

Sparsholt C of E Primary School
Exclusions (Suspension and Permanent Exclusion) Policy
2026-2027



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Signature of Headteacher	
Signature of Chair of Approving Committee	

This policy has been updated in February 2026 to reflect DfE statutory guidance, August 2024

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1. Aims

We will follow all statutory procedures so that every pupil receives their education in a safe, calm and supportive environment. Where behaviour strategies and interventions are not sufficient, suspension and permanent exclusion may be necessary as a last resort to protect the education and welfare of pupils and staff. We do not operate a 'no-exclusion' policy.

We will:

- Apply the process fairly, consistently and lawfully.
- Ensure pupils and parents/carers understand the process, and that the pupil's voice is heard (with advocacy where needed).
- Prevent pupils becoming NEET by arranging suitable education during suspensions and after permanent exclusion within statutory timescales.

Off-rolling is unlawful. We will not remove a pupil from roll except through lawful admissions or exclusion processes, nor encourage elective home education to avoid using the statutory process.

2. Legislation and statutory guidance

This policy implements the DfE's **statutory guidance (Aug 2024)** on suspensions and permanent exclusions and should be read alongside *Behaviour in Schools, Keeping Children Safe in Education, Working together to improve school attendance*, and the *SEND Code of Practice*. It applies to all exclusions that occur **on or after 1 September 2024**.

Key legislation includes:

- Education Act 2002 (as amended 2011);
- School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
- Education and Inspections Act 2006; Education Act 1996;
- Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, as amended 2014.
- The 2024 guidance also aligns with the School Attendance (Pupil Registration) (England) Regulations 2024.

The DfE's GOV.UK page confirms a technical update in 2024 to reflect the new attendance regulations and clarifies that only suspensions have a time limit.

3. Definitions

- **Suspension:** fixed-period exclusion (maximum 45 school days in an academic year).
- **Permanent exclusion:** removal from roll following the process in this policy. (Only suspensions carry a time limit.)
- **Off-site direction:** temporary requirement (maintained schools) to attend another setting to improve behaviour under s29A Education Act 2002, reviewed at regular intervals.
- **Managed move:** a voluntary, permanent transfer to another school with informed consent of all parties (including the admission authority).
- **Parent:** includes any person with parental responsibility or care of the child (including the local authority when a care order is in place).

4. Roles and responsibilities

4.1 Headteacher

Decision to suspend or permanently exclude

Only the headteacher (or an acting headteacher in the absence of a headteacher) can suspend or permanently exclude on disciplinary grounds (including behaviour outside school) and permanent exclusion is a last resort. Decisions made will be lawful, reasonable, fair and proportionate and made on the balance of probabilities.

Before deciding, the headteacher will:

- Consider all relevant facts and evidence, including possible provocation.
- Allow the pupil to state their account (with support/advocacy if needed).
- Consider SEND, safeguarding, social worker/VSH involvement and reasonable adjustments.
- Consider alternatives (e.g., off-site direction or managed move) where appropriate.

Notifying parents

Without delay, parents are told the reason(s), length (or permanence), date(s), and their right to make representations to the governing board (and to attend/be represented) including how the pupil will be involved.

The headteacher will also notify parents by the end of the first day that:

- For the first 5 school days, parents must ensure the pupil is not in a public place during school hours without a good reason (penalty notice/prosecution may apply).
- Details of any alternative provision (AP) (start date, times, location, reporting arrangements) will be provided as soon as possible and no later than 48 hours before AP starts (or with parental consent if earlier than the sixth day).

Notifying the governing board and the local authority (LA)

The headteacher will, without delay, notify:

- The governing board of all permanent exclusions; any suspension or permanent exclusion that takes the total beyond 5 days in a term (or >10 lunchtimes); and any that would cause the pupil to miss a public exam or test.
- The LA of all suspensions and permanent exclusions, regardless of length. If the pupil lives outside the school's LA, the home authority is also notified.

Notifying the social worker/Virtual School Head

Where a pupil has a social worker and/or is looked-after, the headteacher will notify the relevant professional without delay and invite them to governing board meetings to advise on context, safeguarding and welfare.

Cancellation (withdrawal) of an exclusion

The headteacher may cancel a suspension or permanent exclusion before the governing board meets. If cancelled, parents, governing board and LA (and where relevant the social worker/Virtual School Head) are notified, the pupil returns to school and the head offers a meeting. The number of cancelled exclusions is reported termly to governors.

Education during the first 5 days

During the first 5 school days of a suspension (if AP is not in place), the school sets and marks achievable, accessible work (including reasonable adjustments for SEND). Where possible for pupils with a social worker or who are looked-after, we will work with the LA to secure AP from day 1 (our local commitment, beyond statutory minimum).

4.2 Governing Board

Considering exclusions

The board (via a discipline committee of at least three impartial governors) considers parent representations and, where required, meets to consider reinstatement within statutory timescales (see Section 5).

Arranging education

For any suspension exceeding 5 school days, the governing board arranges suitable full-time education to begin no later than day 6. For permanent exclusions, the LA arranges suitable education to begin no later than day 6.

Monitoring and challenge

The board will scrutinise data on suspensions/exclusions, off-site directions and managed moves to ensure fair, consistent use and to identify patterns (including by protected characteristic), and review whether placements directed off-site are achieving objectives.

4.3 Local Authority (LA)

For permanent exclusions, the LA arranges suitable full-time education to begin no later than the sixth day and is responsible for arranging the Independent Review Panel (IRP) where requested by parents.

5. Considering the reinstatement of a pupil

The governing board will consider reinstatement within 15 school days of notice where:

- The exclusion is permanent;
- A suspension will take the total to more than 15 days in a term; or
- The exclusion would result in the pupil missing a public exam/test (in which case the board will, as far as practicable, meet before the date).

Where suspensions total more than 5 but fewer than 16 days in a term, the board meets within 50 school days if parents make representations. If total days are 5 or fewer, the board must consider any representations but is not required to meet and cannot direct reinstatement.

Attendees may include parents (and/or pupil where appropriate), headteacher, social worker, Virtual School Head, and an LA representative. Meetings should be within time limits and at a time convenient to stakeholders (decisions are not invalidated solely due to timing).

Decision options: decline reinstatement; direct reinstatement (immediately or on a date). Decisions are made on the balance of probabilities and recorded in minutes; outcomes are notified in writing without delay to all parties.

Where reinstatement is declined following a permanent exclusion, parents are informed of the right to seek an Independent Review Panel (IRP) within 15 school days, the right to request an SEN expert (at no cost), and routes for Equality Act claims (time limit normally 6 months).

6. Independent Review Panel (IRP)

If parents apply within the legal timeframe, the LA arranges an IRP of 3 or 5 members (lay chair; governor(s); current or former headteacher(s)), all trained within the last 2 years. Conflicts of interest disqualify members.

The IRP must consider the interests and circumstances of the pupil, the context of the exclusion, and the interests of other pupils and staff. The pupil and/or parents should be

enabled to participate and make representations (with reasonable adjustments and advocacy as needed).

Outcomes: uphold the decision; recommend the board reconsiders; or quash the decision and direct reconsideration (if the decision was flawed). IRPs consider only evidence available to the governing board when it made its decision (plus any evidence it ought reasonably to have considered).

IRP decisions are issued in writing without delay; notifications include reasons, any financial readjustment/payment that may arise if reinstatement is not offered within 10 school days, and any documents to be placed on the pupil's record.

7. School registers and attendance coding

A pupil's name is removed from roll when either:

- 15 school days have passed since parents were notified that reinstatement was declined and no IRP has been requested; or
- Parents state in writing they will not request an IRP. If an IRP is requested, removal from roll is delayed until the review concludes.

While on roll, attendance is recorded as follows:

- Attending AP arranged by the school/LA: Code B (educated off-site) or Code D (dual registration).
- Not attending any provision: Code E (absent). These practices align with the DfE's attendance framework and the 2024 registration regulations.

When removing a pupil from roll following a permanent exclusion, the school will submit a return to the LA including statutory details (pupil/parent contact, grounds for deletion, destination school if known, and any new address) as soon as grounds are met and no later than the date of removal.

8. Returning from a suspension (re-integration)

We will implement a reintegration strategy tailored to the pupil, which may include: regular pastoral contact, scheduled reviews with parents, clear expectations, and signposting to external support. We will not use part-time timetables to manage behaviour except in exceptional, time-limited circumstances.

A reintegration meeting will be held before or on the day of return. Attendance by parents is strongly encouraged, but a pupil will not be prevented from returning if the meeting does not take place.

9. Remote-access governing board and IRP meetings

If requested by parents, governing board meetings or IRPs may be conducted via remote access (e.g., live video) provided statutory criteria are satisfied. Face-to-face should be the default and remote access must not be used by default. Key principles include:

- The board/arranging authority is satisfied all participants can see/hear and be seen/heard;
- Document circulation is timely and secure;
- The meeting preserves confidentiality, is fair and accessible (with reasonable adjustments);
- The chair retains discretion to adjourn if conditions are not met. Further detail is set out in Part Eleven and Annex A of the DfE guidance.

10. Monitoring and data

Each term, the Head of School reports to the Executive Headteacher and the governing board on:

- Suspensions/permanent exclusions; off-site directions; managed moves;
- Attendance and registration data;
- Anonymous stakeholder feedback where relevant; and
- Analysis by age, time, and protected characteristic.
The board uses this to fulfil duties under the Equality Act 2010 and ensure exclusions are used only when necessary.

11. Links with other policies

- **Behaviour Policy** (implementing *Behaviour in Schools*)
- **Safeguarding/Child Protection Policy** (*KCSIE*)
- **SEND Policy and Information Report** (*SEND Code of Practice*)
- **Attendance Policy** (*Working together to improve school attendance; 2024 registration regulations*)

Appendix A: IRP training standards

The LA must ensure that IRP members and clerks have received training within the last 2 years covering: law and guidance; procedural fairness and natural justice; roles of chair and clerk; Equality Act 2010 duties; and the effect of Human Rights Act 1998 (s.6).

Training must have covered:

- The requirements of the primary legislation, regulations and statutory guidance governing suspensions and permanent exclusions on disciplinary grounds, which would include an understanding of how the principles applicable in an application for judicial review relate to the panel's decision making
- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair and the clerk of a review panel
- The duties of headteachers, governing boards and the panel under the Equality Act 2010
- The effect of section 6 of the Human Rights Act 1998 (acts of public authorities unlawful if not compatible with certain human rights) and the need to act in a manner compatible with human rights protected by that Act

Appendix B: Off-site direction and managed moves – local process

- Off-site direction for maintained schools: may be used short-term to improve behaviour, with regular review and continued safeguarding oversight by the school. Parents are informed in writing of objectives, duration, and review points.
- Managed moves: implemented only with the informed consent of parents, the receiving school/admission authority, and the pupil (as appropriate to age/understanding). Provision, review, and success criteria are agreed in writing.

As a maintained Hampshire school, Hampshire processes/contacts can be found using the following link:

<https://www.hants.gov.uk/educationandlearning/educationinclusion/service/exclusion>