

Suspension and Permanent Exclusion Policy

September 2026

*Nothing is beyond our reach!
Care and challenge engage and motivate us!
Praise reassures and supports us!
Successes are celebrated and built on!*

Approved by	Governing Board
Policy owner	Dawn Joy
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Review date	Autumn 2027

This policy has been rewritten to reflect the Department for Education statutory guidance Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, effective from 26 July 2026.

1. Aims

Norton Community Primary School is committed to maintaining a safe, calm and respectful environment in which all pupils can learn and thrive. Suspension and permanent exclusion are lawful behaviour management tools, but permanent exclusion will be used only as a last resort. Our procedures will be lawful, reasonable, fair, proportionate and consistent with our safeguarding, SEND and equality duties.

- Apply suspension and permanent exclusion procedures fairly and consistently.
- Ensure pupils, parents, staff and governors understand the process and their rights and responsibilities.
- Keep pupils and staff safe while supporting every child's education, welfare and successful reintegration.
- Listen to pupils and consider individual circumstances, including SEND, disability, health, safeguarding and social care needs.
- Prevent unlawful informal exclusion and off-rolling and use pupil movement only where lawful and in the pupil's best interests.

2. Legislation and statutory guidance

This policy has regard to the Department for Education statutory guidance Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement, effective from 26 July 2026.

Relevant legislation and guidance includes the Education Act 2002, the Education Act 1996, the Education and Inspections Act 2006, the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 as amended, the School Attendance (Pupil Registration) (England) Regulations 2024, the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007 as amended, the Education (Educational Provision for Improving Behaviour) Regulations 2010 as amended and applied in 2026, the Equality Act 2010 and the Children and Families Act 2014.

This policy should also be read alongside Behaviour in Schools, Keeping Children Safe in Education, Working together to improve school attendance, the SEND Code of Practice, the school Behaviour Policy and the school Child Protection and Safeguarding Policy.

3. Definitions

- Suspension: a temporary exclusion from school for one or more fixed periods. The legal term remains exclusion for a fixed period.
- Permanent exclusion: removal of a pupil from the school on disciplinary grounds unless the pupil is reinstated.
- School day: a day on which there is a school session. INSET or staff training days do not count as school days for these purposes.
- Parent: a parent or carer with parental responsibility or care of the pupil, as applicable under the legislation.

4. The Headteacher's power to suspend or permanently exclude

Only the Headteacher, or an Acting Headteacher formally appointed to carry out the Headteacher's functions, may suspend or permanently exclude a pupil on disciplinary grounds.

A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year. Suspensions do not have to be continuous. The school will maintain a reliable record of cumulative suspension days, including relevant suspensions received at another school.

A permanent exclusion will 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, including staff or pupils.

A pupil's behaviour outside school may be grounds for suspension or permanent exclusion where this is consistent with the Behaviour Policy and the Headteacher's legal powers.

5. Decision-making and factors to consider

The Headteacher will establish the facts using the civil standard of proof, on the balance of probabilities. Each case will be considered on its individual circumstances. Decisions will be lawful, reasonable, fair and proportionate.

Before deciding to suspend or permanently exclude, the Headteacher will, where relevant:

- Consider all relevant evidence and any contributing factors surrounding the incident or pattern of behaviour.
- Take the pupil's views into account in light of their age and understanding, unless inappropriate to do so, support them to express their views where required and explain how those views have been considered.
- Consider whether SEND, disability, mental or physical health needs, communication needs, trauma, safeguarding concerns or unmet needs have contributed to the behaviour.
- Consider the Equality Act 2010, including the duty to make reasonable adjustments for disabled pupils, and duties under the Children and Families Act 2014.
- Consider whether additional support, an early review of SEN provision or an EHC plan, an early annual review, alternative provision, off-site direction or a managed move might be appropriate.
- For a pupil with a social worker, involve the social worker, DSL and parents as early as possible where the pupil is at risk of suspension or permanent exclusion. For a looked-after child, the Designated Teacher will contact the Virtual School Head as soon as possible and seek advice.

The school will not use informal or unofficial exclusions. Sending a pupil home for disciplinary reasons, including to complete work online, will be formally recorded as a suspension. A part-time timetable will not be used to manage behaviour.

6. Cancelling a suspension or permanent exclusion

The Headteacher may cancel a suspension or permanent exclusion that has begun or has not yet begun, provided the governing board has not already met to consider whether the pupil should be reinstated. The Headteacher will notify the parents, governing board, local authority and, where relevant, the pupil's social worker and Virtual School Head without delay, giving the reason for cancellation.

The governing board's duty to consider reinstatement will then cease. The pupil will be allowed back into school without delay and parents will be offered a meeting with the Headteacher to discuss the circumstances. Any school days already spent out of school as a result of the cancelled exclusion count towards the 45-day annual maximum. A permanent exclusion cannot be cancelled where the 45-day statutory limit prevents cancellation.

7. Safeguarding and separation of pupils

A decision to suspend or permanently exclude will be considered alongside the school's safeguarding duties. Where an allegation of harm or other safeguarding circumstance makes it essential to separate pupils, the school may in rare cases temporarily forbid a pupil from attending the premises for safeguarding purposes. This is not a disciplinary suspension or permanent exclusion.

Any safeguarding separation will be decided case by case with the Designated Safeguarding Lead or deputy taking a lead role. Parents will be informed of the reason, the governing board will be notified without delay, and duties under Keeping Children Safe in Education, the Equality Act 2010, the Human Rights Act 1998 and public law principles will be considered. The school will work with the local authority and other agencies as required to ensure suitable education is provided.

8. Off-site direction and managed moves

8.1 Off-site direction

Off-site direction is a temporary placement at another education setting to improve future behaviour. It is not a punishment for past misconduct. The governing board is responsible for arranging and reviewing an off-site direction in accordance with legislation and the Department for Education guidance on alternative provision.

Before an off-site direction, the school will evidence appropriate initial intervention where relevant, share necessary educational and safeguarding information, consider SEND and health needs, define the objectives and anticipated timescale, and involve the pupil so that their views can be heard.

Parents and, where a pupil has an EHC plan, the local authority will receive the required written information as soon as practicable and no later than two school days before the placement starts. The placement, objectives and reintegration plan will be regularly reviewed by the governing board. Parents and the local authority where applicable may request a review in accordance with the statutory arrangements. The school will use the appropriate attendance codes.

8.2 Managed moves

A managed move is a planned permanent transfer to another mainstream school. It must be voluntary, agreed by all relevant parties, including parents and the admission authority of the receiving school, and be in the pupil's best interests. There are no trial managed moves or trial admissions. If a temporary move is needed to improve behaviour, off-site direction should be used instead.

The school will not pressure parents to accept a managed move and a pupil will not be permanently excluded because a parent or pupil refuses one. Managed moves will comply with the School Admissions Code and School Attendance (Pupil Registration) (England) Regulations 2024. Where a pupil has an EHC plan or social worker, or is looked after, the relevant local authority, social worker, DSL and/or Virtual School Head will be involved as required.

9. Informing parents

Whenever the Headteacher suspends or permanently excludes a pupil, parents will be notified without delay of the period of suspension or that the exclusion is permanent, and the reason or reasons. Written notice will also be provided without delay and will include:

- the reason or reasons for the suspension or permanent exclusion
- the duration of a suspension or the fact that a permanent exclusion is permanent

- the right to make representations to the governing board and how the pupil may be involved
- how representations should be made
- the right, where a governing board meeting is required, to attend, be represented at their own expense and bring a friend
- the right to request a governing board meeting via remote access, and how and to whom the request should be made
- arrangements for the pupil to continue their education before returning or before alternative provision begins
- relevant sources of free and impartial advice, including the DfE parent guidance, the local SENDIASS service, Child Law Advice and IPSEA.

For pupils of compulsory school age, parents will also be notified without delay, and no later than the end of the afternoon session on the first day, of the days on which they must ensure that their child is not present in a public place during school hours without reasonable justification. This applies to the first five school days of a suspension or permanent exclusion, or until full-time alternative provision starts or the suspension ends if earlier.

Where alternative provision has been arranged, parents will be told the start date, session times, address and reporting arrangements. If these details cannot reasonably be provided with the initial notice, they will be provided without delay and no later than 48 hours before provision begins, except where earlier provision begins with parental consent.

10. Informing the local authority, governing board, social worker and Virtual School Head

The local authority will be informed without delay of every suspension and permanent exclusion, regardless of length, including the reason and duration. For a permanent exclusion where the pupil lives in another local authority, the home authority will also be informed without delay.

The governing board will be notified without delay of any permanent exclusion; any suspension or permanent exclusion that brings the pupil's total to more than five school days or more than ten lunchtimes in a term; and any suspension or permanent exclusion that would result in the pupil missing a public examination or National Curriculum test. The Headteacher will inform the governing board once per term of any other suspensions not previously notified.

Where the pupil has a social worker, the social worker will be notified without delay after the decision. Where the pupil is looked after, the relevant Virtual School Head will also be notified without delay. The social worker and/or Virtual School Head will be told of any governing board meeting and may attend and share information.

11. Education during suspension or permanent exclusion

During the first five school days, where the pupil is not attending alternative provision, the school will take reasonable steps to set and mark suitable, accessible work. SEND and disability duties continue to apply. For a looked-after child or child with a social worker, the school and local authority will work together to arrange alternative provision from the first day following suspension or permanent exclusion where possible.

For a suspension of more than five consecutive school days, the governing board will arrange suitable full-time education for a pupil of compulsory school age beginning no later than the sixth school day. Consecutive suspensions are cumulative for this purpose. For a permanent exclusion, the local authority is responsible for arranging suitable full-time education from the sixth school day after the first day of the permanent exclusion. Where a pupil has an EHC plan, the local authority may also need to review or reassess the plan.

12. Governing board consideration of reinstatement

The governing board may delegate its exclusion functions to a designated committee of at least three governors.

The governing board must consider and decide on reinstatement within 15 school days of receiving notice where:

- the pupil has been permanently excluded
- a suspension would bring the pupil's total number of school days of suspension to more than 15 in a term
- the suspension or permanent exclusion would result in the pupil missing a public examination or National Curriculum test.

Where a suspension would bring the pupil's total to more than five but not more than 15 school days in a term, the governing board must meet and decide on reinstatement within 50 school days if the parents make representations. If there are no representations, the governing board is not required to meet and cannot direct reinstatement. For suspensions totalling five school days or fewer in a term, the governing board must consider any representations but cannot direct reinstatement and need not arrange a meeting.

Where a public examination or National Curriculum test would be missed, the governing board will, so far as reasonably practicable, consider the case before the examination or test. If insufficient governors can do so, the Chair, or Vice-Chair where necessary, may consider reinstatement alone.

Where a meeting is required, parents and their friend or representative, the Headteacher, a local authority representative, the pupil's social worker where applicable and the Virtual School Head for a looked-after child will be invited and allowed to make representations or share information. The pupil will be enabled and encouraged to participate, taking account of age and understanding. Reasonable adjustments will be made where required.

The governing board will consider the interests and circumstances of the pupil and the interests of other pupils, staff and the school community. It will consider whether the Headteacher's decision was lawful, reasonable and procedurally fair and apply the balance of probabilities. It may decline to reinstate or direct reinstatement immediately or on a specified date.

Minutes and a record of evidence considered will be kept. The outcome will be placed on the pupil's educational record and the parents, Headteacher, local authority and, where relevant, social worker, Virtual School Head and home authority will be informed in writing without delay, with reasons.

13. Remote access meetings

Parents may request that a governing board reinstatement meeting, and in a permanent exclusion case an Independent Review Panel, is held remotely. Remote access is not the default. Where no remote request is made, meetings will normally be held in person unless extraordinary events or unforeseen circumstances make this not reasonably practicable.

A remote meeting will only be used where it can be held fairly and transparently and participants can participate effectively. If this cannot be achieved, a face-to-face meeting will be arranged. Social workers and Virtual School Heads must be allowed to join remotely if they wish, provided effective participation and fairness can be maintained.

14. Permanent exclusion and Independent Review Panels

Where the governing board decides not to reinstate a permanently excluded pupil, its written decision will state that the exclusion remains permanent and explain the right to request an Independent Review Panel (IRP). The notice will explain the application deadline, where and to whom the request must be sent, the right to request remote access, the grounds to be set out in the application, the right to request a SEN expert whether or not the pupil has identified SEN, the role and cost-free appointment of that expert, and rights to representation or a friend.

Parents may apply for an IRP within 15 school days of written notice of the governing board's decision not to reinstate, or within the applicable statutory period following final determination of an Equality Act discrimination claim. The local authority is responsible for arranging the IRP for a maintained school. The review must begin within 15 school days of the application.

The IRP may uphold the governing board's decision, recommend that the governing board reconsiders reinstatement, or quash the decision and direct reconsideration where the decision is flawed when considered using the principles applicable to judicial review. The IRP does not itself reinstate the pupil.

The IRP will be constituted and conducted in accordance with the statutory regulations and guidance. Panel members and any clerk must have received the required training within the previous two years. The SEN expert, social worker and Virtual School Head will have the roles set out in statutory guidance where applicable.

15. Equality Act claims

If parents believe that a suspension or permanent exclusion involved unlawful discrimination, they may bring a claim under the Equality Act 2010. Disability discrimination claims relating to school exclusions are made to the First-tier Tribunal (Special Educational Needs and Disability); other discrimination claims are made to the County Court. The usual time limit is six months from the alleged discriminatory act, subject to the relevant tribunal or court rules. The school will retain relevant records accordingly.

16. Admission and attendance registers following permanent exclusion

A permanently excluded pupil's name will remain on the admission register until the statutory conditions for removal are met under the School Attendance (Pupil Registration) (England) Regulations 2024. This includes allowing the relevant period for an IRP application and, if an application is made, awaiting the conclusion of the review process.

While the pupil remains on roll, the attendance register will use the appropriate national attendance code. Where alternative provision is attended this may include Code D or Code B as applicable; where the pupil is not attending alternative provision, Code E will be used where appropriate.

When a permanently excluded pupil transfers to a new setting, the school will transfer the Common Transfer File within the applicable statutory timescale and the Designated Safeguarding Lead will transfer the child protection file securely as soon as possible and in accordance with Keeping Children Safe in Education.

17. Reintegration following suspension, cancelled exclusion, off-site direction or safeguarding separation

The school will plan a reintegration strategy that offers the pupil a fresh start, restores a sense of belonging, supports engagement with learning, helps the pupil understand the effect of behaviour on themselves and others and teaches or reinforces the behaviours needed to meet school expectations.

The strategy will be communicated at a reintegration meeting before or at the beginning of the pupil's return. The pupil will be told that they are valued and previous behaviour is not an obstacle to future success. Parents will be invited where possible, but a pupil will never be prevented from returning because a parent cannot or does not attend. The strategy will be reviewed and adapted with the pupil, parents and relevant professionals as needed.

A part-time timetable will not be used to manage behaviour. Where one is exceptionally required for another legitimate reason, it will be for the shortest necessary period, subject to regular formal review and have a clear plan for a return to full-time education.

18. Governing board monitoring and oversight

The governing board will routinely challenge and evaluate school data on suspensions, permanent exclusions and pupil movement. This will include repeat suspensions, pupils removed from roll, off-site direction, pupils educated off-site and safeguarding separation, and the characteristics and needs of affected pupils, including SEND and vulnerable groups.

Governors will consider the consistency and effectiveness of the Behaviour Policy, interventions for pupils at risk of exclusion, patterns in timing or reasons, the quality and outcomes of alternative provision, attendance and safeguarding, and whether any pattern indicates that provision or support needs to be strengthened. Permanent exclusion and pupil movement will be scrutinised to ensure they are used lawfully and only when necessary.

19. Off-rolling

Norton Community Primary School will not remove pupils from the admission register unlawfully, encourage parents to withdraw a pupil primarily in the interests of the school, use informal exclusion, misuse part-time timetables, or pressure families into managed moves. All pupil movement will follow the relevant statutory process and be based on the pupil's educational and safeguarding interests.

20. Links with other school policies

- Behaviour Policy
- Child Protection and Safeguarding Policy
- SEND Policy and SEN Information Report
- Attendance Policy
- Equality information and objectives
- Alternative Provision procedures, where applicable

21. Review

This policy will be reviewed at least annually and sooner if legislation, statutory guidance or local authority procedures change. The Headteacher will ensure staff and governors involved in suspension, permanent exclusion or pupil movement understand their responsibilities and receive appropriate training.