

# Charlestown Community Primary School



## Suspension and Permanent Exclusion Policy

July 2026

(updated in line with latest guidance)

**Approved by: Full  
Governing Body**

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# 1. Introduction and Legal Framework

At Charlestown Community Primary School, we are committed to creating an environment where strong relationships are at the heart of everything we do. We are a restorative school whereby everyone is made to feel a part of our community. However, we recognise that suspension and permanent exclusion are sometimes a necessary part of a functioning system, where it is accepted that not all pupil behaviour can be amended or remedied by pastoral processes, or consequences within the school.

This policy should be read in conjunction with our Behaviour and Social Interaction Policy.

## Legal Framework

This policy complies with:

- The Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- The Education and Inspections Act 2006
- The Education Act 1996
- The Equality Act 2010
- The Children and Families Act 2014
- DfE Suspension and Permanent Exclusion Guidance (July 2026)

## Our Commitment to Equality

Under the Equality Act 2010 (the Equality Act) and the Equality Act 2010: advice for schools - GOV.UK ([www.gov.uk](http://www.gov.uk)), schools must not discriminate against, harass, or victimise pupils because of their: sex; race; disability; religion or belief; sexual orientation; pregnancy/maternity; or gender reassignment.

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty (PSED).

## **2. Aims of the Policy**

This policy aims to:

- Ensure that suspensions and permanent exclusions are used lawfully, reasonably and as a last resort
- Ensure that the exclusion process is applied fairly and consistently
- Help pupils, staff and parents understand the school's approach to suspensions and permanent exclusions
- Ensure that pupils in school are safe and happy
- Prevent permanent exclusion, where possible, through early intervention and support
- Ensure that other pupils and teaching staff can work in safety and are respected

### **3. Roles and Responsibilities**

#### **The Headteacher**

Only the headteacher of a school can suspend or permanently exclude a pupil on disciplinary grounds.

The Headteacher will:

- Apply the civil standard of proof, i.e. 'on the balance of probabilities' it is more likely than not that a fact is true, rather than the criminal standard of 'beyond reasonable doubt.'
- Take the pupil's views into account, considering these in light of their age and understanding, before deciding to exclude, unless it would not be appropriate to do so.
- Ensure that any decision to exclude is lawful, reasonable, fair and proportionate
- Inform parents, the governing board, the local authority, and where relevant, the pupil's social worker and/or Virtual School Head (VSH) without delay
- Ensure work is set and marked for excluded pupils
- Consider whether unmet educational or other needs might be contributing to a pupil's behaviour

#### **The Governing Board**

The governing board will:

- Consider parents' representations about a suspension or permanent exclusion
- Consider and decide on the reinstatement of a suspended or permanently excluded pupil within the statutory timescales
- Routinely challenge and evaluate what the school's data indicates about pupil movement
- Monitor the exclusions policy and its implementation
- Review exclusion data to identify any trends or issues

#### **Parents and Carers**

Parents and carers will be:

- Informed immediately of any decision to suspend or permanently exclude their child
- Provided with information about their right to make representations to the governing board
- Supported to understand the exclusion process
- Encouraged to work in partnership with the school

## **4. The Headteacher's Power to Suspend or Permanently Exclude**

### **Suspension**

- 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 suspension may be used to provide a clear signal of what is unacceptable behaviour as part of the school's behaviour policy and show a pupil that their current behaviour is putting them at risk of permanent exclusion.
- Headteachers should take steps to ensure that work is set and marked for pupils during the first five school days of a suspension. This can include utilising any online pathways such as Google Classroom or Oak National Academy.
- A suspension can also be for parts of the school day. For example, if a pupil's behaviour at lunchtime is disruptive, they may be suspended from the school premises for the duration of the lunchtime period.
- Lunchtime suspensions are counted as half a school day.

### **Permanent Exclusion**

A permanent exclusion is when a pupil is no longer allowed to attend a school (unless the pupil is reinstated).

The decision to exclude a pupil permanently should only be taken:

- 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 such as staff or pupils in the school.

### **Cancelling Exclusions**

The headteacher can cancel any exclusion that has already begun (or one that has not yet begun), but this can only happen when the governing board has not yet met to consider whether the pupil should be reinstated.

Where an exclusion is cancelled:

- The headteacher must notify the parents, the governing board, the LA and the pupil's social worker and VSH as applicable, without delay
- Parents (or the excluded pupil if they are 18 years or older) should be

offered the opportunity to meet the headteacher to discuss the circumstances that led to the exclusion being cancelled

- The pupil must be allowed back into the school from which they were excluded without delay

## **5. Factors to Consider Before Making a Decision to Exclude**

### **Preventative Measures**

Before considering exclusion, the Headteacher will consider:

- Whether appropriate support and interventions have been put in place
- Off-site direction (temporary measure) or managed moves (permanent move) as preventative measures to permanent exclusion
- Whether the pupil has any unmet special educational needs or disabilities
- Whether safeguarding concerns may be contributing to the behaviour
- The views of the pupil, considering their age and understanding

### **Pupils with SEND**

- Where a school has concerns about the behaviour, or risk of suspension and permanent exclusion, of a pupil with SEN, a disability or an EHC plan it should, in partnership with others (including where relevant, the local authority), consider what additional support or alternative placement may be required.
- Where a pupil has an EHC plan, schools should contact the local authority about any behavioural concerns at an early stage and consider requesting an early annual review prior to making the decision to suspend or permanently exclude.
- Looked After Children and Pupils with Social Workers
- 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's VSH as soon as possible.
- Where a pupil has a social worker, e.g. 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.

### **Reintegration Planning**

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension (this may also be after a cancelled exclusion) or period of off-site direction or separation for safeguarding purposes.

The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil's return to school.

## **6. Duty to Inform Parties About an Exclusion**

### **Informing Parents**

Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, notify parents or the excluded pupil (if they are 18 years or older) of the period of the suspension or permanent exclusion and the reason(s) for it.

The Headteacher must also provide parents with the following information in writing:

- The reason(s) for the suspension or permanent exclusion
- The period of a suspension or, for a permanent exclusion, the fact that it is permanent
- Parents' right to make representations about the suspension or permanent exclusion to the governing board
- How any representations should be made
- Where relevant, information about the right to request an Independent Review Panel

Where a suspended or permanently excluded pupil is of compulsory school age the headteacher must also notify the pupil's parents of the days on which they must ensure that the pupil is not present in a public place at any time during school hours.

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

Whenever a headteacher suspends or permanently excludes a pupil they must, without delay, after their decision, also notify the social worker, if a pupil has one, and the VSH, if the pupil is a LAC, of the period of the suspension or permanent exclusion and the reason(s) for it.

### **Informing the Governing Board**

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

- any permanent exclusion (including where a suspension is followed by a decision to permanently exclude the pupil)
- any suspension or permanent exclusion which would result in the pupil being suspended or permanently excluded for a total of more than five school days (or more than ten lunchtimes) in a term; and
- any suspension or permanent exclusion which would result in the pupil missing a public examination or national curriculum test

### **Informing the Local Authority**

The local authority must be informed without delay of all school exclusions regardless of the length of the exclusion.

## **7. Arranging Education for Excluded Pupils**

### **From the Sixth Day**

For a suspension of more than five school days, the governing board must arrange suitable full-time education for any pupil of compulsory school age. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place.

### **Before the Sixth Day**

It is important for schools to help minimise the disruption that suspension or permanent exclusion can cause to a pupil's education. Whilst the statutory duty on governing boards or local authorities is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit to the pupil in starting this provision as soon as possible.

Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of a suspension or permanent exclusion, the school should take reasonable steps to set and mark work for the pupil.

## **8. Governing Board's Duty to Consider an Exclusion**

### **When the Governing Board Must Meet**

The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

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

The requirements are different for suspensions where a pupil would be excluded for more than five but not more than 15 school days in a term. In this case, if the parents make representations, the governing board must consider and decide within 50 school days of receiving the notice of suspension whether the suspended pupil should be reinstated.

### **Who Must Be Invited**

The following parties must be invited to a meeting of the governing board 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
- a representative of the local authority
- the child's social worker if the pupil has one; and
- the VSH if the child is LAC

### **Making a Decision**

Where the governing board is legally required to consider reinstating a suspended or permanently excluded pupil they must:

- not discuss the suspension or permanent exclusion with any party outside the meeting
- ask for any written evidence in advance of the meeting, including witness statements and other relevant information held by the school
- where possible, circulate any written evidence and information to all parties at least five school days in advance of the meeting

In the light of its consideration, the governing board can either:

- direct reinstatement of the pupil immediately or on a particular date
- Or decline to reinstate the pupil.

**Notifying Parents of the Decision**

Where legally required to consider reinstating a suspended or permanently excluded pupil, the governing board must notify parents, the headteacher, and where relevant, the local authority, the pupil's social worker and/or the VSH of its decision, and the reasons for it, in writing and without delay.

In the case of a permanent exclusion where the governing board decides not to reinstate the pupil, the governing board's notification must state that the exclusion is permanent and provide notice of parents' right to ask for the decision to be reviewed by an IRP

## **9. Independent Review Panel (IRP)**

### **Applying for a Review**

If applied for by parents within the legal time frame, the local authority, at their own expense, must arrange for an IRP hearing to review the decision of a governing board not to reinstate a permanently excluded pupil.

The legal time frame for an application is:

within 15 school days of notice being given to the parents by the governing board of its decision not to reinstate a permanently excluded pupil

### **The Panel's Decision**

Following its review, the panel can decide to:

- uphold the governing board's decision not to reinstate
- recommend that the governing board reconsiders reinstatement; or
- quash the governing board's decision and direct that the governing board reconsiders reinstatement

The panel may only quash a governing board's decision not to reinstate if it considers that the decision was flawed when considered in the light of the principles applicable to an application for judicial review

## **10. Removing a Pupil's Name from the School Register**

The governing board must ensure that a pupil's name is removed from the school admission register if:

- 15 school days have passed since the parents were notified of the governing board's decision to not reinstate the pupil and no application has been made for an IRP; or
- the parents have stated in writing that they will not be applying for an IRP

Where an application for an IRP has been made within 15 school days, the school must wait until the review has been determined, or abandoned, and until the governing board has completed any reconsideration that the panel has recommended or directed it to carry out, before removing a pupil's name from the register.

# **11. Monitoring and Review**

## **Data Collection and Analysis**

We will monitor the implementation and effectiveness of this policy through:

- Regular analysis of exclusion data
- Monitoring trends by pupil groups and protected characteristics
- Reviewing the reasons for exclusions
- Evaluating the effectiveness of reintegration strategies
- Gathering feedback from pupils, parents and staff

## **Reporting to Governors**

The Headteacher will provide the governing board with:

- Half-termly reports on all suspensions and exclusions
- Analysis by pupil groups and protected characteristics
- Information on preventative measures taken
- Details of alternative provision arrangements
- Information on reintegration strategies

## **Policy Review**

This policy will be reviewed annually by the governing board in consultation with the Headteacher, staff, and parents.

## 12. Links to Other Policies

This policy should be read in conjunction with:

**Behaviour and Social Interaction Policy** - which sets out our whole-school approach to promoting positive behaviour

**Child Protection and Safeguarding Policy** - which outlines our safeguarding procedures

**SEND Policy** - which details our approach to supporting pupils with special educational needs

**Anti-Bullying Policy** - which explains how we prevent and respond to bullying

**Equality Policy** - which sets out our commitment to equality and inclusion

**Use of Restrictive Interventions Policy** - which provides guidance on the safe and lawful use of reasonable force

This policy demonstrates our commitment to using suspension and permanent exclusion lawfully, reasonably, and only as a last resort, whilst ensuring that all pupils receive the support they need to succeed.