Policy Name	**Suspension and Permanent Exclusion Policy**
Policy Number	**LFTSFQ/0033**
Date of Issue	**September 2026**
Reviewed by	**Mr K Chatfield**
Date of next review	**September 2027**

Overview

This policy is complementary to other Academy policies particularly those relating to Keeping Children Safe in Education (2026)
This policy has taken account of DfE *Guidance on Behaviour in schools 2024 and the* Equality Act 2010

Aim

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

Our academy aims to:

- Ensure that the exclusions process is applied fairly and consistently
- Help governors, staff, Parents/Carers and students understand the exclusions process
- Ensure that students in academy are safe and happy
- Prevent students from becoming NEET (not in education, employment or training)
- Ensure all suspensions and permanent exclusions are carried out lawfully

The Academy recognises that suspension and permanent exclusion can have a significant impact on students and their families. Decisions will be made fairly, proportionately and in accordance with statutory guidance. Particular consideration will be given to students with SEND, looked after children, previously looked after children, students with a social worker and other vulnerable learners.

A note on off-rolling

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

> "The practice of removing a student from the academy roll without a formal, permanent exclusion or by encouraging a Parent/Carer to remove their child from the academy roll, when the removal is primarily in the interests of the academy rather than in the best interests of the student."

We will not suspend or exclude students unlawfully by directing them off site, or not allowing students to attend academy:

- Without following the statutory procedure or formally recording the event, e.g. sending them home to 'cool off'
- Because they have special educational needs and/or a disability (SEND) that the academy feels unable to support
- Due to poor academic performance
- By exerting undue influence on a Parent/Carer to encourage them to remove their child from the academy

Legislation and statutory guidance

This policy is based on the Department for Education statutory guidance School suspensions and permanent exclusions: Guidance on the suspension and permanent exclusion of pupils from maintained schools, academies and pupil referral units in England, including pupil movement (2026).

It is based on the following legislation, which outlines the powers to exclude students:

- Section 51a of the Education Act 2002, as amended by the Education Act 2011
- The Academy Discipline (Student 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 sets out parental responsibility for excluded students
- Section 579 of the Education Act 1996, which defines 'academy day'
- The Education (Provision of Full-Time Education for Excluded Students) (England) Regulations 2007, as amended by The Education (Provision of Full-Time Education for Excluded Students) (England) (Amendment) Regulations 2014
- The Equality Act 2010
- Children and Families Act 2014
- Department for Education Behaviour in Schools: Advice for Headteachers and School Staff (2024).

This policy complies with our funding agreement and articles of association.

Definitions

Suspension – when a student is removed from the academy for a fixed period. This was previously referred to as a 'fixed-term exclusion'.

Permanent exclusion – when a student is removed from the academy permanently and taken off the academy roll. This is sometimes referred to as an 'exclusion'.

Off-site direction – when a governing board of a maintained academy requires a student to attend another education setting temporarily, to improve their behaviour.

Parent/Carer – any person who has parental responsibility and any person who has care of the child.

Managed move – when a student is transferred to another academy permanently. All parties, including Parents/Carers and the admission authority for the new academy, should consent before a managed move occurs.

Roles and responsibilities

4.1 The principal

Deciding whether to suspend or exclude

Only the principal, or acting principal, can suspend or permanently exclude a student from academy on disciplinary grounds. The decision can be made in respect of behaviour inside or outside of academy. The principal will only use permanent exclusion as a last resort. Where appropriate and safe to do so, the Academy will seek to implement early intervention, pastoral support, SEND support, managed moves, alternative provision or other suitable strategies before permanent exclusion is considered.

A decision to suspend or exclude a student will be taken only:

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

When making decisions, the Academy will consider both the needs of the student at risk of suspension or exclusion and the safety, welfare and educational experiences of other students and staff.

Before deciding whether to suspend or exclude a student, the principal will:

- Consider all the relevant facts and evidence on the balance of probabilities, including whether the incident(s) leading to the exclusion were provoked
- Allow the student to give their version of events
- Consider whether the student has special educational needs (SEND)
- Whether reasonable adjustments and appropriate support have been considered or implemented where the student has SEND or a disability.
- Consider whether the student is especially vulnerable (e.g. the student has a social worker, or is a looked-after child (LAC))
- Consider whether all alternative solutions have been explored, such as off-site direction or managed moves

The principal will consider the views of the student, in light of their age and understanding, before deciding to suspend or exclude, unless it would not be appropriate to do so.
Students who need support to express their views will be allowed to have their views expressed through an advocate, such as a Parent/Carer or social worker.
The principal will not reach their decision until they have heard from the student, and will inform the student of how their views were taken into account when making the decision.

Informing Parents/Carers

If a student is at risk of suspension or exclusion the principal will inform the Parents/Carers as early as possible, in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.
If the principal decides to suspend or exclude a student, the Parents/Carers will be informed of the period of the suspension or exclusion and the reason(s) for it, without delay.
The Parents/Carers will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or exclusion
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- Information about Parents'/Carers right to make representations about the suspension or permanent exclusion to the governing board and how the student may be involved in this
- How any representations should be made
- Where there is a legal requirement for the governing board to hold a meeting to consider the reinstatement of a student, and that Parents/Carers (or the student if they are 18 years old) have a right to attend the meeting, be represented at the meeting (at their own expense) and to bring a friend

The principal will also notify Parents/Carers without delay and by the end of the afternoon session on the first day their child is suspended or permanently excluded, that:

- For the first 5 academy days of an exclusion (or until the start date of any alternative provision or the end of the suspension, where this is earlier), the Parents/Carers are legally required to ensure that their child is not present in a public place during academy hours without a good reason.
- Parents/Carers 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, if possible:

- 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 the student needs in order to identify the person they should report to on the first day

If the principal does not have the all the information about the alternative provision arrangements by the end of the afternoon session on the first day of the suspension or permanent exclusion, they can provide the information at a later date, without delay and 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 permanent exclusion, in which case the academy reserves the right to provide the information with less than 48 hours' notice, with Parents'/Carers consent.

Informing the Academy Committee

The principal will, without delay, notify the Academy Committee of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a student
- Any suspension or permanent exclusion which would result in the student being suspended or permanently excluded for a total of more than 5 academy days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion which would result in the student missing a National Curriculum test or public exam

The principal will notify the governing board once per term of any other suspensions of which they have not previously been notified, and the number of suspensions and exclusions which have been cancelled, including the circumstances and reasons for the cancellation.

Informing the local authority (LA)

The principal will notify the LA of all suspensions and permanent exclusions without delay, regardless of the length of a suspension.

The notification will include:

- The reason(s) for the suspension or permanent exclusion
- The length of a suspension or, for a permanent exclusion, the fact that it is permanent

For a permanent exclusion, if the student lives outside the LA in which the academy is located, the principal will also, without delay, inform the student's 'home authority' of the exclusion and the reason(s) for it.

Informing the student's social worker and/or virtual academy head (VSH)

If a:

- **Student with a social worker** is at risk of suspension or permanent exclusion, the principal will inform **the social worker** as early as possible
- **Student who is a looked-after child (LAC)** is at risk of suspension or exclusion, the principal will inform **the VSH** as early as possible

This is in order to work together to consider what factors may be affecting the student's behaviour, and what further support can be put in place to improve the behaviour.

If the principal decides to suspend or permanently exclude a student with a social worker / a student who is looked after, they will inform the student's social worker / the VSH, as appropriate, without delay, that:

- They have decided to suspend or permanently exclude the student
- The reason(s) for the decision
- The length of the suspension or, for a permanent exclusion, the fact that it is permanent
- The suspension or permanent exclusion affects the students ability to sit a National Curriculum test or public exam (where relevant)

The social worker / VSH will be invited to any meeting of the governing board about the suspension or permanent exclusion. This is so they can provide advice on how the student's background and/or circumstances may have influenced the circumstances of their suspension or permanent exclusion. The social worker should also help ensure safeguarding needs and risks and the student's welfare are taken into account.

Cancelling suspensions and permanent exclusions

The principal may cancel a suspension or permanent exclusion that has already begun, but this will only be done where it has not yet been reviewed by the governing board. Where there is a cancellation:

- The Parents/Carers, governing board and LA will be notified without delay
- Where relevant, any social worker and VSH will notified without delay
- Parents/Carers will be offered the opportunity to meet with the principal to discuss the cancellation
- As referred to above, the principal will report to the governing board once per term on the number of cancellations
- The student will be allowed back in academy

Providing education during the first 5 days of a suspension or permanent exclusion

During the first 5 days of a suspension, if the student is not attending alternative (AP) provision, the principal will take steps to ensure that achievable and accessible work is set and marked for the student. Online pathway Oak Academy may be used for this. If the student has a special educational need or disability, the principal will make sure that reasonable adjustments are made to the provision where necessary.

If the student is looked after or if they have a social worker, the academy will work with the LA to arrange AP from the first day following the suspension or permanent exclusion. Where this isn't possible, the academy will take reasonable steps to set and mark work for the student, including the use of online pathways.

The Education Advisory Commitee

Considering suspensions and permanent exclusions

The Education Advisory Commitee has a duty to consider Parents'/Carers representations about a suspension or permanent exclusion. It has a duty to consider the reinstatement of a suspended or permanently excluded student in certain circumstances.

For any suspension of more than 5 academy days, the Local Authority will arrange suitable full-time education for the student. This provision will begin no later than the sixth day of the suspension.

The Education Advisory Commitee does not have to arrange such provision for students in their final year of compulsory education who do not have any further public exams to sit.

Monitoring and analysing suspensions and exclusions data

The Education Advisory Commitee will challenge and evaluate the data on the academy's use of suspension, exclusion, off-site direction to alternative provision and managed moves.

The governing board will consider:

- How effectively and consistently the academy's behaviour policy is being implemented
- The academy register and absence codes
- Instances where students receive repeat suspensions
- Interventions in place to support students at risk of suspension or permanent exclusion
- Any variations in the rolling average of permanent exclusions, to understand why this is happening, and to make sure they are only used when necessary
- Timing of moves and permanent exclusions, and whether there are any patterns, including any indications which may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded students, and why this is taking place
- Whether the placements of students directed off-site into alternative provision are reviewed at sufficient intervals to assure that the education is achieving its objectives and that students are benefiting from it
- The cost implications of directing students off-site

The local authority (LA)

For permanent exclusions, the LA will arrange suitable full-time education to begin no later than the sixth academy day after the first day of the exclusion.

For students who are LAC or have social workers, the LA and the academy will work together arrange suitable full-time education to begin from the first day of the exclusion.

Considering the reinstatement of a student

The Education Advisory Commitee will consider and decide on the reinstatement of a suspended or permanently excluded student within 15 academy days of receiving the notice of the suspension or exclusion if:

- The exclusion is permanent
- It is a suspension which would bring the student's total number of days out of academy to more than 15 in a term; or
- It would result in a student missing a public exam or National Curriculum test

Where the student has been suspended for more than 5 days, but less than 16 days, in a single term, and the Parents/Carers make representations to the board, The Education Advisory Commitee will consider and decide the reinstatement of a suspended student within 50 academy days of receiving notice of the suspension. The board may also consider and decide on reinstatement if the Parents/Carers do not make representations.
Where the student has been suspended, and the suspension does not bring the student's total number of days of suspension or permanent exclusion to more than 5 in a term, The governing board:

- Must consider any representations made by Parents/Carers
- Must arrange the meeting to consider the representations within a reasonable amount of time
- Can consider reinstatement in the absence of representations from Parents/Carers

The following parties will be invited to a meeting of the Education Advisory Commitee and allowed to make representations or share information:

- Parents/Carers (and, where requested, a representative or friend)
- The student if they are 18 years old or over
- The principal
- The student's social worker, if they have one
- The VSH, if the student is looked after

The Education Advisory Commitee will try to arrange the meeting within the statutory time limits set out above and must try to have it at a time that suits all relevant parties. However, its decision will not be invalid simply on the grounds that it was not made within these time limits.

The Education Advisory Commitee can either:

- Decline to reinstate the student, or
- Direct the reinstatement of the student immediately, or on a particular date
- In reaching a decision, Education Advisory Commitee will consider:
- Whether the decision to suspend or permanently exclude was lawful, reasonable, and procedurally fair
- Whether the principal followed their legal duties
- The welfare and safeguarding of the student and their peers
- Any evidence that was presented to the governing board

They will decide whether or not a fact is true 'on the balance of probabilities'.

Minutes will be taken of the meeting, and a record kept of the evidence that was considered. The outcome will also be recorded on the student's educational record, and copies of relevant papers will be kept with this record.
The Education Advisory Commitee will notify, in writing, the following stakeholders of its decision, along with reasons for its decision, without delay:

- The Parents/Carers, or the student, if they are 18 or older

- The principal
- The student's social worker, if they have one
- The VSH, if the student is looked after
- The local authority
- The student's home authority, if it differs from the academy's

Where an exclusion is permanent and the Education Advisory Commitee has decided not to reinstate the student, the notification of decision will also include the following:

- The fact that it is a permanent exclusion
- Notice of Parents/Carers right to ask for the decision to be reviewed by an independent review panel
- The date by which an application for an independent review must be made (15 academy days from the date on which notice in writing of the governing board's decision is given to Parents/Carers)
- The name and address to which an application for a review and any written evidence should be submitted
- That any application should set out the grounds on which it is being made and that, where appropriate, it should include reference to how the student's special educational needs (SEND) are considered to be relevant to the permanent exclusion
- That, regardless of whether the excluded student has recognised SEND, Parents/Carers have a right to require the academy trust to appoint an SEND expert to advise the review panel
- Details of the role of the SEND expert and that there would be no cost to Parents/Carers for this appointment
- That Parents/Carers must make clear if they wish for an SEND expert to be appointed in any application for a review
- That Parents/Carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and Parents/Carers may also bring a friend to the review

Independent review

If Parents/Carers apply for an independent review within the legal timeframe, the academy trust will arrange for an independent panel to review the decision of the governing board not to reinstate a permanently excluded student.

Applications for an independent review must be made within 15 academy days of notice being given to the Parents/Carers by The Education Advisory Commitee of its decision to not reinstate the student **or**, if after this time, within 15 academy days of the final determination of a claim of discrimination under the Equality Act 2010 regarding the permanent exclusion.

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 academy governor category and 2 members will come from the principal category. At all times during the review process there must be the required representation on the panel.

- A lay member to chair the panel who has not worked in any academy in a paid capacity, disregarding any experience as a academy governor or volunteer
- Current or former academy 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 principals during this time
- Principals or individuals who have been a principal within the last 5 years
- A person may not serve as a member of a review panel if they:
- Are a member of the Academy trust of the excluding academy
- Are the principal of the excluding academy, or have held this position in the last 5 years
- Are an employee of the Academy trust, or the governing board, of the excluding academy (unless they are employed as a principal at another academy)

- Have, or at any time have had, any connection with the Academy trust academy, governing board, Parents/Carers or student, 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)

The panel must consider the interests and circumstances of the student, including the circumstances in which the student was permanently excluded, and have regard to the interests of other students and people working at the academy.

Taking into account the student's age and understanding, the student or their Parents/Carers will be made aware of their right to attend and participate in the review meeting and the student should be enabled to make representations on their own behalf, should they desire to.

Where a SEND expert is present, the panel must seek and have regard to the SEND expert's view of how SEND may be relevant to the student's permanent exclusion.

Where a social worker is present, the panel must have regard to any representation made by the social worker of how the student's experiences, needs, safeguarding risks and/or welfare may be relevant to the student's permanent exclusion.

Where a VSH is present, the panel must have regard to any representation made by the social worker of how any of the child's background, education and safeguarding needs were considered by the principal in the lead up to the permanent exclusion, or are relevant to the student's permanent exclusion.

Following its review, the independent panel will decide to do 1 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 if it judges that the decision was flawed)

New evidence may be presented, though the academy cannot introduce new reasons for the permanent exclusion or the decision not to reinstate. The panel must disregard any new reasons that are introduced.

In deciding whether the decision was flawed, and therefore whether to quash the decision not to reinstate, the panel must only take account of the evidence that was available to the governing board at the time of making its decision. This includes any evidence that the panel considers would, or should, have been available to the governing board and that it ought to have considered if it had been acting reasonably.

If evidence is presented that the panel considers it is unreasonable to expect the governing board to have been aware of at the time of its decision, the panel can take account of the evidence when deciding whether to recommend that the governing board reconsider reinstatement.

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

Once the panel has reached its decision, the panel will notify all parties in writing without delay.

This notification will include:
- The panel's decision and the reasons for it
- Where relevant, details of any financial readjustment or payment to be made if the governing board does not subsequently decide to offer to reinstate the student within 10 academy days
- Any information that the panel has directed the governing board to place on the student's educational record

Academy registers

A student's name will be removed from the academy admission register if:

- 15 academy days have passed since the Parents/Carers were notified of the Education Advisory Committee's decision to not reinstate the student and no application has been made for an independent review panel, or
- The Parents/Carers 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 within 15 academy days, the governing board will wait until that review has concluded before removing a student's name from the register.
While the student's name remains on the academy's admission register, the student's attendance will still be recorded appropriately. Where alternative provision has been made for an excluded student and they attend it, code B (education off-site) or code D (dual registration) will be used on the attendance register.
Where excluded students are not attending alternative provision, code E (absent) will be used.

Making a return to the LA

Where a student's name is to be removed from the academy admissions register because of a permanent exclusion, the academy will make a return to the LA. The return will include:

- The student's full name
- The full name and address of any Parent/Carer with whom the student normally resides
- At least 1 telephone number at which any Parent/Carer with whom the student normally resides can be contacted in an emergency
- The grounds upon which their name is to be deleted from the admissions register (i.e., permanent exclusion)
- Details of the new academy the student will attend, including the name of that academy and the first date when the student attended or is due to attend there, if the Parents/Carers have told the academy the student is moving to another academy
- Details of the student's new address, including the new address, the name of the Parent/Carer(s) the student is going to live there with, and the date when the student is going to start living there, if the Parents/Carers have informed the academy that the student is moving house

This return must be made as soon as the grounds for removal is met and no later than the removal of the student's name.

Returning from a fixed-term exclusion

Reintegration strategy

Following suspension, the academy will put in place a strategy to help the student reintegrate successfully into academy life and full-time education.
Where necessary, the academy will work with third-party organisations to identify whether the student has any unmet special educational and/or health needs.
The following measures may be implemented, as part of the strategy, to ensure a successful reintegration into academy life:

- Contact in academy with a designated pastoral professional
- Academic or pastoral Mentoring
- Regular reviews with the student and Parents/Carers to praise progress being made and raise and address any concerns
- Informing the students, Parents/Carers and staff of potential outside agency support
- SEND assessments to establish if there is an unmet SEND need underlying behaviours

Part-time timetables will not be used as a tool to manage behaviour and, if used, will be put in place for the minimum time necessary. Where attendance concerns are identified alongside behavioural concerns, the Academy will work with students, families and external agencies to improve engagement and reduce the risk of further suspension.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the student, Parents/Carers, and other relevant parties. The effectiveness of the reintegration strategy will be evaluated regularly to reduce the likelihood of repeat suspension and to support successful long-term reintegration.

Reintegration meetings

The academy will explain the reintegration strategy to the student in a reintegration meeting before or on the student's return to academy. During the meeting the academy will communicate to the student that they are getting a fresh start and that they are a valued member of the academy community.
The student, Parents/Carers, a member of senior staff, and any other relevant staff will be invited to attend the meeting.
The meeting can proceed without the Parents/Carers in the event that they cannot or do not attend.
The academy expects all returning students and their Parents/Carers to attend their reintegration meeting, but students who do not attend will not be prevented from returning to the classroom.

Monitoring arrangements

The academy will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral unit, off-site directions and managed moves
- The data will be analysed regularly by Pastoral Leaders in charge of behaviour and inclusion. This is reported and discussed at a Senior leader Panel.
- Summary suspension and permanent exclusion data will also be reviewed by Governors and Trustees to provide challenge, scrutiny and assurance regarding the Academy's use of exclusion.
- The data will be analysed from a variety of perspectives including:
- At academy level
- By age group
- By protected characteristic

The academy will use the results of this analysis to make sure it is meeting its duties under the Equality Act 2010. If any patterns or disparities between groups of students are identified by this analysis, the academy will review its policies in order to tackle it.

Links with other policies

This exclusions policy is linked to our:

- Behaviour policy
- SEND policy and information report

LANDAU FORTE CHARITABLE TRUST

Date	**September 2026**
Change Made	**Various**
Made By	**Mr K Chatfield**