Glenbrook PRIMARY SCHOOL

Suspensions and Exclusions Policy

DRAFT

Review Body	Governing Body
Author	Jane Scarsbrook
Type of Policy	Statutory
Review Period	2 years
Reviewed	September 2026
Approved by	Governing Body
Next review	September 2028

Contents

Aims 3
Legislation and statutory guidance 3
The decision to exclude 3
Definition 3
Roles and responsibilities 4
The headteacher 4
Informing parents 4
Informing the governing board and local authority 4
The governing board 4
The LA 5
Considering the reinstatement of a pupil 5
An independent review 6
School registers 6
Returning from a suspension 7
Monitoring arrangements 7
Links with other policies 7
Appendix 1: Internal review process 8

DRAFT

Aims

Our school aims to ensure that:

- The suspensions and exclusions process is applied fairly and consistently
- The suspensions and exclusions process is understood by governors, staff, parents and pupils
- Pupils in our schools are safe and happy
- All pupils in our schools access full time education at all times

Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement (Statutory Guidance, July 2026)

It is based on the following legislation, which outline schools' powers to exclude pupils:

- Section 52 of the Education Act 2002, as amended by the Education Act 2011
- The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012
- Sections 64-68 of the School Standards and Framework Act 1998

In addition, the policy is based on:

- Part 7, chapter 2 of the Education and Inspections Act 2006, which looks at 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 decision to exclude

Only the headteacher, or acting headteacher, can suspend or exclude a pupil from school. A permanent exclusion will be taken as a last resort.

A decision to exclude a pupil will be taken only:

- In response to serious or persistent breaches of the school's behaviour policy, **and**
- If allowing the pupil to remain in school would seriously harm the education or welfare of others

Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all the relevant facts and evidence, including whether the incident(s) leading to the suspension or exclusion were provoked
- Allow the pupil to give their version of events
- Consider whether the pupil's behaviour may be a result of unmet special educational needs or disability and whether further assessment, support or reasonable adjustments are required.
- The school may consider a managed move or other alternative intervention where this is in the best interests of the pupil and wider school community. Managed moves will only occur with informed parental agreement.

Definition

For the purposes of suspensions, school day is defined as any day on which there is a school session. Therefore, INSET or staff training days do not count as a school day.

DRAFT

Roles and responsibilities

The headteacher

Informing parents

The headteacher will immediately provide the following information, in writing, to the parents of an excluded pupil:

- The reason(s) for the suspension or exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent
- Information about parents' right to make representations about the suspension or exclusion to the governing board and how the pupil may be involved in this
- Where there is a legal requirement for the governing board to meet to consider the reinstatement of a pupil, and that parents have a right to attend a meeting, be represented at a meeting (at their own expense) and to bring a friend

The headteacher will also notify parents by the end of the afternoon session on the day their child is suspended or excluded that for the first 5 school days of a suspension or exclusion, or until the start date of any alternative provision where this is earlier, parents are legally required to ensure that their child is not present in a public place during school hours without a good reason. Parents may be given a fixed penalty notice or prosecuted if they fail to do this.

If alternative provision is being arranged, the following information will be included when notifying parents of a suspension or exclusion:

- The start date for any provision of full-time education that has been arranged
- The start and finish times of any such provision, including the times for morning and afternoon sessions, where relevant
- The address at which the provision will take place

Any information required to identify the person the pupil should report to on the first day. Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session, it may be provided in a subsequent notice, but it will be provided no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and local authority

The headteacher will inform the local authority of all suspensions and exclusions irrespective of the length of the suspension. Where a child has a named social worker or if the pupil is looked after, the social worker and, where applicable, the Virtual School Headteacher, will also be informed immediately.

The headteacher will immediately notify the governing board of:

- A permanent exclusion, including when a suspension is made permanent
- Suspensions which would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term
- Exclusions or suspensions which would result in the pupil missing a public examination

If the pupil lives outside the LA in which the school is located, the headteacher will also immediately inform the pupil's 'home authority' of the exclusion or suspension and the reason(s) for it without delay.

The governing board

The governing body will regularly review data to consider the level of pupil moves and the characteristics of pupils who have been permanently excluded or suspended to ensure the sanction is only used when necessary, as a last resort.

The governing body has a duty to consider the reinstatement of an excluded pupil (see section 6).

DRAFT

The LA

For permanent exclusions, the LA is responsible for arranging suitable full-time education to begin no later than the sixth day of the exclusion.

Considering the reinstatement of a pupil

The governing body will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the pupil's total number of school days of suspension to more than 15 in a term
- It would result in a pupil missing a public examination

If requested to do so by parents, the governing body will consider the reinstatement of an excluded pupil within 50 school days of receiving notice of the suspension if the pupil would be suspended from school for more than 5 school days, but less than 15, in a single term.

Where an exclusion or suspension would result in a pupil missing a public examination, the governing body will consider the reinstatement of the pupil before the date of the examination. If this is not practicable, the chair of the governing board (or the vice-chair where the chair is unable to make this consideration) will consider the suspension or exclusion independently and decide whether or not to reinstate the pupil.

The governing body can either:

- Decline to reinstate the pupil, or
- Direct the reinstatement of the pupil immediately, or on a particular date

In reaching a decision, the governing body will consider whether the exclusion or suspension was lawful, reasonable and procedurally fair and whether the headteacher followed their legal duties. They will decide whether or not a fact is true 'on the balance of probabilities', which differs from the criminal standard of 'beyond reasonable doubt', as well as any evidence that was presented in relation to the decision to exclude.

Minutes will be taken of the meeting, and a record of evidence considered kept. The outcome will also be recorded on the pupil's educational record.

The governing body will notify, in writing, the headteacher, parents and the LA of its decision, along with reasons for its decision, without delay.

Where an exclusion is permanent, the governing body's decision will also include the following:

- The fact that it is permanent
- Notice of parents' right to ask for the decision to be reviewed by an independent review panel, and:
    - The date by which an application for an independent review must be made
    - The name and address to whom an application for a review should be submitted
    - That any application should set out the grounds on which it is being made and that, where appropriate, reference to how the pupil's SEN are considered to be relevant to the exclusion
    - That, regardless of whether the excluded pupil has recognised SEN, parents have a right to require the Local Authority to appoint an SEN expert to attend the review

    - Details of the role of the SEN expert and that there would be no cost to parents for this appointment
    - That parents must make clear if they wish for an SEN expert to be appointed in any application for a review
    - That parents may, at their own expense, appoint someone to make written and/or oral representations to the panel, and parents may also bring a friend to the review
- That if parents believe that the exclusion has occurred as a result of discrimination, they may make a claim under the Equality Act 2010 to the first-tier tribunal (special educational needs and disability), in the case of disability discrimination, or the county court, in the case of other forms of discrimination. A claim of discrimination made under these routes should be lodged within 6 months of the date on which the discrimination is alleged to have taken place

An independent review

If parents apply for an independent review, the Local Authority will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded pupil.

Applications for an independent review must be made within 15 school days of notice being given to the parents by the governing body of its decision to not reinstate a pupil.

A panel of 3 or 5 members will be constituted with representatives from each of the categories below. Where a 5-member panel is constituted, 2 members will come from the school governors category and 2 members will come from the headteacher category.

- A lay member to chair the panel who has not worked in any school in a paid capacity, disregarding any experience as a school governor or volunteer
- School governors who have served as a governor for at least 12 consecutive months in the last 5 years, provided they have not been teachers or headteachers during this time
- Headteachers or individuals who have been a headteacher within the last 5 years

A person may not serve as a member of a review panel if they:

- Are a member of the Local Authority, or governing board of the excluding school
- Are the headteacher of the excluding school, or have held this position in the last 5 years
- Are an employee of the Local Authority, or the governing board, of the excluding school (unless they are employed as a headteacher at another school)
- Have, or at any time have had, any connection with the Local Authority, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartially
- Have not had the required training within the last 2 years

A clerk will be appointed to the panel.

The independent panel will decide one of the following:

- Uphold the governing board's decision
- Recommend that the governing board reconsiders reinstatement
- Quash the governing board's decision and direct that they reconsider reinstatement (only when the decision is judged to be flawed)

The panel's decision can be decided by a majority vote. In the case of a tied decision, the chair has the casting vote.

School registers

A pupil's name will be removed from the school admissions register if:

- 15 school days have passed since the parents were notified of the exclusion panel's decision to not reinstate the pupil and no application has been made for an independent review panel, or
- The parents have stated in writing that they will not be applying for an independent review panel

Where an application for an independent review has been made, the governing board will wait until that review has concluded before removing a pupil's name from the register.

Where alternative provision has been made for an excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

Where excluded pupils are not attending alternative provision, code E (absent) will be used.

Returning from a suspension

Following a suspension, a re-integration meeting will be held involving the pupil, parents, a member of senior staff and other staff, where appropriate.

The following measures, for example, may be implemented when a pupil returns from a suspension:

- Agreed behaviour contract
- Individual behaviour plan
- Individualised resources to support individual behaviour plan

Monitoring arrangements

The Headteacher monitors the number of suspensions and exclusions every term and reports back to the governors. They also liaise with the local authority to ensure suitable full-time education for excluded pupils. This policy will be reviewed by the headteacher every 2 years. At every review, the policy will be shared with the governing board.

Links with other policies

This exclusions policy is linked to our:

- Behaviour policy
- SEN policy and information report

Appendix 1: Internal review process

Following 1st Suspension: Internal Team Around the Child (TAC) meeting takes place involving senior leaders, class teacher, SENCO and Family Services Officer (where appropriate). This internal TAC meeting informs the re-integration meeting together with the parent(s)/carer(s). Review meeting set for 3 weeks after the initial TAC meeting (unless a second suspension takes place prior to the review meeting). The local authority will be notified. If a child has a social worker or is looked after the social worker and/or Virtual School Headteacher will be notified. Where appropriate, the Local Authority, social worker or virtual school will attend the TAC meeting.

Following 2nd Suspension: School senior leaders liaise with the Headteacher to inform use of internal 'inclusion tool' for and internal Team Around the Child (TAC) Meeting. The local authority will be notified. If a child has a social worker or is looked after the social worker and/or Virtual School the Headteacher will be notified. Where appropriate, the Local Authority, social worker or virtual school will attend the TAC meeting.

The internal TAC meeting takes place involving senior leaders, class teacher, SENCO, Family Services Officer (where appropriate) and other appropriate school staff. This internal TAC meeting informs the re- integration meeting together with the parent(s)/carer(s). Review meeting set for 2 weeks after the initial TAC meeting (unless a third suspension takes places prior to the review meeting).

Following 3rd Suspension: A link governor will be invited to join the above process. The local authority will be notified. If a child has a social worker or is looked after the social worker and/or Virtual School Headteacher will be notified. The Local Authority, social worker and/or virtual school will be invited to join the meeting (if they have not already joined).