



Suspension and Permanent Exclusion Policy

Review Cycle: 2 years - Autumn Term

Review By: Leadership Team, Behaviour, Attendance & Safeguarding
Sub-Committee

Contents:

Mission Statement; Purpose; Principles; Notification; Students returning from Fixed Term Exclusion; Appeals; Relationship to other Academy Policies; Monitoring and Review; *Appendix 1 – The School Discipline (Pupil Exclusions and Reviews)*

Mission Statement

To enable all students to learn to their full potential in a safe, calm and well-ordered environment.

Purpose of this policy

This policy is designed to briefly outline the academy approach to exclusions within the statutory framework as defined in the DFE document [Suspension and permanent exclusion guidance](#), 2024

‘Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education.’

Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): [Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement](#).

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

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

In addition, the policy is based on:

- Part 7, chapter 2 of the [Education and Inspections Act 2006](#), which sets out parental responsibility for excluded pupils
- Section 579 of the [Education Act 1996](#), which defines ‘school day’
- The [Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) Regulations 2007](#), as amended by [The Education \(Provision of Full-Time Education for Excluded Pupils\) \(England\) \(Amendment\) Regulations 2014](#)
- [The Equality Act 2010](#)
- [Children and Families Act 2014](#)
- The [School Inspection Handbook](#), which defines ‘off-rolling’

Principles

For the vast majority of pupils suspensions and permanent exclusions may not be necessary, as other strategies can manage behaviour. However, if approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort.

1. Suspension and Permanent Exclusion is a sanction used by the academy only in cases deemed as serious breaches of the Academy Behaviour Policy. A student may be at risk of exclusion from the academy for:
 - Verbal or physical assault of a student or adult;
 - Persistent and repetitive disruption of lessons and other students’ learning;
 - Extreme misbehaviour which is deemed outside the remit of the normal range of sanctions;
 - Possession of drugs and/or weapons.
 - Inappropriate use of technology/social media
 - Bringing the name of the academy in to disrepute

The school will not apply a suspension or exclusion:

- Because a student has special educational needs and/or a disability and the school feels unable to support
- Due to a student's poor academic performance or
- Because a student hasn't met a specific condition, such as attending a reintegration meeting.

This list offers some examples of where exclusion may be used as a sanction, it is not exhaustive and does not prohibit the Headteacher from using exclusions for behaviours which fall outside of this list.

A suspension from the academy can only be authorised by the Headteacher or SLT acting on her behalf. If none are available to authorise the exclusion a decision should be deferred until the opportunity for authorisation is available. The student may be internally isolated until such time that a decision can be made.

In the case of a Permanent Exclusion, this can only be authorised by the Headteacher.

The academy seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the academy.

The academy regularly monitors the number of suspensions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

Deciding whether to suspend or exclude

Only the headteacher, or acting headteacher, can suspend or permanently exclude a pupil from school on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of school.

The headteacher will only use permanent exclusion as a last resort.

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear signal of what is unacceptable behaviour
- To show a pupil that their current behaviour is putting them at risk of permanent exclusion
- Where suspensions have become a regular occurrence, the headteacher will consider whether suspensions alone are an effective sanction and whether additional strategies need to be put in place to address behaviour issues.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others
- Before deciding whether to suspend or exclude a pupil, the headteacher will:
- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion was/were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil has special educational needs (SEN)
- Consider whether the pupil is especially vulnerable (e.g. the pupil has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as:
 - For suspensions: detentions or other sanctions provided for in the behaviour policy
 - For exclusions: off-site direction or managed moves

The headteacher will consider the views of the pupil, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed to have their views expressed through an advocate, such as a parent/carer or social worker.

Notification of an exclusion

- 1) Parents will be notified as soon as possible of the decision to suspend a student and the reason for the suspension. This will be done on the day of the suspension being authorised by either direct phone contact or a face-to-face meeting.
A written confirmation of the reason(s) for the suspension will be sent or emailed to parents the same day. The student, where possible, will be presented with appropriate work to be completed during the suspension period. Additional work may be the work that the student would have completed had they not been suspended or additional work of an appropriate level.
- 2) In the case of a Permanent Exclusion, parents will be notified by the Headteacher in a face-to-face meeting or direct telephone contact.
- 3) A student who has been suspended / permanently excluded will have the reason for his/her exclusion explained to them by a member of staff so that they understand the nature of their misbehaviour.
- 4) The Chair of Governors and relevant academy staff will be notified of all suspensions the same day of the production of the suspension letter, they will receive a copy of this letter which will clearly outline the reasons for the suspension.
- 5) For a suspension period of more than 5 days, the school must find suitable full time education to begin on the sixth day.

Informing the local authority (LA)

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

The notification will include:

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

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

Students Returning from a Suspension

- 1) All students returning from a suspension are required to attend a re-admittance meeting, accompanied by a parent / carer. This meeting will be face to face at the school and the parent / carer must attend the meeting in person. If this does not happen on the day / time as requested in the suspension letter, then the student will not be re-admitted to the school. This meeting will seek to establish practical ways in which further suspension can be avoided and behaviour modified to acceptable standards in partnership between student, parent and academy.

- 2) In some incidents, on the return from a suspension students will be required to attend the Learning Support Unit within the academy so that a phased reintegration of the student can take place.
- 3) Students returning from a suspension will be placed on a report card to monitor their behaviour, unless the member of staff readmitting deems this unnecessary.
- 4) Students returning from a suspension will be required to complete any outstanding detentions or periods of isolation set prior to the exclusion.
- 5) For students who have had multiple suspensions and may be in danger of a permanent exclusion, the school has the right to advise that a managed move or off-site direction as a further behaviour management strategy to support the student and avoid a permanent exclusion.

Considering the reinstatement of a pupil

The governing body 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 that 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 governing body must consider any representations made by parents/carers/the pupil. However, it is not required to arrange a meeting with parents/carers/the pupil 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 governing body will, as far as reasonably practicable, consider and decide on the reinstatement of the pupil before the date of the exam or test. If this is not practicable, the Governors panel may consider the suspension or permanent exclusion and decide whether or not to reinstate the student.

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

- Parents/carers (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 virtual school, if the pupil is looked after

The meeting can be held remotely at the request of parents/carers.

The governing board will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The governing body can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately.

In reaching a decision, the governing body 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 student 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 clerk/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 governing body will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The parents/carers
- The headteacher
- The pupil's social worker, if they have one
- The virtual school, if the student is looked after
- The local authority

Where an exclusion is permanent and the governing body has decided not to reinstate the student, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of parents'/carers' right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 school days from the date on which notice in writing of the governing board's decision is given to parents/carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the pupil's special educational needs (SEND) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded pupil has recognised SEND, parents/carers/the pupil have a right to require the [LA/academy trust] to appoint a SEND expert to advise the review panel
- Details of the role of the SEND expert and that there would be no cost to parents/carers/the pupil for this appointment
- That parents/carers/the pupil must make clear if they wish for an SEND expert to be appointed in any application for a review

- That parents/carers/the pupil may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents/carers may also bring a friend to the review
- That, if parents/carers/the pupil believe that the permanent exclusion has occurred as a result of unlawful discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. Also, that any claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

Independent review

If parents/carers apply for an independent review within the legal timeframe, Alcester Academy will, at their own expense, 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/carers/pupil by the governing board 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. Any applications made outside of this timeframe will be rejected.

Independent reviews can be held remotely at the request of parents/carers.

A panel of 3 or 5 members will be constituted with representatives from each of the categories 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. At all times 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 the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the school, or the governing board, of the excluding school
- Have, or at any time have had, any connection with the school, governing board, parents/carers or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (

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

Taking into account the student's age and understanding, the student or their parents/carers will be made aware of their right to attend and participate in the review meeting and the student 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 SEND expert's view of how SEND may be relevant to the student'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 student's permanent exclusion.

Where a virtual school is present, the panel must have regard to any representation made by the VSH of how any of the student's background, education and safeguarding needs were considered by the headteacher in the lead up to the permanent exclusion, or are relevant to the student'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 governing board's decision and direct that they reconsider reinstatement (only if it judges that the decision was flawed)

New evidence may be presented, though the school cannot introduce new reasons for the 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 governing board 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 panel has reached its decision, the panel 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 student within 10 school days
- Any information that the panel has directed the governing board to place on the student's educational record

Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The parents/carers, governing board and LA will be notified without delay
- Where relevant, any social worker and virtual school will be notified without delay
- The notification must provide the reason for the cancellation
- The governing board's duty to hold a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the headteacher to discuss the cancellation, which will be arranged without delay
- The pupil will be allowed back in school 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.

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.

The governing board

Considering suspensions and permanent exclusions

Responsibilities regarding suspensions and permanent exclusions are delegated to the Alcester Academy Governors'. There will be a panel elected consisting of at least 3 governors.

The panel has a duty to consider parents'/carers'/the pupil's representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded student

For any suspension of more than 5 school days, the governing board will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the suspension.

The governing board does not have to arrange such provision for pupils in their final year of compulsory education who do not have any further public exams to sit

Appeals

All correspondence regarding an exclusion from the academy will inform parents of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance.

The person who should be contacted to initiate an appeal is the Clerk to the Governors. This can be done in by emailing admin@alcesteracademy.org.uk marking the email FAO: Clerk to the Governors.

Relationship to other academy policies

The Suspension and Permanent Exclusion Policy should be read in tandem with the academy Behaviour and Discipline Policy as well as other relevant academy policies, particularly the Inclusion Policy, Special Educational Needs Policy and the Equality & Diversity Policy. It also

has a close inter-relationship with the Drugs and Alcohol Policy, Anti-Bullying Policy and Attendance Policy.

Monitoring and Review

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

The 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
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it
- The cost implications of directing pupils off-site.

For Policy Purposes, the Governing Body will also review:

- 1) The impact of this policy will be reviewed by the Governors' Behaviour & Attendance Committee.
- 2) The Headteacher will provide the Committee with regular monitoring reports which will help it to evaluate the effectiveness of the policy and procedures.
- 3) The policy and procedures will be reviewed and amended in the light of such evaluation and in consultation with representatives of all key stakeholders.

Signed: _____ Chair of Governors

Signed: _____ Headteacher

Date: _____

(ratified by the Full Governing Body on 7th October 2025)