South East Essex Academy Trust

SEEAT Suspensions and Permanent Exclusions Policy 2026

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1. Introduction

Good behaviour in schools is integral to ensuring that all pupils benefit from the opportunities provided by education. Therefore, the government recognises that school suspensions, exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities.

For the vast majority of pupils, suspensions and permanent exclusions will not be necessary, as other strategies can be used to manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and staff are protected from disruption and can learn in safe, calm and supportive environments. Exclusion is an extreme sanction and will be avoided wherever possible. In the majority of cases, pupils demonstrating unacceptable behaviour will be sanctioned appropriately in line with the individual schools Behaviour Policy and the Trusts Behaviour for Learning Guiding Principles. By this means, pupils whose behaviour transgresses the standards of the school will be held to account for their actions, but their work will suffer less than if they were excluded from school.

This policy operates alongside the schools Behaviour Policy and has regard to DfE guidance Restrictive interventions, including use of reasonable force, in schools (2026). Any use of restrictive intervention is a safety response and not a disciplinary sanction.

This policy has also been written with regard to the Department for Education's statutory guidance in respect of Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, July 2026 (the "**Guidance**").

Equal Opportunities

South East Essex Academy Trust recognises that it is unlawful to discriminate on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation, and the Trust takes into account its obligations in considering pupil suspensions and exclusions. The Trust monitors suspension and exclusion data by pupil group (e.g. SEND, gender, ethnicity, disadvantage, looked after) to ensure sanctions are not being applied disproportionately.

2. Aims

This policy deals with the policy and practice which informs the use of exclusion by the schools in The South East Essex Academy Trust (SEEAT). It is underpinned by the shared commitment of all members of the school community to achieve two important aims:

- Ensure the safety and well-being of all members of the Trust's community, and to maintain an appropriate educational environment in which all can learn and succeed; and
- Reduce the need to use exclusion as a sanction. We are committed to following all statutory exclusions procedures to ensure that every child receives an education in a safe and caring environment.

Our schools aim to:

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

3. Definitions

Internal Isolation

Internal isolation is when a student is excluded from the rest of the school and must work away from their class for a fixed amount of time. This will often be in a different part of the school. Internal isolation is a discretionary measure, where a pupil's behaviour is escalating and more serious measures need to be taken, but there are not yet grounds for a suspension or exclusion. Typically, a child receiving a consequence of this level should be receiving additional support for their behaviour, intended to help them avoid their behaviour escalating to a point where a suspension is necessary. Internal isolation is not a suspension and does not engage in statutory exclusion processes.
Internal isolation will be used reasonably and proportionately. It will be time-limited and supervised, and pupils will continue to access education and appropriate welfare support.

Suspension

Suspension is a fixed period of exclusion (from here on referred to as a suspension) when a pupil is temporarily removed from school for a fixed period. It is a serious sanction for a breach or repeated breaches of the school's behaviour policy and an essential behaviour management tool.

The length of a suspension will depend upon several factors, such as the severity of the incident, and the likely impact on the child's learning and ability to succeed on returning to school. Such decisions will be made in the best interests of the child and their peers, whilst also mindful of the need to reinforce the rules and expectations of the school in a clear and consistent way. A suspension should be for the shortest time necessary to ensure minimal disruption to the child's education, whilst mindful of the seriousness of the breach of policy. A pupil may be suspended for one or more fixed periods (up to a maximum of 45 school days in a single academic year). A suspension does not have to be for a continuous period. A lunchtime suspension counts as a half school day Lunchtime suspensions must only be used where proportionate, and alternative arrangements (such as supervised lunch provision) should be considered first.

The school will comply with all statutory requirements as set out in the Guidance.

The Guidance makes clear that any decision to suspend will be the decision of the headteacher.

Permanent Exclusion

A permanent exclusion is when a pupil is no longer allowed to attend school (unless they are reinstated). They will be removed from the school roll.

Any decision of a headteacher, including the decision to suspend or permanently exclude a pupil, must be made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair; and proportionate.

A pupil may only be permanently excluded for the following reasons:

● a single serious breach or persistent breaches of the school's behaviour policy; and

● where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school (staff, pupils, volunteers and visitors).

The Guidance makes clear that any decision to permanently exclude will be the decision of the headteacher.

This may be following consultation with other members of the senior leadership team (particularly if they were involved in investigating the incident) and a member of the Education Executive. The civil standard of proof must be applied, i.e., 'on the balance of probabilities,' rather than the legal standard of 'beyond reasonable doubt.'

The physical and emotional health of our children and staff is our primary concern, and we therefore accept that in some serious situations permanent exclusion may be necessary if all other strategies have been exhausted.

It is the measure of last resort.

Off-site Direction (OSD)

An off-site direction is where a school requires a pupil to attend another education setting temporarily to improve behaviour or engagement with education. It is an intervention to prevent permanent exclusion.

Managed Move

A managed move is when a pupil is transferred to another school. All parties, including parents and the admission authority for the new school, should consent before a managed move occurs. A 'managed move' may be proposed and organisedwith the agreement of school leaders and parents/carers. It is an intervention to prevent permanent exclusion.

4. What happens when a pupil's behaviour is becoming a concern?

Safeguarding considerations

Before deciding to suspend or permanently exclude a pupil, any safeguarding risks and the impact on the pupil's welfare and safety will be considered by the headteacher. In cases where parents will not comply by, for example, refusing to collect the child during the school day, the child's welfare is the priority. In this situation, depending on the reason for the suspension or exclusion, the school may consider an internal isolation until the end of the day, implementing the original suspension or exclusion decision from the time the child is collected from school, or, in more serious circumstances, the school may contact Social Care and/or the Police to safely take the pupil off site. If a behavioural incident also involves safeguarding issues, the school must have regard to Keeping Children Safe in Education, particularly Part 5 (child-on-child sexual violence and sexual harassment). The Designated Safeguarding Lead should take a leading role in any decisions relating to a suspension or permanent exclusion, or the pupil's reintegration, seeking the support of other agencies, and undertaking risk assessments as appropriate. Consideration will be given where behaviour may be linked to safeguarding concerns, criminal exploitation, child sexual exploitation, county lines activity, coercion, grooming, online abuse, trauma or unmet welfare needs. Schools will ensure safeguarding concerns are investigated alongside behavioural incidents, and that exclusion is not used in place of appropriate safeguarding intervention.

Persistent or Accumulative problems

Internal isolation and suspension may be used in response to persistent poor behaviour which breaches school rules and policies. A suspension, where a pupil is temporarily removed from the school, is an essential behaviour management tool that should be set out within a school's behaviour policy.

Where suspensions are becoming a regular occurrence for a pupil, the school should consider whether suspension alone is an effective sanction for the pupil and whether additional strategies need to be put in place to address behaviour. Referrals may also be made to external agencies who may be able to support the pupil, family or school.

Consideration should be given to unidentified SEND needs that may be contributing to the behaviour e.g., difficulties with accessing the learning, sensory needs.

Support First and Early Help

Before considering suspension or permanent exclusion, schools will, wherever possible, take a graduated and supportive approach to addressing behaviour concerns. This may include pastoral support, early help assessment, attendance support, behaviour intervention plans, SEND assessment, reasonable adjustments, mentoring, family engagement, multi-agency working and referrals to external services. Suspension or permanent exclusion will normally only be considered where these measures have not been successful, are inappropriate due to the seriousness of the incident, or where immediate action is necessary to protect the welfare of others.

Behaviour outside of school

Schools have the power to sanction pupils for misbehaviour outside of the school premises to such an extent as is reasonable. The school behaviour policy describes how the school will respond to poor behaviour and bullying which occurs off the school premises or online, and where appropriate this could include suspension or permanent exclusion. Behaviour occurring online, including the misuse of artificial intelligence, AI-generated imagery, manipulated images, online harassment, sexual harassment, bullying and abusive communications, may result in school sanctions, including suspension or permanent exclusion, where the behaviour has an impact on the welfare of pupils or the orderly running of the school.

Pupils with Special Educational Needs and Disabilities (SEND)

The school must take account of SEND when considering whether they will suspend or permanently exclude a pupil. The headteacher should ensure that any reasonable adjustments, in line with the Equality Act 2010 have been considered and implemented where appropriate, so the pupil is not treated less favourably for reasons related to the disability.

If a pupil has an EHCP, contact should be made with the Local Authority who issue the EHCP about behavioural concerns, and consideration should be given to requesting an early annual review, prior to any decision to suspend or permanently exclude.

Evidence of early intervention or multi-disciplinary input being called upon to demonstrate that permanent exclusion is a last resort is essential for pupils with additional needs.

Other vulnerable pupils

Where a pupil has a social worker, because they are the subject of a Child in Need Plan or a Child Protection Plan, and they are at risk of suspension or permanent exclusion, the headteacher should inform their social worker, the Designated Safeguarding Lead (DSL) and the pupil's parents to involve them all as early as possible in relevant conversations.

Where a looked-after child (LAC) is likely to be subject to a suspension or permanent exclusion, the Designated Teacher (DT) should contact the local authority Virtual School HeadTeacher (VSH) as soon as possible. The VSH, working with the DT and others, should consider what additional assessment and support need to be put in place to help the school address the factors affecting the child's behaviour and reduce the need for suspension or permanent exclusion. Where relevant, the school should also engage with a child's social worker, foster carers, or home workers.

All looked-after children should have a Personal Education Plan (PEP) which is part of the child's care plan. This should be reviewed every term and any concerns about the pupil's behaviour should be recorded, as well as how the pupil is being supported to improve their behaviour and reduce the likelihood of exclusion. Monitoring of PEPs can be an effective way for VSHs to check on this.

5. Roles and responsibilities - the Headteacher

Deciding whether to suspend or exclude

The decision to exclude a student permanently is a serious one and will never be taken lightly; each case will be considered on its own merits.

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

Restrictive interventions including any use of reasonable force are not disciplinary sanctions. Where an incident includes the use of restrictive intervention or reasonable force, the headteacher will ensure that this not treated as a disciplinary sanction. Consideration will be given to regulation, SEND needs, de-escalation attempts, and whether exclusion is a proportionate response.

Making the decision to suspend a pupil

If the headteacher is considering suspending a pupil, before making that decision, he/she will:

● consult with Chief Education Officer regarding the lawfulness, reasonableness, fairness and proportionality of the proposed suspension

● ensure that there is sufficient recorded evidence to support the decision (the suspension and exclusion checklist may be used for this purpose) and evidence that alternative options were considered;

● ensure that the pupil has an opportunity to discuss the allegation or incident with the senior staff member appointed to investigate the situation, with support to express their views as appropriate e.g. a familiar adult present, use of augmented or other preferred alternative communication;

● consider any contributing factors (see Behaviour in Schools page 16) or provocation;

● ensure that the record of suspensions is reviewed so that the school is aware if the suspensions would breach the 45 days of suspension rule.

If the headteacher decides to suspend a pupil, he/she will:

● explain the decision to the pupil appropriately, if the pupil is in a state of mind to listen to the decision;

● contact the parents by telephone at the earliest opportunity, explain the decision and ask that the child be collected (if the parents cannot collect their child until the end of the day, an internal isolation should be considered ahead of the suspension);

● notify the LA regardless of the length of the suspension without delay;

● send a letter to the parents, without delay, setting out the matters set out under the section heading 'Informing parents and guardians;'

● ensure that any social workers or the Virtual School Head are advised if the child is in receipt of these services, without delay;

● ensure that appropriate work is set and that arrangements are in place for it to be returned and marked;

● plan how to address the pupil's needs and integration back into school/class on their return;

● plan a meeting with parents and the pupil on his/her return to be conducted by a suitable senior member of staff (pupils must not be prevented from returning to class if parents cannot attend a reintegration meeting);

● ensure accurate recording of the suspension on the register/ suspensions log/ behaviour records and any Local Authority reporting systems (recording of suspensions should mirror the register, for example, a pupil suspended in the morning and missing afternoon registration is recorded as a half day suspension);

● from the sixth school day of any suspension the school arrange suitable full-time education;

Note: Complete the Suspension and Exclusion Checklist in Appendix 1 and include it with other exclusion and suspensions record keeping.

Making the decision to permanently exclude a pupil

If the headteacher is considering permanently excluding a pupil, before making that decision he/she will:

● consult with the Chief Education Officer regarding the lawfulness, reasonableness, fairness and proportionality of the proposed permanent exclusion;

● ensure that there is sufficient recorded evidence to support the decision by appointing a senior leader to investigate the incident and considering all evidence available, (the suspension and exclusion checklist may be used for this purpose) and evidence that alternative options were considered;

● ensure that where appropriate the pupil has an opportunity to discuss the allegation or incident with the senior staff member appointed to investigate the situation, with support to express their views as appropriate e.g. a familiar adult present, use of alternative communication system in keeping with the needs of the pupil;

● consider any contributing factors (see Behaviour in Schools page 16) or provocation; If the headteacher decides to permanently exclude a pupil, he/she must:

- inform the parents, Local Governing Body and Local Authority, the Chief Education Officer, and where appropriate the pupil's social worker and/or Virtual School Head, without delay, clearly setting out the reasons for the exclusion, and;
- send a letter to the parents, without delay, setting out the matters set out under the section heading 'Informing parents and guardians':

● provide up-to-date links to sources of impartial advice for parents and information about the parents' right to make representations to the Local Governing Board Pupil Discipline Committee and, where applicable, request an Independent Review Panel

● ensure that the pupil receives work for the first five days of the permanent exclusion (from Day 6 it is the responsibility of the Local Authority where the child lives to arrange education);

● ensure that the Clerk to the governing body is made aware of any request to appeal the permanent exclusion.

The Local Authority has a duty to record all suspensions and permanent exclusions, and as such, the headteacher must ensure that local reporting procedures are followed.

Informing parents and guardians

If a pupil is at risk of suspension or exclusion the headteacher will inform the parents as early as possible, to work 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' right to make representations about the suspension or permanent exclusion to the governing board and how the pupil may be involved in this
- How any representations should be made

- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a pupil, and that parents (or the pupil if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend;
    - parents' (or an excluded pupil if they are 18 years or older) right to make a request to hold any such meeting via the use of remote access and how and to whom to make this request

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 a 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, where it can reasonably be found out within the timescale:

- 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

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and no later than 48 hours before the provision is due to start.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the school reserves the right to provide the information with less than 48 hours' notice, with parents' consent.

Cancelling exclusions

The headteacher has the right to withdraw, or cancel, an exclusion that has not yet been reviewed by the governing body. If the headteacher withdraws (cancels) an exclusion before the governing body has met to consider reinstatement, they must without delay notify in writing:

- the parents
- the local governing body
- The local authority;
- and where appropriate, the pupil's social worker and/or Virtual School Head.

The notification must include the reason for the cancellation. Parents will be offered the opportunity to meet with the headteacher to discuss the cancellation.

Any days spent out of school before cancellation still count towards the statutory 45-day suspension limit.

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.

Notifying those within the governance structure

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

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of 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 or public exam.

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the pupil is not attending alternative provision (AP), the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. 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 should 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.

5.1 Roles and responsibilities - the Local Governing Board

The governing body's duty to consider an excluded pupil's reinstatement

Permanent exclusion or where a total number of days is greater than 15 in a term.

For the purposes of this policy, decisions relating to reinstatement are delegated by the Trust's governance structure to the Local Governing Board Pupil Discipline Committee (the committee). The committee must consider and decide whether to reinstate a suspended or permanently excluded pupil within 15 school days of receiving notification from the Headteacher where:

- the exclusion is a permanent exclusion
- the suspension would bring the pupil's total number of school days of suspension to more than 15 in a term; or
- the suspension or permanent exclusion would result in the pupil missing a public examination or National Curriculum test.

Suspensions of more than five days but less than 15 in a term

If a suspension would result in a pupil being excluded for more than five but no more than 15 days in a term and the parents make representations, the committee must meet within 50 school days of receiving the notice of suspension and decide whether the suspended pupil should be reinstated.

In the absence of any representations, the committee is not required to meet and cannot direct the reinstatement of the pupil.

Public examinations or national curriculum tests

Where a suspension or permanent exclusion would result in a pupil missing a public examination or national curriculum test, there is a further requirement for the committee. It must, as far as it is reasonably practicable, consider and decide on the suspension or permanent exclusion before the date of the examination or test.

Suspensions less, or no more than, five days in a term

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 committee must consider any representations made by parents, but it cannot direct reinstatement and is not required to arrange a meeting with parents.

Panel Meetings

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

● parents (and, where requested, a representative or friend);

● the pupil if they are 18 years or older;

● the headteacher;

● the child's social worker if the pupil has one; and

● the VSH if the child is looked after.

The parent can request that a representative of the local authority attend as an observer. However, there is no obligation to agree to this request and such an observer can only make representations if the governing body consents).

Meetings should be in person. 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, but this should not be a default option. Governing bodies must hold the meeting via the use of remote access, if the request has been made correctly.

Where legally required to consider reinstating a suspended or permanently excluded pupil, the committee must notify parents, the headteacher, and where relevant, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay. Where the pupil resides in a different Local Authority from the one in which the school is located, the committee` must also inform the pupil's home authority.

In the case of a permanent exclusion where the committee decides not to reinstate the pupil, the committee must write a notification letter to the parents and provide notice of the parents' right to have the decision reviewed by an Independent Review Panel. The letter must contain all the information outlined in sections 151, and 156 to 159 of the Guidance.

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Procedure for appeal against a permanent exclusion

The notification letter provided will provide information on the Independent Review Panel (IRP) process. Notification must be made by the parents within 15 school days of the notice from the committee of the decision not to reverse the permanent exclusion.

Independent Review Panel Stage

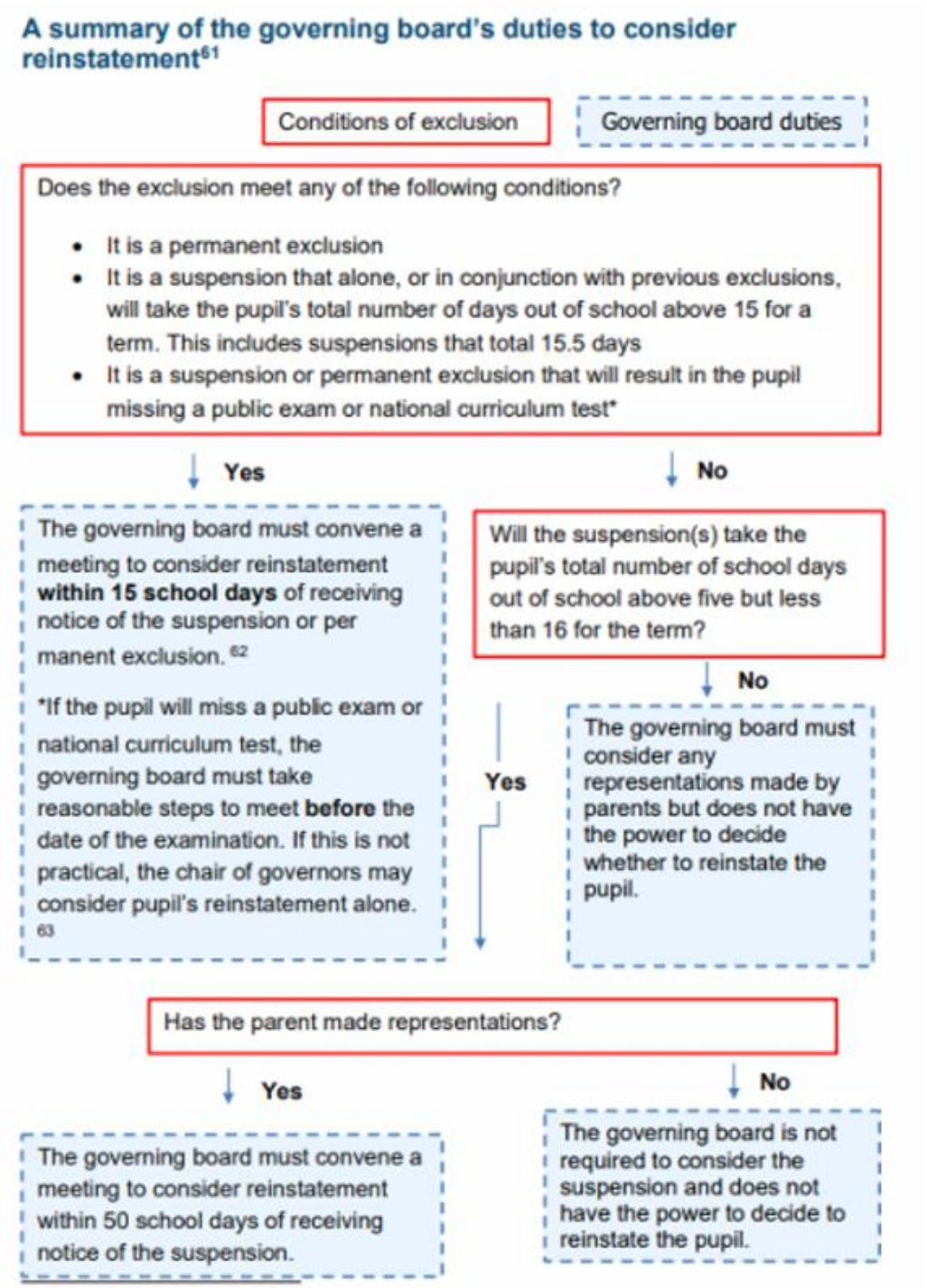
An IRP can decide:

● to uphold the decision of the committee

● to quash the committee's decision and direct that them to reconsider reinstatement

● to recommend the committee of governor's reconsiders reinstatement.

6. Summary Flow Chart – Governing Board's Duties to Consider Reinstatement



7. What happens during and after suspension?

Provision of schoolwork for a suspended pupil

It is important that during a suspension, pupils still receive their education. The headteacher should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension or exclusion. This can include utilising any online pathways. Whilst the statutory duty is to arrange full-time education from the sixth school day of a suspension there is an obvious benefit to the pupil in starting this provision as soon as possible.

In the case of a looked-after child or child with a social worker, the school and the Local Authority should work together to arrange alternative provision from the first day following the suspension or permanent exclusion. From the sixth school day of any suspension, the school must arrange suitable full-time education. This may be provided at:

● another local school

● a Pupil Referral Unit (PRU)

● an approved alternative provision provider.

The provision must be full-time, appropriate to the pupil's age, ability and needs, and regularly monitored for quality and safeguarding purposes.

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 because of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods. Re-integration before returning from a suspension or cancelled exclusion.

Re-integration before returning from a suspension or cancelled exclusion

Before or at the beginning of the pupil's return to school from a suspension (or a cancelled exclusion), the school will hold a reintegration meeting with the pupil and where possible their parents. This meeting will:

● communicate that the pupil is valued and welcomed back and that their previous behaviour should not be seen as an obstacle to future success;

● review the reasons for the suspension and set strategies for improvement;

● offer support and, if appropriate, targeted interventions to the pupil and family as appropriate. *NB: Pupils must not be prevented from returning to class if parents cannot attend a reintegration meeting.*

returning to class if parents cannot attend a reintegration meeting.

8. What arrangements can be made as an alternative to suspension or permanent exclusion?

Off-site direction

SEEAT may, under the Education Act 2002, as amended by the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026, arrange off-site provision for a pupil at another education setting.

Its rights and duties in this regard are delegated to headteachers and Local Governing Bodies at individual schools, as set out below, though SEEAT remains the ultimate duty holder.

Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time-limited placements at an alternative provision, or another mainstream school. During the off-site direction to another school, the pupil must be dual registered and coded with code D. A proposed maximum period should be discussed and agreed upon as part of the planning phase for an off-site direction. As part of planning, alternative options should be considered once the time limit has been reached, including a managed move on a permanent basis (if a pupil is placed in a mainstream school) upon review of the time limited placement.

Prior to proposing an off-site direction, The headteacher must be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi agency support or any statutory assessments.

With regard to any off-site directions issued prior to 26 July 2026, SEEAT will comply with the requirements set out in paragraphs 55 to 57 of the Guidance.

Making the decision to give an off-site direction.

- If the headteacher decides to direct a pupil off-site they will:
- ensure that there is sufficient recorded evidence to support the decision;
- obtain approval from the Local Governing Body;
- ensure that parents and (if the pupil has an EHCP) the Local Authority are notified in writing and provided with information about the placement as soon as practicable after the direction has been made, and no later than two school days before the relevant day, and that notice must include the information required by paragraph 45 of the Guidance;
- ensure that review meetings are held by the Local Governing Body, and are planned for at such intervals as are appropriate for the needs of the child during the off-site direction or sooner in response to a compliant request from parents, and in accordance with paragraphs 46 to 51 of the Guidance;
- ensure that the pupil is supported with reintegration should the off-site direction be terminated.

Local Governing Bodies and SEEAT trustees will take steps to:

- Understand how off-site direction is being used
- Monitor patterns, frequency and equity
- Ensure it is not being used as an informal or unlawful exclusion
- Ensure they are satisfied that safeguarding is secure and educationally appropriate.

The procedure for reviewing Off-Site Directions is detailed in the schools' behaviour policy.

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 should be voluntary, offered as part of a planned intervention and agreed with all parties involved (including the parents and the admission authority of the new school). Managed moves should only occur when it is in the pupil's best interests.

Once a pupil undergoes a managed move, the pupil moves permanently from the original school to the new school, and the pupil's name should be deleted from the original school's admission register and added to the admission register of the new school. Where a managed move follows a period of off-site direction, the pupil will already have been registered at the school where they are receiving education off-site; in these circumstances, the deletion from the original school's register only takes place when the move becomes permanent. The pupil should be registered at one school only.

Where a pupil has an EHC plan, the relevant statutory duties on the new school and local authority will apply. If the current school is contemplating a managed move, it should contact the authority prior to the managed move. If the local authority, both schools and parents are in agreement that there should be a managed move, the local authority will need to follow the statutory procedures for amending a plan.

The original school and the new school should ensure that the managed move has been preceded by all relevant information sharing between the original school, the new school and local authority as appropriate, including, data on prior and current attainment, academic potential, a current risk assessment, and advice on effective ongoing risk management and/or other pupil support strategies.

Prior to any managed move, the original school should be able to evidence that appropriate initial intervention has been carried out, including, where relevant, multi-agency support or any statutory assessments. It is also critical for

information sharing to take place between the original and new school in all circumstances and in advance of the managed move to ensure the pupil is protected.

If a parent believes that they are being pressured into a managed move or is unhappy with a proposed managed move, they can take up the issue through the school's formal complaints procedure with the governing board and, where appropriate, the local authority. Ofsted will consider any evidence found of a parent being pressured into a managed move that has resulted in off-rolling. Where inspectors find evidence of bad practice, the school's report card and leadership and governance evaluation may be negatively impacted.

A pupil must not be permanently excluded because of their parent's (and/or pupil's where appropriate) refusal to agree a managed move. It is unlawful to exclude a pupil for a non-disciplinary reason. If a parent takes the view their child should move to a new school and the original school does not consider that a managed move is appropriate, it is open to the parents (and/or pupil where appropriate) to apply for a new school place by making an in-year application. The admission authority of the new school (or the local authority if it is coordinating in-year admissions), must process the application in accordance with its own in-year admission arrangements.

Any move from one school to another must comply with the statutory School Admissions Code (unless the pupil has an Education Health and Care Plan) as well as The School Attendance (Pupil Registration) (England) Regulations 2024

Where an in-year application is made, including where it is part of a managed move, the admission authority must allocate a place in accordance with its oversubscription criteria. This means a pupil undergoing a managed move must not be admitted ahead of pupils on a waiting list, where the school is operating one, unless the child meets the 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. Where it is helpful, discussions about children to be placed by the FAP may be combined with discussions about potential managed moves for children not eligible for the FAP. However, only prescribed categories of children (set out in paragraph 3.17 of the School Admissions Code) can be placed via the FAP. Children not eligible for the FAP can only be allocated a place at a school in accordance with its published admission arrangements.

Separation of pupils for safeguarding and other reasons

In certain circumstances, a school can temporarily forbid a pupil from attending its premises, for example, due to an allegation of harm by one pupil against another which might require physically separating a pupil from one or other pupils. In this scenario, the local authority must arrange education for the pupil if the school itself or the pupil's parent does not do so. This is not an exclusion on disciplinary grounds.

The school should inform parents of the reason why the pupil has been temporarily forbidden from attending its premises and in conjunction with the designated safeguarding lead (or a deputy). The governing board should also be notified without delay and ensure this is used for rare circumstances and only when separating pupils is essential and cannot practicably be done in a way that lets one or more pupils remain on school premises.

This will only be appropriate if the school can demonstrate that it cannot manage the risk on site.

In such case, the school must follow paragraphs 26 to 29 of the Guidance.

As part of its wider health and safety obligations, the school may also require a pupil to remain at home or be collected during the school day if the pupil has an infectious illness.

A pupil cannot be 'sent home' to cool off or for other reasons, including poor behaviour. An informal or unofficial exclusion, such as sending a pupil home 'to cool off' is unlawful when it does not follow the formal school exclusion process and regardless of whether it occurs with the agreement of parents.

Exercising undue influence over a parent to remove their child from the school under the threat of a permanent exclusion and encouraging them to choose Elective Home Education or to find another school place is known as off-rolling and is unlawful.

9. Monitoring and analysing suspensions and exclusions data

The Local Governing Board will scrutinise, challenge and evaluate the school's use of suspensions, permanent exclusions, off-site direction and managed moves, ensuring that these measures are used lawfully, proportionately and effectively. The Trust will monitor patterns and trends in attendance, persistent absence, severe absence, suspensions and permanent exclusions to identify emerging vulnerabilities, evaluate the impact of interventions and ensure timely support is provided to pupils and families.

The local governing board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- 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 and permanently excluded pupils, and why this is taking place
- 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

10. Considering the reinstatement of a pupil

The local governing body pupil discipline committee will consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving the notice of the suspension or exclusion if:

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

Where the pupil has been suspended, and the suspension does not bring the pupil's total number of days of suspension to more than 5 in a term, the local governing body must consider any representations made by parents, and the student, if they are 18 years old. However, it is not required to arrange a meeting with parents, and it cannot direct the headteacher to reinstate the pupil.

Where the pupil has been suspended for more than 5 days, but less than 15 days, in a single term, and the parents make representations to the board, the local governing body pupil discipline committee will consider and decide on the reinstatement of a suspended pupil within 50 school days of receiving notice of the suspension. If the parents do not make representations, the board is not required to meet, and it cannot direct the headteacher to reinstate the pupil.

Where a suspension or permanent exclusion would result in a pupil missing a public exam or National Curriculum test, the local governing body pupil discipline committee will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test.

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

- Parents, or the pupil if they are 18 or over (and, where requested, a representative or friend)

- The pupil, if they are aged 17 or younger and it would be appropriate to their age and understanding (and, where requested, a representative or friend)
- The headteacher
- The pupil's social worker if they have one
- The VSH, if the pupil is looked after

The parent can request that a representative of the local authority attend as an observer. However, there is no obligation to agree to this request and such an observer can only make representations if the governing body consents).

Meetings should be in person. 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, but this should not be a default option. Governing bodies must hold the meeting via the use of remote access, if the request has been made correctly.

The committee 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 because it was not made within these time limits.

The local 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 board 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.'

The governance professional will be present when the decision is made.

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

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

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

Where an exclusion is permanent and the committee 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 (IRP).
- 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 a request to hold the meeting via the use of remote access can be made and knows how and to whom to make this request to
- 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 academy trust 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 because 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.

11. Independent review

If parents apply for an independent review within the legal time limit, the school will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the local governing board pupil discipline committee of its decision to not reinstate the pupil **or**, if after this time, within 15 school days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

A panel of 3 or 5 members will be made up of representatives from each category below. Where a 5-member panel is constituted, 2 members will come from the school governor category, and 2 members will come from the headteacher category. During the review process, there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- Current or former school governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member/trustee of the academy trust of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the academy trust, or the local governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the academy trust, school, local governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not undertaken training with the NGA, or another governance body as advised by the governance professional.

All governors serving on exclusion panels or Independent Review Panels undertake appropriate statutory training, refreshed at least every two years, to ensure decisions are lawful, procedurally fair, and compliant with DfE guidance.

The panel must consider the interests and circumstances of the pupil, including the circumstances in which the pupil was permanently excluded, and have regard for the interests of other pupils and people working at the school.

Considering the pupil's age and understanding, the pupil or their parents will be made aware of their right to attend and participate in the review meeting and the pupil should be enabled to make representations on their own behalf, should they desire to.

Where a SEND expert is present, the panel must seek and have regard to the SEN expert's view of how SEN may be relevant to the pupil's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the pupil's experiences, needs, safeguarding risks and/or welfare may be relevant to the pupil's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion or are relevant to the pupil's permanent exclusion.

Following its review, the independent panel will decide to do 1 of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the committee's decision and direct that the committee reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the committee at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

Once the committee has reached its decision, it will notify all parties in writing without delay.

This notification will include:

- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the pupil within 10 school days
- Any information that the panel has directed the governing board to place on the pupil's educational record

12. 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 local governing board pupil discipline committee'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 (if the child is not registered at another school) 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.

13. Making a return to the Local Authority (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. The return will include:

- The pupil's full name
- The full name and address of any parent with whom the pupil normally resides
- At least 1 telephone number at which any parent with whom the pupil normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents have informed the school that the pupil is moving house

This return must be made when deleting the pupil's name.

14. 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 following measures may be implemented, as part of the strategy, to ensure a successful reintegration into school life:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- 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

Part-time timetables should not be used to manage behaviour and, if used, will be put in place for the minimum time necessary.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the 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 tell the pupil that they are getting a fresh start and are a valued member of the school community.

The pupils, 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 if they cannot or choose not to 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.

15. Monitoring arrangements

Each school will collect data on the following:

- Attendance, permanent exclusions, and suspensions
- Use of pupil referral units, off-site directions, and managed moves
- Anonymous surveys of staff, pupils, local governors, and other stakeholders on their perceptions and experiences

The data will be analysed every half-term by an identified member of each school's leadership team and reviewed by the Local Governing Body.

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 Trust will work with its academies to consider this data, and to analyse whether there are patterns across the trust, recognising that numbers in any one academy may be too low to allow for meaningful statistical analysis.

The Local Governing Body and the Trust will use the results of this analysis to make sure the Trust meets its duties under the Equality Act 2010. If any patterns or disparities between groups of pupils are identified by this analysis, the Trust and the Local Governing Body will review its policies to tackle it.

This policy will be reviewed by the Chief Education Officer annually. At every review, the policy will be agreed upon by the Education Committee.

16. Links with other policies

This exclusions policy is linked to the following school and trust policies:

- Behaviour policy
- SEND policy and information report
- Child protection and Safeguarding Policy
- Restrictive interventions and use of reasonable force policy
- Equality Policy

Appendix 1

Suspension and Exclusion Checklist Record (Audit trail)

Pupil Name	
Date of Incident	

Action	**Date, Time and Commentary**
Investigation and Evidence	
Has the incident been investigated promptly and fairly and with all parties in a sensitive and fair way?	
Is there a record of all exclusion reasons, providing sufficient detail and evidence of robust assessment of the exclusion decision. ***(A serious breach of the behaviour policy? - Persistent breaches of the behaviour policy? - Remaining in school would seriously harm the education or welfare of others in the school (including staff, pupils, volunteers, and visitors)***	
Has the pupil voice requirement been met? Has the pupil been given the opportunity to give their version of events (age, communication need and understanding considered)?	
Has their view been recorded by them, or on their behalf, and agreed by them.	
Have written statements been collected where appropriate and signed/dated?	
Has evidence such as CCTV been reviewed and stored as evidence?	
Making your Decision	
Are you confident and satisfied that your investigation is complete and thorough?	
Are you satisfied that on the balance of probabilities the incident occurred?	
What other factors could have contributed to the pupil behaviour? Have these been sufficiently considered? (SEND, bereavement, bullying etc)	
Which type of sanction is being implemented?	

Internal isolation/ suspension from school / Permanent exclusion	
If the decision is to suspend or internal isolation - what is the proposed period?	
Deciding the type and length of Sanction - Suspension	
Is the length proportionate and not extended unlawfully?	
Have I checked the accumulated days? Is the total under 45 days in a school year?	
Deciding the type and length of Sanction – Permanent Exclusion	
Is this a last resort?	
Have all relevant support, adjustments and alternatives been clearly evidenced?	
Is the decision defensible if subject to governing board scrutiny / IRP?	
Notification and recording	
Have parents/ carers been informed without delay? How were they notified?	
Has written notice been issued confirming the exclusion and including all matters required by the Guidance, namely: • the reason for the exclusion; • the type and length of the exclusion; and • the right to make representations?	
Have the following parties been informed without delay: • governing board • Trust (PEX only) • local authority • social worker/ VHT (where appropriate)	

Education during exclusion/ suspension	
Have reasonable steps been taken to set and mark work for the first five school days.	
For exclusions over 5 days, arrangements were made for a suitable full-time education.	
In either circumstance, have parents been informed of the arrangements in accordance with the Guidance?	
Contextual and safeguarding considerations	
Have I considered mitigating and contributory factors, including: o SEN or an EHCP o disability / Equality Act duties o trauma, SEMH, mental health o Bullying, exploitation or safeguarding concerns	
Has any use of restrictive intervention or reasonable force been reviewed and recorded as a safety response rather than a disciplinary sanction?	
Alternatives considered	
Have I considered and, where appropriate, tried reasonable alternatives (e.g. support plans, restorative approaches, adjusted timetable, managed move, off-site direction)? If not, is there a clear and recorded justification of why exclusion is necessary now?	
I am confident this is not an informal or unlawful suspension/exclusion.	
Governance and Review	
Have parents been informed of their right to request a governing board review, where applicable?	
Have key deadlines been noted? ***(15 or 50 school days depending)***	
Is all of the paperwork completed and ready for scrutiny by the Trust, Governors, or the IRP?	

Recording	
Is the exclusion recorded accurately on the school MIS and census return?	
Is supporting documentation including statements, pupils views and communications retained securely (audit trail) and accurately dated and signed (including full names)?	
Lawfulness and Threshold	
Am I (the headteacher / Executive Headteacher) the decision-maker? ***(Only headteachers may exclude)***	
Is the exclusion for a disciplinary reason only?	
Does the behaviour meet the two-part test for permanent exclusion? • A serious breach or persistent breaches of the behaviour policy, and • Would allowing the pupil to remain seriously harm the education or welfare of the pupil or others?	
Is this decision lawful, reasonable, fair, proportionate, evidence-based, and in the best interests of safeguarding and education?	

Name of person completing checklist	
Role of the person completing the checklist	
Date of Completion	

Appendix 2:

Good practice investigation timeline (DfE-aligned)

Behaviour incidents that may lead to suspension or permanent exclusion must be investigated promptly and proportionately. Decisions are normally reached on the same day or within one to two school days, ensuring fairness, safeguarding and compliance with DfE statutory guidance.

Day 0 - Incident Occurs	Immediate response to safeguard pupils and staff First aid/ separation / de-escalation as necessary Initial accounts recorded while events are fresh Pupil may be removed from class or internally supervised pending investigation.
Pupils should not be sent home unless a suspension/ exclusion decision is made, unless it is the end of the school day and they should be returning home anyway or a separation for safeguarding reasons is required. A pupil cannot be sent home pending investigation otherwise. If the investigation cannot be done on the same day, they should return to school the next day and remain under supervision until investigations are complete and a decision has been made, unless a separation for safeguarding reasons is required.	
Day 0–1 – Initial Investigation	Collect factual accounts and evidence. Collect and consider pupil voice (age-appropriate) Check behaviour history, SEND/EHCP, risk assessments Apply the balance of probabilities If facts are clear and risk is high, a same-day suspension decision is lawful and expected.
Evidence and factual accounts may be collected from adults including visitors and staff, and from pupils who witnessed, or involved in the incident. Other forms of evidence, such as CCTV and other physical evidence should also be gathered. Where appropriate, pupil voice must be sought from the pupil under investigation, in a way which is appropriate to their age and preferred communication.	
Day 1–2 – Complex Cases Only (Only where continued investigation is necessary)	**A short extension may be reasonable where:** There are conflicting accounts SEND or disability factors require specialist input Police or safeguarding agencies are involved.
Any delay must be proportionate**.** The pupil must be appropriately supervised and the reason for delay should be recorded clearly. Anything longer than 2–3 school days without strong justification is likely to be challenged, and unlikely to be upheld unless an investigation is exceptionally complex or has been delayed by a police investigation or the availability of a specialist/ expert.	
Decision Point (as soon as facts are established)	**Once the decision is made:** Parents must be notified without delay Written notification must follow as soon as practicable For suspensions, the length must be stated clearly For permanent exclusion, reasons must be fully evidenced.
New Evidence – Changing the Decision The headteacher does have clear statutory powers to cancel, replace, or issue a new decision based on new evidence. This must be clearly and factually recorded.	

Appendix 3: Headteacher Decision Making Tool

Behaviour incident occurs

↓

Immediate safety check – de-escalate, safeguard & supervise

↓

Remove from class if needed (internal supervision only)

(Consider separation for safeguarding reasons)

↓

End of day → Pupil leaves at normal dismissal (NOT a suspension)

↓

Investigation (same day / next day): evidence, pupil voice, CCTV, context

↓

Apply balance of probabilities

↓

SEND & Equality Act consideration – reasonable adjustments

↓

Proportionality test – is exclusion necessary & last resort?

↓

Headteacher decision (cannot be delegated):
No exclusion – support & reintegration
Suspension – starts from decision date
Permanent exclusion – trigger governance & LA response

↓

Notify parents without delay & record decision

↓

New evidence → Cancel or replace decision lawfully

Appendix 4

Statutory Timescales for Suspensions and Permanent Exclusions

Circumstance	Governing Board Duty	Timescale
Suspension of 5 school days or fewer in a term	Must consider any representations made by parents. A meeting is not required and the governing board cannot direct reinstatement.	No statutory meeting required.
Suspension of more than 5 but no fewer than 15 school days in a term	Must consider reinstatement if parents make representations.	Within **15 school days** and taking reasonable steps to meet **before the examination or test**..
Suspension resulting in a pupil missing a public examination or National Curriculum test	Must consider reinstatement.	As far as reasonably practicable **before the examination or test**.
Suspension bringing the pupil's cumulative total to more than 15 school days in a term	Must consider reinstatement at a governing board meeting.	Within **15 school days** of receiving notice of the suspension.
Permanent exclusion	Must consider reinstatement at a governing board meeting.	Within **15 school days** of receiving notice of the exclusion.
Parent requests an Independent Review Panel following a decision not to reinstate a permanently excluded pupil	Parent may request a review of the governing board's decision.	Within **15 school days** of being notified of the governing board's decision
Education during suspension	School must provide work.	During the **first 5 school days** of suspension.
Alternative provision following suspension of more than 5 days	Suitable full-time education must be arranged.	No later than the **6th school day**.
Alternative provision following permanent exclusion	Suitable full-time education must be arranged by the local authority.	No later than the **6th school day** following exclusion.
Removal from roll following permanent exclusion	Pupil's name may be removed if no IRP is requested.	After **15 school days** have passed since the governing board's decision not to reinstate.

Appendix 5

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 referal units in England, including pupil movement 2026

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

- *Seection 29a Education Act 2002, as amended by Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026*
- *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
- Keeping Children Safe in Education 2026
- Restrictive Interventions and the use of Reasonable Force DfE 2026
  - ***note that page 14 contains statutory guidance on recording and reporting***

Appendix 6

Advice for parents and guardians

Current Statutory Exclusions Guidance at School suspensions and permanent exclusions 2026 - GOV.UK (www.gov.uk)

Please contact the headteacher's PA if you wish for a paper copy of this guide.

There are several national organisations that provide free information, support and advice to parents/carers on exclusion matters. For example:

- Coram Children's Legal Centre. They can be contacted on 0300 330 5485 or through Home - childlawadvice.org.uk Their advice line is open from Mondays to Fridays from 8.00am to 6.00pm.
- ACE education. They can be contacted on 03000 115 142 or at enquiries@ace-ed.org.uk. Please check their website at http://www.ace-ed.org.uk for the opening times of the advice line.
- The National Autistic Society School Exclusion Service (England) can be contacted on 0808 800 4002 or at schoolexclusions@nas.org.uk. Information can also be found on their website at https://www.autism.org.uk/
- Together for Children - Suspensions and Permanent Exclusions - Together for Children
- Independent Parental Special Education Advice http://www.ipsea.org.uk/
- Special Educational Needs and Disabilities Information, Advice and Support Service-SENDIASS (formerly the parent partnership service). Essex SEND - Information, Advice and Support Service (essexsendiass.co.uk) or Support and Advice for Families from SENDIASS Southend