

***Oldswinford
Church of England Primary
School***



***Suspensions and Exclusions
Policy***

Approved by the Governing Body: September 2025

Review: September 2026

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, August 2024] https://assets.publishing.service.gov.uk/media/66be0d92c32366481ca4918a/Suspensions_and_permanent_exclusions_guidance.pdf we view suspensions and exclusions as a last resort and strive to use proactive, preventative approaches whenever possible.

Good behaviour in schools is essential to ensure that all pupils benefit from the opportunities provided by education. The government recognises that school exclusions, managed moves and off-site direction are essential behaviour management tools for headteachers and can be used to establish high standards of behaviour in schools and maintain the safety of school communities. For the vast majority of pupils, suspensions and permanent exclusions may not be necessary, as other strategies can manage their behaviour. If these approaches towards behaviour management have been exhausted, then suspensions and permanent exclusions will sometimes be necessary as a last resort. This is to ensure that other pupils and teaching staff can work in safety and are respected.

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 Suspension and Permanent Exclusion Guidance (2024)
- Education Act 2002 (as amended by the Education Act 2011)
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, amended 2023
- 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 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.

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 made in line with the principles of administrative law, i.e. that it is: lawful (with respect to the legislation relating directly to suspensions and permanent exclusions and a school's wider legal duties); reasonable; fair;

and proportionate. When establishing the facts in relation to a suspension or permanent exclusion decision the headteacher must 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.'

- 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.
- 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.

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.

A pupil's behaviour outside school can be considered grounds for a suspension or permanent exclusion.

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 in supporting the behaviour of pupils with additional needs.
- Making appropriate reasonable adjustments for pupils especially for those 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 or reflection spaces
- an off-site direction (temporary measure that maintained schools and academies for similar purposes can use) or b) managed moves (permanent measure) as preventative measures to exclusion.
- Developing Individual Behaviour Plans, Learning Support Plans, Risk Assessment and trigger lists where necessary.

Where we have 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, reasonable adjustments or alternative placement may be required.

7. 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. The notification must also provide the reason for the cancellation;
- The governing board's duty to consider reinstatement ceases, and there is no requirement to hold a meeting to consider reinstatement;
- 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 which should be arranged without delay;
- The pupil must be allowed back into the school from which they were excluded without delay.
- Any days spent out of school as a result of any exclusion, prior to the cancellation will count towards the maximum of 45 school days permitted in any school year.

8. 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

- notification should be in person or by telephone in the first instance as this would allow parents to ask any initial questions or raise concerns directly with the headteacher.

Following this, the school will notify parents/carers in writing without delay, including:

- 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 (in line with the requirements set out in paragraphs 97 to 107) and how the pupil may be involved in this;
- parents' (or an excluded pupil if they are 18 years or older) right to make a request to hold the meeting via the use of remote access and how and to whom to make this request
- how any representations should be made; and or older) have a right to attend a meeting, to be represented at that meeting (at their own expense) and to bring a friend.
- where there is a legal requirement for the governing board to consider whether the pupil should be reinstated, that parents or an excluded pupil (if they are 18 years

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.

9. Consideration by Governing Board

For permanent exclusions, suspensions over 15 days per term, and/or if it would result in a pupil missing a public exam, 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.

10. 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 decision of the governors, recommend that the decision is reconsidered, or quash the decision and order reconsideration.

11. Reintegration Following Suspension

Following a suspension, OCEPS will hold a reintegration meeting with the parents and pupil (where appropriate):

- 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

If a parent fails to attend this meeting, they will not be chased by the school but instead school will meet with the pupil (where appropriate) and any relevant paperwork will be sent home for parents to review.

12. 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.

13. 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.

14. 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.

Under the Equality Act 2010 and the DfE guidance – The Equality Act and Schools 2014 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. For disabled children, this includes a duty to make reasonable adjustments to any provision, criterion or practice which puts them at a substantial disadvantage, and the provision of auxiliary aids and services.

In carrying out their functions, the public sector equality duty means schools must also have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by the Equality Act;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

The Equality Act 2010 requires schools to make reasonable adjustments for disabled pupils. This duty can, in principle, apply both to the suspensions and permanent exclusions process and to the disciplinary sanctions imposed. Under the Children and Families Act 2014, governing boards of relevant settings must use their 'best endeavours' to ensure the appropriate special educational provision is made for pupils with SEN, which will include any support in relation to behaviour management that they need because of their SEN.

15. 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 (2024):** [Suspension and permanent exclusion guidance](#)
- **SEND Code of Practice:** [gov.uk/government/publications/send-code-of-practice-0-to-25](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25)
- **Coram Children's Legal Centre:** www.childrenslegalcentre.com