



# **Exclusion and Suspension Policy**

**Date of policy: Spring 2025**

**Date approved by Governing Body: Summer 2025**

**Review date: Spring 2026**

## **Statement of Intent**

This policy is underpinned by, and reflects, our vision and mission statement:

**Shine with the light of Jesus – Matthew 5:14-16.** You are the light of the world.

Within our school family, everyone is valued and encouraged to flourish. We encourage everyone to let their light shine in all aspects of their life, following the example of Jesus Christ.

We hope for each member of our school family to understand how much they are loved by Jesus, so we can each flourish, and shine His light out into the world around us by the way that we live.

It is the policy of Brinscall St John's CE/Methodist Primary school to try to deal with all behavioural issues in an active and positive way, whilst employing a wide range of strategies including those specifically designed to avoid such issues reaching the point of exclusion. The process of exclusion detailed in this policy is based on the Department for Education's (DfE's) 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England' which is statutory guidance for those with legal responsibilities in relation to exclusion (August 2024).

## **Aims**

This policy fully reflects our aims which are embedded within our Christian vision - 'Shine with the light of Jesus', our Vision and Mission Statement and core Gospel. At our school, we seek to provide a safe, caring and stimulating environment for our children.

At Brinscall St John's CE/Methodist Primary School we understand that good behaviour and discipline is essential for promoting a high quality of education. Exclusions rarely occur at our school, and we feel that this is because we aim to work with parents/carers and pupils to improve negative behaviours using the strategies detailed within our Behaviour and Relationships Policy.

Amongst other disciplinary sanctions, the school recognises that exclusion of pupils may be necessary where there has been a serious breach, or consistent breaches, of the school's Behaviour and Relationships Policy.

It is anticipated that the ethos and management of our school as well as its environment and the partnership with parents/carers, coupled with our Behaviour Policy, will reduce or eliminate the need for pupils to be excluded. Should exclusion prove necessary, Lancashire and DfE to inform our procedures and actions.

Our school has created this policy to clearly define the legal responsibilities of the Headteacher and Governing body when responding to pupil exclusions, in order to ensure that they are dealt with both fairly and lawfully and in line with DfE statutory guidance.

## **Exclusions and Suspensions from School**

At St John's only the Headteacher, or a person acting as Headteacher in their absence, may exclude a pupil. The Headteacher will decide whether to exclude or suspend a pupil after considering all the circumstances, the evidence available and the need to balance the interests of the pupil against those of the whole school community. The guidance from Lancashire County Council will be considered in respect of pupil exclusion <https://www.lancashire.gov.uk/children-education-families/schools/exclusions-from-school/>, as well as the Department for Education guide: Exclusion

from maintained schools, academies and pupil referral units in England, detailed below and can be found: <https://www.gov.uk/government/publications/school-exclusion>. Printed copies of either of these documents may be requested, if needed, from school.

## Legislation

This policy has due regard to the related principal legislation including, but not limited to, the following:

- the Education Act 2002, as amended by the Education Act 2011;
- the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- the Education and Inspections Act 2006;
- the Education Act 1996; and
- 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.

This policy also has due regard to statutory and non-statutory guidance including, but not limited to, the following:

- DfE (2024) 'Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England'
- DfE (2017) 'Exclusion from maintained schools, academies and pupil referral units in England';
- DfE (2016) 'Behaviour and discipline in schools';
- DfE (2015) 'Special educational needs and disability code of practice: 0 to 25 years'.

This policy is designed to briefly outline our school's approach to exclusions within the statutory framework as defined in 'The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012'. It outlines only where the school applies its own additional guidance and policies, which complement and reinforce the statutory guidance, for purposes of clarity in the day-to-day operation of the school.

This policy will be implemented in conjunction with the following school policies and procedures:

- Behaviour Policy;
- Anti-Bullying Policy;
- Attendance Policy.

## Principles

Exclusion is a sanction used by our school only in cases deemed as serious breaches of our school's Behaviour Policy.

Our school will only exclude a pupil where it is absolutely necessary and where all other possible disciplinary sanctions, as detailed in the school's **Behaviour and Relationships Policy**, have failed to be successful.

The Headteacher can take a decision to exclude or suspend a pupil:

- In response to serious breaches of a school's behaviour policy - all schools have a written policy which sets out how pupils are expected to behave.

- Where allowing your child to remain in school would seriously harm the education and welfare of your child or others in the school.

Any decision to exclude or suspend a pupil must be lawful, reasonable and fair. Schools have a statutory duty not to discriminate against pupils on the basis of protected characteristics, such as disability or race. Schools should give particular consideration to the fair treatment of pupils from groups who are vulnerable to exclusion.

The behaviour of a pupil outside of school can be considered grounds for an exclusion or suspension. This can include behaviour on school trips and travelling to and from school. Online actions outside of school may also lead to our school making a decision to exclude or suspend a pupil.

Before deciding to exclude, the school should also take into account any factors that might have affected the child's behaviour, for example:

- Bullying;
- Mental health issues;
- Bereavement;
- Unidentified special educational needs.

The following examples of behaviour may underline the school's decision to exclude or suspend a pupil and also include behaviours identified through online/technology use:

- Any incident which poses a risk to other pupils or members of staff, e.g. including extreme misbehaviour which is deemed outside the remit of the normal range of sanctions, threatening/intimidating behaviour towards other pupils;
- Any incidents which breach the law;
- Persistent and severe bullying, including racism and any other form of prejudice;
- Verbal abuse or threatening behaviour against a pupil or adult;
- Physical abuse or threatening behaviour against a pupil or adult;
- Constant disruption, which also includes persistent and repetitive disruption of lessons and other students' learning;
- A single, serious and major incident, e.g. serious assault on another individual leading to injury.

Pupils can be suspended on a fixed-period basis, i.e. up to 45 school days within a year, or excluded permanently. Similarly, pupils can be permanently excluded following a fixed-period suspension, where further evidence is presented.

In all cases the Headteacher will decide whether a suspension or exclusion will be warranted, depending on what the circumstances warrant.

In most cases, except for the most extreme, the Headteacher will have considered the following before making a decision about an exclusion or suspension:

- Verbal or written reports from members of staff;
- Discussions with the pupils concerned;
- Discussions with the parent/s or carer/s of the pupils concerned;
- Responses to any of the following: persistent loss of playtime; entries into the school's online behaviour record (CPOMs) and/or letters sent to parents/carers reporting incidences of poor behaviour.

## **Exclusion and Suspension**

There are two circumstances in which this policy may be invoked:

- Suspension - when a pupil is not allowed in school for a fixed amount of time (including exclusions over lunch time);
- Exclusion – this is when a child is permanently barred from the school premises and their name removed from the school roll.

### **Notification of an Exclusion or Suspension**

The pupil who has been excluded will have the reason for his/her exclusion or suspension explained to them by either the Headteacher or Deputy Headteacher, so that they understand the nature of their misbehaviour and why it is unacceptable.

If an incident takes place at the end of the school day, or after school that day, the parents/carers of the pupil will be contacted and a meeting with the parent/carers and pupil will be arranged for the next morning to investigate the incident and provide the pupil with an opportunity to discuss what took place and why, before a decision to exclude or suspend is made.

The parents/carers will be notified as soon as possible of the decision to exclude or suspend and the reasons for the exclusion or suspension. The evidence leading up to the decision will be explained.

This will be done on the day of the exclusion or suspension being authorised by either direct phone contact or a face-to-face meeting.

A written confirmation of the reason(s) for the exclusion or suspension will be sent to parents/carers the same day, outlining the reasons for the decision, the date upon which the pupil will be allowed back into school (if appropriate) and the procedures for appeal which are open to the parents/carers.

The headteacher will draw attention to suitable relevant sources of free and impartial information, including:

- The Department's Guidance for parents and carers on behaviour, suspension and permanent exclusion, which can be found here <https://www.gov.uk/government/publications/school-exclusions-guide-for-parents>
- Every local area has a SENDIAS service who provide information, advice and support to children and young people with SEND, including on exclusions. Every exclusion letter should include details of the local service which can also be found here <https://councilfordisabledchildren.org.uk/about-us-0/networks/informationadvice-and-support-services-network>
- Coram's Child Law Advice service can be found through their website <https://childlawadvice.org.uk/information-pages/school-exclusion/> or contacted on 0300 330 5485 from Monday to Friday, 10am – 4pm.
- Independent Provider of Special Education Advice (known as IPSEA – [www.ipsea.org.uk](http://www.ipsea.org.uk)) is a registered charity. It offers free and independent information, advice and support to help get the right education for children and young people with all kinds of special educational needs (SEN) and disabilities

Social workers and Virtual School Heads will also be informed, should the child have one.

The governing board will be informed without delay for:

- Any permanent exclusion;
- Any suspension or exclusion that would result in a pupil being suspended or excluded for a total of more than five school days (or ten lunchtimes) in a term,
- Any suspension or exclusion that would result in the pupil missing a public examination or national curriculum test.

The local authority will be informed of all suspensions and exclusions without delay.

### **In the case of a Suspension:**

A suspension from the school can only be authorised by the Headteacher, or Deputy Headteacher acting on their behalf. If none are available to authorise the exclusion, a decision should be deferred until the opportunity for authorisation is available.

- Parents/carers will be notified by the Headteacher in a face-to-face meeting;
- The Chair of Governors will be informed, and a copy of the letter to parents/carers made available;
- The School Business Manager will record the nature and length of the exclusion on the school's SIMs system;
- The exclusion will be reported to the next Full Governing Body meeting;
- Work will be set for the pupil to complete at home during a fixed-period exclusion.

Students Returning from a suspension:

- All students returning from a suspension are required to attend a reintegration meeting, accompanied by a parent/carer. This meeting will seek to establish practical ways in which further suspension can be avoided and behaviour modified to acceptable standards in partnership between student, parent/carer and school.

### **In the case of an Exclusion**

In the case of an exclusion this can only be authorised by the Headteacher and must only be done after consulting the Chair of Governors of the intention to impose this sanction, although the final decision rests with the Headteacher of the school.

The school seeks to reduce the number of incidents leading to exclusions by promoting a positive atmosphere of mutual respect and discipline within the school.

The school regularly monitors the number of suspensions to ensure that no group of students is unfairly disadvantaged through their use and that any underlying needs of individuals are being fully met.

Our school will usually only exclude a child as a last resort, after trying to improve the child's behaviour through other means. However, there are exceptional circumstances in which the Headteacher may decide to exclude a pupil because of on-going issues or even for a 'one-off' incident.

If a child has been excluded:

- The Headteacher will inform the parents/carers of the decision in a face-to-face meeting. The parents/carers will be informed of the decision and the reasons for it. The evidence leading up to the decision will be explained.
- A letter of confirmation will be sent on the same day, by first-class post, outlining the reasons for the decision and the procedures for appeal which are open to the parents/carers.
- The Chair of Governors will be informed, and a copy of the letter to parents/carers made available.
- The school's governing body is required to review the Headteacher's decision and the parents/carers may meet with them to explain their views on the exclusion.
- The school must make arrangements for alternative full-time education from the sixth day of an exclusion.
- A special meeting of a delegated committee of the Governing Body will be called within fifteen working days of the date of exclusion, of which the parents /carers will be notified, in order to consider the decision of the Headteacher.

## **Appeals**

All correspondence regarding an exclusion from the school will inform parents/carers of their right to appeal to the Governing Body against the decision to exclude. This procedure is clearly set out in the statutory guidance. The person who should be contacted to initiate an appeal is the clerk appointed to the Governing Body.

## **Governing Body's Role**

The Governing Body may delegate authority to a committee comprising at least three governors, of whom the Headteacher shall not be one.

The membership of the committee shall be delegated by the Governing Body (depending upon availability of governors).

The committee is delegated the authority to:

- consider the report of the Headteacher in respect of the decision to exclude a pupil;
- consider the representations of the parents/carers of the pupil (if present);
- question those involved, if appropriate;
- allow cross-questioning;
- decide either to endorse the decision of the Headteacher, or to direct the Headteacher to reinstate the pupil.

The governing board must consider and decide on the reinstatement of a suspended or permanently excluded pupil within 15 school days of receiving notice of a suspension or permanent exclusion from the headteacher if:

- it is a permanent exclusion;
- it is a suspension which would bring the pupil's total number of school days out of school to more than 15 in a term;
- it would result in the pupil missing a public examination or national curriculum test

The following parties must be invited to a meeting of the governing board and allowed to make representations or share information:

- parents (and, where requested, a representative or friend);

- the headteacher;
- a representative of the local authority
- the child's social worker if the pupil has one; and
- the Virtual School Head if the child is a Looked After Child.

See Appendix B for a summary.

If a permanent exclusion is to be carried out, the governing board must ensure that the pupil's name is removed from the school admission register if either 15 days have passed since notice was given without appeal or if parents have stated in writing that they will not appeal.

If parents do not agree with the governing body's decision regarding reinstatement, they may contact the Local Authority to arrange an Independent Review Panel.

### **Relationship to other school policies**

The Exclusion and Suspension Policy should be read alongside the school's Behaviour and Relationships Policy as well as other relevant school policies, particularly the Special Educational Needs Policy, Anti-Bullying Policy and Attendance Policy.

### **Monitoring and Review**

The impact of this policy will be reviewed by the governors' Standards and Effectiveness Committee of the Governing Body and through Headteacher's Reports to the Governing Body. All members of staff are required to familiarise themselves with this policy as part of their induction programme. The Headteacher will provide this committee with regular monitoring reports, which will help it to evaluate the effectiveness of the policy and procedures.

The policy and procedures will be reviewed and amended in the light of such evaluation, and any changes to statutory guidance.



## **Appendix A**

### **Suspension from school**

Suspensions are either a set number of days, or during lunch time, during which time your child must not return to school or enter the school premises.

You will be notified immediately of a suspension (usually by phone) and a letter must be sent to you with the Headteacher's decision. The letter should tell you the reasons for the suspension, the length of the suspension and the date and time when your child must return to school.

A child cannot be suspended within a fixed period exclusion from school for a period of more than 45 school days in any school year (either as a single sanction or cumulative). Once a pupil has reached the limit of 45 days, any subsequent suspension will result in an exclusion.

#### **Long term fixed period suspension (i.e. more than 15 days):**

If your child has been excluded for 15 school days or more over a term, then the Governing Body must meet to review the exclusion within 15 school days after the exclusion. The governor's Discipline Committee can decide to uphold the Headteacher's decision or allow your child back in to school (called reinstatement). If your child would miss a public examination, the governors will try to hold the meeting before the date of the examination.

#### **Short term fixed period suspension:**

If your child has been excluded for between 5.5 and 15 school days in a term (adding together all the suspensions that term), the Governing Body will meet within 50 school days, but only if you (the parent/carers) request to do so to review the suspension. You are entitled to attend this meeting. Even if your child has returned to school, governors can still say if they would have upheld the suspension or not and place a statement of their views on your child's record. The school will write to you with details and the arrangements for this meeting.

If your child has been suspended for up to 5 school days, the Governing Body do not have to meet with you. However, you can make written representations if you wish, which must be considered within 50 days of the decision to suspend. The decision will be placed on your child's file.

You have a right to see your child's school record. If you would like to do so, you will need to contact the school direct. During the first 5 days of an suspension you must ensure that your child is not in a public place during normal school hours without good reason. This applies whether or not the parent/carers is with the child. A failure to comply with this is an offence and you can be given a fixed penalty notice from the Local Authority.

### **Exclusion from School**

Exclusion means that your child cannot return to the school or enter the school premises. Only the Headteacher has the right to exclude your child from school.

You will be notified immediately of an exclusion (usually by phone) and a letter must be sent to you informing you of the decision to exclude your child from school and the reasons why this happened.

### **Pupils with Special Educational Needs or Disabilities**

Schools should avoid excluding pupils with an Education, Health and Care Plan (EHCP). Where a child is excluded, the Headteacher should use the period between the decision to exclude, and the meeting of the Governing Body, to work with the Local Authority to see whether more support can be made available or whether the EHCP can be changed to name a new school.

### **The Headteacher's power to exclude**

- Only the Headteacher has the power to exclude or suspend a pupil from the school. All exclusions and suspensions will only be issued on disciplinary grounds.
- The Headteacher is able to suspend pupils from the premises where their behaviour is disruptive during lunchtime. All lunchtime suspensions will be counted as half of a school day.
- The Headteacher is able to consider a pupil's disruptive behaviour outside of the school premises as grounds for exclusion or suspension, in accordance with the school's **Behaviour Policy**.
- Any decision made to exclude or suspend a pupil will be lawful, proportionate and fair, with respect to legislation relating directly to exclusions and the school's wider legal duties.
- All exclusions and suspensions will be formally recorded.
- When sending a pupil home following any exclusion or suspension, the Headteacher will ensure that they exercise their duty of care at all times and will always inform the parents/carers, ensuring that pupils are collected from school by a parent/guardian.
- The Headteacher will apply the civil standard of proof when responding to the facts relating to an exclusion or suspension, i.e. that 'on the balance of probabilities' it is more likely than not that the facts are true.
- The Headteacher may withdraw any exclusion or suspension that has not already been reviewed by the governing board. *'Paragraph 56 of the Exclusions Guidance explains that this power is not subject to approval by the governors unless the exclusion takes the total number of days in any term to more than 5. If this happens, then the Headteacher's power is subject to review by the governors if the family requests a review. If the exclusion takes the total number of days of exclusion in any given term to more than 15, then there must be a review by the governors.'*
- At all times the Headteacher will consider their legal duties under the Equality Act 2010 and the special educational needs and disability code of practice: 0 to 25 years, ensuring that they do not discriminate on any grounds, e.g. race, sex, disability, and will not increase the severity of a pupil's exclusion on these grounds.
- The Headteacher will not issue any 'informal' or 'unofficial' exclusions or suspensions, such as sending a pupil home to 'cool-off', regardless of whether or not the parents/carers have agreed to this.
- The Headteacher will not use the threat of exclusion or suspension as a means of instructing parents/carers to remove their child from the premises.

## Appendix B – summary of governing board’s duties to consider reinstatement

### A summary of the governing board’s duties to consider reinstatement<sup>62</sup>

