Oldswinford Church of England Primary School

Suspensions and Exclusions Policy

Approved by the Governing Body: September 2025

Reviewed: September 2026

Review: September 2027

1. Policy Statement

Oldswinford CE Primary School (OCEPS) is committed to creating a safe, respectful, and inclusive learning environment for all. In line with DfE guidance *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (DfE, 2023)*, we view suspensions and exclusions as a last resort and strive to use proactive, preventative approaches whenever possible.

2. Aims of the Policy

- To ensure a fair, lawful, and proportionate response to incidents of serious misconduct.
- To outline procedures for suspensions and permanent exclusions.
- To safeguard the rights and wellbeing of all pupils, including those with SEND or vulnerable characteristics.
- To meet our statutory duties under the Education Act 2002, the Equality Act 2010, and the SEND Code of Practice (2015).
- To promote the consistent use of restorative, relational, and supportive behaviour strategies before resorting to exclusion.

3. Legal Framework

This policy is underpinned by the following legislation and guidance:

- DfE Exclusion Guidance (2023)
- Education Act 2002 (as amended by the Education Act 2011)
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Equality Act 2010
- Children and Families Act 2014
- SEND Code of Practice 2015
- Keeping Children Safe in Education (KCSIE)
- Human Rights Act 1998

It is also linked to the following policies: Behaviour Policy, SEND Policy, Safeguarding Policy

4. Key Definitions

- Suspension (formerly fixed-term exclusion): The pupil is temporarily removed from school for disciplinary reasons, for up to 45 days in one school year.
- Permanent exclusion: The pupil is permanently removed from the school roll following serious breaches or persistent breaches of the behaviour policy and where remaining in school would harm the education or welfare of others.

Additional information about the types of behaviour that could lead to a suspension or exclusion can be found in our Behaviour Policy.

5. Principles of Decision-Making

The decision to suspend or permanently exclude a pupil will:

- Only be made by the headteacher (or acting head).
- Be lawful, reasonable, and fair.
- Be based on robust evidence and a full understanding of the context.
- Take into account the pupil's age, SEND, social context, and safeguarding needs.
- Involve the pupil's voice where appropriate.

Exclusion will never be used as a response to:

- Minor misbehaviour (e.g. uniform breaches or lateness).
- Poor academic performance.
- Disability-related behaviour where reasonable adjustments have not been considered.
- A lack of support for underlying unmet needs.

6. Preventing Exclusion

We aim to avoid exclusion wherever possible by:

- Using our pastoral systems to support positive behaviour.
- Working closely with parents/carers and external agencies.
- Making appropriate reasonable adjustments for pupils with SEND. More information about the types of reasonable adjustments that can be made can be found in our Behaviour and SEN policy.
- Using internal support, reflection spaces, or managed moves before exclusion.
- Developing Individual Behaviour Plans, Learning Support Plans, Risk Assessment and trigger lists where necessary.

7. Process for Suspension or Exclusion

a. Decision to Suspend/Exclude

- The headteacher makes the decision based on evidence, seriousness of the breach, and other relevant factors.
- The pupil will be given a chance to give their account before a decision is finalised if appropriate

b. Notifying Parents

The school will notify parents/carers in writing without delay, including:

- The reason(s) for the suspension or exclusion.
- The duration (if a suspension).
- Their right to make representations to the governing board.
- Their right to attend a meeting and/or be accompanied.
- The right to access support

c. Notifying the Governing Board and Local Authority

- For all suspensions and exclusions, the governing board and LA will be informed via official notification channels.
- Where the exclusion is permanent or results in more than 15 days' absence in a term, a governor panel meeting will be arranged.

8. Consideration by Governing Board

For permanent exclusions (and suspensions over 15 days per term), the board must:

- Convene a meeting within 15 school days to review the exclusion.
- Invite the parents, headteacher, and LA (and the pupil where appropriate).
- Consider the evidence and decide whether to uphold or overturn the exclusion.

For shorter suspensions (5–15 days), the board must:

- Consider representations if requested by parents but is not required to meet unless the suspension totals more than 15 days in a term.

9. Independent Review Panel (IRP)

If the board upholds a permanent exclusion, parents have the right to request an independent review within 15 school days of the decision. This is done with the support of the LA

- The panel will be independent and include a headteacher, a governor, and a lay member.
- Parents can request the panel include an SEND-experienced member.
- The IRP may uphold the exclusion, recommend reconsideration, or quash the decision and order reconsideration.

10. Reintegration Following Suspension

Following a suspension, OCEPS will hold a reintegration meeting with the pupil and parents to:

- Review the incident and support in place.
- Adjust the pupil's behaviour or support plan if needed.
- Rebuild relationships and prevent recurrence.
- Ensure the child feels safe, welcomed, and ready to return.

11. Safeguarding and Vulnerable Pupils

OCEPS takes additional care when considering suspension or exclusion of pupils who are:

- On a child protection plan or child in need plan.
- Looked-after children (LAC) or previously looked-after.
- Known to social services or early help.
- Identified with SEND or an EHCP.

In these cases, the school will:

- Consult relevant professionals (e.g. social worker, Virtual School Head) before making a decision.
- Consider whether alternative support or arrangements can be made.

12. Data and Monitoring

The school will:

- Keep accurate records of all exclusions and suspensions.
- Monitor trends across gender, ethnicity, SEND status, and other groups.
- Report to the governing board each term on exclusion data and actions taken.

13. Equality and Inclusion

OCEPS will ensure that this policy is implemented in line with the Equality Act 2010 and does not discriminate directly or indirectly against any pupil based on:

- Race, disability, gender, religion or belief, sexual orientation, or socio-economic background.

We will always consider whether exclusion could be disproportionate or unjust, especially for pupils with protected characteristics.

14. Review of Policy

This policy will be reviewed annually and updated in response to:

- New statutory guidance from the DfE
- Feedback from staff, governors, parents and pupils
- Local and national trends in behaviour or exclusion data

Useful Links and Contacts

- **DfE Exclusion Guidance (2023)**: https://www.gov.uk/government/publications/school-exclusion

- **SEND Code of Practice**: gov.uk/government/publications/send-code-of-practice-0-to-25
- **Coram Children's Legal Centre**: www.childrenslegalcentre.com