

## Exclusion and Suspension

### POLICY STATEMENT

- At our school we believe in pro-actively supporting our Pupils so we can reduce the likelihood of behaviours of concern occurring. Our school has a nurturing ethos where priorities are given to developing emotional regulation, positive communication, inclusion, and respect for self and others. We therefore make every effort to avoid suspending or excluding Pupils unless all other reasonable measures have been exhausted, and the safety of those at our school, is at risk.
- As an independent school that is not named under Section 41 of the Children and Families Act 2014, we are not required to follow the Department for Education's statutory guidance on exclusions for maintained schools and academies. However, we acknowledge the principles of fairness, proportionality, and clarity outlined in that guidance and adopt them as good practice.
- Article 29 of the UN Convention on the rights of Children states 'I have a right to an education which develops my personality, respect for others' rights and the environment'.
- Article 3 of the UN Convention on the rights of Children States 'All adults should do what is best for you.'

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# 1. Scope

## 1.1 Introduction

- 1.1.1 The school's focus of attention and expertise is in the education of children and young people with Special Educational Needs (SEND), to include those who demonstrate complex behaviours that challenge. The school therefore maintains a high level of capability and resource to be able to respond to such needs.

## 1.2 Types of Exclusion

- 1.2.1 **Suspensions** and **permanent** exclusions are different:
- 1.2.2 **Suspensions** (previously called fixed-term exclusions) are where a Pupil is prevented from attending the school for a fixed period. At the end of the period, they are expected to return to school following a reintegration meeting. A Pupil may receive a maximum 45 days of suspension in an academic year.
- 1.2.3 **Permanent exclusions** are where, subject to a decision of the panel, not to reinstate the Pupil to the school, the Pupil is prevented from attending the school again.
- 1.2.4 Permanent Exclusion on the grounds of a Pupil's behaviour will only be considered if it meets the following criteria:
- The nature of the behaviour is beyond the capability and/or resource of the school (e.g., where a high level of medical intervention is required, where necessary Team Member support cannot be provided, where necessary physical resources are not available)
  - The behaviour presents a level of risk to the Pupil/Team Member that the school is unable to manage/sustain.
  - The behaviour presents a level of risk to other Pupils and/or Team Members that the school is unable to manage/sustain.

## 1.3 Values

- 1.3.1 At our school we recognise that Pupils may have had a complex past relationship with school, and other people/situations in their life. We aim to provide a nurturing, supportive environment for the Pupils, and to work with them to help them overcome the challenges they face, with a strong focus on developing positive behaviour through the Therapeutic Approach.
- 1.3.2 Furthermore, as the Pupils at our school arrive with an Education Healthcare Care Plan (EHCP), the use of suspension or exclusion would only be used in the most exceptional of circumstances, where all other options have been considered. Suspension or exclusion will never be used for:
- Failure to complete work
  - Being late or absent
  - Not wearing school uniform
  - Being a target of bullying

- Any circumstance beyond the control of the individual Pupil.
- Because of a Pupils protected characteristic (direct discrimination) or exclude a Pupil with a protective characteristic for behaviour that Pupil without a protective characteristic would not be excluded for.

1.3.3 We will always aim to maintain open channels of communication with Parents/Carers and significant others in the Pupil's circle of support. If a Pupil is at risk of permanent exclusion, we will not put pressure on Parents/Carers to voluntarily withdraw the Pupil from the school. We will always seek to address the underlying challenges faced by the Pupil, and discuss ongoing proactive preventative measures, to continue to support the Pupil.

1.3.4 Nonetheless, we consider the safety and wellbeing of our Pupils and Team Members as paramount and reserve the right to pursue suspension or exclusion where this is being materially undermined. The school is committed to Equal Opportunities and will comply with any relevant legislation.

## **1.4 Prevention**

1.4.1 Preventing a suspension or exclusion will always be the priority. We adopt a range of processes through which any Pupil whose behaviours present a potential risk of suspension or exclusion will be identified. Examples of preventative measures include, but are not limited to those shown below:

- Positive behaviour support meetings (multidisciplinary)
- Monitoring of behaviour through Databridge
- Team and senior management meetings
- Pupil progress data
- Open and supportive communication channels with Pupils /Parents/Carers and Team Members
- Ongoing assessment and review (Motional)
- Action plans for Pupils who have disengaged
- Adjustment to personal and environmental risk assessments
- Opportunities for Pupils to learn from mistakes (working with a restorative justice approach)
- Curriculum focus on self-regulation
- Specific pastoral support co-ordinated by the Special Educational Needs and Disabilities Coordinator (SENDCo) and/or the Integrated Therapies Team (ITT)

## **1.5 The Headteachers Decision**

- 1.5.1 In the exceptional circumstance that a suspension or exclusion is considered as an option for a Pupil, the Headteacher is the only Team Member within the school who can make the decision to exclude. However, in the absence of the Headteacher, the Operations Director for Education will make this decision on their behalf.
- 1.5.2 There are two main reasons for suspension or exclusion: a serious breach of the school's Therapeutic Approach Policy, or a situation where it is feared that the safety and wellbeing, or education of those at school is at immediate and serious risk.
- 1.5.3 Suspensions or exclusions may be made for one incident which will seriously harm the education or safety of Pupils or Team Members in the school; or where there have been repeated incidents and all reasonable measures have been taken to understand and change the behaviour through the Therapeutic Approach, and individual behaviour support plans.
- 1.5.4 In the circumstance where there is no other option but to suspend or exclude, the school's preferred option would be to do so for a fixed term period. This will allow further time for all parties to meet and review the situation and agree the best course of action. There will, however, be exceptional circumstances where, the Headteacher will make a judgement that the most appropriate action is to permanently exclude a Pupil for a first or "one off" offence. These might include:
- Serious violence against another Pupil or Team Member
  - Sexual abuse or assault
  - Supplying an illegal drug
  - Carrying an offensive weapon
  - A criminal act
- 1.5.5 In such cases it may be appropriate for the Headteacher to inform the police, if they believe a criminal offence has taken place. Where appropriate, other agencies may also be contacted. For example, Social Services, Youth offending teams or other support groups. This will be dependent on individual circumstances, need and the best interest of those involved.
- 1.5.6 These instances are not exhaustive but indicate the severity of such offences and the fact that such behaviour can affect the order and well-being of the school community.
- 1.5.7 When a Pupil's pattern of behaviour places them at risk of permanent exclusion and where reasonable to do so, there will be an emergency multi-disciplinary meeting.
- 1.5.8 The meeting will consider:
- The nature of the presenting behaviour and the extent to which it meets the policy statement regarding grounds for exclusion.
  - That the Therapeutic Approach (Behaviour) policy is being fully and properly applied.
  - The consistency of implementation of plans, strategies, and interventions. If necessary, action improved consistency of implementation.

- The necessary changes in behaviour and / or circumstances required for the risk of exclusion to have abated and those that would escalate the exclusion process.
- Any environmental changes (including the behaviour/actions of Team Members).
- Any short-term measures to promote safety and well-being whilst any reassessment and development of new strategies and interventions is pursued. This may include the question of fixed-term exclusion.

## 2. Procedure for Suspensions or Exclusions

### 2.1 Investigation and Review

- 2.1.1 Unless there is an immediate and serious threat to the safety and welfare of those at school (including to the Pupil facing suspension or exclusion), there will always be an investigation to consider all evidence concerning the incident prior to the suspension or exclusion, and necessary control measures implemented to maintain safety.
- 2.1.2 The investigation must take into account the Therapeutic Approach and Equality Policy; and where possible provide opportunity for the Pupil involved to present their view of what has happened.
- 2.1.3 Alternative actions which would allow the Pupil to remain in school will be considered. These could include an option for an emergency review meeting to discuss the best interest of the Pupil and the suitability of the placement, with time for positive transition rather than exclusion, if there is an agreement that the placement is no longer in the best interest of the Pupil and/or others. On notification of the incident (s) the Headteacher will:
- Consider all the evidence available when looking to support the allegations, including the involved Pupil's own viewpoint and any mitigation.
  - Consider the school's Therapeutic Approach Policy, Equality and Cohesion policy, adherence to the DFE Suspension and Exclusion Guidance, and where appropriate the Equality Act 2010.
  - Understand if the behaviour may have been provoked, for example in the case of harassment, or bullying.
  - Gather reports and witness statements from relevant Pupils and Team Members. Witness statements will be signed and dated.
  - Consider the impact on the safety, health and well-being of the Pupil and others at school if the Pupil remained in school.
  - Ensure all reasonable prevention strategies have been appropriately implemented and exhausted.
  - Collate detailed, written records of all stages of the investigation.
  - Securely store written records and adhere to confidentiality rules (need to know basis).
  - On conclusion of the investigation the Headteacher will make a decision on the next step. This may be one of the following:
  - Allow the Pupil to remain in school if the evidence is not strong enough to justify exclusion, or all reasonable measures to support the Pupil have not been exhausted (and this outweighs the safety risk to those at school).
  - Where appropriate support has been given, and evidence warrants, the Headteacher will recommend a suspension or exclusion.

- The standard of proof to be applied is the “balance of probabilities.” If it is more probable than not that the Pupil did what they are alleged to have done the Headteacher may exclude the Pupil. However, the more serious the allegation and thus the possible outcome, the more convincing the evidence substantiating the allegation needs to be.

2.1.4 The Headteacher will:

- Immediately contact the Parent/Carer to inform them of the decision, prior to the suspension or exclusion.
- Ensure there are safe arrangements to send the Pupil home.
- Inform the Operations Director for Education.

2.1.5 Within one working day, the Headteacher will:

- Write to the relevant person (s) to inform them of the length of, reason for and type of exclusion; and arrangements for the completion and marking of work, whilst at home.
- Inform the local authority of the exclusion.
- Arrange for the provision of education at home, with a clear plan of returning and marking work as appropriate.
- Complete an exclusion report to be shared with the Operations Director for Education and local authority.

2.1.6 Exclusion/Suspension Reports will include:

- Pupil name, age, date of birth, gender, and ethnicity
- Education Healthcare Care Plan (EHCP)
- Child Looked After status
- Length of suspension
- Reason for suspension/exclusion

2.1.7 Within the period of exclusion, the Headteacher will also work with the multidisciplinary (and where appropriate, the Local Authority) team to develop a plan to reintegrate the Pupil back into school once the exclusion has been completed.

- 2.1.8 The number of days given for fixed term suspensions over the course of the academic year must not exceed 45 days. The 45 days applies to the Pupil and not the school, therefore if the Pupil leaves school to attend another educational provision, their record of exclusion should be shared with the next provision.
- 2.1.9 There may be rare and exceptional cases (for example if further evidence has come to light), where a suspension may be extended or converted to a permanent exclusion. In such a case, the Headteacher will write again to the Parents/Carers and Pupil to explain the reasons for the change.

## **2.2 Ongoing Support and Reintegration.**

- 2.2.1 Regardless of the length of a suspension, the following support will be in place to help the Pupil reintegrate into school life.
- Regular (agreed according to individual case) communication catch up sessions with the Pupil and Parents/Carers
  - Review of Pupil's risk assessment, therapeutic management plan and any other relevant documentation in order to support safe reintegration, and individual support (multi-disciplinary support).
  - Work provided to the Pupil will be sensitive to the situation, supportive of reintegration and based on their current personal needs, and there will be opportunities for recognition of this work being completed through regular communication. This could be through phone calls/online meetings/learning experience platform.
  - Completion of a reintegration meeting, with due consideration of Pupil, Parents/Carers and school views, and a review of the Individual Education Plan (IEP) and any behaviour support plans, to discuss how best transition the Pupil back to school in a safe and positive way. This meeting will produce an action plan for support.
  - A follow up meeting (after reintegration), no longer than 4 weeks after reintegration, to review the well-being of Pupil (s), review the success of the reintegration plan and make amendments as necessary in order to define the next steps.
  - Ongoing communication and support / advice will also be maintained with the Parents/Carers Pupil in the case of a permanent exclusion.

### **3. Permanent Exclusion and Termination of Placement**

#### **3.1 Staged Approach**

- 3.1.1 The needs of the Pupil remain central to all decision-making.
- 3.1.2 Every effort will be made to explore reasonable adjustments to maintain the placement.
- 3.1.3 We work collaboratively with parents/Carers and Local Authorities throughout the process.
- 3.1.4 Decisions will be fully documented and evidence informed.

#### **3.2 Stage 1: Internal Multi-Disciplinary Team (MDT) Review**

- 3.2.1 A school-based MDT is convened when initial concerns arise about a Pupil's placement.
- 3.2.2 This team will review:
  - The Pupil's current EHCP
  - Support strategies and reasonable adjustments already implemented
  - Academic, emotional, behavioural, and safeguarding needs
  - Additional interventions may be put in place and monitored over a defined period.
- 3.2.3 All decisions and actions are recorded for transparency.

#### **3.3 Stage 2: Coordinated Placement Review Meeting**

- 3.3.1 If concerns persist, a formal review meeting will be arranged.
- 3.3.2 Attendees may include:
  - Relevant Team Members
  - A Regional Education Lead or Operations Director for Education
  - A Headteacher or senior leader from another school (to provide external oversight)
- 3.3.3 This meeting explores:
  - Whether continued placement is in the Pupil's best interests
  - If further support options remain viable
  - Whether a change in provision should be considered

#### **3.4 Stage 3: Emergency Annual Review**

- 3.4.1 If it becomes clear the Pupil's needs may no longer be met, an emergency review of the EHCP is requested.
- 3.4.2 The Local Authority (LA) must be formally invited to participate.

### 3.4.3 The review will assess:

- Progress against EHCP outcomes
- Suitability of current provision
- Next steps, including potential changes to placement

### 3.4.4 All outcomes are jointly agreed with the LA, and documented.

## 3.5 **Stage 4: Recommendation to Amend Placement**

### 3.5.1 If the emergency review concludes that Phoenix Learning & Care is no longer a suitable setting, a formal recommendation to amend the EHCP placement will be issued to the Local Authority.

### 3.5.2 This will include:

- The rationale for the change
- Evidence of all reasonable adjustments and interventions tried
- Proposed transition timescales

### 3.5.3 The Local Authority retains responsibility for consulting on and securing alternative provision.

### 3.5.4 Note: This is not a permanent exclusion. Rather, it is a managed process to ensure the Pupil is placed in a setting that can better meet their identified needs.

## 3.6 **Considerations**

### 3.6.1 Every consideration of suspension and exclusion must consider:

- Any child protection issues and parental co-operation. Will the child be safe if they are not in school?
- Duty of care toward all Pupils (legal).
- Alternative arrangements for the continuation of education.
- The school's obligation to continue to provide education whilst the Pupils name is still on the roll. The name of a permanently excluded Pupil should remain on the school roll until the appeals procedure is completed, or until the time for appeals has expired without an appeal being lodged.

### 3.6.2 We will work with the Parents/Carers to provide advice on the options available for their child's future education.

### 3.6.3 A suspension or exclusion should not be enforced if doing so may put the safety of the Pupil(s) at risk.

### 3.6.4 In the case of any child protection concerns and/or lack of co-operation from Parents/Carers, the school should consider the need to contact the Education Welfare Service, follow child protection procedures and seek the advice of the Local Authority about available next steps (including legal process).

3.6.5 Written Confirmation (Please see Appendix A for examples of letters):

3.6.6 When the Headteacher provides written confirmation of the suspension or exclusion, they will provide the following details:

- The type of exclusion (whether it is a suspension or permanent exclusion) and the length of exclusion for a suspension
- The start and end date of the suspension, and any relevant previous history.
- Reason (s) for the suspension or exclusion.
- Information about the review and complaints procedure, who to contact for this, and a copy of the complaints policy.,
- The arrangements for enabling continued education, including the setting, and marking of work.

## **4. Risk of Permanent Exclusion**

### **4.1 Identifying if a Pupil is at Risk of Permanent Exclusion.**

4.1.1 At the heart of our school's philosophy and practice is the principle that 'if we pay good attention to identifying and responding to a Pupil's needs, their vulnerability to demonstrating behaviour that places them at risk of exclusion will diminish.' Such needs include:

- Physical, emotional, material, and social well-being needs
- Health needs
- Needs arising from their learning needs (communication, socialisation, flexible thinking, sensory)
- Educational and personal development needs

4.1.2 The school adopts a range of processes through which any Pupil whose behaviours present a potential risk of exclusion will be identified. These include:

- Child centred planning processes
- Positive behaviour support meetings
- Monitoring of behaviours through Databridge
- School team meetings
- Senior management team meetings
- Multidisciplinary meetings
- Pupil progress data

4.1.3 When the school's senior management team identifies a Pupil's behaviour as being such that it places him/her at risk of exclusion, it will convene an 'at risk of exclusion meeting' which may include other relevant school team and any external professionals who are involved in the Pupil's education, strategies, or interventions as well as the Pupil and their parents/Carers.

### **4.2 Risk of Permanent Exclusion Meeting**

4.2.1 The Headteacher will chair the risk of exclusion meeting. Minutes to include agreed actions will be recorded.

- The meeting will consider:
- The nature of the presenting behaviour/issues and the extent to which it meets the policy statement re: grounds for exclusion.
- That the Therapeutic Approach (Behaviour) policy is being fully and properly applied and, in particular:

- The appropriateness and accuracy of current plans and the assessment on which they are framed. If necessary, to action re-assessment and describing of more appropriate and relevant plans.
- The consistency of implementation of plans, strategies, and interventions. If necessary, action improved consistency of implementation
- The necessary changes in behaviour and/or circumstances required for the risk of exclusion to have abated and those that would escalate the exclusion process.
- Necessary recording of strategies, interventions, and behaviours.
- Any environmental changes – to include the behaviour/actions of Team Members.
- The need to further involve others – professionals, agencies, Parents/Carers.
- Any short-term measures to promote safety and well-being whilst any re-assessment and development of new strategies and interventions is pursued. This may include the question of suspension.
- Communication to Parents/Carers and the sponsoring Placing Authority. Unless there is good reason otherwise, at this stage parents and the Placing Authority will be informed that the Pupil's behaviour is outside the school's normal frame of reference and that a 'risk of exclusion process' is underway.
- Where appropriate and should the process move towards exclusion, the Parents/Carers and Placing Authority will be invited to attend any exclusion prevention and associated meetings.
- Further interventions could include:
  - A change of teaching set or class
  - Curriculum alternatives
  - Additional support in school
  - Further training for Team Members
  - A part time onsite provision
  - A short period of home tuition
  - A temporary change to the timetable

4.2.2 The outcome of the first and subsequent risk of exclusion meetings will be a clear exclusion prevention plan and accurate minutes.

4.2.3 The exclusion prevention plan and any risk management plan will clearly describe the interventions to overcome the issues that are creating a risk of exclusion and how the current risk(s) being presented will be safely managed. If risks cannot be safely managed with increased control measures implemented, suspension maybe needed to develop appropriate provision or resources such as further Team Member training or setting up an individualised teaching base. Plans will have clear timescales and monitoring/review procedures.

4.2.4 **Outcome of a 'Exclusion Prevention Plan'**

4.2.5 There are three possible outcomes from the exclusion prevention plan.

- The Pupil is no longer at risk of exclusion.
- Though the school can keep the Pupil safe, the interventions are not reducing the risk and an alternative provision/school is required. The school will work with the Pupil, family and placing authority to support a planned transition.
- The interventions are not providing positive improvement and the Pupil's behaviour meets the criteria for exclusion and a suspension is issued.

**4.3 Appeals and Complaints**

4.3.1 If a Parent/Carer believes the suspension or exclusion is because of a disability/impairment their child has, they have the right to make a claim of disability discrimination to the First-tier Tribunal for Special Educational Needs and Disability (SENDIST).

4.3.2 In the case of any exclusion the Parents/Carers/Pupil/Local Authority may make representations to the school's Governance and Oversight Team regarding the Headteacher's decision.

The school's s Governance and Oversight Team will:

- The school's Governance and Oversight Team will meet as soon as possible in order to review the terms of the exclusion.
- The Parent/Carer and Pupil may be invited to attend the review meeting in order to gain additional insight.
- An administrator will also circulate written statements and provide a list of those who will be present at the meeting.
- The school's Governance and Oversight Team will consider the reasons for the decision to exclude, parental and Pupil views. Parents / Carers / Pupils are entitled to bring a person to support them to present their views.

4.3.3 The school's Governance and Oversight Team will consider whether the Headteacher has complied with the following:

- Suspension and Exclusion procedures
- Therapeutic Approach Policy
- Equal Opportunities Policy

- Anti-bullying Policy
- SEND Policy
- Equality and Cohesion Policy

4.3.4 They have also had regard to the most recent national guidance and relevant legal frameworks.

4.3.5 The school's Governance and Oversight Team will also consider the evidence that all other reasonable strategies to support the Pupil have been exhausted, and appropriate preventative support has been provided.

4.3.6 The Chair will:

- Ask the Headteacher to outline the reasons for the exclusion decision.
- Offer Parents/Carers, Pupil, Governance and Oversight Team an opportunity to ask the Headteacher questions.
- Provide opportunities for Parents/Carers/Pupil to present their viewpoint (make their own representation).
- Offer the Headteacher and members of the review group the opportunity to ask questions to the Parents/Carers/Pupil.
- If the local authority are in attendance, they will also be asked for their viewpoint.
- Manage a summary of the meeting.

- 4.3.7 The school's Governance and Oversight Team will consider the evidence and make their decision whether the exclusion is upheld or not. This decision will be made in private. Within one school day from the date of the meeting, the committee will share their decision with Parents/Carers/Pupil/Local Authority and Headteacher.
- 4.3.8 A copy of the school's Governance and Oversight Team findings will be placed on record along with a copy of the Headteacher's exclusion letter, and other information gathered as part of the exclusion process.
- 4.3.9 If any party is still unsatisfied with the outcome of this meeting, they can refer to the school complaints policy, and follow the procedure to make a formal complaint.

#### **4.4 Unlawful Exclusions and Absence for Other Reasons**

- 4.4.1 Excluding a Pupil without following the formal procedure is unlawful, and all exclusions must be recorded as such.
- 4.4.2 However, there may be exceptional circumstances where it would be reasonable of the Headteacher to remove a Pupil from site immediately, and prior to investigation. For example, if a Pupil is accused of committing a serious criminal offence. In this instance, the matter will be referred to the police and other relevant services (for example, the child protection team). Please see Police Involvement Policy for further guidance.
- 4.4.3 A Pupil may be sent home because of a diagnosed illness such as a notifiable disease which poses an immediate and serious risk to the health and safety of others at school. However, this is not an exclusion and must be recorded as an authorised absence.
- 4.4.4 Health and safety considerations (for example a risk assessment) can form part of the evidence for exclusion but cannot themselves be grounds for exclusion.

#### **4.5 Pupil Behaviour Outside of School**

- 4.5.1 Any school activities taking place outside of the school (for example field trips, leisure activities, work experience) are subject to the Therapeutic Approach Policy.
- 4.5.2 For other incidents outside of the school premises, the school will act reasonably both in relation to expectations of Pupil behaviour, and in relation to any measures implemented to regulate behaviour off-site and not under the supervision of a Team Member. Please refer to the Education Visits and Off-site Activities policy for further information.

#### **4.6 Monitoring and Review**

- 4.6.1 Incidents of exclusion will be monitored by the Senior Leadership Team (SLT). The SLT will scrutinise data and monitor:
- Patterns of incidents including time of day / week, and environment
  - Evidence that a particular Pupil is, for some reason, becoming involved in a particular type of incident, or is more frequently involved in incidents
  - Trends related to bullying amongst the Pupil cohort.

- 4.6.2 The SLT will also convene after every exclusion. The team will meet to discuss the effectiveness of the decision to exclude. They will review and further develop therapeutic plans, implementing measures to avoid further suspensions or exclusions. This will be done with reference to the Therapeutic Approach Policy, and with due regard to the Equalities Act (2010).
- 4.6.3 Our suspension and exclusion policy will be reviewed annually and scrutinised for compliance with the relevant legislative framework, national guidance and key policies.

## **5. Communication**

### **5.1 Communications with placing authorities**

- 5.1.1 The Headteacher will maintain effective communications with the Local Authority throughout any period of exclusion. This will ensure that all parties are clear of the rational and any associated risks with the events leading to the decision to exclude. Where a placement has resulted in a permanent exclusion, the Headteacher will formally notify the local authority of the school's decision to cease the placement in line with the agreed contract.
- 5.1.2 Within the contracted notice period the Pupil will remain on role throughout their exclusion, and efforts will be made to provide alternative remote learning.
- 5.1.3 The financial arrangements for the termination of a placement as a result of a permanent exclusion will be implemented in line with the agreed funding contract.

### **5.2 Informing the Pupil's Social Worker and/or Virtual School Head (VSH)**

- 5.2.1 If a Pupil with a social worker is at risk of suspension or permanent exclusion, the Headteacher will inform the social worker as early as possible. If a Pupil who is a looked-after child (LAC) is at risk of suspension or exclusion, the Headteacher will inform the VSH as early as possible.

### **5.3 Notifying Those Involved of a Cancelled Suspension/Exclusion**

- 5.3.1 When an exclusion is cancelled, the Headteacher, must notify without delay:
- Parents/Carers; or the Pupil (if they are 18 or older)
  - The Operations Director for Education (Operational Governance and Oversight)
  - The local authority (LA)
  - The Pupil's social worker (where relevant)
  - The VSH (where relevant)
  - The Headteacher must provide all parties with the reason for cancellation.
- 5.3.2 Parents/Carers must be offered the opportunity to meet with the Headteacher without delay, to discuss the circumstances that led to the cancellation.
- 5.3.3 Any days out of school will count as a suspension and any days out of school, before a cancelled suspension/exclusion, will count towards the maximum of 45 school days a Pupil can be suspended in any school year.
- 5.3.4 Permanent exclusions cannot be cancelled if a Pupil has already been suspended for more than 45 days in a school year.
- 5.3.5 Pupils should be reintegrated without delay once the Headteacher is confident that appropriate control measures have been implemented to support a suitable return to the premises.

- 5.3.6 The Headteacher must ensure that the school offers the same support to Pupils whose suspensions/exclusion have been cancelled, as they would to a Pupil who has been suspended on their return to school.

## **6. Additional Guidance**

### **6.1 Alternative Approaches**

- 6.1.1 Several different alternatives may be available in response to a serious breach of behaviour policy.

### **6.2 Restorative Days**

- 6.2.1 We recognise that harmful behaviour between Pupils can occur and that such incidents may have a significant emotional and psychological impact. Our approach is rooted in restorative principles and therapeutic support, aiming to repair relationships, restore wellbeing, and support personal growth. In line with Department for Education guidance, we seek to avoid exclusion where possible by offering inclusive and proportionate responses that prioritise both safety and development.
- 6.2.2 When harm has occurred, we respond with empathy, structure, and care, placing equal importance on the needs of the Pupil who has experienced harm and the Pupil whose behaviour has caused harm. We believe all Pupils benefit from opportunities to reflect, learn, and re-engage with their school community in a healthy, supported way.
- 6.2.3 The immediate needs and safety of the Pupil who has experienced harm will be prioritised. Emotional support, therapeutic intervention, and pastoral care will be offered to help them feel safe, supported, and reassured.
- 6.2.4 The Pupil who has caused harm may be supported in a separate space to allow time for reflection, to prevent further difficulties, and to ensure that next steps can be planned with care. A Restorative Day may be used as a short-term, offsite intervention, during which the Pupil continues their education in a supported environment with a trusted Team Member. They will engage in reflective, therapeutic, and restorative activities designed to help them understand the impact of their behaviour, develop empathy, and begin the process of repairing relationships, where appropriate.
- 6.2.5 This approach ensures that the Pupil who has been harmed can remain in school without fear or anxiety, knowing that the situation is being managed in a structured and compassionate manner.

### **6.3 Restorative Reintegration**

- 6.3.1 A carefully planned return to the school environment will be arranged for the Pupil who has caused harm. This may include a restorative conversation with the Pupil who was harmed, if appropriate and safe for all involved. Continued support will be provided to both Pupils to promote emotional safety, mutual understanding, and the development of positive peer relationships.
- 6.3.2 Team Members may accompany and support Pupils offsite during Restorative Days, ensuring a consistent therapeutic and educational experience. All Team Members involved will have appropriate training in restorative approaches and trauma-informed practice, allowing them to respond with empathy, clarity, and consistency throughout the process.
- 6.3.3 Mediation through a third party is another approach that may lead to a satisfactory outcome, particularly where there has been conflict between two parties, e.g., a Pupil and teacher, or two Pupils.

- 6.3.4 Throughout the exclusion prevention process the Pupil's parents and sponsoring Placing Authority will be kept fully informed of progress and arising issues.

#### **6.4 Removal of Pupils other than by Exclusion**

- 6.4.1 There may be exceptional circumstances in which the Headteacher needs to remove a Pupil(s) from the school site when suspension or exclusion would be illegal. An example is where a Pupil is accused of committing a serious criminal offence which took place outside the Headteacher's jurisdiction (perhaps during a weekend or school holiday and off site) and/or there is insufficient evidence to warrant exclusion.
- 6.4.2 The Headteacher would be unable to exclude a Pupil in this situation. However, there may be compelling reasons for removing that Pupil from the school premises pending the outcome of a police investigation.
- 6.4.3 Whether the Pupil has been granted leave of absence or is being educated elsewhere, the school must ensure that the Pupil's full-time education continues while off site. Any such arrangements do not amount to a formal exclusion from school and should be kept under periodic review.

#### **6.5 Health and Safety**

- 6.5.1 The Headteacher may send a Pupil home, after consultation with that Pupil's parents, social worker, and a health professional as appropriate, where because of a diagnosed illness such as a notifiable disease he/she poses an immediate and serious risk to the health and safety of other Pupils and Team Members.
- 6.5.2 This is not exclusion and should be for the shortest possible time and may only be done for medical reasons. If difficulties persist, The Headteacher should seek medical advice.
- 6.5.3 If there is sufficient evidence that a Pupil has committed a disciplinary offence the Pupil may be suspended from school for a fixed period or excluded permanently.
- 6.5.4 If a Pupil's presence on the school site represents a serious risk to the health or safety of other Pupils or school Team Members the Headteacher may exclude the Pupil that day after consultation with the Operations Director for Education, parents and /or the Placing Authority.

#### **6.6 Remote Access to Meetings**

- 6.6.1 In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.
- 6.6.2 Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.
- 6.6.3 The Education Governance and Oversight Team and the Local Authority should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:
- All the participants have access to the technology which will allow them to hear, speak, see and be seen.
  - All the participants will be able participate fully.

- The remote meeting can be held fairly and transparently.
- 6.6.4 Social workers / Case workers always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.
- 6.6.5 The meeting will be rearranged to an in-person meeting without delay if technical issues arise that cannot be reasonably resolved and:
- 6.6.6 Compromise the ability of participants to contribute effectively, or
- 6.6.7 Prevent the meeting from running fairly and transparently.

## 7. Legislation and Guidance

7.1.1 The following legislation and guidance has been considered when drafting this policy:

- DfE Statutory Guidance on Suspension and Permanent Exclusion (2026)
- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- 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'

7.1.2 This policy should be read in conjunction with the following policies:

- Attendance
- Safeguarding
- Anti-bullying
- Online Safety and Acceptable Policies
- Therapeutic Approach
- Anti-radicalisation
- Confidentiality
- Equality and Cohesion
- CLA (LAC)
- SEND
- Complaints
- Education visits coordination

## 8. Appendix 1: Example Letters

### 8.1 Example 1: Suspension

*Dear [parent/guardian/Pupil's name],*

*I am writing to inform you of my decision to suspend [Pupil's name/you] for a fixed term of [period of suspension]. This means that [Pupil's name/you] will not be allowed in school for the period of the suspension which began on [date].*

*I realise that this suspension may well be upsetting for you and your family, but the decision to exclude [Pupil's name/you] has not been taken lightly. [Pupil's name/you] has/have been suspended for this fixed term period because [reason for suspension].*

*The school will continue to set work for [Pupil's name/you] during the period of his/her/your suspension [insert details of arrangements that are in place for this]. Please ensure that any work set by the school is completed and returned to us for marking.*

*You [and Pupil's name where Pupil is aged less than 11] have the right to make representations to the school's Governance and Oversight Team. If you wish to make representations, please contact:*

*[name of contact] on/at [contact details: address, phone number, e-mail], as soon as possible.*

*We sincerely hope that you will work with us as we seek to support [Pupil's name] to return to us, however, please rest assured that we are here to discuss this situation with you should you have any initial questions.*

*Yours sincerely [name]  
Headteacher*

### 8.2 Example letter 2: Permanent Exclusion

*Dear [parent's/guardian's/Pupil's name]*

*I regret to inform you of my decision to exclude [Pupil's name/you] permanently from [date]. This means that [Pupil's name/you] will not be allowed back to this school unless reinstated by the [school review group] or via the complaints process.*

*I realise that this exclusion may well be upsetting for you and your family, but the decision to exclude [Pupil's name/you] has not been taken lightly. [Pupil's name/you] has been excluded permanently because [reason for exclusion – also include any other relevant history here].*

*As this is a permanent exclusion the school's Governance and Oversight Team will meet to consider the exclusion. At the review meeting you [and Pupil's name where Pupil is aged less than 11] may make representations to the committee if you wish to do so.*

*The school's Governance and Oversight Team has the power to reinstate [Pupil's name/you] immediately or from a specified date, or alternatively, has the power to uphold the exclusion in which case you may follow our complaints procedure, which is enclosed.*

*The latest date the committee can meet is [date – no later than 15 school days from the date the committee is notified]. If you wish to make representations to the committee and wish to be accompanied by a friend or representative, please contact [name of contact] on/at [contact details: address, phone number, e-mail], as soon as possible.*

*We sincerely hope that you will work with us as we seek to support [Pupil's name] to return to us, however, please rest assured that we are here to discuss this situation with you should you have any initial questions.*

*Yours sincerely [name]*

*Headteacher*

### **8.3 Example letter 3: Permanent exclusion – review group's decision**

- 8.3.1 From the administrator of the school's Governance and Oversight Team notifying the parent/guardian of a permanently excluded Pupil of the school's Governance and Oversight Team decision:

*Dear [parent's/guardian's/Pupil's name]*

*The meeting of the school's Governance and Oversight Team at the [school] on [date] considered the decision by [headteacher] to permanently exclude you/your son/daughter [name of Pupil].*

*The committee, after carefully considering the representations made and all the available evidence, have decided:*

*Either to overturn the exclusion and direct that [you/name of Pupil] are/is reinstated in the school by [date]. We therefore expect [you/name of Pupil] to be back in school on [date] at [time].*

*If you wish to discuss [Pupil's name/your] return to school before reinstatement, please contact [name of headteacher] to arrange a convenient time and date.*

*A copy of this letter will be added to [Pupil's name/your] school record for future reference.*

*Or to uphold [your/name of Pupil's] exclusion. The reasons for the committee's decision are as follows: [give the reasons in as much detail as possible, explaining how the committee arrived at its decision].*

*You have the right to appeal against this decision. If you wish to appeal, please follow our complaints procedure, which is enclosed with this letter. The arrangements currently being made for [Pupil's name/your] education will continue for the time being. However, new arrangements to provide full-time education for [Pupil's name/your] are being made and [name of LA officer] will liaise with you shortly about these new arrangements. If you have any questions about this please contact [name].*

*Yours sincerely [name]*

*Administrator to the review group*

## 9. Appendix 2 Overview of permanent exclusion process

