authority of the new school. For temporary moves, see Off-site Direction above.

The law does not permit 'trial' managed moves or 'trial admissions'. Where a temporary placement is needed to support a pupil's behaviour, we will use off-site direction (see 4.3) rather than a managed move. Once a pupil undergoes a managed move, they transfer permanently: their name is removed from our admission register and added to the new school's register.

Any managed move must comply with the statutory School Admissions Code (unless the pupil has an EHCP) and with the School Attendance (Pupil Registration) (England) Regulations 2024. A pupil undergoing a managed move will not be admitted ahead of pupils on a school's waiting list unless they meet that school's published oversubscription criteria more closely than those already on the list. Managed moves are considered separately from the Fair Access Protocol (FAP) process.

A pupil will never be permanently excluded because their parent (or the pupil, where appropriate) has declined to agree to a managed move; this would be an exclusion for a non-disciplinary reason and is therefore unlawful. Where a parent takes the view their child should move school and we do not consider a managed move appropriate, the parent may instead apply for a new school place through an in-year application.

Where a pupil has an EHCP, the relevant statutory duties on the new school and Local Authority will apply. If we are thinking about a managed move, we will contact the Local Authority before it goes ahead. If the Local Authority, both schools and parents are in agreement that there should be a managed move, the Local Authority will follow the statutory procedures for amending the EHCP.

We will share information with the new school, including data on prior and current attainment, academic potential, a risk assessment, and advice on effective risk management strategies. It is also important for the new school to ensure that the pupil is provided with an effective integration strategy (see Section 9).

If a parent believes they are being pressured into a managed move or is unhappy with the plan, they can complain to the Governing Body using our formal complaints procedure, where appropriate, and the Local Authority using their complaints procedure.

#### **4.5 Permanent exclusion**

A permanent exclusion is when a pupil is permanently excluded from school and not allowed to return. This is a very serious outcome and decision, used only as a last resort, and the Head teacher will consult with senior leaders and the chair of the Governing Body as soon as possible in such a case. The Head teacher will make clear to the Governing Body whether the need to consider reinstatement is dependent on receiving parental representations.

We will follow the same procedure to decide on and initiate a permanent exclusion for a pupil as for a suspension (see above), including using appropriate template letters from our Local Authority.

However, where a child is not returning to our school, we will not arrange alternative education and instead will take steps to initiate an assessment of the pupil by the Local Authority responsible for their continuing education (from the 6th day after exclusion), so that a long-term re-integration plan for a new placement can be put in place.

We will also draw attention to a pupil's EHCP if they have one, because the Local Authority must ensure that an appropriate full-time placement is identified in consultation with parents, who retain their rights to express a preference for the school they want their child to attend or make representations for a placement in any other school.

#### **4.6 Cancelling exclusions**

The Head teacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the Governing Body (or Board) has not yet met to consider whether the pupil should be reinstated. Where an exclusion is cancelled:

- The Head teacher must notify, without delay (in writing or via email/text to an address that the parent has agreed can be used for notifications of this kind), the parent (if the pupil is under 18) or the excluded pupil if aged 18 or over, the Governing Body/Board of Trustees, the Local Authority and the pupil's social worker and/or Virtual School Head teacher as applicable. The notification must also provide the reason for the cancellation.
- The Governing Body/Board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement.
- The pupil must be allowed back into the school from which they were excluded without delay.
- Parents (or the excluded pupil if they are 18 years or older) should be offered the opportunity to meet the Head teacher to discuss the circumstances that led to the exclusion being cancelled, which should be arranged without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation, will count towards the maximum of 45 school days permitted in any school year (see 4.1 above).

A permanent exclusion cannot be cancelled if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the cancellation takes effect.

## 5. Re-instatement

The committee considering the suspension or permanent exclusion of a pupil from school will consist of at least three Governors.

The Governing Body (or Board) has a duty to consider parents' representations about a suspension or permanent exclusion but does not have the power to decide whether to reinstate the pupil in all cases.

The requirements on a Governing Body/Board of Trustees to consider the reinstatement of a suspended or permanently excluded pupil depend upon a number of factors, summarised below (based on Part Seven of the DfE's statutory guidance 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Including Pupil Movement', May 2026).

### Summary of the Governing Body's/Board of Trustees' duties to consider reinstatement

| Question                                                                                                                                                              | If yes                                                                                                                                                                                                                                                        | If no                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Is it a permanent exclusion?                                                                                                                                       | The Governing Body must convene a meeting to consider reinstatement within 15 school days of receiving notice of the exclusion.                                                                                                                               | Go to question 2.                                                                                                                          |
| 2. Is it a suspension that, alone or with previous exclusions, takes the pupil's total days out of school above 15 for the term (including totals such as 15.5 days)? | The Governing Body must convene a meeting to consider reinstatement within 15 school days of receiving notice of the suspension.                                                                                                                              | Go to question 3.                                                                                                                          |
| 3. Will the suspension or permanent exclusion result in the pupil missing a public exam or national curriculum test?                                                  | The Governing Body must convene a meeting to consider reinstatement within 15 school days, and must take reasonable steps to meet before the date of the exam. If this is not practical, the Chair of Governors may consider the pupil's reinstatement alone. | Go to question 4.                                                                                                                          |
| 4. Will the suspension(s) take the pupil's total school days out of school above 5 but less than 16 for the term?                                                     | Go to question 5.                                                                                                                                                                                                                                             | The Governing Body 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?                                                                                                                               | The Governing Body must convene a meeting to consider reinstatement within                                                                                                                                                                                    | The Governing Body is not required to consider the suspension and does not have                                                            |

|  |                                                       |                                             |
|--|-------------------------------------------------------|---------------------------------------------|
|  | 50 school days of receiving notice of the suspension. | the power to decide to reinstate the pupil. |
|--|-------------------------------------------------------|---------------------------------------------|

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, Governors will consider and decide on the suspension or permanent exclusion before the date of the examination or test where possible. If it is not practical for enough Governors to consider the reinstatement before the examination or test, the Chair of Governors alone (or vice chair if the chair is unavailable) may consider the suspension or permanent exclusion and decide whether or not to reinstate the pupil.

In the case of a suspension which does not bring the pupil's total number of days of suspension to more than five in a term, the Governing Body/Board of Trustees will consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents. If a meeting is considered, it should happen within a reasonable amount of time.

We will make the pupil and/or their parents aware of their right to attend and participate in the Governors' meeting. The pupil will also be enabled and encouraged to participate at all stages of the process, considering their age and understanding, including to make a representation on their own behalf if they want to.

The following parties will be invited to a meeting of Governors to make representations or share information: parents (and, where requested, a representative or friend); the pupil if they are 18 years or over; the Head teacher; a representative of the Local Authority; the child's social worker if the pupil has one; and the VSH if the child is 'cared-for' by the LA.

Governors/Trustees will either decline to reinstate the pupil or direct reinstatement of the pupil immediately or on a particular date.

If Governors/Trustees decide against the reinstatement of a pupil who has been permanently excluded, the parents can ask for the decision to be reviewed by an Independent Review Panel (IRP), which will include representatives from the Governing Body/Board of Trustees. Parents can request an IRP even if they did not make representations to or attend the meeting at which the Governing Board considered reinstating the pupil.

If a reinstatement meeting would make no practical difference because, for example, the pupil has already returned to school following the expiry of a suspension or the parents make clear they do not want their child reinstated, the Governing Body/Board of Trustees will still meet to consider whether the pupil should or would have been officially allowed back into the school. Ideally, a reinstatement meeting should happen as soon as possible and before the pupil is back in school.

## 6. Appealing to an Independent Review Panel (IRP)

If applied for by parents within the legal time frame and regardless of whether they have made any representation to school, our Local Authority/Academy Trust will, at their/our expense, arrange for an Independent Review Panel hearing to review the decision of a Governing Body/Board of Trustees not to reinstate a permanently excluded pupil. IRPs can be held via the use of remote access (e.g. via live video link) if requested by parents (if the pupil is under the age of 18) or by the excluded pupil if aged 18 or over, due to extraordinary events or unforeseen circumstances, but this will not be the default option.

The legal time frame for an application is: within 15 school days of notice being given to parents by the Governing Body/Board of Trustees of their decision to uphold a permanent exclusion; or, where an application has not been made within this time frame, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 in relation to the exclusion.

Any application made outside of the legal time frame will be rejected by the Local Authority/Academy Trust.

The Local Authority/Academy Trust will identify a date for the review that all parties, and any SEN expert appointed to give advice in person, are able to attend. However, the review must begin within 15 school days of the day on which a parent's application for a review was made (panels have the power to adjourn a hearing if required). The venue should also be reasonably accessible to everyone who needs to attend.

Parents have a right to request the attendance of a SEN or SEND expert (SENDIAS service) at a review, regardless of whether the school recognises that their child has SEN or a disability. This person is paid for by the Local Authority/Academy Trust and their role is to provide impartial advice to the panel on how special educational needs or disability might be relevant to the exclusion, for example, whether the school acted reasonably in relation to its legal duties when excluding the pupil. Every exclusion letter should include details of the local SENDIAS service.

The meeting will be held in private unless the Local Authority/Academy Trust directs otherwise, and can be adjourned at any time and more than once, providing the effect of an adjournment on the parties to the review, the permanently excluded pupil and their parents, and any victim(s), has been considered.

Where the issues raised by two or more applications for review are the same, or connected, the panel may combine the reviews if, after consultation with all parties, there are no objections.

In reviewing the decision, the panel must consider the interests and circumstances of the permanently excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school. The panel must also apply the civil standard of proof rather than the criminal standard.

Following its review, the panel can decide to: uphold the Governing Body's/Board of Trustees' decision not to reinstate; recommend that the Governing Body/Board of Trustees reconsiders reinstatement; or quash the Governing Body's/Board of Trustees' decision and direct that it reconsiders reinstatement.

The IRP's decision is binding on the pupil, parents, Governing Board, Head teacher, and Local Authority. The decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied vote, the chair has the casting vote.

The panel may only quash our Governing Body's/Board of Trustees' decision not to reinstate if it considers that the decision was flawed when considered in the light of the principles applicable to an application for judicial review, as set out in the DfE's statutory guidance.

New evidence may be presented to the panel, but we, the school, may not introduce new reasons for the permanent exclusion or the decision not to reinstate the pupil.

In deciding whether the Governing Body's/Board of Trustees' decision was flawed, and whether to quash the decision not to reinstate, the panel will only take account of the evidence that was available to the Governing Body/Board of Trustees at the time of making its decision not to reinstate. This includes any evidence that the panel considers would, or should, have been available to the Governing Body/Board of Trustees 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 Body/Board of Trustees to have been aware of at the time of its decision, the panel can still take account of the evidence when deciding whether to recommend that Governors/Trustees reconsider reinstatement.

## **7. Requests for remote access meetings for Governing Body/Board meetings or IRPs**

Parents (if the pupil is under 18) or excluded pupils (if they are aged 18 years or older) can request a meeting to be held via the use of remote access (e.g. video link), but this will not be a default option. The Governing Body/Board or arranging authority must hold the meeting via the use of remote access if the request has been made correctly as set out in the Head teacher's written notification (described in 4.1 above) or the Governing Body/Board's written notification to the parents that they can request an IRP (described in Section 6 above). Holding meetings via remote access will only be done if the Governing Body/Board or arranging authority is satisfied that the meeting is capable of being held fairly and transparently. Further advice and guidance is provided in Part Eleven of the DfE statutory guidance.

## **8. Safeguarding**

If there is an ongoing safeguarding investigation (whether that includes a criminal investigation or not) that may result in the permanent exclusion of a pupil or if a pupil has been reinstated following a Governing Body/Board's review, important decisions will need to be made alongside the school's duty to safeguard and support children and our duty to provide an education. As part of this duty, we will have regard to guidance issued by the DfE outlined in the statutory guidance Keeping Children Safe in Education, and in particular, Part 5 which deals with cases of sexual violence and child-on-child abuse.

This Policy should also be read alongside Section 4.2 (Separation of pupils for safeguarding purposes) above, which sets out our approach to the rare occasions where a pupil is temporarily kept from school premises for safeguarding reasons rather than as a disciplinary sanction.

## **9. Reintegration**

We will support pupils to reintegrate successfully into school life and full-time education following a suspension, a period of off-site direction, a period of separation for safeguarding purposes, or where suspensions have ended or been cancelled or where permanent exclusions have been cancelled. We will work to provide them with a fresh start designed to help them understand the impact of their behaviour on themselves and others; teach them how to meet the high expectations of behaviour in line with the school culture; foster a renewed sense of belonging within the school community; and build engagement with learning.

Measures might include:

- maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;
- daily contact with a designated pastoral professional in-school;
- use of a report card with personalised targets leading to personalised rewards;
- ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress;
- planned pastoral interventions;
- mentoring by a trusted adult or a local mentoring charity;
- regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;
- informing the pupil, parents, and staff of potential external support.

Our reintegration strategy will be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school and, where possible, this meeting should include the pupil's parents. No pupil will be prevented from returning to school if parents are unable or unwilling to attend.

Where the reintegration strategy includes the use of a part-time timetable, this will not be used to manage a pupil's behaviour and will only be in place for the shortest time necessary, with any pastoral support having a time limit by which point the pupil is expected to attend full-time education. We will introduce formal arrangements for regularly reviewing a part-time timetable with the pupil and their parents. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and will take the appropriate steps for a leave of absence.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties, including to identify if the pupil has any SEND and/or health needs.

## **10. Suspension or exclusion of a child who has special educational needs or disabilities (SEND)**

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can apply to both the suspension and permanent exclusion process and to disciplinary sanctions imposed. Under the Children and Families Act 2014, Governors/Trustees must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEND, which includes support in relation to behaviour management needed because of their SEND.

This school is committed to working proactively with parents in supporting the behaviour of pupils with additional needs. In partnership with others (including the Local Authority where appropriate and always when a pupil has an EHCP), we will consider what additional support or alternative placement may be required.

This process will involve assessing the suitability of provision for a pupil's SEN or disability and, when an EHCP is in place, we will contact the Local Authority about any behavioural concerns at an early stage and consider requesting an early annual review of the EHCP before making the decision to suspend or permanently exclude the pupil.

For those with SEN but without an EHCP, we will review, with external specialists as appropriate, whether the current support arrangements are appropriate and what changes may be required. This may trigger an EHCP assessment or a review of the pupil's current package of support.

## **11. Marking attendance registers and off-rolling pupils**

Any exclusion of a pupil, even for short periods, will be formally recorded. When a pupil is suspended, they will be marked as absent from this school using Code E (excluded but no alternative provision made) for up to 5 days of a period of suspension.

Where alternative provision is made by the school, and pupils attend it, they will be marked as absent from this school using Code B (Approved educational activity). Where education provision is arranged by the LA, Code K should be used. Code D (dual registration) is used to indicate that a pupil is absent with leave to attend another setting where they are also registered, including for a pupil on an off-site direction (see Section 4.3).

We will ensure that no unlawful exclusion of a pupil which leads to the deletion of a pupil's name from the register (off-rolling) takes place, and the formal exclusion process will be followed.

Examples of off-rolling include (but are not limited to):

- exercising undue influence over a parent to remove their child from the school under the threat of a permanent exclusion, including by encouraging Elective Home Education or a move to another school;
- moving a pupil to off-site Alternative Provision where this is not in the pupil's best interests;
- encouraging a post-16 student not to continue their course of study when this is against their best interests;
- sending a pupil home without a formal suspension, regardless of whether this occurs with the agreement of parents;
- placing a pupil on a part-time timetable for behavioural reasons;
- intentionally removing a pupil from the school roll without correctly following the regulations.

The Governing Body/Board of Trustees will ensure that a pupil's name is removed from our school admission register in accordance with the School Attendance (Pupil Registration) (England) Regulations (and make the appropriate return to the Local Authority about it) if: 15 school days have passed since the parents were notified of the Governing Board's decision not to reinstate the pupil and no application has been made for an IRP; or the parents have stated in writing that they will not be applying for an IRP.

The Governing Body/Board of Trustees will regularly review suspensions and permanent exclusions, those taken off roll, those on the school admission register but attending education off-site, and any separation of pupils for safeguarding purposes, to ensure that pupil movement of every kind is used only when necessary and as a last resort.

## **12. Making a complaint**

Parents who want to make a complaint about their child's suspension or permanent exclusion should follow our school complaints procedure, starting at the Formal Stage 2 by writing to Governors.

This is because actions that are equivalent to the informal stage of our complaints procedure and the Formal Stage 1 will already have happened during our ordinary suspension and exclusion process. Therefore, the complaint can go straight to Governors/Trustees for their consideration, based on the nature of the complaint and their examination of the established evidence from the completed suspension and exclusion process.

## **13. References**

The following documents have been used as references and must be read in conjunction with this Policy:

- DfE 'Suspension and Permanent Exclusion from Maintained Schools, Academies and Pupil Referral Units in England, Including Pupil Movement' (26 May 2026, in force from 26 July 2026)
- The Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026
- DfE Behaviour in Schools guidance and advice
- DfE Keeping Children Safe in Education statutory guidance

- DfE Working together to improve school attendance statutory guidance
- DfE Mental health and behaviour in schools non-statutory advice
- The School Admissions Code