

**Broad Oak
Primary
School**



**SUSPENSION AND EXCLUSION
POLICY
May 2026**

Attitude

Behaviour

Courage

Determination

Enthusiasm

Friendship

Resilience

Broad Oak Primary School

Suspension and Permanent Exclusion Policy

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1. Aims

This policy aims to ensure that:

- The use of suspension and permanent exclusion is lawful, reasonable, proportionate and fair
- All pupils are treated consistently and in accordance with the principles of equality and inclusion
- Pupils, staff, governors and parents understand the school's procedures and expectations
- Suspension and permanent exclusion are used only where necessary and as a last resort
- The school fulfils its statutory duties under equality, safeguarding and special educational needs legislation
- Pupils are supported to remain engaged in education and do not become NEET (not in education, employment or training)
- Appropriate reintegration support is provided following a suspension

This policy should be read alongside the:

- Behaviour Policy
- SEND Policy and SEND Information Report
- Safeguarding and Child Protection Policy
- Attendance Policy
- Equality Information and Objectives
- Anti-Bullying Policy

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2. Legislation and statutory guidance

This policy is based on the Department for Education (DfE) statutory guidance

Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (September 2023, in force May 2026)

https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf

It is also based on the following legislation:

- Section 51A of the Education Act 2002
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64 to 68 of the School Standards and Framework Act 1998
- The Education and Inspections Act 2006
- The Equality Act 2010
- The Children and Families Act 2014
- The Human Rights Act 1998
- The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007
- The SEND Code of Practice 2015
- Working Together to Safeguard Children 2023
- Keeping Children Safe in Education 2025

The school will also have regard to:

- DfE Behaviour in Schools guidance
- DfE Mental Health and Behaviour in Schools guidance
- DfE Searching, Screening and Confiscation guidance
- DfE Use of Reasonable Force guidance

3. Principles

The school is committed to an inclusive ethos and recognises that suspension and permanent exclusion can have a significant impact on pupils and families.

The school will work proactively to identify and address the underlying causes of behaviour.

Before considering suspension or permanent exclusion, the school will consider whether appropriate and reasonable adjustments, interventions and support have been implemented, particularly where a pupil has:

- Special educational needs and/or disabilities (SEND)
- Social, emotional or mental health (SEMH) needs
- A disability under the Equality Act 2010
- Safeguarding vulnerabilities
- A social worker
- Experience of trauma or adverse childhood experiences
- Mental health needs

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The school recognises that pupils with SEND may be more vulnerable to suspension and exclusion and will ensure that decisions are not discriminatory.

The school will not:

- Use unofficial or unlawful exclusions
- Send a pupil home informally to “cool off”
- Pressure parents to remove their child from the school roll
- Use exclusion in response to non-serious breaches where alternative strategies are appropriate

Off-rolling is unlawful and will not be practised.

4. Definitions

Suspension

A suspension is when a pupil is temporarily removed from school for a fixed period.

A suspension can be for part of a school day, a full day, or multiple days.

Lunchtime suspensions count as half a school day.

Permanent exclusion

A permanent exclusion is when a pupil is removed from the school roll permanently.

Permanent exclusion will only be used:

- In response to a 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.

Managed moves

A managed move may be considered as part of a planned intervention. A managed move must be voluntary and agreed by all parties, including parents.

Managed moves will not be used as an alternative to a permanent exclusion where the threshold for permanent exclusion has been met.

School day

For the purposes of suspension or permanent exclusion, a school day is any day on which there is a school session. INSET days and staff training days do not count as school days.

5. Roles and responsibilities

5.1 The Headteacher

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Only the headteacher, or a designated acting headteacher, can suspend or permanently exclude a pupil.

The headteacher will ensure that all decisions are:

- Lawful
- Rational
- Reasonable
- Fair
- Proportionate
- Non-discriminatory

Before making a decision, the headteacher will consider:

- All relevant facts and evidence
- Whether the incident was provoked
- Witness statements
- The pupil's account
- The pupil's age and understanding
- Whether the pupil has SEND
- Whether the pupil has a disability
- The school's safeguarding responsibilities
- Any contributing factors, including bullying, bereavement, mental health or unmet needs
- Whether reasonable adjustments have been made
- The effectiveness of previous interventions and support

The standard of proof applied is the civil standard: "on the balance of probabilities".

The headteacher may cancel a suspension or permanent exclusion that has not already been reviewed by the governing board.

Informing parents

The headteacher will notify parents without delay and, wherever possible, on the same day.

Written notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or confirmation that the exclusion is permanent
- Information about parents' right to make representations to the governing board
- Information about arrangements for education during the exclusion period
- The date and arrangements for any governing board meeting where applicable
- Parents' legal responsibilities during the first 5 school days of a suspension or exclusion
- Information about sources of support

Where alternative provision is arranged, the school will provide:

- The start date
- The address
- The times of attendance
- Contact details and reporting arrangements

This information will be provided as soon as reasonably practicable.

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Informing the governing board and local authority

The headteacher will notify the governing board and local authority without delay of:

- A permanent exclusion
- A suspension totalling more than 5 school days in a term
- A suspension which would result in a pupil missing a public examination or national curriculum test

The governing board and local authority will receive information about all other suspensions at least once a term.

Where a permanently excluded pupil lives in another local authority area, the pupil's home authority will also be informed.

Education during suspension or exclusion

The school will provide work for the first 5 school days of a suspension or permanent exclusion.

Where a suspension is more than 5 school days, suitable full-time education will be arranged from the sixth school day.

5.2 The Governing Board

The governing board will:

- Review the use of suspension and permanent exclusion
- Monitor patterns and trends
- Consider reinstatement decisions where required by law
- Ensure the policy is implemented fairly and consistently
- Consider the impact on pupils with protected characteristics and SEND

The governing board may delegate its functions relating to exclusions to a committee consisting of at least 3 governors.

The governing board will consider reinstatement within statutory timescales.

5.3 The Local Authority

The local authority is responsible for:

- Arranging suitable full-time education from the sixth school day following a permanent exclusion
- Arranging independent review panels
- Appointing a SEN expert where requested
- Providing advice and guidance where appropriate

6. Considering the reinstatement of a pupil

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The governing board will consider reinstatement within 15 school days where:

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

If requested by parents, the governing board will consider reinstatement within 50 school days where the suspension is between 6 and 15 school days in a term.

The governing board may:

- Decline to reinstate the pupil
- Direct reinstatement immediately
- Direct reinstatement on a specified date

In reaching its decision, the governing board will consider whether:

- The decision was lawful, reasonable and procedurally fair
- The headteacher followed statutory guidance
- Equality duties were fulfilled
- Appropriate support and interventions were considered

The governing board will notify parents, the local authority and the headteacher of its decision in writing without delay.

Where the exclusion is permanent, the notification will include:

- The right to request an independent review
- The deadline for requesting a review
- Contact details for the review application
- Information about requesting a SEN expert
- Information about claiming discrimination under the Equality Act 2010

7. Independent review panels

Parents may request an independent review of a governing board decision not to reinstate a permanently excluded pupil.

Applications must be made within 15 school days of notice of the governing board's decision.

The review panel may:

- Uphold the governing board's decision
- Recommend reconsideration
- Quash the decision and direct reconsideration

The panel does not have the power to direct reinstatement.

Review panels will be properly trained and constituted in accordance with statutory requirements.

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Parents may request the attendance of a SEN expert at no cost.

8. Cancelling suspensions and permanent exclusions

The headteacher may cancel a suspension or permanent exclusion before it has been reviewed by the governing board.

Where a suspension or exclusion is cancelled:

- Parents, the governing board and local authority will be informed without delay
- The pupil will be allowed back into school
- The exclusion will not be recorded on the pupil's educational record
- Any days out of school as a result of the cancelled exclusion will not count towards exclusion totals

The school will still consider whether any support, intervention or disciplinary response remains appropriate.

9. Pupils with SEND and vulnerable pupils

The school recognises its duties under the Equality Act 2010 and the Children and Families Act 2014.

Where a pupil has SEND, an EHCP, or is undergoing assessment, the school will consider whether:

- The behaviour was linked to unmet need or disability
- Additional assessments are required
- Additional support or reasonable adjustments are necessary
- A review of provision should be convened
- External agencies should be involved

Where appropriate, the school may arrange:

- An early review of an EHCP
- Multi-agency meetings
- Pastoral support plans
- Risk assessments
- Reintegration support
- Alternative provision placements

The school will work closely with families and professionals to reduce the risk of repeat suspensions.

10. Safeguarding considerations

The school recognises that suspension and permanent exclusion can be a safeguarding issue.

Where appropriate, the school will consider:



- Whether the pupil is suffering or likely to suffer significant harm
- Whether contextual safeguarding concerns are present
- Risks linked to criminal exploitation, child sexual exploitation or serious violence
- Mental health needs
- Attendance concerns

The Designated Safeguarding Lead (DSL) will be informed where safeguarding concerns are identified.

11. School registers and attendance codes

The school will maintain accurate attendance and admission registers in accordance with statutory requirements.

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

- After the time limit for requesting an independent review has passed and no review has been requested; or
- Following completion of the independent review process where the permanent exclusion is upheld; or
- Where parents confirm in writing that they will not request a review.

Attendance codes will be used in line with current DfE guidance.

12. Reintegration following suspension

Following a suspension, the school will support the pupil's successful reintegration.

A reintegration meeting will normally take place involving:

- The pupil
- Parents
- Relevant staff
- Other professionals where appropriate

Support may include:

- A behaviour support plan
- Pastoral mentoring
- Restorative approaches
- Adjusted timetables where appropriate and lawful
- Additional SEND support
- Risk assessments
- External agency involvement

Any reduced timetable will:

- Be time limited
- Be formally agreed with parents

- Include a clear review process
- Be used only in the pupil's best interests

13. Monitoring, evaluation and review

The headteacher will monitor:

- Rates of suspension and permanent exclusion
- Repeat suspensions
- Patterns relating to protected characteristics
- Outcomes for pupils with SEND and vulnerable groups

The governing board will review data regularly to ensure that practices are fair, proportionate and non-discriminatory.

This policy will be reviewed annually or sooner where changes to legislation or statutory guidance require.

Appendix 1 – Independent review panel training

Independent review panel members and clerks must have received training within the previous 2 years.

Training must include:

- Relevant legislation and statutory guidance
- Principles of administrative law and procedural fairness
- Equality Act 2010 duties
- Human Rights Act 1998 considerations
- The role of the SEN expert
- The role of the chair and clerk
- Natural justice principles
- Decision-making processes

Appendix 2 – Resource Provision guidance

The school recognises that pupils within the Resource Provision may present with complex communication, emotional regulation or behavioural needs.

All staff working within the provision are trained to support pupils safely and appropriately.

The school will use supportive and therapeutic approaches wherever possible.

However, serious incidents may result in suspension or permanent exclusion where:

- There is serious actual or threatened violence
- There is serious risk to pupils or staff
- There is serious damage to property
- A weapon has been used or brought into school
- The behaviour meets the threshold for suspension or permanent exclusion under statutory guidance

Before making decisions relating to pupils within the Resource Provision, the school will consider:

- The pupil's SEND and communication needs
- Reasonable adjustments
- Positive handling and behaviour support plans
- Advice from external professionals
- Safeguarding and welfare considerations
- Whether additional provision or review is required

Possible responses may include:

- Restorative work
- Increased supervision
- Temporary adjustments to provision
- Risk assessment updates

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- Multi-agency review meetings
- Suspension
- Permanent exclusion in exceptional circumstances

The actions are at the Headteacher's discretion in discussion with Mr. Kelly & Miss. DeSanctis (RP Class teachers)

The school will work closely with families and professionals to ensure that decisions are proportionate, lawful and in the best interests of all pupils and staff.