



Exclusions and Suspensions Policy

February 2026

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Elmbridge Primary School
Exclusions and Suspensions Policy

Document control and record of amendments

Version	Reason for amendment	Sections amended	Amended by/date	Reviewed by/date	Approved by /date
1.0	New Policy	All sections	Glen Tharia / September 2023	Staff/ governors/ September 2023	FGB/ October 2023
2.0	Annual Revision		Glen Tharia September 202r	Staff 30 th November 2024	FGB 16 th December 2024
2.1	Annual Revision	4/5/7/8/10/12	P Riddle		FGB 10 th Feb 2026

Date for Review: September 2026

1. Introduction

Elmbridge Primary School is committed to creating an environment where exemplary behaviour is at the heart of productive learning. Everyone is expected to maintain the highest standards of personal conduct, to accept responsibility for their behaviour and encourage others to do the same.

The school has 3 simple rules: **'Be Ready, Be Respectful and Be Safe'** which can be applied to a variety of situations and are taught and modelled explicitly.

Relentless routines

We encourage all our school community to follow our 'relentless routines' of calm corridors, wonderful walking, legendary line-ups and marvelous manners.

We also understand that for some children following our behaviour expectations are beyond their developmental level. In this case, these children will have bespoke positive behaviour plans, which may include rewards to reinforce positive behaviour.

Serious Incidents

Depending on the age of the children, these incidents will be dealt with at the discretion of the school staff. All serious behaviour matters must be referred immediately to the Head teacher, Senior Leadership Team (SLT) or Team Leaders.

Such incidents could include:

- Fighting
- All forms of bullying (including online)
- Racist, sexist or homophobic comments
- Inappropriate name calling
- Using abusive/offensive language
- Physically striking adults.
- Sexual harassment/violence
- Vandalism

Suspension

Elmbridge Primary believes that, in general, suspensions are not always an effective means of moving behaviour forward. However, in order for children to achieve their maximum academic potential in the school they must feel safe from physical and verbal aggression and disruption. If a child seriously breaches the school's behaviour policy and could seriously harm the education or welfare others in the school, the Headteacher may take the decision to suspend for a fixed period. If this decision is taken, work will be set for the pupil to complete.

Permanent Exclusion

The Secretary of State for Education feels that permanent exclusion should be seen as a last resort and that a school should be able to show that it has taken all reasonable steps to avoid exclusion (See Exclusion Regulations). The governors of Elmbridge Primary School agree with this stance and all policies and procedures are in place to support inclusion of all pupils. Permanent exclusion should only occur when risk assessment indicates that to allow the child to remain in school would be seriously detrimental to the education or welfare of the pupil concerned, or to other pupils and staff at the school.

2. Aims

Aims

Our school aims to ensure that:

- The suspension and exclusions process is applied fairly and consistently
- The suspension and exclusions process is understood by governors, staff, parents and pupils
- Pupils in school are safe and happy
- Pupils do not become NEET (not in education, employment or training)

3. Legislation and Statutory Guidance

This policy is based on statutory guidance from the Department for Education: [Exclusion from maintained schools, academies and pupil referral units \(PRUs\) in England](#).

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

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](#)

4. The Decision to Suspend or Exclude

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

Our school is aware that off-rolling is unlawful. Ofsted defines off-rolling as:

“...the practice of removing a pupil from the school roll without a formal, exclusion or by encouraging a parent to remove their child from the school roll, when the removal is primarily in the interests of the school rather than in the best interests of the pupil.”

We are committed to following all statutory suspension and exclusions procedures to ensure that every child receives an education in a safe and caring environment.

A decision to suspend or 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 if the pupil has special educational needs (SEN)
- Consider if the suspension or exclusion would be a safeguarding concern

5. Definition

For the purposes of suspensions or exclusions, 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.

Suspensions are fixed-term and can be set for a minimum of 1 day and a maximum of 45 days. Suspension days are cumulative within the academic year.

Exclusions are permanent, unless the pupil is reinstated by further due process (see section 7)

6. Roles and Responsibilities

The headteacher

Informing parents

The headteacher will immediately provide the following information, in writing, to the parents of a suspended or 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
- How any representations should be made
- 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 by the pupil to identify the person they 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 or exclusion, in which case the information can be provided with less than 48 hours' notice with parents' consent.

Informing the governing board and Local Authority (LA)

The headteacher will immediately notify the governing board and the local authority (LA) of:

- A permanent exclusion, including when a suspension is followed by a decision to permanently exclude a

pupil

- Suspensions which would result in the pupil being suspended for more than 5 school days (or more than 10 lunchtimes) in a term
- Suspensions or exclusions which would result in the pupil missing a public examination

For an exclusion, 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 and the reason(s) for it without delay.

For all other suspensions or exclusions, the headteacher will notify the governing board and LA once a term.

The governing board

Responsibilities regarding suspensions or exclusions are delegated to the Suspension & Exclusion Panel consisting of at least 3 governors.

The Suspension & Exclusion Panel has a duty to consider the reinstatement of a suspended or excluded pupil (see section 7).

Within 14 days of receipt of a request, the governing board will provide the secretary of state and the LA with information about any suspensions or exclusions in the last 12 months.

For a suspension of more than 5 school days, the LA will arrange suitable full-time education for the pupil. This provision will begin no later than the sixth day of the exclusion.

The Local Authority

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

7. Considering the Reinstatement of a Pupil

The Suspension & Exclusions Panel will consider the reinstatement of an excluded pupil within 15 school days of receiving the notice of the exclusion if:

- It is an exclusion
- 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 or national curriculum test

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

The Suspension and exclusion panel will consider the reinstatement of a suspended or excluded pupil within 15 days of receiving notice of the suspension or exclusion from the co-head teachers if the exclusion is permanent, it is a suspension that would bring the total number of school days out of school to more than 15 in a term or would result in the pupil missing a public examination.

Parents should be made aware of their right to attend and participate in Governor panel meetings and the pupil should be enabled to make representation on their own behalf, if they wish.

Where a suspension or exclusion would result in a pupil missing a public examination, the Suspension & Exclusion Panel 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 Suspension & Exclusion Panel 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 Suspension & Exclusion Panel will consider whether the suspension or exclusion 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 suspend or exclude (see appendix 1)

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 Suspension & Exclusion Panel 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 Suspension & Exclusion Panel decision will also include the following:

- a) The fact that it is permanent
- b) 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 LA 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
- c) 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

8. The Independent Review Panel (IRP)

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

Applications for an independent review must be made within 15 school days of notice being given to the parents by the Suspension & Exclusion Panel 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 LA 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 LA, 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 LA, school, governing board, parents or pupil, or the incident leading to the exclusion, which might reasonably be taken to raise doubts about their impartiality
- Have not had the required training within the last 2 years (see appendix 1 for what training must cover).
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.

9. 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 suspension and 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 a suspended or excluded pupil and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.

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

10. Returning from a fixed-term suspension

Following a suspension, the pupil and parents meet the Headteacher or SLT/Team Leader along with the class teacher to discuss the pupil's reintegration to school and the best way forward to support the child. Each day is a new day and where a child has transgressed, it is expected that they will be welcomed back, when they return, with a 'clean slate'.

A written record of the reintegration meeting will be kept, with an opportunity for the pupil to voice their own opinion (see appendix 2).

11. Monitoring Arrangements

Headteacher monitors the number of suspensions or exclusions every term and reports back to the governing body. They also liaise with the local authority to ensure suitable full-time education for suspended or excluded pupils.

This policy will be reviewed by the Headteacher every three years. At every review, the policy will be approved by the Full Governing Body.

12. Training Requirements

The LA will ensure that all independent review panel members and clerks have received training within the two years prior to the date of the review. Training will cover:

The requirements of the legislation, regulations and statutory guidance governing exclusions.

- The need for the panel to observe procedural fairness and the rules of natural justice
- The role of the chair of a review panel.
- The role of other governors forming a review panel
- The role of the clerk to a review panel.
- The duties of headteachers, governing bodies and the panel under the Equality Act 2010.
- The effect of section 6 of the Human Rights Act 1998 and the need to act in a manner compatible with human rights protected by that Act.

Clerks will also have an up-to-date understanding on developments in case law which are relevant to exclusion.

13.Links to Other Policies

Elmbridge Primary School will consider exclusions and suspensions policy when developing other policies, in particular:

- Anti-Bullying, Equality and Relational Policy
- Attendance
- Behaviour and Relationships Policy
- Complaints
- Public Sector Equalities Duty Policy
- Safeguarding Policy
- Special Educational Needs Disabilities Policy

Appendix 1

Below is a checklist for members of the suspension and exclusion panel to consider when reviewing the decision to permanently exclude a pupil.

1. Context of behaviour
 - Was the incident a one-off occurrence, or part of a pattern of behaviour?
 - What were the persistent breaches of behaviour that led to this exclusion? What was the tipping point?
2. School's actions
 - What strategies were implemented by the school prior to the exclusion? Were all available strategies exhausted?
 - Did the school follow its Behaviour Policy in making the exclusion decision?
 - Was a full investigation conducted, and were all relevant parties interviewed?
3. Pupil circumstances
 - Was the student aware of the consequences of their behavior? Did they understand the situation?
 - Were there any external factors affecting the student's behavior, such as family issues or bullying?
 - Does the student have any identified Special Educational Needs (SEN) or disabilities? If so, what support was provided, including proactive support?
4. Alternatives to Exclusion
 - What alternatives to permanent exclusion were considered, and why were they rejected?
 - Was a managed move to another school considered as an option? If not, why not?
5. Impact of Exclusion
 - What impact will the exclusion have on the student's education?
 - How will the exclusion affect the school environment and other students?
6. Reinstatement considerations
 - If reinstated, do you believe the student would have a meaningful opportunity to improve their behavior?
 - What measures would be put in place to support the student if they were to return?

Appendix 2

Reintegration form

Name	
Year group	
Date of meeting	
Present at meeting	

Introduction

Areas of Concern

Pupil View

Parent View

Actions Going Forward