



West Park School

'A caring school where we put pupils and their achievement first'

Suspension and Exclusion Policy

Date reviewed	Next review date	Member of staff responsible
Sept 2026	Sept 2027	Deputy Head, Mr D Sanderson

This policy complies with our funding agreement, articles of association, and the Trust's statutory duties under the Equality Act 2010, including the Public Sector Equality Duty and obligations relating to pupils with special educational needs or disabilities (SEND).

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Purpose of this policy

This policy sets out the statutory process for suspensions and permanent exclusions, ensuring decisions are lawful, reasonable and fair.

Legislation and statutory guidance

This policy is based on statutory guidance from the Department for Education (DfE): *Suspension and permanent exclusion from maintained schools, academies and pupil referral units in England, including pupil movement*.

It is underpinned by the following legislation and statutory requirements:

- **Education Act 2002**, including section 51A (as amended by the Education Act 2011)
- **Education and Inspections Act 2006**, including sections 88–94 (discipline powers) and Part 7, Chapter 2 (parental responsibility for excluded pupils)
- **School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012** (as amended)
- **Education Act 1996**, section 579 (definition of 'school day')
- **Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007**, as amended in 2014
- **Equality Act 2010**, including the Public Sector Equality Duty
- **Children and Families Act 2014**
- **Keeping Children Safe in Education** (current version)
- **SEND Code of Practice** (2015)
- **School Inspection Handbook** (definition of 'off-rolling')

This policy also complies with the school's **funding agreement** and **articles of association**.

Suspensions and Exclusions

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

West Park School aims to:

- Make sure that the suspension and exclusion process is applied fairly and consistently
- Help Trustees, staff, parents/carers and pupils understand the process
- Make sure that pupils in school are safe and happy
- Prevent pupils from becoming NEET (not in education, employment or training)
- Make sure all suspensions and permanent exclusions are carried out lawfully.

Definitions

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

Permanent exclusion – when a pupil is removed from the school permanently and taken off the school admission register. This is sometimes referred to as an 'exclusion'.

Off-site direction is a statutory power enabling the Trust Board of a maintained school to require a pupil to attend another education setting temporarily, for the purpose of improving their behaviour.

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

A managed move is a voluntary arrangement in which a pupil transfers permanently to another school as part of a planned intervention to support improved behaviour. A managed move can only proceed when all parties — the pupil, parents/carers, the current school, and the admission authority for the receiving school — give their informed consent.

Off rolling

'Off rolling' is a form of gaming and occurs where a school decides, in the interests of the school and not the pupil, to:

- Remove a pupil from the school admission register without a formal, permanent exclusion, or
- Encourage a parent/carers to remove their child from the school, or
- Retain a pupil on the school admission register but not allow them to attend the school normally, without a formal permanent exclusion or suspension

Accordingly, we will not suspend or exclude a pupil unlawfully by telling or forcing them to leave, encouraging their parent(s)/carers(s) to remove them from the school, or not allowing them to attend school without following the statutory procedure contained in the [School Discipline \(Pupil Exclusions and Reviews\) \(England\) Regulations 2012](#) (as amended), or formally recording the event.

Any suspension or exclusion will be made on disciplinary grounds, and will not be made:

- Because a pupil has special educational needs and/or a disability (SEND) that the school feels unable to support, or
- Due to a pupil's poor academic performance, or
- Because the pupil hasn't met a specific condition, such as attending a reintegration meeting

Suspension and exclusion will never be used for non-disciplinary reasons. If any pupil is suspended or excluded on the above grounds, this will also be considered as 'off-rolling'.

Roles and responsibilities of the Headteacher

Only the headteacher, or acting headteacher, may suspend or permanently exclude a pupil from school on disciplinary grounds. The decision may relate to behaviour inside or outside school. Exclusion is not used as a punishment; it is a serious, protective measure applied only when necessary and, in the case of permanent exclusion, only as a last resort. The headteacher will ensure that any decision to suspend or exclude is proportionate to the circumstances.

A decision to suspend a pupil will be taken only:

- In accordance with the school's behaviour policy
- To provide a clear and immediate signal that the behaviour is unacceptable
- To make clear that the pupil's current behaviour places them at risk of permanent exclusion

Suspension is not used as a punishment; it is a serious, time-limited protective measure applied to maintain safety, order and an environment conducive to learning. Where suspensions become frequent, the headteacher will consider whether suspension alone is an effective response and whether additional strategies or interventions are required to address the underlying behaviour concerns.

A decision to exclude a pupil will be taken only:

- In response to serious 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 others.

Exclusion is not used as a punishment. It is a serious, protective measure applied only when necessary to maintain safety, order, and an environment conducive to learning.

Before deciding whether to suspend or exclude a pupil, the headteacher will:

- Consider all relevant facts and evidence on the balance of probabilities, including whether the incident(s) were provoked
- Make every reasonable effort to seek the pupil's views and allow them to give their version of events
- The headteacher will record how the pupil's views were considered in reaching the decision
- Consider whether the pupil has special educational needs (SEN)
- The headteacher will consider whether the behaviour may be a manifestation of unmet needs and whether reasonable adjustments should be made before deciding to suspend or exclude.
- Consider whether the pupil is especially vulnerable (e.g. has a social worker or is a looked-after child (LAC))
- Consider whether all alternative responses have been explored, such as:

- For suspensions: detentions or other sanctions provided for in the behaviour policy
- For exclusions: off-site direction or a managed move

The headteacher will take account of the pupil's views, in light of their age and understanding, unless it would not be appropriate to do so. Pupils who need support to express their views will be allowed to do so through an advocate, such as a parent/carer or social worker.

Where a pupil does not provide their views, the headteacher will proceed based on the evidence available and will record the steps taken to give the pupil the opportunity to be heard. The headteacher will inform the pupil of how their views were considered, where provided, when making the decision.

1 Informing Parents/Carers

If a pupil is at risk of suspension or exclusion, the headteacher will inform parents/carers as early as possible so that the school and family can work together to identify any factors affecting the pupil's behaviour and consider what additional support may be required.

If the headteacher decides to suspend or exclude a pupil, parents/carers will be informed, in person or by telephone, without delay, of the period of the suspension or exclusion and the reason(s) for it.

Parents/carers will also be provided with the following information in writing, without delay:

- The reason(s) for the suspension or permanent exclusion
- The length of the suspension or, for a permanent exclusion, confirmation that it is permanent
- Information about their right to make representations to the Trust Board, and how the pupil may be involved where appropriate
- How any representations should be made
- Where there is a legal requirement for the Trust Board to meet to consider reinstatement, that parents/carers have the right to attend, to be represented (at their own expense), and to bring a friend
- That parents/carers have the right to request that the meeting be held remotely, and how and to whom such a request should be made

If the pupil is of compulsory school age, the headteacher will also notify parents/carers, without delay and by the end of the afternoon session on the first day of the suspension or permanent exclusion, that:

- For the first 5 school days (or until the start of any alternative provision, or the end of the suspension if earlier), parents/carers are legally required to ensure that their child is not present in a public place during school hours without a good reason. The days on which this duty applies will be specified
- Parents/carers may be issued with a fixed penalty notice or prosecuted if they fail to comply with this duty

Where alternative provision is being arranged, the following information will be included, where possible:

- The start date for any full-time education that has been arranged
- The start and finish times of the provision, including morning and afternoon session times
- The address at which the provision will take place
- Any information the pupil needs to identify the person they should report to on the first day

If the headteacher does not have all the information about the alternative provision by the end of the afternoon session on the first day of the suspension or permanent exclusion, it will be provided at a later date, without delay and no later than 48 hours before the provision is due to begin.

The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion. In such cases, the school may provide the information with less than 48 hours' notice, with parents'/carers' consent.

If the headteacher withdraws the suspension or permanent exclusion, they will notify the parents/carers without delay, and provide a reason for the withdrawal of the exclusion.

2 Informing the Trust Board

The headteacher will, without delay, notify the Trust Board of:

- Any permanent exclusion, including when a suspension is followed by a decision to permanently exclude a pupil
- Any suspension or permanent exclusion that would result in the pupil being suspended for a total of more than 5 school days (or more than 10 lunchtimes) in a term
- Any suspension or permanent exclusion that would result in the pupil missing a National Curriculum test or public exam
- Any suspension or permanent exclusion that has been withdrawn, including the reason for the withdrawal of the exclusion

3 Informing the Local Authority (LA)

The headteacher 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 pupil lives outside the LA in which the school is located, the headteacher will also, without delay, inform the pupil's 'home authority' of the exclusion and the reason(s) for it.

The headteacher must notify the LA without delay of any withdrawn exclusions, including the reason the exclusion was withdrawn.

4 Informing the pupil's social worker and/or virtual school head (VSH)

If a:

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

This is so they can work together to consider what factors may be affecting the pupil's behaviour, and what further support can be put in place to improve the behaviour. Decisions will take account of safeguarding risks and welfare.

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

- They have decided to suspend or permanently exclude the pupil
- 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 pupil's ability to sit a National Curriculum test or public exam (where relevant)
- They have decided to withdraw a suspension or permanent exclusion, and why (where relevant)

The social worker/VSH will be invited to any meeting of the Trust Board about the suspension or permanent exclusion. This is so they can provide advice on how the pupil'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 pupil's welfare are taken into account.

Withdrawing suspensions and permanent exclusions

The headteacher may withdraw a suspension or permanent exclusion that has already begun, or one that has not yet begun, but only where it has not yet been reviewed by the Trust Board.

Where the exclusion has been withdrawn

- The parents/carers, Trust Board and LA will be notified without delay
- Where relevant, any social worker and VSH will be notified without delay
- The notification must provide the reason for the withdrawal of the exclusion
- The Trust Board's duty to hold a meeting and consider reinstatement ceases
- Parents/carers will be offered the opportunity to meet with the headteacher to discuss the withdrawal of the exclusion, which will be arranged without delay
- The pupil will be allowed back in school without delay
- Any days spent out of school as a result of any exclusion, prior to the withdrawal of the exclusion

will count towards the maximum of 45 school days permitted in any school year.

- A permanent exclusion cannot be withdrawn if the pupil has already been excluded for more than 45 school days in a school year or if they will have been so by the time the withdrawal of the exclusion takes effect.

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

If the pupil is not attending alternative (AP) provision, the headteacher will take steps to ensure that achievable and accessible work is set and marked for the pupil. Online pathways may be used for this. If the pupil has a special educational need or disability, the headteacher will make sure that reasonable adjustments are made to the provision where necessary.

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

Considering the reinstatement of a pupil - When the Trust Board must meet

A committee of the Trust Board will consider whether to reinstate a suspended or permanently excluded pupil when required by law. The committee will meet within the statutory timescales and will review the headteacher's decision in a fair, impartial and evidence-based manner.

The Trust Board must meet to consider reinstatement when:

- The exclusion is permanent
- A suspension takes the pupil's total number of suspended days to more than 15 in a term
- The suspension or exclusion would result in the pupil missing a public exam or National Curriculum test

Where a pupil has been suspended for **5 days or fewer**, the Trust Board must consider any representations from parents/carers but is **not required to meet** and **cannot direct reinstatement**.

Where a pupil has been suspended for **more than 5 but not more than 15 days**, the Trust Board will meet within **50 school days** if parents/carers request a meeting.

1 Committee composition

The committee will consist of three Trustees who:

- Have had no prior involvement with the pupil, their family or the incident(s)
- Have no conflict of interest that could call their impartiality into question

2 Information provided to parents/carers

Parents/carers will receive written notice of the meeting date and time, along with the headteacher's report and relevant papers, at least one week in advance wherever reasonably practicable. They will be informed that the meeting may proceed in their absence.

3 Scope of the committee's decision

In reaching a decision, the committee will consider whether the headteacher's decision was:

- Lawful
- Reasonable
- Procedurally fair

The committee will review all evidence presented, including the circumstances of the suspension or exclusion and the welfare of the pupil and others. Facts will be determined on the balance of probabilities.

The committee will also consider whether the decision was proportionate and whether the Equality Act 2010 required reasonable adjustments that were not made.

4 Possible outcomes

The Trust Board may:

- **Decline to reinstate the pupil**, or
- **Direct reinstatement**, either immediately or from a specified date (except where reinstatement cannot legally be directed)

5 Notification of the decision

The Trust Board will notify parents/carers, the headteacher, the local authority, and—where applicable—the pupil's social worker and Virtual School Head (VSH) **without delay**, including the reasons for its decision.

Where a permanent exclusion is upheld, parents/carers will also be informed of their right to request an Independent Review Panel (IRP). Full IRP procedures are set out in Appendix 1.

Monitoring and analysing suspensions and exclusions data

The Trust Board will review, challenge and evaluate the data on the school's use of suspension, exclusion, off-site direction to alternative provision, and managed moves.

The Trust Board will consider:

- How effectively and consistently the school's behaviour policy is being implemented
- The school register and absence codes
- Instances where pupils receive repeat suspensions
- Interventions in place to support pupils 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
- The timing of moves and permanent exclusions, and whether there are any patterns, including any indications that may highlight where policies or support are not working
- The characteristics of suspended and permanently excluded pupils, and whether pupils who share any particular characteristic are suspended or excluded more than others
- Whether the placements of pupils directed off-site into alternative provision are reviewed at sufficient intervals to assure the school that the education is achieving its objectives and that pupils are benefiting from it

- The cost implications of directing pupils off-site

School registers

A pupil's name will be removed from the school admission register if:

- 15 school days have passed since the parents/carers were notified of the Trust Board's decision to not reinstate the pupil, 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 school days, the Trust Board will wait until that review has concluded before removing a pupil's name from the register.

While the pupil's name remains on the school's admission register, the pupil's attendance will still be recorded appropriately. Where alternative provision (of an approved educational activity that does not involve the pupil being registered at any other school) has been made for an excluded pupil and they attend it, code B (education off-site) will be used on the attendance register. During off-site direction to another school or educational establishment, code D (dual registration) will be used.

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

Making a return to the LA

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

- The pupil's full name
- The full name and address of any parent/carer with whom the pupil normally resides
- At least one telephone number at which any parent/carer with whom the pupil 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 school the pupil will attend, including the name of that school and the first date when the pupil attended or is due to attend there, if the parents/carers have told the school the pupil is moving to another school
- Details of the pupil's new address, including the new address, the name of the parent/carer(s) the pupil is going to live there with, and the date when the pupil is going to start living there, if the parents/carers have informed the school that the pupil 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 pupil's name.

Returning from a suspension

1. Reintegration strategy

Following suspension, or the withdrawal of a suspension or exclusion, the school will put in place a strategy to help the pupil reintegrate successfully into school life and full-time education, considering the Equality Act duty to remove or reduce disadvantage.

Where necessary, the school will work with third-party organisations to identify whether the pupil 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 school life for the pupil:

- Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school
- Daily contact in school with a designated pastoral professional
- Mentoring by a trusted adult or a local mentoring charity
- Regular reviews with the pupil and parents/carers to praise progress being made and raise and address any concerns at an early stage
- Informing the pupil, parents/carers and staff of potential external support

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.

The strategy will be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents/carers and other relevant parties.

2 Reintegration meetings

The school will clearly explain the reintegration strategy to the pupil in a reintegration meeting before or on the pupil's return to school. During the meeting the school will communicate to the pupil that they are getting a fresh start and that they are a valued member of the school community.

The pupil, 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 school expects all returning pupils and their parents/carers to attend their reintegration meeting, but pupils who do not attend will not be prevented from returning to the classroom.

Remote access to meetings

Parents/carers can request that a Trust Board meeting, or independent review panel be held remotely. If the parents/carers don't express a preference, the meeting will be held in person.

In case of extraordinary or unforeseen circumstances, which mean it is not reasonably practicable for the meeting to be held in person, the meeting will be held remotely.

Remotely accessed meetings are subject to the same procedural requirements as in-person meetings.

The Trust Board should make sure that the following conditions are met before agreeing to let a meeting proceed remotely:

- All the participants have access to the technology that will allow them to hear, speak, see and be seen
- All the participants will be able participate fully
- The remote meeting can be held fairly and transparently

Social workers and the VSH always have the option of joining remotely, whether the meeting is being held in person or not, as long as they can meet the conditions for remote access listed above.

The meeting will be rearranged to an in-person meeting without delay if technical issues arise that can't be reasonably resolved and:

- Compromise the ability of participants to contribute effectively, or
- Prevent the meeting from running fairly and transparently

Equality Monitoring

The school will collect data on the following:

- Attendance, permanent exclusions and suspensions
- Use of pupil referral units (PRUs), off-site directions and managed moves

The data will be analysed every term by David Sanderson (Deputy Head) and David will report back to the Headteacher and Trust Board.

The data will be analysed from a variety of perspectives including:

- At school level
- By age group
- By time of day/week/term
- By protected characteristic

The school 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 pupils are identified by this analysis, the school will review its policies in order to tackle it.

Equality Act Claims

If parents/carers believe the exclusion resulted from unlawful discrimination, they may make a claim under the Equality Act 2010 to:

the First-tier Tribunal (SEND) for disability discrimination; or

the County Court for other forms of discrimination.

Any such claim must be lodged within six months of the alleged discriminatory act.

Appendix 1

Independent Review Panel Procedures

Right to request an Independent Review Panel

Parents/carers are entitled to request an Independent Review Panel (IRP) if the Trust Board decides not to reinstate a permanently excluded pupil. The Trust Board will, at its own expense, arrange for an IRP to review the decision.

Applications for an IRP must be made within 15 school days of the date on which the Trust Board's decision letter is given to parents/carers, or within 15 school days of the final determination of any related discrimination claim under the Equality Act 2010. Applications received outside this timeframe must be rejected.

At the request of parents/carers, the review may be held remotely (see Section 9 for further details).

Panel composition

The IRP will consist of three or five members, drawn from the following categories:

A lay member (chair), who has not worked in any school in a paid capacity (experience as a governor or volunteer is disregarded)

A current or former school governor, who has served for at least 12 consecutive months in the last five years and has not been a teacher or headteacher during that period

A headteacher, or an individual who has been a headteacher within the last five years

Where a five-member panel is convened, two members will come from the governor category and two from the headteacher category.

Disqualification criteria

A person may not serve on the panel if they:

Are a member of the Trust Board of the excluding school

Are, or have been within the last five years, the headteacher of the excluding school

Are an employee of the Trust Board or governing board of the excluding school (unless employed as a headteacher at another school)

Have, or have had, any connection with the school, Trust Board, parents/carers, pupil, or the incident leading to the exclusion that might reasonably call their impartiality into question

Have not completed the required IRP training within the last two years.

Participation and representation

Taking into account the pupil's age and understanding, the pupil and/or their parents/carers will be made aware of their right to attend and participate in the review. The pupil will be enabled to make representations if they wish.

Parents/carers may, at their own expense, appoint someone to make written and/or oral representations to the panel, and may also bring a friend.

Where requested, the Trust Board will appoint an SEN expert to advise the panel. This right applies regardless of whether the pupil has recognised SEN. The SEN expert's role will be explained to parents/carers, and there is no cost to them.

Where present, the panel must have regard to:

The SEN expert's advice on how SEN may be relevant to the exclusion

Any representation from the social worker on how the pupil's experiences, needs, safeguarding risks or welfare may be relevant

Any representation from the Virtual School Head (VSH) on how the pupil's background, education and safeguarding needs were considered by the headteacher or are relevant to the exclusion

Evidence

New evidence may be presented, but the school cannot introduce new reasons for the exclusion or the decision not to reinstate. The panel must disregard any new reasons.

When deciding whether the Trust Board's decision was flawed, the panel must consider only the evidence that was available to the Trust Board at the time, including any evidence that the panel considers should have been available and ought to have been considered if the Trust Board had acted reasonably.

If evidence is presented that it would have been unreasonable to expect the Trust Board to have been aware of at the time, the panel may take this into account when deciding whether to recommend reconsideration.

Panel decision

Following its review, the panel will decide to:

Uphold the Trust Board's decision

Recommend that the Trust Board reconsiders reinstatement

Quash the Trust Board's decision and direct reconsideration (only if the decision is judged to be flawed)

Decisions are made by majority vote. In the event of a tie, the chair has the casting vote.

The panel will consider whether the decision was proportionate and compliant with the Equality Act 2010, including whether reasonable adjustments should have been made.

Notification of outcome

The panel will notify all parties in writing without delay. The 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 Trust Board does not decide to offer reinstatement within 10 school days

Any information the panel directs the Trust Board to place on the pupil's educational record