

Suspension and Permanent Exclusion Policy 2026/27

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1. Statement of intent

Highfields Primary School is committed to providing a calm, safe, supportive and respectful environment in which all pupils can learn and staff can work safely. High standards of behaviour are an essential part of this commitment.

Suspension and permanent exclusion are lawful behaviour management tools. For most pupils they will not be necessary because behaviour can be addressed through the school's Behaviour Policy, pastoral support, reasonable adjustments and targeted intervention. However, suspension may be necessary where warranted, and permanent exclusion may be necessary as a last resort.

The school will not operate a 'no exclusion' approach. Decisions will be made on the individual facts of each case and will always be lawful, reasonable, fair and proportionate. The welfare and education of the pupil concerned will be considered alongside the safety, welfare and education of other pupils and staff.

This policy sets out the arrangements Highfields Primary School will follow when considering or using suspension, permanent exclusion, off-site direction or managed moves. It should be read alongside the school's Behaviour Policy, Safeguarding and Child Protection Policy, SEND Policy and Attendance Policy.

2. Legal and statutory framework

This policy has been updated for the 2026/27 academic year and has due 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' (July 2026).

- Education Act 1996.
- Education Act 2002, as amended.
- Education and Inspections Act 2006.
- Equality Act 2010.
- Children and Families Act 2014.
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012, as amended.
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended.
- Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026.
- School Attendance (Pupil Registration) (England) Regulations 2024.
- Human Rights Act 1998.

The school will also have regard to current DfE guidance on Behaviour in Schools, Keeping Children Safe in Education, Working Together to Improve School Attendance, Alternative Provision, Mental Health and Behaviour in Schools, and the SEND Code of Practice: 0 to 25 years.

3. Key principles and terminology

Suspension

A suspension is the temporary removal of a pupil from school on disciplinary grounds for a fixed period. A pupil may be suspended for one or more fixed periods up to a maximum of 45 school days in a single academic year. A suspension may be for part of a school day; a lunchtime suspension counts as half a school day.

Suspensions do not have to be consecutive. The school will maintain an accurate record of the total number of suspension days for each pupil.

Permanent exclusion

A permanent exclusion is when a pupil is no longer allowed to attend the school, unless the decision is subsequently cancelled or the pupil is reinstated.

A decision to permanently exclude 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.

Permanent exclusion will be used only when necessary and as a last resort.

Informal or unofficial exclusions

Highfields will not use informal or unofficial exclusions. A pupil will not be sent home to 'cool off', asked to work from home for disciplinary reasons, or otherwise prevented from attending school without the arrangement being formally recorded and the statutory suspension or exclusion process being followed where applicable.

4. Roles and responsibilities

The Headteacher

- Only the Headteacher, or the person formally acting as Headteacher, may suspend or permanently exclude a pupil.
- Ensure decisions are made on disciplinary grounds and are lawful, reasonable, fair and proportionate.
- Apply the civil standard of proof: on the balance of probabilities, it is more likely than not that the event occurred.
- Consider the pupil's views, taking account of age and understanding, unless it would be inappropriate to do so.
- Consider contributing factors, unmet needs, safeguarding information and relevant support already provided.
- Comply with duties under the Equality Act 2010 and Children and Families Act 2014.
- Notify parents, the Governing Body, the Local Authority and, where relevant, the pupil's social worker and Virtual School Head within the statutory requirements.
- Ensure work is set and marked during the first five school days where the pupil is not attending alternative provision.
- Support effective reintegration following suspension or other temporary placement.

The Governing Body

- Fulfil its statutory duties to consider reinstatement where the relevant thresholds are met.
- Ensure suitable full-time education is arranged from the sixth school day of a suspension of more than five school days for a pupil of compulsory school age.
- Consider representations from parents in accordance with statutory requirements.
- Ensure meetings are fair, impartial and properly recorded.
- Review suspension, permanent exclusion and pupil movement data, including patterns relating to vulnerable groups and repeat suspensions.
- Assure itself that off-site direction and safeguarding separation arrangements are reviewed at appropriate intervals and remain educationally beneficial.
- Have due regard to equality, SEND and safeguarding duties.

The Local Authority

The Local Authority will fulfil its statutory responsibilities, including receiving notification of all suspensions and permanent exclusions, arranging suitable education for permanently excluded pupils from the sixth school day, and arranging an independent review panel where a valid application is made.

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

The Headteacher may suspend or permanently exclude a pupil only on disciplinary grounds. Behaviour outside the school premises may be considered where this is covered by the school's Behaviour Policy.

Before making a decision, the Headteacher will establish the facts using the balance of probabilities and will consider all relevant evidence. The pupil will normally be given an opportunity to give their account and, where appropriate, will be supported to express their views.

A suspension may be used to provide a clear signal that behaviour is unacceptable and, where appropriate, that continued behaviour may place the pupil at risk of permanent exclusion. Where suspensions become regular, the school will consider whether suspension alone is effective and whether additional or different strategies are required.

The law does not permit a suspension simply to be extended or 'converted' into a permanent exclusion. Where further evidence comes to light, a further suspension or a permanent exclusion may be issued to begin immediately after the original suspension ends, provided the statutory requirements are met.

6. Factors considered before a decision

The Headteacher will use professional judgement and consider the individual circumstances of each case. Relevant factors may include:

- the seriousness and circumstances of the incident;
- the pupil's account and any witness evidence;
- whether there were contributing factors such as bereavement, bullying, mental health needs, trauma, safeguarding concerns or other significant circumstances;
- the pupil's age, understanding and individual needs;
- whether behaviour is linked to SEND or disability and whether reasonable adjustments have been made;
- the effectiveness of support, intervention and sanctions already used;
- whether there is a pattern of repeated suspension and whether further assessment or multi-agency support is required;
- the impact on the safety, education and welfare of the pupil, other pupils and staff;
- the school's legal duties under equality, SEND and safeguarding legislation.

The school will not postpone a disciplinary decision solely because a police investigation or criminal proceedings are underway. The decision will be based on the evidence available to the school at the time.

7. SEND, disability, vulnerability and equality

Highfields recognises that pupils with SEND, pupils eligible for free school meals, looked-after children and some other vulnerable groups can be disproportionately represented in suspension and permanent exclusion data. This will inform the school's preventative work and its analysis of patterns, but will not create a blanket policy either for or against suspension or exclusion.

The school will comply with the Equality Act 2010 and must not discriminate against, harass or victimise pupils because of a protected characteristic. For disabled pupils, the school will consider and make reasonable adjustments where required.

The Governing Body and school will use their best endeavours to secure appropriate special educational provision for pupils with SEND and will have regard to the SEND Code of Practice.

A pupil with SEND or SEMH needs may lawfully be suspended or permanently excluded where the statutory tests are met. Before doing so, the Headteacher will consider whether unmet needs, insufficient reasonable adjustments or failures in provision may have contributed to the behaviour, and whether additional support or assessment is appropriate.

Where a pupil has an EHC plan and there are concerns about behaviour, placement or provision, the school will work with parents and the Local Authority and consider whether an early or emergency review of the EHC plan is required.

8. Safeguarding separation and other lawful arrangements

There may be circumstances where pupils need to be kept apart for safeguarding reasons. Keeping pupils apart for safeguarding purposes is not, in itself, a disciplinary suspension or permanent exclusion and must not be recorded or presented as one unless the statutory exclusion criteria are met.

Any separate safeguarding arrangement will be based on an individual assessment of risk and need, will protect the education and welfare of all pupils involved, and will be reviewed at appropriate intervals. The school will ensure that safeguarding measures are not used as a means of imposing an unofficial exclusion.

Where a pupil is unable to attend the school site for a non-disciplinary reason, the school will use the appropriate lawful arrangement and attendance coding, taking advice from the Local Authority where necessary.

9. Preventative measures and pupil movement

Early intervention

The school will seek to identify and address underlying causes of behaviour through high-quality teaching, the Behaviour Policy, pastoral support, reasonable adjustments, SEND provision, safeguarding action and, where appropriate, multi-agency support.

Off-site direction

Off-site direction is a temporary arrangement requiring a pupil to attend another education setting for the purpose of improving future behaviour. It is not a punishment for past misconduct and must not be used as an alternative label for suspension.

Where off-site direction is considered, the school and Governing Body will ensure that:

- the placement is based on the pupil's individual needs, including SEND and health needs;
- in-school intervention and/or outreach has been unsuccessful or is considered inappropriate;
- the purpose, objectives, intended outcomes and proposed maximum timescale are clear;
- the pupil receives a broad and balanced education;
- the pupil and parents are involved and the pupil is supported to express their views;
- the placement is reviewed regularly and decisions are recorded;
- reintegration or other next steps are planned from the outset;
- all statutory notification and attendance registration requirements are followed.

Managed moves

A managed move is a permanent transfer to another mainstream school. It will only proceed where it is voluntary and agreed by all relevant parties, including the parents and the admission authority of the receiving school.

There is no lawful concept of a 'trial managed move'. Where a temporary placement is required to improve behaviour, the school will use an appropriate off-site direction arrangement instead.

Before a managed move, the school will evidence relevant intervention and share necessary information with the receiving school, including attainment information, safeguarding information, risk assessment and effective support strategies. Where a pupil has an EHC plan, the Local Authority will be involved and statutory procedures for amending the plan will be followed.

A pupil will never be permanently excluded because a parent refuses a managed move.

10. Cancelling an exclusion

The Headteacher may cancel a suspension or permanent exclusion that has begun, or has not yet begun, only before the Governing Body has met to consider whether the pupil should be reinstated.

Where an exclusion is cancelled, the Headteacher will, without delay:

- notify the parents, Governing Body and Local Authority and, where relevant, the pupil's social worker and Virtual School Head;
- give the reason for the cancellation;
- offer parents an opportunity to meet to discuss the circumstances;
- allow the pupil to return to school without delay.

Days spent out of school before cancellation count towards the maximum 45 school days of suspension in an academic year. A permanent exclusion cannot be cancelled where the statutory 45-day limit prevents this.

Cancelled exclusions will be reported to the Governing Body so that governors can maintain appropriate oversight.

11. Reintegration following suspension

Following a suspension, cancelled exclusion, off-site direction or safeguarding separation, Highfields will support the pupil to reintegrate successfully into full-time education.

A reintegration meeting will normally be offered, but a pupil's return to school will not be made conditional upon a parent attending a meeting.

The reintegration strategy will be proportionate to the pupil's needs and may include:

- a clear fresh start and restoration of positive relationships;
- reviewing the circumstances and impact of the behaviour;
- clarifying expectations and support;
- reasonable adjustments or changes to provision;
- pastoral, SEND or multi-agency support;
- short-term targets and review arrangements;
- support for attendance and engagement.

12. Duty to inform parents and other parties

Following a decision to suspend or permanently exclude, the Headteacher will notify parents without delay. Written notification will meet the statutory requirements and will include the reason, duration where relevant, parents' rights to make representations, arrangements for education, and sources of free and impartial advice.

For a pupil of compulsory school age, parents will also be informed of their legal responsibility during the first five school days to ensure that the pupil is not present in a public place during school hours without reasonable justification.

The Headteacher will notify the Local Authority of every suspension and permanent exclusion without delay, regardless of length. Where the pupil lives in another Local Authority area, the home authority will also be informed.

The Governing Body will be notified without delay of:

- every permanent exclusion;
- any suspension that would result in the pupil being suspended for more than five school days in a term;
- any suspension or permanent exclusion that would result in the pupil missing a public examination or national curriculum test.

Other suspensions will be reported to the Governing Body in accordance with statutory requirements and through the Headteacher's termly reporting.

Where the pupil has a social worker, the social worker will be notified without delay. Where the pupil is looked after, the Virtual School Head will also be notified without delay. They will be invited to relevant Governing Body meetings and may make representations.

13. Education during suspension or permanent exclusion

Highfields will take reasonable steps to set and mark appropriate work during the first five school days of a suspension or permanent exclusion where the pupil is not attending alternative provision. Work will be accessible and achievable outside school, and the school's duties towards pupils with SEND and disabilities continue to apply.

For a suspension of more than five school days, the Governing Body must arrange suitable full-time education for a pupil of compulsory school age to begin no later than the sixth school day.

For a permanent exclusion, the Local Authority is responsible for arranging suitable full-time education from the sixth school day.

Where appropriate, Highfields will seek to arrange provision earlier than the sixth day.

14. Governing Body consideration of reinstatement

The Governing Body will consider parents' representations and will meet to consider reinstatement where required by law. It will consider the interests and circumstances of the pupil, including the circumstances in which the pupil was suspended or permanently excluded, and have regard to the interests of other pupils and people working at the school.

The Governing Body will apply the civil standard of proof and consider whether the Headteacher's decision was lawful, reasonable, fair and proportionate.

Where a meeting is required, relevant papers will be circulated in advance in accordance with statutory timescales. Parents and the pupil will be supported to participate and may be accompanied by a friend or representative.

Following consideration, the Governing Body may decline to reinstate the pupil or direct reinstatement immediately or on a specified date. Its decision and reasons will be communicated without delay to the required parties.

15. Permanent exclusion and independent review

Where the Governing Body decides not to reinstate a permanently excluded pupil, parents will be informed in writing of their right to apply for an independent review panel (IRP), the statutory deadline, how to apply, and their right to request the attendance of an SEN expert regardless of whether the school has previously identified the pupil as having SEND.

The Local Authority is responsible for arranging the IRP for a maintained school. The panel may uphold the Governing Body's decision, recommend that the Governing Body reconsiders reinstatement, or quash the decision and direct reconsideration.

Where the panel directs or recommends reconsideration, the Governing Body will reconvene within the statutory timescale and will notify the relevant parties of its reconsidered decision and reasons.

16. Remote access meetings

Parents may request that a Governing Body reinstatement meeting or independent review panel is held via remote access. Remote access is not the default; face-to-face meetings will normally be encouraged.

A remote meeting will only proceed where the relevant body is satisfied that it can be held fairly and transparently and that participants can participate effectively. Equality duties and reasonable adjustments will be considered. If technology prevents a fair meeting and the issue cannot reasonably be resolved, a face-to-face meeting will be arranged without delay.

17. Recording, data and governor oversight

All suspensions and permanent exclusions will be formally recorded on the school's management information system SIMS. The school will maintain accurate records of dates, duration, reason, notifications, education arrangements, pupil and parent representations, support provided and outcomes.

The Headteacher will provide the Governing Body with termly information about suspensions, permanent exclusions, cancelled exclusions and relevant pupil movement. Governors will use this information strategically to identify patterns and evaluate whether the school's behaviour, inclusion and support arrangements are effective.

Analysis will include, where appropriate:

- number and length of suspensions and any permanent exclusions;
- repeat suspensions and pupils approaching the 45-day annual limit;
- patterns by year group and pupil characteristics, including SEND, disadvantage and other equality considerations;
- the effectiveness of interventions and reintegration arrangements;
- off-site direction, managed moves and safeguarding separation arrangements;
- attendance, destinations and outcomes for pupils receiving alternative provision;
- whether school policies or practices may be contributing to disproportionate outcomes.

Data will be interpreted carefully. Governors will maintain strategic oversight and will not become involved in individual cases where this could compromise their ability to participate impartially in a later statutory review.

18. Monitoring and review

The Headteacher will monitor the implementation of this policy and ensure that staff with relevant responsibilities understand the statutory process.

The Governing Body will review this policy annually and earlier where legislation or statutory guidance changes.

Next scheduled review: September 2027.

Appendix 1: Governing Body reinstatement thresholds

Circumstance	Governing Body duty	Timescale
Permanent exclusion	Must meet to consider reinstatement	Within 15 school days of receiving notice
Suspension taking total above 15 school days in a term	Must meet to consider reinstatement	Within 15 school days of receiving notice
Suspension/permanent exclusion causing pupil to miss a public exam or national curriculum test	Must meet to consider reinstatement and take reasonable steps to do so before the test	Within 15 school days; before test where practicable
Suspension taking total above 5 but less than 16 days in a term, where parents make representations	Must meet to consider reinstatement	Within 50 school days of receiving notice
Suspension of 5 days or fewer in a term	Must consider any parental representations but cannot direct reinstatement	No statutory meeting required

Appendix 2: Headteacher decision checklist

- Is the proposed suspension or permanent exclusion on disciplinary grounds?
- Have the facts been established on the balance of probabilities?
- Has the pupil been given an opportunity, where appropriate, to express their views?
- Have relevant contributing factors and safeguarding information been considered?
- Have SEND, disability, reasonable adjustments and Equality Act duties been considered?
- Is the decision lawful, reasonable, fair and proportionate?
- For permanent exclusion, are both statutory tests met: serious/persistent breach and serious harm if the pupil remains?
- Have alternatives and additional support been considered where appropriate?
- Have all required parties been notified without delay?
- Has suitable work been arranged for the first five school days?
- If the suspension exceeds five school days, is suitable full-time education arranged from day six?
- Has the suspension/exclusion been accurately recorded and the cumulative number of suspension days checked?
- Has a reintegration plan been prepared where the pupil will return?

Appendix 3: Possible indicative suspension tariffs

These are **indicative ranges only and do not constitute an automatic tariff**. The Headteacher will determine the appropriate sanction in each individual case, taking account of the seriousness and circumstances of the incident, the pupil's age and needs, previous behaviour, safeguarding information, SEND and disability, reasonable adjustments, the impact upon others and whether the sanction is lawful, reasonable, fair and proportionate.

Behaviour	Indicative starting point
Serious/persistent defiance following intervention	Half a day
Serious verbal abuse/threatening behaviour towards pupil	1 day
Serious verbal abuse/threatening behaviour towards adult	1-2 days
Deliberate physical aggression towards another pupil	1-2 days
Serious/repeated physical assault on another pupil	2-3 days
Deliberate physical assault on an adult	2-5 days
Serious discriminatory abuse	1-3 days
Serious bullying incident	1-3 days
Significant deliberate damage	1-3 days
Bringing a weapon/dangerous item into school	Up to 5 days / consider Permanent exclusion
Serious sexual violence/assault	Up to 5 days / consider Permanent exclusion
Exceptional serious incident	Up to 5 days / consider Permanent exclusion