



Exclusion and Suspension Policy

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1. Statement of Principles

- 1.1 This policy sets out Exceed Academies Trust's framework for suspensions and permanent exclusions, aligning with statutory guidance.
- 1.2 Exceed Academies Trust is committed to:
- High expectations of behaviour
 - Safe and orderly learning environments
 - Inclusive practice
 - Reducing exclusions wherever possible
 - Protecting vulnerable pupils
 - Lawful, fair and proportionate decision-making
- 1.3 Suspension and permanent exclusion are serious sanctions and will only be used where necessary, proportionate and in accordance with statutory guidance.
- 1.4 This policy aims to ensure decisions are lawful, reasonable, fair, proportionate and consistent across the Trust.

2. Scope and Application

- 2.1 This policy applies to:
- All academies within Exceed Academies Trust
 - All pupils of statutory school age
 - All suspensions (fixed-term exclusions)
 - All permanent exclusions
- 2.2 The policy operates alongside each academy's Behaviour Policy and Safeguarding Policy.

3. Legal Framework

- 3.1 This policy is compliant with applicable legislation, including:
- *Education Act 2002*
 - *Education and Inspections Act 2006*
 - *School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012*
 - *Equality Act 2010*
 - *Children and Families Act 2014*
 - *SEND Code of Practice*
 - *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*

4. Headteacher Authority and Decision-Making

4.1 Lawful and Reasoned Decisions

Only the Headteacher has the authority to suspend or permanently exclude a pupil. Decisions must:

- Be based solely on disciplinary grounds;
- Apply the civil standard of proof (balance of probabilities);
- Be lawful, reasonable, fair and proportionate.

4.2 Parallel criminal investigations should not delay suspension or permanent exclusion when necessary.

4.3 Last Resort Test for Permanent Exclusion

Permanent exclusion will only be used:

- As a last resort;
- For a serious breach or persistent breaches of the academy's Behaviour Policy;
- Where allowing the pupil to remain would harm the education or welfare of the pupil or others.

5. Equality, SEND and Safeguarding Considerations

5.1 The Trust recognises duties under the Equality Act 2010 and Children and Families Act 2014.

5.2 Before issuing a suspension or permanent exclusion, the Headteacher must consider:

- Whether reasonable adjustments have been made (Equality Act s20);
- Whether behaviour may be "something arising from disability" (Equality Act s15);
- Whether an EHCP needs review and whether graduated support has been properly evidenced;
- Whether the behaviour is connected to unmet safeguarding needs.

5.3 Safeguarding Consultation

Before confirming permanent exclusion, the Headteacher must consult the Designated Safeguarding Lead (DSL) to:

- Consider contextual safeguarding risks, including trauma, exploitation or abuse;
- Avoid exclusion where it may increase risk of harm;
- Notify the Trust in complex situations.

6. Early Intervention and Alternatives

6.1 Academies must evidence consideration of early intervention and alternatives before permanent exclusion. This may include:

- Multi-agency support and early help;
- Behaviour support plans and reasonable adjustments;
- Managed moves (voluntary, formalised in writing);
- Off-site direction (lawful, proportionate and time-limited).

6.2 Managed moves must not be a prerequisite for avoiding permanent exclusion.

7. Grounds for Suspension or Permanent Exclusion

7.1 Examples (not exhaustive):

- Serious violence or threats of violence;
- Sexual violence or harassment;
- Possession or supply of illegal drugs;
- Possession of weapons;
- Persistent disruptive behaviour;
- Serious bullying (including online);
- Safeguarding-risk behaviours;
- Single incidents of exceptionally serious misconduct.

7.2 Each decision must be proportionate to the behaviour and consider contextual factors.

8. Behaviour Outside School

8.1 Sanctions, including suspension or permanent exclusion, may be applied where behaviour outside school hours adversely affects the welfare or safety of the academy community, such as:

- On school trips;
- During travel to/from school;
- Online conduct directly affecting the academy;
- Behaviour that diminishes the reputation of the academy.

9. Suspension (Fixed-Term Exclusion)

9.1 A pupil may be suspended for up to 45 school days in a single academic year:

- Suspensions cannot be extended nor replaced by a longer single absence without a new decision;
- Lunchtime suspensions count as half a day;
- Informal or unofficial exclusions (including “off-rolling”) are unlawful.

9.2 Where suspensions are frequent or repetitive, the academy must review strategies and support.

10. First Five Days and Day-6 Provision

10.1 During the first five school days of a suspension or permanent exclusion the academy must:

- Provide meaningful school work;
- Mark the work when completed.

10.2 From Day 6 of a suspension:

- The academy must arrange full-time alternative provision;
- The pupil's attendance should be marked in accordance with DfE attendance coding guidance.

10.3 For permanent exclusion, the local authority must arrange a place from Day 6 and take responsibility for full-time provision.

10.4 Parents/carers must ensure that the pupil is not in a public place during school hours on days 1–5 of a suspension/exclusion, unless there is reasonable justification.

11. Reintegration Meetings

11.1 A reintegration meeting must be held on or before the pupil's return to school.

11.2 This meeting will:

- Review triggers and support needs;
- Agree reasonable adjustments and revised plans;
- Set clear expectations for future behaviour.

12. Communication of Exclusion Decisions

12.1 The Headteacher must notify parents/carers without delay and in writing.

12.2 The notice must include:

- Reason for the suspension or permanent exclusion;
- Duration or permanence;
- Right to make representations to the governing board;
- Right to request an IRP (for permanent exclusion);
- Deadline for IRP requests (15 school days of written notice);
- Information on SEN expert availability (permanent exclusion);
- Details of public place duty during suspension;
- Education and alternative provision arrangements;
- Contact details for impartial advice including Coram Children's Legal Centre and ACE Education Advice.

12.3 The academy must also notify the local authority without delay when:

- A pupil is permanently excluded;
- A suspension leads to missed public examinations;
- A pupil is suspended for more than 5 school days in a term.

12.4 Where a pupil has a **social worker** or is **Looked After**, appropriate notifications must be made without delay.

13. Governing Board Review

13.1 For the purposes of this policy, the Trust Board is the governing board in law and delegates review functions in accordance with the Scheme of Delegation.

13.2 Exclusion review panels (three impartial governors) will consider reinstatement where required by law.

13.3 Panel members must:

- Have had no prior involvement in the case;
- Act independently and impartially;
- Have access to clerking support;
- Receive papers in advance of the meeting.

13.4 Remote Meetings

Governors and parents/carers may request that review meetings take place remotely (e.g., via secure video conferencing), subject to:

- Mutual agreement;
- Safeguarding considerations;
- Assurance that all participants can engage effectively.

13.5 Panels will meet within statutory timescales:

- Within 15 school days for permanent exclusions or where suspension exceeds 15 days in a term;
- Within 50 school days where representations are made and suspension exceeds 5 days in a term;
- As soon as practicable where public examinations are affected.

14. Cancellation/Withdrawal of Exclusions

14.1 Before a governing board meeting, the Headteacher may cancel or withdraw a suspension or permanent exclusion if:

- New evidence emerges;
- Legal process issues are identified;
- It is in the best interests of the pupil and community.

14.2 When cancellation occurs:

- Attendance recording must be amended in line with DfE attendance guidance;
- Parents/carers and the local authority must be informed without delay.

15. Independent Review Panels (IRP)

15.1 Parents/carers may request an IRP within 15 school days of notice that reinstatement has been refused.

15.2 The IRP may:

- Uphold the decision;
- Recommend reconsideration; or
- Quash the decision and direct reconsideration.

15.3 Where a panel quashes the decision and the Governing Board reaches the same decision again on reconsideration, the Trust may be liable for a readjustment payment to the local authority.

15.4 Parents/carers have the right to request the appointment of a SEN expert to attend the IRP.

16. Complaints and Legal Rights

16.1 The Trust's internal complaints procedure cannot overturn exclusion decisions.

16.2 Parents/carers may:

- Request an IRP (where applicable);
- Bring disability discrimination claims to the SEND Tribunal;
- Bring other discrimination claims to the County Court.

17 Review and Monitoring

17.1 The Trust Board will receive termly exclusion reports. The Board will:

- Scrutinise patterns and trends;
- Monitor disproportionality;
- Require action plans where necessary;
- Review IRP outcomes annually.

17.2 Local Advisory Boards (LABs) will receive academy-level data at least termly.

17.3 This policy will be reviewed at least every two years, or sooner if statutory guidance changes.